FOR GOD OR CAESAR:

AN HISTORICAL STUDY OF CHRISTIAN RESISTANCE TO APARTHEID BY THE CHURCH OF THE PROVINCE OF SOUTH AFRICA 1946-1957.

by

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ABBREVIATIONS.

All African Convention.	A.A.C.
Afrikaner Broederbond.	A.B.
American Methodist Episcopal Church.	A.M.E.
African National Congress of South Africa.	A.N.C.
Afrikaner Party.	A.P.
African People's Organization (see also C.P.O., S.A.C.P.O.)	A.P.O.
British Broadcasting Corporation.	B.B.C.
British Council of Churches.	B.C.C.
Cape African Teachers' Association.	C.A.T.A.
Churches' Committee on International Affairs.	C.C.I.A.
Christian Council of South Africa.	C.C.S.A.
Christian Education Movement.	C.E.M.
Companion of Honour.	C.H.
Christian National Education.	C.N.E.
Congress of Democrats.	C.O.D.
Coloured People's Organization (see also A.P.O., S.A.C.P.O.).	C.P.O.
Church of the Province of South Africa.	C.P.S.A.
Community of the Resurrection.	C.R.
Dutch Reformed Church.	D.R.C.
Federasie vir Afrikaanse Kultuurverenigings.	F.A.K.
Fellow of the British Academy.	F.B.A.
Fellow of the Royal Society.	F.R.S.
Herengide Nasionale Party.	H.N.P.
Die Instituut vir Christelike Nasionale Onderwys.	I.C.N.O.
Interdenominational African Ministers' Federation.	I.D.A.M.(F.).
International Missionary Council.	I.M.C.
King's Counsel.	K.C.
Liberal Party of South Africa.	L.P.
Non-European Unity Movement.	N.E.U.M.
Nederduitse Gereformeerde Kerk.	N.G.K.
Nederduitse Hervormde Kerk.	N.H.K.
Nasionale Instituut vir Opvoeding en Onderwys.	N.I.O.O.
Natives' Representative Council.	N.R.C.
Member of Parliament.	M.P.

Ossewabrandwag.	O.B.
Orange Free State.	O.F.S.
Order of Merit.	O.M.
Oblates of Mary Immaculate.	O.M.I.
Ordo Praedicatorum (Dominican Order).	O.P.
Pan African Congress.	P.A.C.
Privy Councillor.	P.C.
Progressive Federal Party.	P.F.P.
Progressive Party.	P.P.
Pietermaritzburg Urban Ministry Project.	P.U.M.P.
Public Utility Transport Corporation Ltd.	P.U.T.C.O.
Queen's Counsel.	Q.C.
Royal Air Force.	R.A.F.
South African Broadcasting Corporation.	S.A.B.C.
Suid-Afrikaanse Buro vir Rasse-Aangeleenthede.	S.A.B.R.A.
South African Catholic Bishops' Conference.	S.A.C.B.C.
South African Church Institute.	S.A.C.I.
South African Congress of Democrats (see also C.O.D.).	S.A.C.O.D.
South African Communist Party.	S.A.C.P.
South African Coloured People's Organization (see also C.P.O., A.P.O.).	S.A.C.P.O.
South African Indian Congress.	S.A.I.C.
South African Institute of Race Relations.	S.A.I.R.R.
South African Party.	S.A.P.
South African Teachers' Association.	S.A.T.A.
Senior Counsel.	S.C.
Society for the Propagation of the Gospel.	S.P.G.
Society for the Sacred Mission.	S.S.M.
United Nations.	U.N.
United Party.	U.P.
United States of America.	U.S.A.
United Society for the Propagation of the Gospel, (formerly S.P.G.).	U.S.P.G.
Verdi Divini Minister (die Dienaar van die Woord).[1]	V.D.M.
World Council of Churches.	W.C.C.
World Student Christian Federation.	W.S.C.F.

1. HAASBROEK, Ds. I.J., Conversation, Pietermaritzburg, 7.11.1983.

P R E F A C E.

This study of Christian resistance to apartheid by the Church of the Province of South Africa aims to describe how Anglicans in South Africa opposed the National Party's racial policies between 1946 and 1957 in the context of widespread opposition both inside and outside Parliament, at home and overseas. The growing rigorism with which the Nationalists pursued their politics of separation placed an escalating burden on the conscience of Anglican churchmen. In its relations with the South African Government, the C.P.S.A. thus moved gradually from employing methods of persuasion and discussion, to the more vehement expression of dissent and finally to defiance in order to express their conviction that apartheid was both immoral and unchristian. A primary aim of the thesis therefore is to elucidate by description and analysis, the stance of Anglican leaders and the practical measures taken by them on the question of Christian resistance. Both their words and their deeds are considered in the context of the reactions of the official United Party opposition, certain extra-parliamentary organizations like the Civil Rights League, the Torch Commando and the Black Sash, as well as the resistance campaigns of the Congress movement.

In common with the modern movement for the contextualization of theology, ecclesiastical historians too have seen that socio-political developments provide the essential context for the writing of church history. Ecclesiastical history therefore must aim to describe not the history of the church by itself apart from society, but the church in history. When a thesis seeks to make a historical study of Christian resistance to a political ideology which the leaders of that church have declared to be contrary to the principles of Christ's religion, no author can avoid the duty of dealing with the politics of the period. In order that such a study is contained within reasonable bounds a further constraint is placed on the writer. The time-span indicated by the title covers only twelve years. If the matters dealt with by the Introduction and

parts of the first chapter on Michael Scott are added, the period covered becomes at most fifteen years. The process of radicalization which developed in Anglican attitudes towards resistance, and the significant stand taken by the C.P.S.A. against apartheid between 1946 and 1957 is accordingly described in the context of the important political developments of the period.

A crucial question which the thesis as a whole seeks to address is the efficacy of the C.P.S.A.'s resistance to apartheid. The church's failure to live up to the principles of its own non-racial precepts apart, there were other powerful influences which reinforced the Government's determination to pursue its policy of apartheid with unrelenting rigour. The provocation of resistance thus becomes a central theme, as widespread protests from the English-speaking churches and mass resistance on an unprecedented scale organized by the African and Indian Congresses, merely entrenched the Government in its implacable determination to yield nothing to their opponents. Some explanation is needed of why the National Party could retain political power in spite of the magnitude of these protests. The early legitimation of apartheid by the Afrikaans churches, and the role behind the scenes of the Afrikaner Broederbond, nurtured and sustained the cohesion of a reunited Afrikanerdom after 1944 under the banner of the National Party and its satellite organizations. This accounts for the manner in which Nationalist politicians were confirmed in their belief that apartheid had biblical sanction. The erratic performance of the official United Party opposition in Parliament, too, was another factor of special relevance, both for the critical importance of the church's witness, and the consolidation of the National Party in power. It is therefore an additional aim of this study of Anglican resistance to apartheid to account for the manner in which the National Party gained and sustained its hold on political power. Despite the considerable resistance they experienced to the implementation of their policies from the churches and South Africans of all races who could not claim hereditary membership of die volk, the National Party majority in Parliament increased from eight to fifty between 1948 and 1958 (this excludes the three Natives' Representatives.)

Thus alongside the theme of Christian resistance are a number of inter-locking sub-themes which enable the C.P.S.A.'s stand against apartheid to be seen in its wider ecclesiastical and political context. Descriptions of the C.P.S.A.'s response to Government legislation also deal with the development of the National Party's policy and legislative programme. Some of the biblical arguments for and against apartheid, together with the attempted dialogue on the race question between the English and Afrikaans speaking churches find a place in Chapters Four and Seventeen. The resistance to apartheid by black political organizations and a variety of extra-parliamentary groups provides the essential context for the responses of the C.P.S.A., the Christian Council and other churches. External pressure groups such as the Africa Bureau and Christian Action in London, and world bodies like the World Council of Churches and the United Nations were also involved. All therefore receive some attention where relevant.

The limitations of historical research in the field of Christian resistance to apartheid need also to be recognized. The Security Police probably possess the most comprehensive archive of documents relating to this subject in the considerable collection of papers they have confiscated. Nor is access to banned publications easy. Yet it has been possible, from primary sources that are available, to describe both the actions and the writing of Anglican leaders in context and so discern their understanding of the theology and praxis of Christian resistance. The complexities of the South African situation, however, are such that the most that can be done is to describe empirically how Anglicans responded to Nationalist legislation and to discover the different theologies and perceptions which were at work in the circumstances prevailing at the time. An interesting feature of the fruit of this research lies in the way in which leading individuals influenced one another. The findings of the Conclusion in this regard, and the evaluation of some of the theological arguments employed to support a stance of Christian resistance in Chapters Nine and Sixteen do not, however, aim to be a study in the theory of church-state theology, although some illuminating references are made to this subject in a number of episcopal and other statements that are cited. Nor again is it

a study of the proper role of the church in politics, although allusions are made to this question in the sermons and addresses of Archbishop Clayton which will be of assistance to every parish priest.

A further explanation of the content of the thesis is provided at the beginning of the Introduction. In this Preface it must suffice to set and define the boundaries for this study of Christian resistance to apartheid by the C.P.S.A. between 1946 and 1957.

THE LIMITS OF THIS STUDY.

The limits of this historical study of Christian resistance to apartheid have been set by two events. 1946 saw the participation of the Revd. Michael Scott and Fr. W.H. Satchell in the passive resistance campaign of the South African Indian Congress in Durban, to protest against the Smuts Government's Asiatic Land Tenure and Indian Representation Act. Anglican leaders seemed ill-prepared to meet the challenge posed by the participation by two of its priests in a campaign of civil disobedience. Archbishop Darbyshire chose to make no public statement. Bishop Clayton in an address to the Sacred Synod of the Diocese of Johannesburg indicated his disagreement with Michael Scott's action in joining passive resisters in Durban. When in 1952 the African and Indian Congresses combined to launch their "Defiance of Unjust Laws Campaign" the Anglican response, though tardy, was more assured. Episcopal Synod sent a resolution to the Prime Minister calling for talks between the Government and Non-European leaders.[1] An Advent Pastoral Letter was read in all churches, and Archbishop Clayton contributed an article on "Civil Disobedience" in his diocesan magazine which left the refusal to obey unjust laws "for a man's own conscience to decide".[2] The Archbishop emphasized that the church could not tell a man that he ought to make such a decision nor condemn him if he made it. Patrick Duncan, an Anglican layman who led a group of resisters into Germiston Location in December

1. See below, Appendix "C", p. 1122.
2. Ibid..

1952, after a proclamation had been issued severely increasing the penalties for incitement, had earlier received a letter from Archbishop Clayton which congratulated him for his courage. By contrast with the discouragement Michael Scott encountered six years earlier, Patrick Duncan was told by Archbishop Clayton that he rejoiced

> ..... that from the Anglican church should emerge people like yourself who have principles based on Christian presuppositions and who are prepared to make sacrifices for them. 3

The C.P.S.A. was divided over whether to meet the Government's compulsory take-over of African mission schools by a refusal to hand over church schools to the Department of Native Affairs in accordance with the dictates of the Bantu Education Act of 1953. It was only the enactment of the Native Laws Amendment Act of 1957 which evoked from the C.P.S.A. and all the member churches of the C.C.S.A. the unanimous and solemn threat to disregard the so-called "Church Clause" if ever it were to be invoked. The period of this study appropriately concludes in 1957 with the death of Archbishop Clayton and the impressive response of Christian resistance to legislation which sought to impose apartheid upon the churches.

The title rightly indicates that this is a study of Christian resistance by the C.P.S.A. No systematic attempt is therefore made to record the reactions of other churches, except where this seems especially appropriate either to indicate the wide measure of unanimity in their opposition to apartheid expressed by the English-speaking churches in 1948 and 1957, as well as in the interesting cross-section of responses to the Defiance Campaign in 1952. The Roman Catholic Bishops' separate negotiations with the Government over the retention of their church schools in 1954 is included, as well as the stance of the Dutch Reformed Churches on the "Church Clause" because of their intrinsic significance for the Anglican response to these two measures. The statements and actions of the Christian Council are, however, given more consistent treatment since for much of the period its key office bearers, Archbishop Clayton as President and Chairman of the Action

3. See below, Chapter Eight, pp. 417-8.

Committee in Cape Town, Archdeacon R.P.Y. Rouse a Vice President and Chairman of the General Purposes Committee in Johannesburg, and its Secretary, Dr. Blaxall, were all Anglicans. Although Anglican leaders could be criticized for not doing more to promote ecumenical dialogue with the Afrikaans churches, some significant support was given by Anglican leaders through the Christian Council for the efforts of certain liberal Afrikaners in the N.G.K. like Ds. Johan Reynecke and F.J. van Wyk, Professors Ben Marais, P.V. Pistorius and B.B. Keet, in organizing a series of ecumenical and multi-racial conferences in the mid-fifties to tackle the race question. The climax of these discussions, however, was not reached until December 1960 with the Consultation held at Cottesloe, Johannesburg, for the seven South African member churches of the World Council of Churches. Prior to that a bipartite meeting of Anglican and N.G.K. leaders took place at Bloemfontein in May 1959, and an Ecumenical Conference on Rapid Social Change later in the same year was sponsored by the World Council of Churches. Unfortunately these events fall outside the period and so do not form part of the narrative. The value of ecumenical dialogue and ecclesiastical diplomacy in achieving a significant shift in the attitude towards the biblical legitimation of apartheid by the leaders of the N.G. Churches between 1950 and 1957 is evidenced in the role of the World Council's General Secretary, Dr. W.A. Visser 'tHooft who encouraged by his former colleague Bishop Ambrose Reeves visited South Africa in 1952 and provided the stimulus for on-going meetings between English and Afrikaans speaking clergy. The extent to which Anglicans participated in and took the initiative in this movement for dialogue between the English speaking and Afrikaans speaking churches is therefore included only until 1957, although a full account of these developments would need to go on to describe the Cottesloe Consultation of 1960.

ITS JUSTIFICATION.

The need for a work of church history in this period is well illustrated by Dr. Edward Norman's complaint in the preface

of his Christianity in the Southern Hemisphere, the Churches in Latin America and South Africa that there has been "surprisingly little writing of ecclesiastical history in both areas". To an historian of the church and society in England, whose new research interest has turned to Christian developments in South Africa, it must be frustrating to find that there are no short cuts to knowledge on the above subject. There are the denominational histories, as he says, "those of the Afrikaans churches exclusively in Afrikaans, those of the English-speaking churches in English - and no study of Christian developments which includes both".[4] Peter Hinchliff's The Church in South Africa (1968) and John de Gruchy's The Church Struggle in South Africa (1979) do make the attempt to write about both the Afrikaans and English speaking churches. The first deals almost entirely with the nineteenth century, the second whilst giving a most perceptive analysis of historical origins in the first chapter, and dealing well with developments between 1968 and 1976, leaves many gaps in the period covered by this research.[5] The only denominational history of the Church of the Province, by Peter Hinchliff, The Anglican Church in South Africa, goes no further than 1936. The denominational histories of other South African churches do begin the attempt to take the immediate post-war period into account.

There are, however, a growing number of biographical and autobiographical works of great quality and value which throw light on the period 1946 to 1957, and none more important for this volume than Alan Paton's life of Archbishop Clayton (1973). Apart from other published works cited in references and listed in the Bibliography, the following are those to which I must acknowledge my particular debt.

Alan Paton's Apartheid and the Archbishop (1973).
John Peart-Binns' biography, Ambrose Reeves (1973).
Edgar Brookes' autobiography, A South African Pilgrimage (1977).
Trevor Huddleston's Naught for your Comfort (1956).

4. NORMAN, Edward, Christianity in the Southern Hemisphere, Oxford: OUP 1981.
5. Reality, November 1979, pp. 16-18, "A review of John de Gruchy's recent book by Bob Clarke", and ibid., January 1980, p. 4., "Dr. John de Gruchy replies to the Revd. R.G. Clarke's review".

Albert Luthuli's autobiography Let my People go (1962).
Michael Scott's autobiography A Time to Speak (1958).
C.J. Driver's biography, Patrick Duncan (1980).
The autobiography of Z.K. Matthews edited by Monica Wilson, Freedom for my People (1981).
Leo Kuper's Passive Resistance in South Africa (1956).

SOURCES.

The wealth of primary sources at my disposal will be evident from the Bibliography. The most important is unquestionably the outstanding collection of papers, documents and records housed in the C.P.S.A.'s Record Library and Archive at the University of the Witwatersrand in Johannesburg. Archives consulted in other centres are listed in the Bibliography. The collection of documents by Thomas Karis and Gwendoline Carter in the United States, published by the Hoover Institute, about the African National Congress, has yielded papers otherwise inaccessible to a researcher in South Africa, without which this study would have been forced into a more narrowly ecclesiastical mould. The collection of mimeographed memoranda, pamphlets and booklets in the Jan Hofmeyr Library at the headquarters of the South African Institute of Race Relations in Johannesburg has yielded facts on a wide range of issues and subjects. A primary source of immense value has been the transcripts of a number of interviews with various leading individuals who played their part in making the history of this period.

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For their wisdom and encouragement in planning my research when I first embarked on this fascinating project I have to thank the late Dr. Edgar Brookes, Dr. Wolfram Kistner my first supervisor, Dr. Peter Hinchliff and in particular the late Canon C.T. Wood, whose devoted work in assembling the papers in the C.P.S.A. Archive deservedly earned him an Honorary Ph.D. from the University of the Witwatersrand. When Dr. Martin Prozesky took over as my

supervisor in 1977 I faced a daunting task of dealing with a mountain of unfiled material, and tape-recorded interviews. Without his inspiration and encouragement I might never have completed it. The most conscientious of supervisors, his thoroughness in dealing with my fair drafts has enabled me to set myself new standards of presentation and literary style, so that if there be any merit in this aspect of my work the credit will be due to him. Professor Prozesky's eagle eye and the keenness of his critical faculties have helped me to eliminate faulty design, infelicitous language, awkward grammar and immodest claims unsupported by reliable evidence. If any such unscholarly lapses remain, the responsibility is entirely mine.

My wife Maggy, whose love and devotion have sustained me through nine years of unremitting work and exploration, deserves my greatest gratitude. Not only did she endure many absences on research trips, but she listened patiently both to my enthusiasms and my woes. Without her painstaking work as my thesis secretary I might never have finished. Not only did she type the transcripts of my interviews, but she assisted with the daunting task of filing at a time when my job as Director of the Pietermaritzburg Urban Ministry Project and Secretary of the Pietermaritzburg Council of Churches, combined with my work in the Cathedral Parish, left little time for such time-consuming work. When I took a second sabbatical year in 1981 it was possible to use all the time at my disposal for the exacting and concentrated work of writing. She then typed not only my fair drafts, but also the final copy.

Those who during a sabbatical year at Oxford in 1974-5 guided my general reading in the history and theology of the church-state relationship helped me to prepare some of the necessary tools for embarking upon research in this subject area. They are: the Revd. Dr. J.P. Hickinbotham, the Revd. Dr. Oliver O'Donovan, Fr. Roger Charles S.J., Dr. Barry White, Dr. Andrew Kirk, Dr. T.H.L. Parker, and Mr Gerald Bonner. I received further invaluable advice from Fr. Finbar Synott O.P., Dr. Beyers Naudé, Professor J. Verkuyl and Professor J. van den Berg in Amsterdam, Professor E. Todt in Heidelberg, Dr. John de Gruchy, Dr. Ben Engelbrecht,

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Unless specifically indicated to the contrary in the text, the whole thesis is my own original work.

INTRODUCTION.

The analogy of a symphony provides two points of comparison with this study of Christian resistance to apartheid. Like a symphony this thesis has a theme and a number of supporting sub-themes which interplay, reappear and shape the content. Sometimes it is a solo instrument which picks up the main theme, at other times it is an entire section of the orchestra. Or again it is another group which introduces a sub-theme and so on. The entire work endeavours to reflect the resonance, range and complexity of the whole situation. A statement of the church's stand, as a solo, would sound hollow and meaningless unless heard in the context of the sounds from all the other instruments of the orchestra and the symphony as a whole. The second point of comparison is that unlike a biography where the soloist is at the centre of the stage and the orchestra supplies merely an accompaniment, a history has to integrate into a coherent whole the performances of all involved,and the role of the author becomes then that of the composer conducting the first gala performance of a new work. The Introduction, to pursue the analogy one step further, serves as the composer's explanation of the work in the programme notes.

The main theme is the C.P.S.A.'s theory and practice of Christian resistance. Sometimes it is the Archbishop, at other times a diocesan bishop, at yet others it is an individual or yet again the whole church which speaks in unison and takes up the theme, both stating a principle and acting upon it. A major sub-theme, that of the Government's assertion of what is meant by apartheid, or an explanation of the object of a particular piece of legislation, generally precedes what the church said or did in reaction to it. A consideration of the Government's understanding of the meaning of apartheid, and the manner in which apartheid's proponents gained and held political power and applied their policy is juxtaposed with the manner in which the opponents of apartheid resisted or compromised with this policy.

There are certain chapters in which the witness of one person becomes the solo and the other instruments of the orchestra supply the accompaniment. Such treatment is reserved only for certain individuals whose prophetic role was particularly significant in arousing the church's awareness about the necessity for resistance to apartheid. Michael Scott, Trevor Huddleston, Patrick Duncan and Bishop Reeves each have an entire chapter built around them. Archbishop Clayton's role is so much at the centre of the stage anyway that his part could be likened to the leader of the orchestra, who animates the whole performance.

The first chapter about Michael Scott thus serves to introduce the main theme as well as a number of important sub-themes at the outset. A dominant sub-theme is then introduced in the second chapter dealing with the manner in which the National Party gained political power, together with the reactions of the United Party and the churches. This accounts for the inclusion in Chapter Two of shorter sub-sections about the role of the Afrikaner Broederbond in 1944, the unification of Afrikanerdom in the coalition in 1947 between the National Party and the Afrikaner Party, and Dr. Malan's tactics which sought to alienate Field Marshal Smuts from the roots of his support among Afrikaners. The erratic performance of the United Party in opposition had a most significant effect upon the witness of Christians against apartheid. At moments when the official opposition in Parliament was resisting apartheid vigorously, as was the case over the issue of the Coloured franchise, the C.P.S.A. did not feel the need to devote so much of its energy to organizing concerted resistance to the Government, as it did in instances where the issue affected the church more directly, as was the case with Bantu Education and the Native Laws Amendment Bill of 1957. Just as an explanation is required of why the Government was able to gain and sustain its political power in Parliament, it is also important to know why the United Party in its turn was so erratic in providing principled opposition to apartheid. This accounts for the mention in Chapter Two of the secret negotiations between the United and Afrikaner Parties after the 1948 general election, to show that there were those in the ranks of the United Party who were ready to sacrifice principle on

the racial question in order to regain political power. The re-interpretation of the United Party's racial policy and its own self-assessment of the election result in 1948 supplies one of the crucial reasons for the official opposition's inability, in moments of crisis such as occurred in the aftermath of the riots of October and November 1952 and in the election campaign for the 1953 general election, to sustain a principled stand against apartheid, and for civil liberty. These oscillations in the stance of the United Party were to have a marked influence, for example, upon Trevor Huddleston. His decision to identify himself unreservedly with defiance and to seek publicity abroad may be traced, firstly to his sense of dismay over the United Party's support of the Public Safety and Criminal Laws Amendment Bills in January 1953 and secondly, to the arrest of the Secretary of the South African Indian Congress, Yusuf Cachalia at the opening of the Western Areas campaign in June of the same year. The stance of the United Party on various issues thus becomes an important sub-theme, not only because of its effect in reinforcing the Government's adherence to the politics of separation when it found that its main opposition tacitly agreed with many aspects of segregation anyway. The erratic performance of the official opposition in Parliament enhanced the critical importance of Christian opposition to the Government's policies.

Besides dealing with the parliamentary proponents and opponents of apartheid, the thesis also gives close consideration to those black political movements which pioneered the way in offering non-violent resistance to the Government in two well-organized mass campaigns of civil disobedience. The first in 1946, organized by the Indian Congress, posed a direct challenge to the Church of the Province through the participation of the Revd. Michael Scott and Father W.H. Satchell. Scott's bishop, Geoffrey Clayton, defined his attitude to civil disobedience in an address to the Sacred Synod of the Diocese of Johannesburg that took place immediately upon Scott's release after serving a sentence of three months in Durban prison. This address is included as Appendix "B". The second time that Gandhi's philosophy of satyagraha was employed to resist the Government was in 1952.

The Defiance Campaign of that year challenged Anglican bishops with renewed urgency to give their opinion on the ethics of illegal action as a means of political protest against unjust laws. Not only did considerable numbers of Anglican Christians participate in the campaign, especially in the Eastern Cape where many African clergy were praying for the success of the campaign, but an Anglican layman, Patrick Duncan, led a mixed group of resisters of all races into Germiston Location without permits on 8th December 1952. Archbishop Clayton had been asked for his advice by Duncan, but he refrained from making any public statement on the issue of civil disobedience until after episcopal synod had met in November 1952. Archbishop Clayton's exposition of his stance on civil disobedience for Good Hope in December 1952 indicates that there had been a certain shift in his position since he had addressed his clergy in Johannesburg six years before. The relevance of a thorough treatment of these two campaigns and the reactions of Anglican leaders to satyagraha in 1946 and 1952 will be evident from Chapters Seven to Nine, which deal with the Defiance Campaign and its consequences. Hence the development of a united Congress movement at the time of the adoption by the A.N.C. of its Programme of Action in 1949, the Defiance Campaign of 1952, and the Resist Apartheid campaigns against Bantu Education and the Western Areas removals between 1953 and 1955 have special relevance for this study of Christian resistance to apartheid. The role, for instance, of Father Trevor Huddleston at the Congress of the People in June 1955, and the church's response to the treason arrests in December 1956, provide a valuable case study in the theology and practice of resistance. Trevor Huddleston's decision that the time had come to mobilize world opinion against South Africa's policies was to have considerable reprecussions. Also involved were Bishop Reeves, Canon Collins, Michael Scott, the Archbishops of Cape Town and of Canterbury, and the Society for the Propagation of the Gospel. The articles published by Trevor Huddleston about South Africa in The Observer between 1953 and 1955 gave substance to the resolutions of the Lambeth Conference of Anglican Bishops of 1948, the United Nations General Assembly and the World Council of Churches Assemblies at Amsterdam (1948) and Evanston (1954), which together

laid important foundations for the formal constitution of the Anti-Apartheid Movement after the shooting at Sharpeville in 1960.

In the period under review riots took place which were to have crucial political consequences. Not only did these riots reinforce repression. The repressive measures introduced in the name of law and order merely provoked further resistance. The attention given in the narrative to such disturbances therefore is because they were not only to have a profound effect on political developments, but also since the circumstances surrounding these disturbances led to the provocation of more resistance. Hence the Mineworkers' Strike in August 1946 and the manner in which the United Party Government suppressed it provoked the Natives' Representative Council to adjourn. The later abolition of the N.R.C. by the Nationalists, and the passage of the Bantu Authorities Bill in 1951 provided another powerful motive for launching the Defiance Campaign of 1952.

Inter-racial riots in Durban between Africans and Indians early in 1949 had the paradoxical effect of consolidating a political alliance between the African and Indian Congresses. Their joint efforts to reconcile the feelings of animosity fanned by the riots, prompted a joint meeting of the National Executive Committees of the African National Congress and the South African Indian Congress. The resultant Congress Alliance provided the political platform for mounting the Defiance Campaign.

Rioting in the Johannesburg township of Newclare in 1950 and again in 1952 provoked 7000 whites from the neighbouring suburbs of Westdene and Newlands to sign a petition to Dr. Verwoerd demanding that the Western Areas removal scheme be implemented. It is significant that the decisive steps which made these removals irreversible were taken in the wake of these disturbances in Newclare.

The riots which occurred during the Defiance Campaign in October and November 1952 in Port Elizabeth, Kimberley, Denver near Johannesburg and in East London were to have the most far-

reaching consequences of all. The Government blamed the Defiance Campaign for the disturbances in which a Roman Catholic nun was burned to death in her car. The Minister of Justice, Mr C.R. Swart, was given the excuse he was waiting for to impose the severest penalties for incitement. The effect upon white opinion was such that the United Party lost whatever chance it might have had of defeating the Nationalists in the general election of April 1953.

The rural unrest attributable to the Government's attempts to impose upon African women the same passes which had become such a hated feature in the lives of African men, receives only a brief reference. Disturbances in the Zeerust area of the Western Transvaal in 1957 and in Sekhukhuniland and Eastern Pondoland in 1959 are relevant to the events leading up to the shooting at Sharpeville in March 1960. That event, and the repressive measures taken in its aftermath were to transform the African National Congress and the Africanists in its ranks who broke away from the A.N.C. in 1959 to form the Pan African Congress, from political organizations committed to non-violent resistance into armed liberation movements in exile. These developments, however, belong to the later period, when Joost de Blank was Archbishop of Cape Town, and so, like the Cottesloe Consultation of 1960, belong to a sequel to this study of Christian resistance to apartheid between 1946 and 1957.

A further element in the efforts made by Anglicans to resist the ideology of apartheid lay in the attempt to employ ecumenical dialogue and ecclesiastical diplomacy between the English speaking and the Afrikaans speaking churches as a means of persuading the latter that the policy of apartheid had no Christian justification. None of the three Afrikaans churches were members of the Christian Council, although the N.G.K. (Transvaal), the N.G.K. (Cape) and the Hervormde Kerk, though not the Gereformeerde Kerk, became members of the World Council of Churches in this period. This gave to the role of the World Council's Dutch General Secretary, Dr. W.A. Visser 'tHooft, special importance. His visit to South Africa in 1952 did much to promote renewed

contacts between the Afrikaans and English speaking churches. A description of the efforts made between 1950 and 1957 to achieve dialogue between Christians in South Africa on the race question is thus dealt with in Chapter Seventeen. The premiss that ecumenical dialogue is an important means of resisting apartheid rests upon the findings of Chapter Four below that the National Party Government was able to gain and hold political power only because of the powerful legitimation given to its policy by the Afrikaans churches between 1948 and 1951. In the belief that the citadel of Afrikanerdom would crumble if ever the synods of the Afrikaans churches withdrew their support for the principle of apartheid, it is the argument of Chapter Seventeen that an additional form of resistance to apartheid consists in addressing not the National Party Government but the conscience of the Afrikaans churches. Considerable efforts were made between 1950 and 1957 to re-establish contact between the English speaking and Afrikaans speaking churches, broken in 1940 by the latter's withdrawal from the Christian Council. It was during Archbishop Clayton's presidency of the Christian Council between 1953 and 1956 that the most significant progress was made, and it is possible to discern a noticeable change in the stance of the leaders of the N.G.K. in both the Cape and the Transvaal on the race question during this period. Even if it was not until Joost de Blank succeeded Geoffrey Clayton as Archbishop of Cape Town that the C.P.S.A. made a more direct challenge to the Dutch Reformed Churches to repudiate apartheid, and it could therefore be said that ecumenical dialogue was being employed as a strategy of resistance to this policy, it is nevertheless directly relevant to the main theme of this thesis to document what took place between 1950 and 1957. It was upon these foundations that the bipartite N.G.K.-C.P.S.A. conversations took place at Bloemfontein in May 1959 to resolve the problems caused by de Blank's challenge to the N.G.K. to modify its stance on apartheid. These efforts to renew dialogue on the race question between the Afrikaans speaking and English speaking member churches of the World Council of Churches between 1950 and 1957 were crucial to the meeting which later took place at Cottesloe, Johannesburg, in December 1960. For these reasons the contacts that were fostered between the Christian Council and Die Federaleraad van N.G. Kerke, as well as the efforts of all

concerned to promote ecumenical dialogue on the race question between 1950 and 1957, need to be an integral part of this study of Christian resistance to apartheid.

It is the task of the Introduction not only to give orientation for all the main chapters, but also to provide essential background prior to 1946. Hence, before this study of Christian resistance may begin with an examination of Michael Scott's ministry in South Africa between 1943 and 1948 in Chapter One, it is necessary to describe the nature, work and motivation for the report The Church and the Nation (1943), prepared by a Commission with Bishop Clayton as its chairman. The foundation of Bishop Clayton's understanding of the role of the church in its relations with the state is to be found in this report, which is reproduced in full as Appendix "A". It is significant that the debate which took place at the synod of the Diocese of Johannesburg, concerned with the adoption of the above report in November 1943, took place at a time when the prospects for racial reform in South Africa had never been so promising.

THE PROSPECTS FOR RACIAL REFORM IN 1943.

The general election of July 1943 gave Field Marshal Smuts a resounding victory. The United Party, hitherto dependent upon the support of the Dominion and Labour Parties, now had an overall majority of twenty-five over all parties. Dr. Malan's National Party had won two extra seats, Smuts' gains being made at the expense of Dr. Malan's rivals, Mr Oswald Pirow's New Order who lost all their sixteen seats, and the Afrikaner Party, comprising the remnant of the late General Hertzog's supporters, who lost six. In polling 352 000 against the United Party's 640 000 Dr. Malan had grounds for satisfaction in cutting the United Party's share

of the Afrikaner vote from 40% to 32%.[1] Dr. Malan had shifted the attack away from the conduct of the war to domestic issues, especially those touching on race relations.[2] He saw the result of the election as a "suiveringsproses", and the consolidation of the "Afrikanervolk"behind his party as a sure sign for future victory. As he observed in his autobiography twenty-five years later,

> .... *vir my was dit die teken dat die dageraad van die oorwinning aan die politieke oosterkimme begin het om deur te breek.* 3

> .... *Die Opposisie is nou één gekonsolideerde geheel. En mag dit ook die aankondiging wees van die oorwinning wat kom !*[4]

Smuts, in a letter to a friend, said that he had one rule. "not to mind political opponents too much, rather to ignore them and concentrate on my own war and governmental business" and thanked his stars for giving him a spectacular election victory.[5] The voters of Johannesburg North returned Mr J.H. Hofmeyr to Parliament with an increased majority. "I was particularly pleased", said the Deputy Prime Minister, "because I have a larger majority than any of my cabinet colleagues".[6] Allied victories in French North Africa by an Anglo-American force led by General Eisenhower earlier in 1943 countered the reverses of the previous year at Tobruk and Benghazi when many South Africans had been taken prisoner, and contributed to the climate of optimism and hope.[7]

Meanwhile at home the prospects for the reform of racial policy seemed greater than ever. During the session of Parliament

1. DAVENPORT, T.R.H., South Africa, a Modern History, Johannesburg: MacMillan 1977, p. 238. HANCOCK, W.K. Smuts; Vol. II, Fields of Force 1919-1950, Cambridge, CUP, 1968, p. 383. The results of the General Election of 1943 are shown in the following table:

For Smuts	Before.	After.	Against Smuts.	Before.	After.
United Party	72	89	Nationalist	41	43
Labour Party	4	9	New Order	16	-
Dominion Party	8	7	Afrikaner	8	-
Independents	-	2	Independents	1	-
Native Represent-	3	3		66	43
atives	87	110			

2. DAVENPORT, op. cit., p. 238.
3. MALAN, Dr. D.F., Afrikaner Volkseenheid en my ervarings op die pad daarheen. Cape Town: Nasionale Boekhandel 1959, p. 229.
4. Ibid.
5. HANCOCK, Smuts Vol. II, op. cit., p. 382, ref. 44,and p. 556, letters to M.C. Gillett 9.6.1943 and 11.7.1943.
6. PATON, Alan, Hofmeyr, London: OUP 1965, p. 295.
7. LANGER, W.L., An Encyclopaedia of World History, London/New York: Harrap, Third edition 1954, pp. 1160-2.

which preceded the general election a resolution introduced by the Natives' Representative for Cape Eastern Mrs Margaret Ballinger, urging the Government "to undertake an immediate revision of Native policy .... to bring it into line with industrial development, the needs and aspiration of the Native population and the principles of the Atlantic Charter" had received a sympathetic reception.[8] In the election campaign of 1943 Smuts promised the country a Ministry of Reconstruction, and forecast that after the war South Africa would be able to sell its agricultural surplusses abroad to feed a starving world.[9] There were, it seemed, good grounds for hoping that Mrs Ballinger's resolution would meet with success. In 1941 Smuts had written an especially affable letter to Senator J.D. Rheinallt Jones, saying how much he valued the contribution of the Natives' Representatives in Parliament.[10] Then, in a speech to the Institute of Race Relations in Cape Town in 1942 he had told his audience that "segregation has fallen on evil days". He referred to the fear of the white minority of being "swamped", and continued,

> Attempts, as you know, have been made to get round this fear by the policy commonly called "segregation" - the policy of keeping Europeans and Africans completely apart for their own self-preservation .... The high expectation that we entertained of that policy has been sadly disappointed.
>
> How can it be otherwise ? The whole trend both in this country and throughout Africa has been in the opposite direction. The whole movement of development here on this continent has been for closer contacts to be established between the various races and the various sections of the community ....
>
> .... Isolation has gone and segregation has fallen on evil days too.
>
> But there are other phenomena springing out of these conditions .... A revolutionary change is taking place among the Native peoples of Africa through the movement from the country to the towns - the movement from the old Reserves in the Native areas to the big European centres of population. Segregation tried to stop it. It has not stopped it in the least ....
>
> .... You might as well try to sweep the ocean back with

8. BALLINGER, Margaret, From Union to Apartheid, a trek to isolation, Cape Town: Juta 1969, p. 111, citing House of Assembly Debates Vol. 45, 1642/43.
9. PATON, op. cit., p. 293.
10. Wits. Archive, Rheinallt Jones papers, letter J.C. Smuts to J.D.R. Jones 1941.

a broom.[11]

THE MALVERN CONFERENCE AND POST-WAR RECONSTRUCTION.

Christian leaders were not without influence in helping to bring about this new climate of confidence and hope. In England, Archbishop William Temple had directed attention to the importance of an early consideration of the principles upon which post-war reconstruction should take place, by organizing a conference of Anglican leaders at Malvern in January 1941.[12] The suggestion that such a conference be held had come from Prebendary P.T.R. Kirk, General Director of the Industrial Christian Fellowship in Britain. On 21st December 1940 a joint letter was published in The Times signed by Cosmo Laing, Archbishop of Canterbury, Cardinal Hinsley, Archbishop of Westminster, Walter Armstrong, Moderator of the Free Church Federal Council and William Temple, Archbishop of York, declaring that "no permanent peace is possible in Europe unless the principles of the Christian religion are made the foundations of national policy and all social life".[13] The letter went on to accept a five point plan initiated by Pope Pius XII for the pacification of Europe that laid down basic principles for the ordering of international life and the establishment of peace.[14] William Temple explained the purpose of the Malvern Conference, of which he was both chairman and convenor. It was

> .... to consider from the Anglican point of view what are the fundamental facts which are directly relevant to the ordering of the new society that is quite evidently emerging, and how Christian thought can be shaped to play a leading part in the reconstruction after the war is over. 15

Only six months after the Malvern Conference, and just four months before the United States' declaration of war on 8th December 1941, President Roosevelt and the British Prime Minister Winston

11. SMUTS, J.C., The Basis of Trusteeship in African Native Policy, Johannesburg: SAIRR, 1942.
12. TEMPLE, William, ed. Malvern 1941; The Life of the Church and the Ordering of Society, being the proceedings of the Archbishop of York's Conference, London: Longmans, 1941.
13. The Times (London), 21.12.1940, "Foundations of Peace, a Christian Basis. Agreement among churches".
14. Ibid.
15. IREMONGER, F.A., William Temple, Archbishop of Canterbury, London: OUP 1948, p. 429.

Churchill issued a joint declaration of peace aims that was endorsed by fifteen countries including South Africa, who were to be allies in the war against Germany, Italy and Japan. They announced that their countries sought no aggrandisement, desired no territorial changes contrary to the wishes of the people concerned, respected the right of nations to choose their form of government, and wished to see sovereign rights and self-government restored to peoples who had been forcibly deprived of them. They likewise favoured equality of economic opportunity with access to essential raw materials for all nations, and they sought friendly collaboration among the peoples of the world, fair labour standards, social security, freedom from fear and want, free traverse of the high seas, the abandonment of force, and the disarmament of aggressor nations.[16] Known as the "Atlantic Charter, it was the politicians' response to the challenge of Malvern.

THE BISHOP OF JOHANNESBURG'S COMMISSION, 1941-3.

The Malvern Conference and the Atlantic Charter were to have an important influence upon the church in South Africa. Later in the same year of 1941, a resolution before the synod of the Diocese of Johannesburg asked the Bishop, Geoffrey Clayton, to appoint a commission that would "study the resolutions of the Malvern Conference and the Pope's five point peace plan in relation to the needs of South Africa".[17] The task of the commission was to define the next step in the establishment of a new order in South Africa, to submit a plan of action, and to devise means by which this plan might be put into effective action. The members of the commission were to be drawn from those clergy and laity "who are actively engaged in trade unionism, social welfare, race relations, economics, education, civic and political life, medicine, law and commerce".[18] In another resolution the same synod "acknowledged the loyal services rendered to South Africa by the non-European people both in peace and war" and went on to assert that

16. LANGER, W.L., op. cit., p. 1137.
17. CPSA Archive AB 397, Minutes of the Bishop's Commission of the Diocese of Johannesburg.
18. Ibid.

"no new social order in this country can be regarded as finally satisfactory unless it gives equal rights of citizenship to all sections of the community".[19] The Malvern Statement, published in full by the magazine of the Diocese of Johannesburg, The Watchman, in February 1941, had asserted the right of the church to speak "not only to its members but to the world concerning the true principles of human life", and declared,

> .... The Christian doctrine of man .... [is] the only sure foundation of freedom and of justice .... [and] carries with it the sacredness of human personality .... Men shall have an opportunity to become the best of which they are capable and shall find in the prosecution of their daily tasks fulfilment and not frustration of their human nature. 20

As had been stated at Malvern, the synod of the Diocese of Johannesburg was asserting its right to speak not only to its own members but to the South African nation concerning the principles of human life. The commission's task was to embrace a thorough consideration of every important aspect in the life of the nation and to begin a process of study, action and reflection upon the most critical issues that were at the centre of South Africa's social, economic and political life. Among the original members appointed to the commission by Bishop Clayton were several people who will be found playing an important part in this account of Christian resistance to apartheid: Mrs Margaret Ballinger, M.P. (Natives' Representative, Cape Eastern); Mr Alan Paton, the author, then Principal of the Diepkloof Reformatory; the Revd. Arthur Blaxall, who in 1950 became the Secretary of the Christian Council of South Africa; Fr. Raymond Raynes, C.R., Priest in Charge of Sophiatown and Father Provincial of the Community of the Resurrection in South Africa, and the Diocese of Johannesburg's Archdeacon of Native Mission, the Ven. R.P.Y. Rouse.[21]

THE CHURCH AND NATION REPORT (1943).

It had taken two full years of hard and unrelenting work to prepare this report of the Bishop's Commission for presentation

19. Ibid.
20. The Watchman, February 1941, "The Life of the Church and the Order of Society", Malvern Statement II (2).
21. CPSA Archive AB 397 loc. cit., cf. PATON, Alan, Apartheid and the Archbishop, Cape Town: David Philip 1973, p. 119. The Report The Church and the Nation of the Bishop's Commission of the Diocese of Johannesburg (1943) is reproduced below as

to synod. When this was done it was known that Bishop Clayton had himself edited and drafted the report in its final form.[22] In particular, the "Statement of Christian Principles" and "The Church and the State" upon which it was stated in the Introduction that the "whole structure of the Report" had been built, bore the unmistakable marks of Clayton's style.

The first salient theme of the report flowed from Clayton's understanding of the doctrine of creation. In his opening address to the Malvern Conference, William Temple had said,

> It is the duty of Lambeth to remind Westminster that Westminster is responsible to God: but this does not mean that Westminster is responsible to Lambeth. 23

The first thing that Clayton's report did was to remind everyone, and especially the Government of the day, that they were responsible to God. The purpose of God's creation was that "all creatures exist to give glory in their several orders to Him, in whom they have their being and for whom they are or were created".[24]

> Man, by reason of his intelligence, his power to mould his environment, and his capacity for Communion with God, is the crown, and is called to be the priest of creation. 25

A second theme was based on the Christian principle of the fatherhood of God and the brotherhood of man. Important practical recommendations of the report regarding segregation and the franchise rested on this principle of man's relation to God.

> God is the Father of all men, because he created all men: and all men are brothers because they are the children of a common Father and are equally the objects of His love. 26

> [Hence] .... every man is potentially a member of God's household 27

This said, the section "E", dealing with "The Church and Racial Segregation", could speak with an assured authority.

> The principles outlined above apply to all citizens of the Union, without distinction of race and colour. This means that careful consideration must be given to all discriminatory measures which lead towards racial segregation. 28

The report conceded that there "is no final wrong principle involved in the practice of segregation" and that there was a "general

22. PATON, Apartheid and the Archbishop, op. cit., pp. 119-122.
23. TEMPLE, ed. Malvern 1941, op. cit., p. 15.
24. See below, Appendix "A","The Church and the Nation", Section B1.
25. Ibid., Section B2. 26. Ibid., Section B3.
27. Ibid., Section B4. 28. Ibid., Section E1.

tendency" for those "who have a common way of life to group together". However, it was emphatic that

> No segregation is tolerable which is inconsistent with the dignity of man as a child of God, or which hinders him from such development as will enable him to contribute to the whole community to the best of his ability, aptitude and talent. 29

Using the findings of Archdeacon Rouse's "Native Affairs" Committee, specific forms of enforced segregation were condemned, stating why such condemnation was valid.[30] Hence occupational, educational, territorial, social and political segregation were all rejected as being due to racial discrimination.[31] The report advocated a form of qualified franchise. It recommended that the qualified franchise for Coloureds in the Cape be extended to the rest of the Union, and to Coloured women as well as to Indians.[32] Its recommendations for the "Native Franchise" were complex. Firstly, the proportion of elected members in the Native Representative Council would have to be increased and the block vote for chiefs modified. The report also recommended that

> .... the direct individual franchise be extended to all men in the Union with the same qualifications as in the Cape Province and also that the franchise be given to Native women with similar qualifications. 33

On the basis of this qualified franchise on a separate voters' roll there should be one Member of Parliament for 7000 voters. Senators, too, should be elected by the direct vote of "qualified native electors". This would supersede the cumbersome block vote system exercised by chiefs, which was then in force. A common electoral roll was seen as the "ultimate aim", "so that through common election, Members of Parliament should represent all the citizens in their constitutencies". "The time will come when separate representation will lead to conflict rather than union".[34] The proposals were essentially gradualist in conception, and went no further than the policies which were later advanced by the Progressive Party after 1959.

29. Ibid., Section E4.
30. CPSA Archive AB 397, Native Affairs Committee, Memorandum on "Segregation".
31. Appendix "A", "The Church and the Nation" loc. cit., Section E5, (a) to (e).
32. Ibid., Section E5 (e). 33. Ibid., Section E5 (e) (iii) (b).
34. Ibid., Section E5 (e) (i) to (iv).

In defining the distinctive functions of the church and the state, and describing the duties of the church within the state, the Church and Nation report seems to have assumed a free church in a free society, whose Government was willing to listen and to co-operate in promoting the welfare of all its citizens. The freedom of the church, asserted by reference to Matthew 22;21, reminded the state that "it is God who declares what belongs to Caesar".

> Therefore, whatever the choice may be, the Christian, whether as a member of the Church, or as a citizen, must always obey the will of God. 35

This view was undergirded by the statement of principle already expressed in section "B", that "The Church is the extension of the Incarnation in history", which is therefore also "God's instrument for the redemption of mankind."[36] At the same time sin was acknowledged to "infect the order of man's moral, social, political and economic life", and the church in its turn was "made up of sinful and fallible men". But "there is no part of God's creation which is beyond the reach of God's redemptive power."[37] It was the duty of the church

> .... to be the Church, and to serve the nation and the State by proclaiming the will of God as the supreme standard to which all human wills must be subject, and to which all human conduct must conform. 38

The section "D", which dealt with "The Church, Economics and Industry", gave practical expression to these principles, and reflected the influence of the Malvern Conference and its promoters. Most of the speakers at Malvern had come from that group of Christian sociologists known as "the Christendom Group", who saw an important role for the church in relating Christian principles to the ordering of society. Particularly influential among them were Conrad Noel, Maurice Reckitt, Canon V.A. Demant, Dorothy Sayers, T.S. Eliot and William Temple himself. His leadership in staging the important Conference on Politics, Economics and the Church (COPEC) at Birmingham in 1926 had given a significant impetus to the movement.[39] Also of great influence at the time was the

35. Ibid., Section C5.
36. Ibid., Section B7.
37. Ibid., Section B, 11-14 and 18.
38. Ibid., Section C3.
39. LLOYD, Roger, The Church of England 1900-1965, London: SCM 1966, pp. 310, 307; IREMONGER, op. cit., pp. 433-4.

publication of William Temple's popular Penguin Special, Christianity and the Social Order, which had sold 150 000 copies within a year of publication early in 1942, coinciding as it did with Temple's translation to the see of Canterbury.[40] In this book Temple was at pains to vindicate the church's right and duty to intervene in politics. In a similar manner, Clayton described the task of the church within the state as being "to uphold spiritual values which shall inform all social action".[41]

Of particular interest in the Church and Nation report was the manner in which the issue of the church's role in politics was described. The section "The task of the Church in South Africa" could almost have been a manifesto for Geoffrey Clayton's archepiscopate, and is of such importance as to merit repeating here in full.

(a) To teach with greater care the obligations of Christian citizenship.

(b) To urge upon its members their duty to accept responsibility for service in Parliament and on Provincial and Municipal Councils, and other public bodies.

(c) To examine all political policies and to say when such policies offend against God or man, or on the other hand when they make for the fulfilment of God's will.

(d) To take special care to ensure that where existing or prospective legislation fails to uphold Christian principles, a powerful stand be made to educate public opinion against it.

(e) To try to awaken the conscience of the people to evils within the nation, particularly with reference to:- Injustice towards non-European people; Denial of the obligations of marriage; The secularization of education; The scandal of poverty and malnutrition; and The need for penal reform.

(f) To co-operate with the State in promoting the welfare of all citizens.

(g) To give moral support to the State when it upholds the Christian standard of justice.

(h) To summon its members to repentance and to pray for the spirit of consecration, which shall make of them agents whom God may use for His purpose in the world. 42

40. TEMPLE, William, Christianity and the Social Order, London: SPCK 1976 (with a foreword by Edward Heath), p. 7.
41. See below, Appendix "A", "The Church and the Nation", loc. cit., C3.
42. Ibid., C9 (a) to (h), my italics.

The question of whether or not the church should make pronouncements on socio-political issues was never in doubt. The value of the Church and Nation report, and in particular those sections of it which Bishop Clayton himself drafted, was to provide a theological framework within which the church's right and duty to speak in the political arena was to be exercised. It assumed a government that would be willing to listen to the church, and a state that was prepared to co-operate in seeking the welfare of all its citizens.

CHURCH-STATE RELATIONS IN 1943: ARCHBISHOP DARBYSHIRE AND FIELD MARSHAL SMUTS.

By contrast with Bishop Clayton, Archbishop Darbyshire, in addressing a letter to the Prime Minister as President of the Christian Council in September 1943, began by saying somewhat diffidently,

> While it would be improper for such a body as the Christian Council of South Africa to express opinions on matters purely political, we believe that it is within our proper sphere of action to express our thankfulness that now you have been returned again to power, we may confidently trust that the determined intention of the government over which you preside is not merely to carry on the war until victory brings Peace but also to promote the establishment of just and equitable relations between the constituent peoples of this great country and the social welfare of them all. 43

The letter went on to express concern that the government should "expedite reforms in social conditions" of "depressed fellow citizens both Native and Coloured" and also over "recent legislation to arrest Indian infiltration in Natal and the Transvaal", adding,

> Some of us regret deeply that the Indian Community, in reaction to what seemed to them unfair legislation adopted a course which you, Sir, felt compelled to resist as unconstitutional. 44

The Christian Council also expressed its view that "a systematic 'policy' of segregation by law" would not lead to "the removal of the sense of frustration" of the Coloured Community, and reminded the Prime Minister that "the Atlantic Charter to be real must apply to all". 45

43. CPSA Archive AB 189, Darbyshire papers, letter Darbyshire to Smuts 8.9.1943.
44. Ibid. 45. Ibid., p. 2.

It was a diffident and in some respects a deferential letter, which the Archbishop signed "With all respect, Sir, We remain, Your obedient servants .... " Although the Prime Minister thought it "might create an unduly sombre and one-sided impression", he agreed that it should be published as an open letter in January 1944.[46] Smuts' reply also tried to assure the Archbishop that "serious efforts are being made for social advance even in these times of grave handicaps due to war conditions".[47]

In July 1942 the Christian Council had held a conference at Fort Hare on "Christian Reconstruction in South Africa", which had boldly asserted the church's duty to speak out.[48] Its primary message was that Christian reconstruction in South Africa must not wait until after the war. The writer of a report on the conference in the Christian Council Quarterly was especially enthusiastic:

> We have looked to the church to speak out boldly, to be a conscience to the nation, the leaven of democracy: not to be content with denouncing the evils that it sees, but to be constructive and positive about what should be done to put them right. We believe this to be the challenge of the present day to the church.
>
> One thing is sure - society must be rebuilt and there can be no going back now ....
>
> In South Africa, the movement for Christian reconstruction, springing out of the Fort Hart Conference, has been for Christian youth the most positive and challenging development of the past two years. We believe that there are issues, racial, economic, social, on which the church must find where she stands and then speak out. In her fellowship are minds, consecrated and expert, which prayerfully used can organize collective action against the corporate evils of our nation's life. 49

On 13th January 1943 Field Marshal Smuts had met a deputation from the Christian Council, led by Archbishop Darbyshire, who presented the findings of the Fort Hare Conference.[50] The

46. CPSA Archive AB 189 loc. cit., letter Smuts to Darbyshire, 18.1.1944.
47. Ibid.
48. CCSA, Christian Reconstruction in South Africa: a Report of the Fort Hare Conference 1942, Cape Town: CCSA 1942.
49. Christian Council Quarterly, July 1942, my italics.
50. Christian Council Quarterly, January 1943. The delegation consisted of:- The Revd. A.A. Wellington, Archbishop Darbyshire, Advocate Douglas Buchanan K.C., the Revd. Dr. F.H. Gow, the Revd. Dr. R.H.W. Shepherd, Mr A.J. Filmer, the Revd. Fr. McCann (later Roman Catholic Archbishop of Cape Town), the Revd. E.W. Grant, Honorary Secretary of the Christian Council.

Prime Minister graciously spoke of the "impressive statement by the Archbishop". The concerns expressed were very similar to those contained in the Archbishop's letter already mentioned above. Archbishop Darbyshire acknowledged the difficulties "of carrying into effect a constructive policy of justice to all and help to the neediest". He referred particularly to "the stubborn influence of racial prejudice", together with the "distrust and misunderstanding"which "hampers beneficent effort".[51]

The Prime Minister's reply was significant for the manner in which he repeated his readiness to receive the representations of the churches.

> I hope we shall always have the help of the churches .... I am convinced the Christian solution is the most helpful one .... I welcome your co-operation very very sincerely.... Do not think that representations coming from you will be resented .... your advice will always be welcomed by me and attended to by the Government. 52

With regard to the problems of housing, education and health, he assured the delegation that nutrition was being dealt with by the supply of milk to school children,and concluded, "we intend to do our best in the world conditions of today". The second question was about representation in Parliament. Smuts had to admit, "justice must be done to the under-dog", and said that he would "like to find some other way out". However, he also reminded the deputation,

> The political road in this country is strewn with so much prejudice and difficulty that when you look to the future you are up against tremendous snags .... Justice must be done and if it cannot be done in one way it must be in another. I am rather doubtful about anything in the Parliamentary direction. 53

To the Christian Council's third point, about the recognition of "Native Trade Unions", Smuts replied, "Things are inconvenient just now. There is wide spread unrest in the country .... There is wide spread communistic influence". However, he indicated he had no objection to the principle.

51. CPSA Archive, AB 189 Darbyshire Papers, Undated letter headed "The Christian Council of South Africa", beginning, "His Grace the Archbishop of Cape Town, as President of the Christian Council of South Africa, has addressed to the Prime Minister, General Smuts, the following letter in the name of the Council".
52. Ibid., attached to the undated letter from Darbyshire, Statement by the Prime Minister to the Christian Council's Emergency Committee 13.1.1943.
53. Ibid.

> If one could form Native Trade Unions along sound lines I think that would be one of the best steps forward. I would favour it and accept it with both hands if one could devise safeguards .... I am sure that we should do what is fair and just and my colleagues have the same outlook. 54

These representations to the Prime Minister seem to have aroused "considerable criticism" of the Christian Council. A letter from Senator J.D. Rheinallt Jones to the Revd. E.W. Grant, Secretary of the Christian Council, referred to these criticisms and added his own surprise that "the more important question of the finance of Native Education" had not been mentioned. To have raised the issues of parliamentary representation and the recognition of African trade unions seemed to him to be inopportune. Rheinallt Jones thought that the Christian Council, like the Institute of Race Relations, should not allow itself "to be rushed into ill-advised actions by men like Mr Buchanan who had recently challenged the Institute to adopt a political programme".

> The Christian Council should be like the Institute, a fair reflection of the whole constituency and not of the opinions of a few energetic and not overwise persons who find satisfaction in resolutions and hasty action, but who will not take the trouble to think and to plan and to carry the largest body of support possible. 55

Rheinallt Jones considered that to raise the question of parliamentary representation at that juncture was unwise.

> It was hardly fair of the Christian Council to embarrass the Prime Minister on the question of representation at the present time, more especially since the change asked for by the deputation would require a two-thirds majority of both Houses of Parliament sitting together. It is inconceivable that any Prime Minister could at the present time risk his position in such a way. 56

The Prime Minister parried the requests, which it must be remembered were made before the general election, by trying to assure the Christian Council that he shared their ideals even if the time was not right for action.

> In some way you must accept the will for the deed. The goodwill is there. Sympathy with the African people committed to our charge is great and growing .... [but] some

54. Ibid.
55. Wits Archive, J.D. Rheinallt Jones papers, C 37/65, letter Rheinallt Jones to the Revd. E.W. Grant at Lovedale, 11.2.1943.
56. Ibid.

> things we can do at one time, at another time they cannot be done .... do not try to do the impossible at the most inconvenient time. 57

Smuts was not ready to tackle such a major programme of domestic reform until the war was over. However, the whole point of the Christian Council's representations was that the task of Christian reconstruction should begin immediately. Smuts realized the political obstacles he faced in the country, but also the deep divisions on racial policy and tactics in his own party. So he temporized, and postponed the time when these issues would have to be faced.

THE SEGREGATIONIST FOUNDATION OF UNITED PARTY POLICY BEFORE 1948.

It will be seen that one of the reasons why the United Party did not oppose apartheid consistently after 1948 was because of the divisions within its own ranks on racial policy and political tactics. These problems went back to the foundation of the United Party in 1933. Faced by the severe economic crisis due to the depression, General Hertzog, leader of the National Party, and General Smuts, leader of the late General Botha's South African Party, formed the so-called "fusion" government. Dr. D.F. Malan broke with Hertzog to form his "Purified" National Party, and the United National South African Party of Smuts and Hertzog thus became the inheritor of Hertzog's Native policy. As Prime Minister of the "pact" government between 1924 and 1933, General Hertzog had been responsible for placing the notorious Immorality Act of 1927 on the statute book. In 1936 the United Party adopted the principle of separate representation and segregation for Africans by passing the two "Hertzog Bills". The Native Representation Act required a two thirds majority of both Houses sitting jointly, and was passed by 169 votes to eleven. It removed Africans from the common voters' roll, and gave them separate representation in a Natives' Representative Council that would be no more than an advisory body. In Parliament, they would be represented by three members of parliament and four senators, who would all be

57. CPSA Archive, AB 189, loc. cit., the Prime Minister's Statement 13.1.1943.

white.[58] The Native Trust and Land Act provided a sum of £ 10 million for the purchase of further land for African use, and set limits on such purchases as a final settlement of the land question. This reserved 13% of land for African, and the rest for white occupation.[59] A Native Laws Amendment Act in 1937 obliged local authorities to enforce segregation policy and influx control, embodied in the earlier Urban Areas Acts of 1923 and 1930.[60] Also in 1937, General Hertzog had permitted the Transvaal leader of the United Party, General J.J. Pienaar, to introduce as a private member's motion a bill to prohibit mixed marriages. The move was, however, defeated by the arguments of Mr J.H. Hofmeyr, who said that whilst he personally disapproved of mixed marriages on social grounds, he disagreed with controlling them by law. The number of mixed marriages was declining anyway. Realising that many United Party M.P.'s, including the Minister of Native Affairs, Mr Piet Grobler, supported the bill, the official United Party line was to oppose the legislation on the basis of Mr Hofmeyr's arguments but to allow a free vote. When the vote was taken for the adjournment, many were absent from the chamber to avoid embarrassing the Government, and the measure was lost by 66 to 43.[61]

The legacy of these segregationist policies was to remain with the United Party after the departure of General Hertzog and his group in 1939 on the issue of South African neutrality in the war with Germany. We have seen how Field Marshal Smuts' speech to the Institute of Race Relations in 1942 had raised expectations of change, especially when he won the general election of 1943 so convincingly. This encouraged the churches to persevere in their representations to the Government in 1943. The content of these representations provides an indication of the extent to which racially discriminatory legislation was already an entrenched feature of measures already placed on the statute book by a United Party Government. For example, the legislation which accepted the principle of separate representation in Parliament for Africans in 1936 was to be the guiding principle for the dispensation offered

58. WALKER, Eric, A History of Southern Africa, London: Longmans, Third Edition 1957, new impression with corrections 1968, pp. 645-6.
59. Ibid., p. 646. 60. Ibid.
61. PATON, Alan, Hofmeyr, Abridged edition, London: OUP 1965, p. 197.

to Indians in 1946. Smuts' Asiatic Land Tenure and Indian Representation Bills, in order to meet white prejudice against Indians in Natal, legislated for residential segregation and separate representation.

Besides the letters he wrote to the Prime Minister on behalf of the Christian Council, Archbishop Darbyshire also addressed a memorandum to Smuts from Episcopal Synod.[62] These documents are interesting for two reasons. Firstly, Field Marshal Smuts was assumed to be an ally in the fight to eradicate racial discrimination. Secondly, the matters which the Bishops deemed to be worthy of urgent reform seemed to be little different in character from similar representations being made to the Nationalist Government after 1948. Indeed, such was the similarity between the Bishops' concerns about the trend in Government legislation in 1943, and their criticism of Nationalist Government legislation in the fifties, that the same remarks might as easily have been directed to Dr Malan or Mr Strijdom. I found it necessary to ask whether the Provincial Archivist might perhaps have been mistaken in placing this undated statement of Episcopal Synod in the Darbyshire papers when this document might as appropiately have been included with those of Archbishop Clayton ten years later. But there could be no mistaking Archbishop Darbyshire's style. A reference in the memorandum to "a Commission appointed three or four years ago to enquire into the general position of the Cape Coloured Population" obviously referred to the Cape Coloured Commission of 1940, and means that this document is reliably dated in 1943 or 1944. The bishops complained of

> .... the increasing tendency in the direction of discriminating between class and class ....
>
> .... differentiation in legal enactments and the administration thereof, which apparently is contradictory to the common law principle which draws no distinction on the grounds of race, colour or creed ....
>
> .... since Union legislation in South Africa has gone very far in the direction of conferring large discretionary powers

62. CPSA Archive, AB 189, Darbyshire papers. An undated duplicated memorandum, 6 pp., beginning, "At the last meeting of the Episcopal Synod of the Church of the Province of South Africa the duty was laid upon me of approaching you in the name of the Bishops with regard to legislation touching the Non-Europeans of the Union and more especially those of mixed race".

on Ministerial heads of Departments, and at the same time moving all control over the exercise of such powers from the Courts of Law.

Since Union Parliament has passed between 40 and 50 Acts enabling Ministers to differentiate on grounds of race or colour. The majority of these differentiations are confined to Natives, but the Coloured peoples have also suffered. 63

Reports in the press had warned that proposals were to be made to the Government to prohibit mixed marriages. The bishops objected, saying that whilst "all irregular miscegenation should be eliminated" they were opposed to legislation which prevented people "from entering into the marriage relationship merely because one is classed white or European and the other is classed Non-European or Non-White". 64

The fact that the bishops considered it necessary to address these remarks to a United Party Government in 1943 demonstrates how far the Union of South Africa had already travelled along the road of segregation and racial discrimination. A second inference that can be drawn from their statement is that the bishops were unsure whether they could rely on a United Party Government to resist racial discrimination. Smuts was no longer dependent upon the votes of the racially reactionary Dominion Party, or the Labour Party which since the 1920's was perceived as protecting the interests of white workers against black competition. However, he had retained both Colonel Stallard, leader of the Dominion Party and Mr Madeley, the Labour leader, in his cabinet. In the event Colonel Stallard broke with Smuts and sided with Dr. Malan in the 1948 election. The Labour Party, led by John Christie and then by Alex Hepple, was to be in the forefront of the fight to resist apartheid after 1948. As the story unfolds, the divisions on racial policy within the United Party's own ranks emerge as an important factor in enhancing the critical nature of the church's witness against apartheid after Dr. D.F. Malan's Nationalists came to power in 1948. The relationships which existed between the C.P.S.A. and the United Party Government, reflected in the Darbyshire-Smuts correspondence, showed an Archbishop perhaps a little

63. Ibid., p. 1.

64. Ibid., pp. 3-4.

over-awed by Smut's stature, and a Prime Minister anxious to reassure a somewhat diffident Archbishop that the church's representations, far from being resented, were considered both welcome and helpful. On the other hand, no practical results seem to have ensued. Alan Paton has aptly described the church-state relationship before 1948 as "uneventful".

> The Government acted, the Church protested: the Government bowed acknowledgement, and things went on. 65

In one sense Smuts could not be blamed for refusing to initiate a major programme of domestic and electoral reform in the midst of a taxing war, nor for recognizing that the political obstacles were formidable. Yet he was to pay a heavy political price for his procrastination. The criticism which struck home more effectively even than the attack on Hofmeyr's liberalism, was the description of the United Party by Dr. D.F. Malan, in a statement on the eve of the general election in May 1948, as "die party van niksdoen en laatmaarloop".[66]

THE ON-GOING WORK OF THE CHURCH AND NATION CONTINUATION COMMITTEE IN JOHANNESBURG AFTER 1943.

The original resolution of 1941 setting up the Bishop's Commission in Johannesburg had stipulated that they were to submit a "plan of action" and to devise means by which this plan might be put into "effective action". Thus it was inconceivable that all this effort should merely end with the publication of a report. The Bishop's Commission had been made into a Synod Commission, and after the report had been adopted by synod in November 1943 a Church and Nation Continuation Committee was appointed with Bishop Clayton as its Chairman. A resolution of synod in 1947 enlarged the membership of the committee to thirty-five, and renamed it the Diocesan Social and Industrial Council.[67] The minutes

65. Christianity and Crisis, Vol. 34, No. 16, 30th September 1974, p. 205, "Church and State in South Africa" by Alan Paton.
66. Die Burger, 24.5.1948, "Groot beslissing vir Suid-Afrika. Dr. D.F. Malan se oproep in verband met verkiesing".
67. CPSA Archive AB 397, Diocese of Johannesburg, Commission on the Church and the Nation 1941-1950. Continuation Committee Minutes.

of this council continue until 1950, when it was allowed to lapse by Bishop Reeves in favour of a Diocesan Council for Evangelism.[68]

The Johannesburg Diocese was particularly active in drawing attention to social problems and abuses, and making representations to both municipal and government authorities. On the other hand, the Christian Council's "Emergency Committee" in Cape Town, with Archbishop Darbyshire as its chairman, seems to have been dormant after its interview with Field Marshal Smuts in January 1943. It was not until the fifties that the Christian Council's Action Committee in Cape Town assumed a more active role. The minutes of the Church and Nation Committee show, amongst others, Michael Scott and Trevor Huddleston in the forefront of its activities. In 1944 Michael Scott presented a well documented memorandum on farm labour abuses in the Bethal district of the Eastern Transvaal. Fr. Trevor Huddleston expressed concern about the proposed expropriation of Sophiatown and the failure of the Transvaal Provincial Council to contribute to the Union Government's subsidy for school feeding. Huddleston was associated with a Johannesburg committee on school feeding under the chairmanship of Mr R. Stratford, M.P. When a resolution was tabled in the Transvaal Provincial Council in May 1945, asking for an extra penny a day for primary school children, and for a subsidy on equal terms with European schools, Huddleston's memorandum stated with some bitterness "this motion was lost owing to the action of the United Party, who voted it down whilst at the same time voting for an increase in their own salary".[69] It was recorded that "The Bishop congratulated Fr. Huddleston for his initiative and activity in this matter".[70] In 1946 the Non-European Affairs Department had asked Bishop Clayton's advice on the proposed regulations for Dube Township. Michael Scott responded with a memorandum proposing a voluntary housing corporation for Johannesburg. The Bishop and Fr. Huddleston then led a deputation to the Non-European Affairs Department on problems of African housing. In June 1946 it was noted that the Government had created a commission on migratory labour, and a sub-committee

68. CPSA Archive AB 389, Diocese of Johannesburg, Evangelistic Campaign records 1950-1953, and Reeves papers AB 388. CLACK, Maurice, Interview, Bloemfontein, 8.4.1981. See also below, Chapter Fifteen, p. 900.
69. CPSA Archive AB 397 loc. cit., Continuation Committee minutes, July 1945.
70. Ibid.

was asked to prepare a memorandum on behalf of the diocese. At the same meeting Michael Scott asked the committee to discuss passive resistance, without success, and reported that an anti-pass protest was rumoured.[71]

Also in 1946 the Continuation Committee set about the preparation and promotion of a correspondence course for Anglicans in the diocese, designed to stimulate a greater awareness amongst Christians of key issues in society. Amongst articles written by leading clergy in the diocese for group study in parishes were: "The Colour Bar" by Fr. Shropshire C.R.; "The Anglican Church and South Africa" by the Revd. H.R. Higgs, then Rector of Randfontein and later Bishop Suffragan of Hull. The Revd. Arthur Blaxall wrote on "The Church and Racial Segregation", as did Archdeacon R.P.Y. Rouse. A discussion paper, "We and our brothers", by the Revd. A.W. Eaton, Rector of Mayfair and Editor of The Watchman, included this provocative statement: "The State exists to serve the family and not to usurp its rights".[72] A recurring theme of these essays was a concern for the poor and disadvantaged.

In December 1946 the committee decided that should the Union Government take steps to incorporate the so-called High Commission Territories of Bechuanaland, Swaziland and Basutoland this would not be "to the final benefit of the people concerned".[73] A memorandum submitted to the Native Laws Commission in 1947 proposed the complete abolition of passes.[74] In the same year the Parish Council of Orange Grove directed attention to the church itself, raising the question of making church committees more representative, and pointing out that it was white mission priests who spoke for the African.[75] Also in 1947 the Christian Council asked the Committee's advice on the boycott of Indian traders "that is still being urged in some quarters". The Christian Council then issued a statement which declared that "the boycott is a violation of Christian principles in that it is an attempt to take revenge upon individual Indians in South Africa for the action of the Government

71. Ibid., Minutes, 6.3.1946.
72. CPSA Archive AB 397, Church and Nation Correspondence Course, with Minutes and papers of the Church and Nation Report.
73. Ibid., Minutes, December 1946. 74-5. Ibid., Minutes 1947.

of India in breaking off trade relations with the Union.[76]

A commission under the chairmanship of Mr Justice H.A. Fagan, appointed at the time of the Mineworkers' strike on the Witwatersrand in 1946 to enquire into the revision of laws for Natives, published its findings early in 1948. A resolution by the synod of the Diocese of Johannesburg was addressed to the Prime Minister. However, when Field Marshal Smuts' reply was read to the Social and Industrial Council on 8th June, Dr. Malan's Herenigde Nasionale Party was in power. Owing to the change of Government it was decided not to pursue the matter. Relations between the diocese and the Non-European Affairs Department of the Johannesburg City Council also seem to have changed suddenly in May 1948. Where two years previously the deputation led by Bishop Clayton on African housing had been welcomed and heard with respect, now Fr. Huddleston reported that the Mayor of Johannesburg had refused to meet a deputation of the Diocesan Social and Industrial Council's executive, concerning the removal of "surplus" population from Sophiatown.[77] The last major issue to be tackled by the Council before its demise in 1950 was to prepare the diocese's reply to the questionnaire of the Eiselen Commission on Native Education in October 1949. In May 1950, following riots in the African areas of Johannesburg, the Council expressed its concern, and appealed to the Government "to give attention to the causes underlying the disturbances and to take all steps possible for removing of just grievances of the African people".[78]

As the narrative unfolds in the succeeding chapters it will be seen how the Church and Nation Commission, its Continuation Committee, and its successor, the Diocesan Social and Industrial Council, provided an effective forum for the formulation and expression of the church's witness in society over a wide range of issues. Bishop Reeves, however, allowed the Council to lapse in 1950 and took over its role himself, something which caused dis-

76. Wits. Archive., CCSA papers, 1947. A duplicated foolscap sheet which begins, "The Christian Council of South Africa at its meeting in Johannesburg in May gave very careful consideration to the question of the boycott of Indian traders ...."
77. CPSA Archive AB 397 loc. cit., Continuation Committee minutes, 1948; UG-28 1948, Report of the Native Laws Commission 1946-8.
78. CPSA Archive AB 397 loc. cit., Continuation Committee minutes 1949-50.

appointment amongst clergy in the diocese who were loyal to Clayton. Michael Scott, for instance, was critical of the Continuation Committee for inaction. As Cyril Dunn, his erstwhile biographer put it, "it was always to continue with discussions".[79] The influence of the Church and Nation Commission in Johannesburg was highly significant in motivating a number of Anglican Christians to witness to their faith through Christian action on some of the burning social and political questions of the day. Alan Paton's comment should be tribute enough. In his autobiography he wrote of the Church and Nation Commission,

> It didn't change the Nation but it changed me ! Ten years later I tried to apply its principles in the hard world of politics. 80

Another person to be profoundly influenced by it was Trevor Huddleston. He told me in 1975 that he counted Geoffrey Clayton among those who had had a formative influence upon him, together with leading figures in the Christendom Group in England like Conrad Noel and Maurice Reckitt, who were among those who had delivered papers at the Malvern Conference in 1941.[81] If the Bishop's Commission changed Alan Paton, it also changed the Diocese of Johannesburg, preparing its clergy and laity for the fight against apartheid after 1948. Besides Paton, Huddleston and Scott, among those clergy and laity were Margaret Ballinger and the Revd. Arthur Blaxall, who all feature prominently in this account of Christian resistance to apartheid. It may not perhaps be possible to say that the Church and Nation Commission changed Clayton. But what it certainly did was to ensure his translation to Cape Town in 1948, and to prepare him for his archepiscopate there from 1949 to 1957.

The importance of Bishop Clayton's Church and Nation Commission for the ensuing study of Christian resistance to apartheid lies in the formative influence such a clear statement of theological principles was to have upon the life and witness of the Church of the Province as a whole, through the leadership of some of those who took part in the composition of this report. Two

79. DUNN, Cyril, Interview, Blackheath, 8.7.1975.
80. PATON, A., Towards the Mountain, an autobiography, Cape Town: David Philip 1980, p. 248.
81. HUDDLESTON, The Right Revd. Trevor, Interview, Stepney, 25.6.1975.

newcomers to the Diocese of Johannesburg in 1943 who were present for the synod debate which adopted the report The Church and the Nation were Trevor Huddleston and Michael Scott. The thesis as a whole begins with a description and evaluation of Michael Scott's ministry in South Africa in the first chapter.

CHAPTER ONE

MICHAEL SCOTT: A PROPHET WITHOUT HONOUR ?

Michael Scott's ministry in South Africa lasted no more than six years. In the short period between 1943 and 1948 he employed a varied armoury of methods of protest and of resistance to the social and political problems which posed such a challenge to the church's witness in South Africa. Of particular interest for the purposes of this study of Christian resistance is the reaction which Scott's activities evoked from his bishop, Geoffrey Clayton. Scott's participation in the South African Indian Congress campaign of passive resistance in June 1946 earned him a term of three months' imprisonment in Durban. On his return to Johannesburg Bishop Geoffrey Clayton summoned the clergy of his diocese to attend a Sacred Synod in October 1946 to discuss the question of a Christian's attitude towards civil disobedience. The full text of Clayton's address on that occasion, The Christian and Civic Responsibility, is reproduced in the Appendix and forms an important part of the discussion at the end of the chapter. The purpose of this opening chapter is to describe and evaluate Michael Scott's unusual ministry in South Africa between 1943 and 1948. Not only do Scott's activities draw attention to some of South Africa's most urgent social and political ills at the end of the Second World War, but also they provide an invaluable case study in the means of protest and resistance to injustice available to a Christian. The particular relevance of Michael Scott's work between 1943 and 1948 was that his protests were directed against the practical effects of racial discrimination in South Africa before the Nationalists came to power.

When Bishop Clayton appointed Michael Scott to be an Assistant Priest to Fr. Maurice Clack at St. Alban's Mission Johannesburg in 1943, he was already thirty-six years of age, and had a considerable experience of ministry amongst the poor and the destitute.

He first came to South Africa at the age of nineteen to work, for a year, with Archdeacon Engleheart at the Faure branch of the Mission to Lepers in the Cape before beginning his theological training at St. Paul's College Grahamstown. However, he had returned to England in 1930 to complete his theological training at Chichester, where he was ordained by Bishop Bell in 1932. The son of an Anglican priest, who for much of Scott's early life was the vicar of a slum parish in Southampton, his first appointment had been to a fashionable parish in Kensington. However, he soon moved to All Souls' Clapton, where he could use his particular gifts amongst the poor and the neglected. Then in 1935 he went to India, first as chaplain to the Bishop of Bombay, and then to St. Paul's Cathedral, Calcutta, where he worked among the really destitute of many races. After war was declared he joined the R.A.F., not as a chaplain, but as aircrew in bomber command. But he did not complete his training because of ill-health, and on medical advice he returned to South Africa in 1943.[1] This experience in the R.A.F. had an important influence upon his later and strongly held pacifist convictions.[2]

In addition to his duties as Assistant Priest at St Alban's Coloured Mission in the deprived inner city areas of Johannesburg, Scott was also chaplain to an orphanage for Coloured children in Sophiatown. Still unmarried, he lived in a rondavel in the grounds of the orphanage. All around him was disorder, squalor, dirt, poverty and malnutrition, and he was appalled. He looked for the causes of these shocking conditions, and tried to discover what remedies had been suggested. He found a wealth of useful recommendations made by government commissions which had never been implemented. His reaction was prompt and imaginative.[3]

THE CAMPAIGN FOR RIGHT AND JUSTICE.

Michael Scott saw the need to bring a more co-ordinated

1. CPSA Archive AB 702, Scott papers. Who is Michael Scott ?, a pamphlet published by Freda Troup with the agreement of the Social and Industrial Council of the Diocese of Johannesburg (1948).
2. CLACK, the Revd. Canon Maurice, Interview, Bloemfontein, 6.4.1981.
3. Who is Michael Scott ?, op. cit.

effort to bear upon the problems he encountered. He believed a solution lay in a carefully integrated scheme of regional planning, a practical programme which would deal with the problems of migratory labour, the enormous influx of population into the towns, the devastation of the countryside, poverty, malnutrition and crime.[4] For such a purpose, the all-Anglican Church and Nation Continuation Committee, Scott thought, was hardly adequate. What was needed was a broadly based extra-parliamentary movement which would involve not only the church but other groups and individuals, regardless of race or creed. Thus "In an attempt to cope with some of these mounting problems as World War II drew to a close", he formed a committee in Johannesburg in 1944, and this grew into the Campaign for Right and Justice.[5] They secured as their President a retired judge, Mr Justice Krause, whom Scott described as a "liberal-minded Afrikaner nationalist who fought courageously against inhuman prison conditions and the effects of the pass laws."[6] The Archdeacon of Kimberley, the Ven. H.E. Wraige, became Chairman of the Executive Committee, and Scott its Honorary Secretary.

Scott threw himself into this work and found the tasks of honorary secretary taking up more and more of his time. Fortunately he had the fullest sympathy and support of his Rector, who said, "Look, one of us has got to run the parish - we can't both be into this, however sympathetic I may be".[7] And Scott later wrote gratefully of "the sympathy and indulgence" of Maurice Clack who gave him time off from the parish to pursue this work.[8]

> He certainly took a good deal of time off what I would call parish work, in order to do it .... but you mustn't get the impression he did no parish work. He did. He went to enormous trouble over individuals in pastoral visiting .... if he found a real need, he would go and hammer at that need until it was met. And so I was very grateful to have Michael. I don't think I could ever have run the parish without him. 9

Cyril Dunn was the Observer's Johannesburg correspondent in this period, and later worked on a biography of Michael Scott which was

4. TROUP, Freda, In Face of Fear, London: Faber 1950, p. 125.
5. SCOTT, Michael, A Time to Speak, An autobiography, New York: Doubleday 1958, p. 114.
6. Ibid.
7. CLACK, the Revd. Canon Maurice, Interview, Bloemfontein, 6.4.1981.
8. SCOTT, op. cit., p. 114.
9. CLACK, Interview op. cit.

never finished. Mr Dunn told me:

> Scott was always saying that the church had to go further than Clayton's report, The Church and the Nation. If all that had been said in 1943 were true, then the church had to do something about it. In Scott's view the Continuation Committee merely continued with discussions. 10

In its earliest stages the Campaign drew its support from a wide range of Johannesburg-based church and labour organizations who were represented on the Executive Committee and shared in preparing a memorandum for presentation to the Ministers of Justice (Dr. Colin Steyn), Labour (Mr W.B. Madeley) and Native Affairs (Major Piet van der Bijl) two months after the well attended inaugural conference on 9th July 1944 in the Johannesburg City Hall. A circular from Scott dated 10th September 1944 listed the following ecclesiastical bodies as supporting the memorandum:-

> The Christian Council of South Africa, Witwatersrand Church Council, Catholic Federation of the Transvaal, Transvaal Presbytery of the Presbyterian Church. the Congregational Union, the United Hebrew Congregation, the Anglican Coloured Mission and the Anglican Native Mission, Orlando.

The remaining organizations were:-

> S.A. Trades and Labour Council, the Joint Council of Europeans and Africans, S.A. Trained Nurses Association, Non-European Trades Council, Non-European Ex-Servicemen's Association, Johannesburg Legal Aid Bureau and the African National Congress. 11

A notable absentee was the South African Indian Congress, which with the A.N.C.. the Trades and Labour Council, the Cape Coloured Organization and the African Mineworkers' Union, made up the Campaign's main support at the time of its demise in 1946. In his autobiography Scott refers to "a furious controversy" with Dr. Yusuf Dadoo at the beginning of the campaign.

> (This) helped to reveal to me my own profound differences with official communism, religiously and philosophically as well as in the matter of political strategy. 12

Scott's explanation to Mrs Ballinger that the deputation would concentrate on "a minimum of points rather than insisting upon more general or more sweeping demands"(13) was an indication that the deputation had supported Scott in repudiating the tactics of

10. DUNN, Mr Cyril, Interview, Blackheath, August 1975.
11. Wits Archive A 410 Ballinger papers. Campaign for Right and Justice B2.10.2, Circular dated 10.9.1944 with covering letter to Mrs Ballinger dated 5.9.1944
12. SCOTT, A Time to Speak, op. cit., p. 115.
13. Covering letter Scott to Ballinger 5.9.1944 op. cit.

Dr. Dadoo, and the other communist sympathizers who had been elected on to the original executive committee. Therefore it was particularly unfortunate for the Campaign that Mrs Ballinger resigned as a member of the Executive Committee soon afterwards. In her letter to Mr A.L. Saffrey, the Campaign's full-time organizer on 11th October she explained that she did so "reluctantly" because of her inability to attend the meetings. At the same time she gave a clear indication that she did not agree with a number of the Executive's decisions.

> I may say I am only taking this step to avoid being a nuisance. I feel that people who do not come to meetings should not argue afterwards about the decisions in the formulation of which they should have assisted; and I suspect that I might be tempted to disagree with a number of the Executive's decisions. 14

The deputation led by Mr Justice F.E.T. Krause, according to Scott, seems to have met with "a very sympathetic hearing" from Dr. Steyn and Major van der Bijl. Mr Madeley, however, was unwell and thus unable to see them on 12th September. Indeed, such was the impression made by the deputation that they later succeeded in persuading no less than four United Party Cabinet Ministers to participate in an ambitious national conference on regional planning in the latter part of 1945. Besides Dr. Colin Steyn (Justice), Michael Scott had prevailed upon Mr J.G.N. Strauss (Minister of Agriculture), Mr S.F. Waterson (Economic Development), and Dr. Henry Gluckman, the member for Yeoville who had just been appointed Minister of Health, and who presided at the various sessions of the conference. The price of eliciting their participation was that Scott should give an undertaking that no attempt would be made to use the Campaign as a nucleus for the formation of a new political party.[15]

Scott's efforts to secure the support of his church had not been so successful. He asked the 1944 synod of the diocese of Johannesburg to support him, and believed that they had in fact passed his resolution supporting the Campaign, and recommending

14. Ballinger papers loc. cit., letter Ballinger to A.L. Saffrey, 11.10.1944.
15. Compiled from: House of Assembly Debates 1945 and 1946, which lists Cabinet Ministers and their portfolios; SCOTT, A Time to Speak op. cit., pp 114–5; Ballinger papers loc.cit., Newsletter No 4, 16.7.1945 p. 4; Circular Letter 10.9.1944.

it to people's attention and study.[16] However, his resolution came up on the agenda when synod was nearly over, so that Scott was called upon to make his speech in the face of Bishop Clayton's obvious impatience and disapproval. Alan Paton, who was present at the synod, records, "Scott ended ineffectually. His resolution was referred to a Diocesan Social Action committee which did nothing about it."[17] Michael Scott also wrote to a number of Anglican bishops asking for their support, and no less than five replied giving him their encouragement. This was announced at the conference, whereupon the bishops issued a statement to the press denying that they had said anything of the sort.[18] Mr Dunn avers,

> I think it was Clayton who made them back down. It's not the least bit difficult to see why. Michael doesn't see it. When a Bishop has staked a great deal on his own accord, to have somebody show such public contempt for it that he comes out with a quite separate campaign of his own, and is himself one of Clayton's clergymen, you can understand his annoyance. 19

Canon Clack recalled how "very few people" in the diocese were "altogether sympathetic", least of all Bishop Clayton.[20] The Revd. A.W. Eaton, Rector of Mayfair and Editor of The Watchman, is reported to have told the Jewish Board of Deputies that synod had in fact opposed Scott's campaign. "In Johannesburg", Mr Dunn observed, "nothing liberal can get off the ground without the Jewish Board of Deputies. They had the money !"[21] Alan Paton has written that Bishop Clayton regarded the Campaign "coldly" and also that he was "unenthusiastically tolerant" of Scott's efforts.[22] If Mr Dunn is correct in his assessment of Clayton's attitude to Scott, it would seem that he was not merely indifferent to the Campaign for Right and Justice, but actively opposed it. It was not that Clayton disapproved of Scott's objectives. He may have mistrusted his methods and doubted the company he kept, but Mr Dunn, I think correctly, considers that Bishop Clayton saw the Campaign for Right and Justice as a rival to the Church and Nation Commission and in that sense a challenge to his authority

16. DUNN, Interview op. cit.
17. PATON, Alan, Apartheid and the Archbishop, Cape Town: David Philip 1973, p. 137.
18. DUNN, Interview, op. cit.
19. Ibid.
20. CLACK, Interview, op. cit.
21. DUNN, Interview, op. cit.
22. PATON, Apartheid and the Archbishop, op. cit., p. 137.

as Scott's episcopal superior.

The manifesto of the Campaign, prepared for the inaugural conference in July 1944, called on all the people of South Africa "To stand together to establish what is just and right". It ended by declaring that "the campaign should undertake to mobilize the widest possible alliance of the popular and progressive forces in the country" in order to secure

(1) Drastic measures against profiteering, particularly in the production and distribution of food and clothing.
(2) Plans for the full-scale development of the industrial and human resources in the country.
(3) The provision of social services for all races, particularly in the matter of health and housing, education and insurance against unemployment.
(4) The fulfilment of our obligations to our armed forces and their dependents. 23

The conference on regional planning called for a nation-wide campaign for:-

(1) The full and direct representation of all sections of the community.
(2) The abolition of all legislation discriminatory on grounds of colour race or sex.
(3) The provision of land for the landless peoples of South Africa and assistance in making the best use of it.

The conference was also unanimously in favour of a minimum wage of two pounds a week.[24]

The Campaign for Right and Justice survived for only two years. It served to bring Michael Scott into the public eye[(25)] as the Campaign took up many issues, both "detailed cases of injustice" as in the case of farm labour abuses at Bethal, and "broad questions of policy", like the United Party's Indian legislation.[26] It began by seeking to participate constructively with those in authority to cure society's ills. The emphasis soon turned to protest, or, as Michael Scott more tactfully put it in his autobiography, "The negative side of its programmes occupied an increasing proportion of our attention and our resources".[27]

23. Wits Archive, Ballinger papers A 410, Campaign for Right and Justice B 2.10.2, Draft of Declaration 9.4.1944, and SCOTT, A Time to Speak, op. cit., p. 115.
24. Ibid.
25. CLACK, Interview, op. cit.
26. SCOTT, A Time to Speak, op. cit., p. 115.
27. Ibid.

Archdeacon Wraige resigned as Chairman of the Executive Committee due to pressure of work in August 1946 and Scott himself accepted the chairmanship. Soon after his release from prison towards the end of September 1946 Scott "forced a showdown on the executive".[28] By 1946 Scott saw that communist sympathizers on the executive committee were intent on subverting the Campaign for their own political purposes, and were using it to form a new political party in spite of the assurances he had given to the United Party the year before. Another problem which divided the Executive was the withdrawal of a pamphlet about the Broederbond, which Scott discovered had been compiled from information in a secret Military Intelligence Report. Scott records the manner of his resignation.

> When accordingly, I forced a show-down on the executive I found that I and those supporting me, including the strongest anti-communists on the executive were outvoted. In a mood of black despair I resigned from the campaign I had struggled day and night for two years to build up.
>
> .... I felt betrayed by my church. Though admittedly, my tactics had been at fault, I felt that they had not been so much at fault as to give the heirarchy any justifiable pretext for their lack of support, if not open opposition to what we were trying to do. I lived closer to the scene of these incipient conflicts in my little rondavel in Sophiatown than the bishops, and had some sense of the dangers that lay ahead. 29

The result of Scott's resignation was that the Campaign never recovered and eventually collapsed. It was taken over by its communist members, but as Scott observed, "their support .... was in a sense the kiss of death".[30]

BETHAL.

In October 1944 the Continuation Committee of the Church and Nation Commission considered a memorandum which brought to the attention of synod and thence the government some glaring cases of assault and slave-labour conditions amongst contract

28. Ibid., p. 121. 29. Ibid., pp 121-122. 30. Ibid., p. 121.

farm labourers in the Bethal District of the Eastern Transvaal.[31] Its author was Michael Scott. The facts were indisputable. They came from Circuit Court Trial records of two cases of culpable homicide against indunas responsible for the supervision of contract labourers on two farms.[32]

The first case, Rex vs. Johannes Mahlangu, arose from the death of a worker "who was said to be attempting to escape". Of five indunas implicated all turned King's evidence except Mahlangu, who was sentenced to six months' imprisonment.[33] In another case committed for trial on 17th May 1944 an induna, Issac Sotetshi on the farm Tafelkop at Davel, was alleged to have beaten a worker called Frans Masia who died. The accused was sentenced to nine months' hard labour, suspended for two years.[34] Scott's memorandum described the living conditions of the farm compound and the indunas' understanding of their duties.

> It appeared in the course of evidence that twenty-two natives were sleeping there on a concrete floor, one sack per person being supplied for insulation from the cold. An induna stated in evidence that his duty was to see that hired Shangaans or Blantyres did not run away during the night. The Judge interposed to ask why they were watched like that; "Were they convicts ?" he asked. The witness said his instructions were to catch any who ran away and bring them back and call his employer. Mr Justice Maritz said, "He could understand Natives who had contracted for six months labour and then found themselves doing arduous work for £2 or £2.10.0d per month attempting to evade it by running away."[35]

Michael Scott was not content merely to compile a memorandum from court records. He went to Bethal in order to verify the working conditions of contract labourers there. He first went to the depot near the railway station established to receive newly arrived recruits.

31. CPSA Archive AB 397, Minutes, Church and Nation Continuation Committee, October 1944. cf. AB 684f, "A memorandum on Compound Labour Conditions in Agriculture-Bethal District (1947)", by Michael Scott, and Wits. Archive A 410 Ballinger papers B2.14.8., letter from the Secretary of the Diocese of Johannesburg to the Minister of Native Affairs, 1.11.1944, requesting the Minister of Native Affairs "to appoint inspectors who shall inspect the Compounds on the farms, and to ensure that every Compound Labourer shall have free access to the Native Commissioner."
32. CPSA Archive AB 397, ibid., Report prepared by Michael Scott entitled "Memorandum on Contract Labour in the Mealie Belt of the Eastern Transvaal" (1944), pp 3,4.
33. Ibid., Case 696/43. Sentence passed on 26.1.1944.
34. Ibid., Case 858/1944, Rex vs. Sotetshi, 17.5.1944.
35. Ibid.

> The buildings were made of brick; they had concrete floors and holes with iron bars for windows. When a batch of new recruits arrived they were locked inside. There were no blankets or mattresses, and a group that we questioned told us that these were not provided. 36

Scott then went to a farm "where I inspected the compounds and living quarters".

> .... the men were sitting on heaps of sacks which were also their working clothes. There were three or four straw mattresses amongst about fifty men and no blankets. though I was told that the employer had provided each man with an overcoat only a few days previously .... One group I questioned was sitting around a fire eating the evening meal. This consisted of a large clod of mealie meal and pumpkin wrapped in a piece of sacking, each man taking a handful at a time. They said enough of this was supplied three times a day, but complained that they only had meat once a week, on Sundays. All of them complained of the length of working hours. some having to rise two hours before light and not finishing until dark, i.e. 4 a.m. to 6 p.m. All maintained that they were very roughly treated by the foremen, both black and white, were always being cursed at, and very frequently beaten with sjamboks .... Their pay was about £2 per month.[37]

After "inspecting" three more farms Scott visited their owners, telling them what their workers had told him. His direct approach seemed certain to evoke hostility in that closely knit farming community. With great courage he accepted an invitation to speak at a public meeting in Bethal addressed by the secretary of the Boere Arbeidsvereniging, a representative of the Native Affairs Department, the Native Commissioner and the Chief of Police. Scott was shouted down, and he had to be spirited away from the meeting, "in a high powered car by two armed police and a driver".[38] Canon Charles Hooper, who was an undergraduate at the University of the Witwatersrand at the time, and an ordinand of the diocese of Johannesburg, recalled that "Scott was well-hated .... a man of courage, especially in the Eastern Transvaal where the farmers were threatening to tear him limb from limb".[39]

Scott's activities received wide publicity. The Department of Native Affairs was ordered to institute an inquiry by Mr J.H. Hofmeyr, which irritated the farmers still further. Scott believed that this controversy was the reason why the United Party lost

36. SCOTT, A Time to Speak, op. cit., p. 176.
37. Ibid. 38. Ibid., pp 182-5.
39. HOOPER, The Revd. Canon Charles, Interview, Manzini, 15.12.1980.

rural votes in the Transvaal. The supply of contract workers dwindled to such an extent that Mr H.G. Lawrence, the United Party's Minister of Justice, told a meeting of farmers at Bethal in July 1947 that the government was considering establishing a prison outstation in the district in order to solve the farmers' labour problems. It was not, however, until 1952 that four prison outstations with a capacity of 350 were built.[40]

Freda Troup has recalled how "the whole country hummed with the scandal, the government made reassuring speeches and ordered an enquiry, but gradually the whole thing died down".

> .... South Africa had, however, now become Bethal-conscious. Above all, South Africa was now thoroughly Scott-conscious. He, for his part, had gained a multitude of bitter enemies, a few more admirers, and the love and trust of the oppressed.[41]

Michael Scott's exploits in the Eastern Transvaal had also irritated his bishop, Geoffrey Clayton. Even though he had presented his memorandum to the Church and Nation Continuation Committee, his visit to Bethal seems to have been undertaken as Secretary of the Campaign for Right and Justice. Clayton had appointed him to St. Alban's to minister to the Coloured people of Johannesburg. The pastoral care of farm workers in the Eastern Transvaal was not Scott's direct responsibility. "I do wish the clergy would sometimes do the work for which they are paid", Bishop Clayton complained.[42]

SMUTS' INDIAN LEGISLATION.

Field Marshal Smuts had told Archbishop Darbyshire in 1943 that "the political road in this country is strewn with so much prejudice and difficulty that when you look to the future you are up against tremendous snags".[43] Nothing illustrates the existence of racial prejudice amongst whites more vividly, nor the consequences of these attitudes for the country internationally

40. WILSON, M. & THOMPSON, L., The Oxford History of South Africa, Vol II 1870-1966, Oxford: OUP 1971, p. 147.
41. TROUP, In Face of Fear, op. cit., p. 136.
42. WOOD, C.T. Handwritten mss of a private journal. loaned by the writer, 1977, p. 324.
43. See Introduction, p. xxxviii.

more eloquently, than the United Party's handling of the "Indian Question" between 1943 and 1946. The position was complicated by the imminence of independence on the Indian sub-continent, and by war conditions which tended to exacerbate white prejudice against Indian traders, whose profits were automatically deemed to be due to the forbidden fruits of the war-time black market.

Bishop Charles Ferguson-Davie, who had been consecrated as the first Bishop of Singapore in 1909, was the Priest-in-Charge of St. Paul's Indian Mission in Pietermaritzburg, and the Director of Indian Missions in the Diocese of Natal.[44] In January 1946 he was invited to speak to the Annual Meeting of the Institute of Race Relations on the Indian Situation. With great perception and sensitivity he described the reasons for the "unfortunate relations which exist between Europeans and Indians in Natal."[45] He observed how poverty led to "the great desire of most Indians to save money and of the habit of very simple living". This brought with it the temptation

> .... to make money at any cost without being too scrupulous .... as is seen by prosecutions of Indians for charging more than the prices fixed by the Control Boards, and by Black Market transactions, though of course there are Europeans who have been prosecuted for the same cause and there are also European Black Marketeers. 46

The Bishop, however, thought that the real reason for the success of Indians in trade was their "efficiency and politeness", giving some examples of how much more obliging was the response of Indian shopkeepers than in some tea-rooms owned by Europeans. He went on to suggest reasons why "Europeans" thought the Indians made "rather unpleasant neighbours", or considered them "rather nasty".[47]

> There is, however, an opposite objection: It was brought out in a letter in the Natal Witness written by a retired Colonel who had been some years in India - that was, that young Indian men and women were attractive and therefore if they were not segregated from Europeans there was a great danger of intermarriage. In other words they are not too nice. Again there are some who are irritated by the fact that some Indians have become rich and the very sight of such persons annoys them. On the other hand, some Indians

44. Crockford's Clerical Directory, 1948, p. 435. The Revd., Canon Angus Mylne recalled that in 1959 Bishop Davie celebrated the jubilee of his consecration to the episcopate in St. Peter's Church, Pietermaritzburg. MYLNE, the Revd. Canon A., Interview, Pietermaritzburg, 2.3.1982.

45. Wits. Archive, A 843, SAIRR B77.4.8., The Indian Situation, address by Bishop Ferguson-Davie, January 1946.

46. Ibid., pp. 1-2.

47. Ibid.

> are so poor that their clothes are an offence to the eyes and they may even steal their neighbours' fruit which is much to be deplored even though quite decent English schoolboys have been known to do the same. 48

In the 1946 census South Africa's Indian population was approximately 282 000, of whom 228 000 were in Natal, 37 000 in the Transvaal, 16 900 in the Cape and fourteen in the Orange Free State. Of the Natal Indians 113 400 were in the city of Durban, whose white population at that time was 124 492.[49] Thus it was primarily in English-speaking Natal, and in particular in the city of Durban that the problem of poor race relations between Indians and Europeans was experienced most intensely. Much of the responsibility for exacerbating these relationships must be laid at the door of Colonel Stallard's Dominion Party, although the role of the United Party in Natal seems to have been no less culpable. In 1933, when General Smuts and General Hertzog had agreed to allow republicans freedom to prosecute their views in the newly-formed United Party, Colonel Stallard had made this the occasion to break away, with six other English-speaking M.P.'s, and form his Dominion Party.[50] However, there had been a rapprochement in 1939, when General Smuts brought Colonel Stallard into his war cabinet as Minister of Mines, together with Mr W.B. Madeley, the Labour leader, who became Minister of Labour. Besides its vehement anti-republicanism, the Dominion Party's other major platform was a racial policy in many respects similar to Dr. Malan's Nationalists', and based on the report of the Commission on Native Affairs in 1923, of which Colonel Stallard had been chairman. The resulting Urban Areas Act of 1923 had emphasized segregation and influx control, and the principle was set that Africans who failed to find jobs in the urban areas were to be regarded as "surplus" and returned to the Reserves. On 7th April 1936, when General Hertzog secured his two-thirds majority to remove the Cape Africans from the common roll, by 169 votes to 11, both Colonel Stallard and Mr J.H. Hofmeyr voted against. Colonel Stallard's vote was not because he wanted the Cape Africans to retain their common roll franchise, but on the grounds that there should be no African

48. Ibid., p. 3.
49. HANCOCK, W.K., Smuts: II, Fields of Force 1919-1950, Cambridge: CUP 1968, p. 451.
50. Ibid., p. 258.

representation in parliament whatsoever.[51]

Dominionite agitation against the "penetration" of white residential areas had in 1941 forced Smuts to appoint a commission of enquiry under the chairmanship of the Natal judge Mr Justice F.N. Broome to investigate Indian penetration of European areas in Natal and the Transvaal between 1927 and 1940. He found that in Durban only 512 cases had occurred in those fourteen years, of which two-thirds did not lead to Indian residence. However, the agitation continued, and late in 1942 Judge Broome was once again called upon to report on the same question between 1940 and 1943. In that period he found Indians had purchased 326 new sites in the "European" areas of Durban, which signified a serious acceleration of a trend which both he, and whites generally, could not tolerate.[52] When, in 1939, General Hertzog's government had introduced the Asiatics (Transvaal Land and Trading) Bill, whose purpose was to "peg" Indians to their existing residences and businesses in the Transvaal, Mr Hofmeyr had resigned. Thus, when in April 1943 just before the general election, the Trading and Occupation of Land (Transvaal and Natal) Restriction Bill was presented to parliament by Smuts, this again caused deep problems for Mr Hofmeyr. Sir Patrick Duncan, the Governor General, described the difficulty in a letter to his son Patrick, who had recently begun work in Basutoland as an Assistant District Officer.

> .... there was a very serious Cabinet crisis owing to Mr Hofmeyr's inability to agree to a bill which the Government had decided to introduce dealing with the interpenetration by Asiatics of European residential quarters and other towns. Mr H. having carried his opposition to the point of resignation found that a way was open to him of allowing the bill to be introduced and passed without his resignation from the Cabinet - apparently by his being allowed to make a speech against the Bill which would make his position clear to the public. 53

The so-called "Pegging Act" of 1943 merely postponed the problem until 1946, by which time Smuts hoped that a better solution might be found.

51. PATON, Alan, Hofmeyr, London: OUP, Abridged edition, 1965, p. 181.
52. HANCOCK, W.K., Smuts, Vol II, op. cit., p. 461.
53. Borthwick Institute, York. Duncan papers DU 2-1-198, letter Sir Patrick Duncan to his son Patrick, 9.4.1943.

At that time the leadership of the Natal Indian Congress was in the hands of Mr A.I. Kajee, whom Smuts' biographer has described as a "moderate" and a "well-to-do Moslem" businessman from Durban. In April 1944 a meeting was held in Pretoria between representatives of the government (Field Marshal Smuts advised by his Minister of the Interior, Senator F.C. Clarkson, himself a Natalian, and another Natal Senator, D.S. Shepstone) the Natal Provincial Council (Mr G. Heaton Nicholls the Administrator of Natal and Mr D.E. Mitchell, a senior member of the Executive Committee of the Natal Provincial Council) and six delegates from the Natal Indian Congress led by Mr Kajee. The meeting accepted without amendment the modest proposals presented by Mr Kajee and his delegation, whereby firstly in the rural areas existing rights of farming, trading and residence would remain undisturbed, and secondly in urban areas, Indians would possess unrestricted rights of purchase and ownership whilst voluntarily accepting restrictions on their rights of residence. A mixed board of two Indians and two Europeans under a European chairman would exercise control by issuing a licence for the occupation of property by another racial group.[54]

On the day after this agreement had been achieved in Pretoria, Field Marshal Smuts set off for the Commonwealth Conference in London, and the charter-making conference of the embryo United Nations Organization in San Francisco. When they heard of the agreement reached with Mr Kajee, English-speaking whites in Natal voiced the most vehement objections, led by Dominionite influences, and in particular the Ratepayers Association of Durban. At a packed meeting in Durban, called for the purpose of explaining the Pretoria agreement, Mr Douglas Mitchell was shouted down and Smuts was blamed for selling out to the Indians. In the absence of the Prime Minister the leaders of the United Party in Natal felt they must do something to stabilize the position, and, led by Mr Douglas Mitchell, a decision was made to appease the racial prejudice of their constituents. Mr Douglas Mitchell then took the initiative to enact the Residential Property Ordinance in the Natal Provincial Council, which had the effect of perpetuating

54. HANCOCK, op. cit., p. 462.

the provisions of the Pegging Act and extending them to the whole of Natal.[55] The United Party leaders in Natal had broken faith with Mr Kajee, whose position of leadership amongst Indians, based on the advocacy of negotiation and accomodation between the races, was totally undermined. By 1946, when the matter had again to be faced on the expiry of the Pegging Act of 1943, the leadership of the Natal Indian Congress was in the hands of Dr. Monty Naicker, an Edinburgh-trained medical practitioner who, like Dr. Yusuf Dadoo in the Transvaal, was convinced that a policy of moderation and negotiation had to be abandoned in favour of the methods of satyagraha which Gandhi was using with such conspicuous success in wresting independence from the British in India.

Smuts' thinking, in announcing the Asiatic Land Tenure and Indian Representation Bill in January 1946, was that the Indians would agree to a form of separate representation, both in the House of Assembly and in the Provincial Councils, in exchange for accepting the status quo created by the Pegging Act and Natal' Residential Property Ordinance with regard to land tenure.[56] In one sense the offer of parliamentary representation on the same basis as the Africans represented a step forward, for at that time the Indians had no representation whatsoever either in Municipal, Provincial or Parliamentary government. From the tenor of an address he gave on 17th April 1947 to the Rotary Club of Pietermaritzburg, it is, however, to be doubted whether even Mr A.I. Kajee was prepared to accept such a dubious compromise. Whilst critical of the leaders of the Indian Congress who had supplanted him, as being "communists first and Indians second" he was also equally severe in his criticism of those whose "unethical behaviour" had overturned the Pretoria Agreement. Mr Kajee also firmly rejected the 1946 legislation. In his view, not only did it place restrictions upon residence, but more seriously it imposed "curbs upon the economic and social development of Indians". The Smuts government, he said, had opted for "a policy of discrimination on the grounds of colour and race", and he told his audience

> You cannot preserve your civilization by denying it to people you do not like. You cannot safeguard your own position

56. Ibid., p. 465.

by forbidding economic progress to others.[57]
Mr Kajee died later in the same year at the age of 52, still trying to persuade Pandit Nehru's government in India to accept a Round Table Conference with Field Marshal Smuts' government, something which the new leaders of the Indian Congress in South Africa totally repudiated.[58]

Besides precipitating this more radical reaction amongst Indians, a second feature of this ill-conceived Asiatic Land Tenure and Indian Representation Act of 1946 was its endorsement of the twin principles of residential segregation of the races and separate representation. With regard to the occupation and acquisition of property throughout Natal in urban and rural areas, two kinds of area were created. Except for properties that had been owned or occupied by Asiatics before 21st January 1946, both the purchase and occupation of property by Indians in "controlled" areas was prohibited. In "uncontrolled" areas Indians might own or occupy property without restriction. Furthermore, in the "controlled" areas, which comprised all the most desirable "European" suburbs of Durban, an Asiatic might not occupy any property, even his own, if such property had not been in Indian occupation before January 21st 1946, nor could property be purchased by an Asiatic from a non-Asiatic or vice versa except by permit.[59] The franchise provisions of the act gave Indians in Natal and the Transvaal a total of two Senators and three M.P.'s who must be white, and two Members of the Provincial Council, who might themselves be Indian, in the Natal Provincial Council. The Cape Indians were to remain on the common voters' roll, and the few Indians in the Free State were given no representation at all. The qualifications for Indian voters in the Transvaal and Natal were Standard Six and an income of not less than £ 84 per annum, or immovable property to the value of not less than £250. The vote was confined to males only.

57. Wits. Archive, A 843, SAIRR B77.4.11, Text of talk to Maritzburg Rotary on 17th April 1947 by Mr A.I. Kajee.
58. HANCOCK, op. cit., p. 472, footnote.
59. Jan Hofmeyr Library, SAIRR, Passive Resistance, Box 43, District Flash No. 4, 14th October 1946, and PACHAI, Bridglal, The South African Indian Question 1860-1950, Cape Town: Struik, 1971, p. 188.
60. BROOKES, E.H. & MACAULAY, J.B., Civil Liberty in South Africa, Cape Town: OUP, 1958, p. 148, and HANCOCK, op. cit., p. 466.

The introduction of this measure evoked some significant responses. Amongst the Indians themselves it provoked a vigorous passive resistance campaign and a boycott of the franchise proposals, which will be described presently. In parliament Senator Edgar Brookes, along with the other Natives' representatives, who could see the limitations of their own position, were among the bill's most vigorous opponents. The chief government spokesman, Senator Shepstone, argued that it gave to Indians for the first time a position of permanence in the South African population.[61] This was not without some significance, for the Dominionite and Nationalist argument had all along been for repatriation. Dawie commented in Die Burger that it was only Smuts' prestige within his party which enabled the government to show a united front. Smuts, it was said, told his party members that as long as they voted with the government they could say what they liked.[62] Dawie also referred to signs of the United Party's divided opinion. On the one hand Mr J.B. Wolmarans (U.P. Losberg) wanted to abolish even the separate representation of Africans in parliament.[63] On the other wing of the party was Mr J.H. Hofmeyr, who reluctantly supported the legislation on the grounds that it conceded political rights to Indians where the emphasis in the past had been on a "whittling away of rights".[64] Dr. Malan opposed the legislation on the grounds that six non-Europeans' representatives could hold the balance of power in parliament, and "act as arbiters between European and European".[65]

J.D. Rheinallt Jones' comment in 1948 showed sympathy for Smuts because of the uncomfortable predicament in which his own United Party in Natal had placed him.

> .... I quite appreciate General Smuts' difficulties. But I have a very strong feeling that, had he stood up to his opponents, especially in Natal, at an earlier date, he might not have had such a difficult position to maintain in the face of world opinion. 66

Dr. Edgar Brookes, writing some years later, expressed a

61. PACHAI, op. cit., p. 190.

62-63. LOUW, Louis, (ed.), Dawie 1946-1964, 'n Bloemlesing uit die geskrifte van Die Burger se politieke kommentaar, Cape Town: Tafelberg 1965, p. 5. (my translation).

64. PACHAI, op. cit., p. 189.

65. Ibid.

66. Wits. Archive, Rheinallt Jones papers. Letter Rheinallt Jones to H.S.L. Polak. 30.3.1948.

similar view, and made this telling comment upon his fellow English-speaking South Africans in Natal for their complicity with apartheid:

> We English-speaking South Africans are too apt to feel that we are not responsible for the colour-bar and for apartheid. We sometimes read complacently the views of overseas critics who think that Nationalist Afrikaners are at the bottom of all our troubles. How far is this from the truth ! When General Smuts was arraigned before the General Assembly of the United Nations - an experience which hurt him very deeply - it was the English-speaking people of Durban and the rest of Natal who had placed him in this false position by their insistence on anti-Indian legislation. 67

However, it was not merely a matter of appeasing English-speaking Natal. As Dawie observed, for Smuts it was the quid pro quo to retain platteland support.[68]

THE INDIAN CONGRESS PASSIVE RESISTANCE CAMPAIGN (1946).

It has been necessary to describe the background to Field Marshal Smuts' Indian legislation because it provoked from the South African Indian Congress the response of passive resistance. This in turn attracted the participation of two Anglican priests, who each went to prison for three months, the Revd. Michael Scott and Father W.H. Satchell. 1946 was thus the first time that Christians were so directly challenged on the issue of resistance to racial discrimination. The example of the Indians, following the teaching of M.K. Gandhi on satyagraha, meant that the church needed to answer the question whether a Christian's participation in a campaign of civil disobedience was in accordance with New Testament teaching and Christian ethics, if only for the sake of its Indian members. A description of the Indian Congress Passive Resistance Campaign and Michael Scott's participation in it, is followed by a summary of the reactions of Anglican leaders to this question in 1946, and forms the substance of this chapter as well as the starting point for this study of Christian resistance to apartheid. A fuller discussion of the philosophy of satyagraha, the term Gandhi used to describe what has been translated as "Passive Resistance" in English, is reserved for the conclusion

67. BROOKES, E.H., Three Letters from Africa, Pendle Hill Pamphlet, Wallingford Pennsylvania 1965, p.24.
68. LOUW (ed.), loc. cit.

of a later chapter on the Defiance Campaign. Here it must suffice to note that neither South Africa nor Field Marshal Smuts were strangers to satyagraha. Nor indeed was 1946 the first time that methods of resistance had been employed against the practical consequences of colour prejudice. What is important for our study of Christian resistance to apartheid is that Michael Scott and Father Satchell, by going to prison as satyagrahis in 1946, ensured that this was the first time that the church in South Africa became involved in resistance of this kind.

What is especially significant for this study is that the Indians led the way in pioneering the route from the politics of negotiation to the practice of non-violent resistance. The overturning of the Pretoria agreement in 1944 had demonstrated the failure of negotiation and mere protests to effect the necessary change in white attitudes. The moderate leadership of Mr A.I. Kajee was supplanted by the election of Dr. Monty Naicker as President of the Natal Indian Congress. Dr. Yusuf Dadoo, who had been advocating the use of Gandhian methods of resistance in the Transvaal since the early 1940's, suddenly found powerful vindication for his views and his leadership as President of the South African Indian Congress.

Smuts' announcement of his intention to present to parliament the Asiatic Land Tenure and Indian Representation Bill in January 1946 was the moment for which the South African Indian Congress had been waiting. At their congress in Cape Town in February 1946 it was resolved unanimously to oppose the proposed legislation by "proceeding immediately to prepare the Indian people of South Africa for concerted and prolonged resistance".[69] In March the Executive of the South African Indian Congress instructed the Natal and Transvaal Indian Congresses to "proceed immediately to plan and prepare the details of a concerted prolonged resistance to the Asiatic Land Tenure and Indian Representation Bill." A provincial conference of the Natal Indian Congress, held in Durban on 30th March, unanimously decided that resistance should begin

69. SAIRR, Jan Hofmeyr Library, Passive Resistance, Box 43. NAIDOO, H.A. & RUSTOMJEE, S. 5 Months' Struggle, A brief account of the Passive Resistance Struggle from 13th June to 13th November 1946. S.A. Passive Resistance Council 1946, p. 6.

immediately the bill became law, and appointed a Passive Resistance Council to conduct the struggle. The Transvaal Indian Congress did likewise.[70] They called it the "Ghetto Bill", and it became law on 2nd June 1946.

The 13th June 1946 was declared "Resistance Day" and a mass meeting, attended by some 15 000 people, was held on the Cartwright Flats in central Durban. After the meeting a procession marched to the junction of Gale Street and Umbilo Road, where seventeen passive resisters, including seven women, pitched five tents on a piece of municipal land in defiance of the new legislation. On 21st June the first resisters were arrested for "trespassing", found guilty, cautioned and discharged. That evening they returned to Gale Street where they were again arrested, charged with "trespassing" and given suspended sentences of seven days hard labour. The resisters continued, undeterred by the assaults of gangs of white hooligans, who burned the tents, stoned passing cars and burned other stationary vehicles. An Indian youth, Krishensamy Pillay, died from these assaults. In spite of this the authorities made no attempt to apprehend the white hooligans but continued to arrest the resisters. On 24th June, the police invoked the Riotous Assemblies Act. The resisters continued to gather each evening on the same plot of ground, but without the tents. On 27th June the first group of Passive Resisters went to prison. Later in the campaign Dr. Dadoo and Dr. Naicker each received sentences of six months. Others were sentenced to three months in prison, most one month. In the first five months of the campaign 1373 resisters were imprisoned, of whom 201 were women. 205 men and ten women "went into action" for a second time.[71]

The campaign was organized with precision and efficiency. The Transvaal Passive Resistance Council published a weekly newspaper called The Passive Resister, which gave the latest news of support for the campaign from India and other overseas countries, published statements of resisters in court, and the numbers of volunteers in gaol. There were notices of the next batch of Transvaal volunteers to go to Durban, as well as moving appeals

70. Ibid. 71. Ibid., pp. 7,11.

from leaders still at liberty. "We shall not fail Dr. Dadoo" one headline proclaimed.[72]

All volunteers were carefully briefed in the principles of satyagraha. Mr J.N. Singh was the Secretary of the Transvaal Indian Passive Resistance Council and a member of the Johannesburg District Committee of the South African Communist Party. In November 1946 he was sentenced to thirty days' hard labour and deported from the Transvaal in terms of the Immigrant Regulation Act (1913).[73] He gave me this eye-witness account of what took place in Durban.

> I was recruiting officer for the resisters. Scott was with us. Batches of ten to twenty would come to Natal. We squatted on a piece of ground at the junction of Gale Street and Umbilo Road. Eventually there was violence as groups of white hooligans attacked the resisters. It was frightening. You did not know how much you would be hurt. It was humiliating. You had to show considerable restraint for the hooligans manhandled women as well. There was one death. Khrisha died. There were no charges of assault. One of the worst was a hulking man called Levy, a scrap metal dealer. But the police arrested the resisters and not the hooligans. The charge was one of trespass on municipal property under a municipal by-law which provided for a £25 fine or three months in prison. The resisters refused the option of a fine. The average sentence was one month. Fr. Scott and Fr. Satchell got three; Dr. Naicker and Dr. Dadoo six months. 74

Another medium of communication was a simple duplicated foolscap handbill called District Flash. This gave further up-to-the-minute news of mass meetings arranged to welcome back those released from prison, notices stating when the next batch of volunteers would meet, and other information about the reports made by their emissaries, Mr Ashwin Choudree and Mr S. Rustomjee, to the Indian Delegation at the United Nations.[75] In five months £ 17 000 was spent, most of which went to support the dependents of resisters in prison. A canteen, run entirely on donated food,

72. Passive Resistance Council of the Transvaal Indian Congress, The Passive Resister, Vol I No 4, 22.7.1946. SAIRR Jan Hofmeyr Library, Passive Resistance, Box 43.
73. Wits. Archive, Ballinger Papers A 410, B 2.3, Circular letter from Danie J. du Plessis, District Secretary of the Johannesburg District of the SACP, 13.11.1946.
74. SINGH, J.N., Interview, Durban, 27.1.1978.
75. District Flash, No 4, 14th October 1946. SAIRR Jan Hofmeyr Library, Passive Resistance, and Wits. Archive A 843 SAIRR Papers, B 77.4.9, Statement to Press Conference held at Hotel Waldorf Astoria on Monday July 29th 1946 by Ashwin Choudree, Delegate of the South African Passive Resistance Council.

gave free meals to resisters who had been released from prison but had not yet found work. There were training classes "to instil discipline and sense of responsibility".[76] Encouraged by the Passive Resistance Council, action committees had sprung up all over Natal and South Africa to render support and keep the flow of volunteers unabated.

The Natal Passive Resistance Council published a printed pamphlet, We shall resist, which contained this appeal for volunteers,

> This form of struggle is no new thing. It has been tried in South Africa before by its founder Mahatma Gandhi. Its use in India has made it world famous. For this we need volunteers who are prepared to court imprisonment. 77

It was stressed that "no volunteer will be called up until the Council has made the necessary provisions for the care of his dependants". The most vehement condemnation was reserved for the land tenure provisions of the "Ghetto Act", which, it was asserted, would result in "terrible overcrowding, degradation, disease and poverty". "That", it was said, "is just what the Government and the white ruling classes want !" The communal franchise was dismissed as "a mockery of democracy". This was,

> .... not so much because Europeans are to represent Indians, but because Indians are to be put on a separate roll from all other voters. It appears to give the people certain rights, but by putting them on a separate roll the value of these rights is destroyed. 78

What Indian leaders were quick to perceive in deciding to boycott the franchise proposals was that the proposed communal franchise would place them in the same false position as the Africans, who later in the same year decided to boycott their own Natives' Representative Council. The experience of the African people, it was concluded, "has proved beyond doubt .... how utterly useless it is".

> If we accept the communal franchise, not only will it be useless, but will prove to be extremely harmful to our cause. It will give the world the impression that we have represent-

76. NAIDOO & RUSTOMJEE op. cit., pp 9,10.
77. The Passive Resistance Council of the Natal Indian Congress, We Shall Resist, Pamphlet, Durban: 1946. SAIRR Jan Hofmeyr Library, Passive Resistance, Box 43.
78. Ibid.

> ation in parliament. The Union Government will maintain that we enjoy citizenship and therefore have no right to appeal to India and the outside world. 79

The wisdom of this outright boycott of the franchise provisions of Smuts' Indian legislation of 1946 has been questioned by the South African scholar Dr. Bridglal Pachai.

> To have rejected it in toto was to have believed overmuch in the political predictions which reserved the premiership in the future for Jan H. Hofmeyr and not for Dr. Daniel F. Malan. Had the leaders who opposed the limited franchise measures in the second part of the Act foreseen the debacle of the United Party in 1948 the counsels might have been different. What had been offered to the Africans in 1936 should have been accepted by the Indians in 1946, not as the final thing, but the first stage on the road to political equality. 80

The situation feared by Dr. Malan, that the combined votes of six Native and Indian Representatives in parliament might have have held the balance of power between the National Party and the United Party came very close to being realized in 1948. Even with all these six votes added to the 71 seats won by the United and Labour Parties, the Nationalist and Afrikaner Parties would still have had an overall majority of two. Nobody, however, expected a Nationalist victory, and, as Dr. Pachai has indicated, the rejection of separate representation for Indians in 1946 was based on the expectation that a United Party government led by Mr Hofmeyr would offer better representation to both Africans and Indians than Smuts, who was seen by the Indian leaders as the primary target for their attack, due to what they saw as his record of unprincipled prevarication over parliamentary representation for black and brown South Africans.

In the event, the campaign yielded no direct benefits for the Indians. When Dr. Malan came to power he repealed the franchise provisions of the 1946 legislation already boycotted by the Congress leaders. The Group Areas Act of 1950 applied the segregationist principles of the land tenure provisions of Smuts' legislation in 1946, to impose residential separation on all racial groups. The achievement of bringing world attention to bear upon South Africa at the United Nations did not win any friends

79. Ibid.
80. PACHAI, op. cit., p. 194.

in the United Party, who reacted with a wave of sympathy for Smuts, whom they saw as being unjustly pilloried by the Indian delegation there. When the Nationalists came to power in 1948 they doubled the bonusses paid for those who returned to India, offering any who opted for repatriation a free passage. But very few took advantage of this. The Nationalists also prohibited South African Indians marrying brides from India.[81]

On the other hand the campaign did succeed in achieving something more important. Firstly, as J.N. Singh observed,

> The fruit of the movement was that the seeds of non-racialism were sown among thinking whites and the politically conscious Africans in the A.N.C. .... the Passive Resistance Movement used terms like African and Dr. Naicker stressed that our destiny (the Indians) was with them. It was utterly non-racial. 82

Secondly, there was the effect upon the church, due to the participation of Michael Scott and Father Satchell. Mr Singh thought that

> It was one of the important contributions of this movement that it had an influence on the church to be more articulate. The outspokenness of the church only later became evident. 83

SCOTT AND SATYAGRAHA.

When in June 1946 Scott was asked to go to Durban to observe and report on the Indian Congress' Passive Resistance Campaign by the Council for Human Rights, a small group of liberal people in Johannesburg run by a Mrs Lavoipierre, Maurice Clack was no longer the Priest in Charge of St. Alban's. Scott was temporarily in charge of the parish, whilst they awaited the arrival of Fr. Harry Leach. Scott did not expect to be away long, anyway, so he told no-one he would be absent, and set off by car for Durban. His travelling companions were particularly interesting. Dr. Yusuf Dadoo, the President of the S.A.I.C., went with the purpose of giving medical assistance if required. The trade unionist Betty du Toit, like Scott, went to observe, and it is of interest that she was among the group who six years later joined Patrick Duncan

81. SINGH, J.N., Interview op. cit.
82. Ibid. 83. Ibid.

and Manilal Gandhi for the march into Germiston location in 1952. The third was Yusuf Cachalia, whom Scott described as a "young Indian merchant", who as Secretary of the S.A.I.C. from 1950 was to play a leading role in the congress movement after the banning of the South African Communist Party in 1950.[84]

Scott vividly described the scene that greeted them on arrival in Durban.

> As dusk began to fall the volunteers for the evening were lined up in a hall used for instruction purposes and were addressed by Reddy, the O.C. They were told that they were to be custodians of the honour of the Indian people, that the racial persecution and oppression to which all non-white races in South Africa were subjected were being challenged by the methods of non-violence, of satygraha. That if any single one of them did not feel strong enough in his spirit to go on with it, he should withdraw. No-one must be weak enough to allow himself to be provoked or to hit back, no matter how cowardly and brutal the attacks might be, no matter even if the women volunteers were attacked. And no-one must be weak enough to allow himself or herself to resort to self-defence, much less to run away. If they were not sufficiently sure of themselves they should wait and go through a short period of further training. No-one relented and after short matter of fact speeches they all marched out. 85

At the site of the resistance plot at the junction of Gale Street and Umbilo Road this strange ritual was played out each evening. The man whom J.N. Singh called Levy, the scrap metal dealer, was described by Scott more colourfully as "a sort of under-hand dealer in second-hand property, known to the police as a 'fence', and who had a large number of ne'er-do-wells at his beck and call." They gathered on the opposite side of the plot wearing rugby kit, including boots. After the singing of patriotic songs they were addressed by their leader. A whistle was then the signal for this group of what Scott described as "fine looking youngsters" to charge the group of resisters.

> No-one retaliated, but some tried to duck or ward off blows before falling down. On the ground they were kicked. Some lay still, some were groaning. I did not see any of the Indian girls attacked, but I believe one or two were

84. Compiled from: DUNN, Cyril, Interview, Blackheath August 1975; CLACK, The Revd. Canon Maurice, Interview, Bloemfontein, 6.4.1981; SCOTT, Michael, A Time to Speak, op. cit., p. 134. See also Chapters Eight, pp. 432, 439-442, Nine pp. 480. 487, and Fourteen, p. 756.

85. SCOTT, op. cit., p. 134.

> struck. It was all over very quickly .... The attackers dispersed into the general crowd, while the other Indians went forward to give first aid. 86

Scott was appalled, and decided that he must join the resisters. As Cyril Dunn told me, "Michael decided that the only thing to do was to go and stand there with them. And what's more he went and stood there manifestly as a priest wearing his long white cassock".[87] Scott described what happened.

> And so that night I found myself one of a nervous little band standing in the dark in the middle of an open space in that very modern city with two separate crowds opposing one another, one European and the other Indian with some Africans. There were three or four Indian girl students in this batch. In the same way as before the attackers began with a charge and a sort of high-pitched hunting cry. The men volunteers were very soon knocked down and lying huddled on the ground. I was dressed in my cassock and they recoiled from assaulting me just as they were about to do so. Having learned something of the spirit of the Satyagrahis by this time, I spoke to them without heat. Two girls came up and started shouting "coolie guts" and "curry guts", "are you an Anglican ? You ought to be ashamed of yourself, you renegade. If I'd known what your religion teaches I'd never have been confirmed". "God would never have had me" said one. "He's had me", said another. Two men came up and started pushing, expecting one would hit back, but they were bullies and had a frightened look in their eyes for all that they physically had the mastery of us.
>
> I remember one of the Indian girls, a muslim, Zenab Asvat, after all the men had been knocked unconscious in front of her, saying to me, "It's not their fault, they don't know what they are doing". I don't suppose she had ever read the story of the crucifixion but her religion had taught her more than those two girls it seemed.
>
> I felt so sick and helpless and ashamed, and yet her remark seemed strangely to reassure me that simply by standing there on that particular piece of ground one was enabling something to be done - yes, enabling God to do something against the dreadful evil power which was manifest in that sadistic mob 88

Scott must have joined the resisters on several occasions before being arrested, for he was charged on four counts of trespassing and one of riotous assembly. In Court he was still wearing his white cassock, of which he commented ruefully, "having

86. Ibid., pp 135-6.
87. DUNN, Cyril, Interview op. cit.
88. SCOTT, op. cit., p. 138, also cited by TROUP, Freda, In Face of Fear op. cit pp 130-1.

spent the night in it. with no facilities to wash and shave, I looked even less presentable than usual."[89] He was sentenced to three months' imprisonment. By the time he was sentenced Scott had become a prominent figure in his white cassock. He had helped to officiate at the funeral of Krishensamy Pillay, when over ten thousand people thronged the streets of Durban in procession to the Indian cemetary, led by a Hindu priest, a Muslim moulvi, Mr Rustomjee (a Parsee), Father Satchell, Priest in Charge of the central Indian parish of St. Aidan, and Michael Scott. At one point, faced with the increasing severity of the assaults, Dr. Dadoo and Dr. Naicker had consulted him on whether the next batch of volunteers should be sent in. Characteristically Scott had replied, "You must decide. I will stand by you in your decision". Mr Rustomjee cabled extracts of Scott's report to Field Marshal Smuts, and to Gandhi in India.[90] Scott's cassocked figure suddenly became front page news in every South African newspaper.

THE C.P.S.A.'S ATTITUDE TO SCOTT.

Meanwhile, in Johannesburg, the Churchwardens of St. Alban's had telephoned Bishop Clayton to tell him they had no priest to take their Sunday services.[91] The Diocesan Secretary asked the Bishop what was to be done with Scott's salary cheque and was told that payment should be suspended until Scott returned to Johannesburg.[92] Clayton sent Father Leach to Durban to order Scott to return. After a long and contentious discussion in the hotel sitting room, Scott refused to go back and Fr. Leach finally stamped out of the room. Cyril Dunn told me, "Father Leach had with him his wife, an Afrikaner, who followed him out of the room, but then nipped back into the room and said to Michael 'stick it out!'".[93] Dunn's conclusion was that Clayton had decided "to get rid of Scott".

> The conclusion I've arrived at is that it had become Clayton's decision to get rid of Scott. Scott himself had no doubt

89. SCOTT, op. cit., p. 140.
90. Ibid., p. 137.
91. CLACK, interview, op. cit.
92. PATON, A., Apartheid and the Archbishop, op. cit., p. 151.
93. DUNN, interview op. cit.

> that this was Clayton's intention. And I think that Clayton determined to get rid of him under Canon Law for absenteeism, because Canon Law requires that he must be asked to return. 94

Scott's imprisonment in Durban, however, precluded this. On his return to Johannesburg Bishop Clayton told Scott that he could not continue to hold his licence for a particular piece of work and then leave it without permission. Scott, however, said he could not predict when he would be called to further action and could not give this assurance.[95] He gave up his position as Assistant Priest at St. Alban's and was instead given the Bishop's General Licence. This entitled him to preach and officiate anywhere in the diocese by invitation, but meant that since he was not being appointed to any particular piece of work in the diocese he would receive no stipend. Archbishop Darbyshire considered that Clayton had been "most patient".[96] Even his friend Maurice Clack spoke of Scott as having "deserted his post".[97] In a letter to Canon Streatfield, Director of the South African Church Institute in London, Archbishop Darbyshire described the situation as he saw it.

> As to the imprisonment of Mr Michael Scott, in my view the person who has come out with most credit is the Bishop of Johannesburg. Scott just left the work which he was paid to do in Johannesburg and ranged himself with law-breakers in Natal. His motives I think were entirely sincere and I think he discouraged any violent action. It seemed to him the opportunity of making a real and effective protest against the disabilities under which all non-Europeans become restive. All the same he left his proper work and his Bishop and Rector in the lurch. Both of them have been most patient, neither condemning him nor demanding his resignation nor withholding his salary. This could not go on indefinitely and I learn that Mr Scott has now resigned his curacy in Johannesburg. 98

Scott's activities in Durban had aroused some ambivalent reactions, particularly from his ecclesiastical superiors. The Right Revd. T.G.V. Inman, who succeeded Leonard Fisher as Bishop of Natal in 1953, and was at the time Vicar of the central city parish of St. Paul's, Durban, told me of his visit to Scott in Durban gaol. He found the Governor and senior officers of the prison "honestly perplexed that a holy man like this should be

94. Ibid.
95. PATON, op. cit., pp 151-2.
96. CPSA Archives AB 707, SACI papers: letter Darbyshire to Streatfield, 24.10.1946.
97. CLACK, interview op. cit.
98. CPSA Archive loc. cit., letter Darbyshire to Streatfield, 24.10.1946.

so stupid."

> I tried to explain to them that he was acting on his principles, and what he was trying to do was for the right. But you had to realise the real fear that whites had of an Indian take-over of the best residential areas of Durban.
>
> .... He didn't ask anybody's permission, he just walked in and did it. All right, as an individual he's entitled to do that, but to claim he was involving the church in it was nonsense. 99

Upon Scott's release towards the end of September, Father W.H. Satchell, Priest in Charge of St. Aidan's Mission, and for fifteen years a priest who was widely respected for his ministry amongst the Indian community in the central areas of Durban, followed Scott into gaol for a similar three-month term of imprisonment. Scott's critics had to be careful lest they condemned Fr. Satchell as well. Where Scott was blamed for leaving his parish "without permission", Satchell was praised for "his unselfish life and devotion to duty".[100]

Scott's return to freedom after three months in prison reflected this ambiguity. He received a heart-warming reception from his friends in the Congress movement, whilst being received coldly on returning to his diocese. On 29th September a crowd of some 10 000 gathered in a Johannesburg sportsground to welcome back Dr. Dadoo, Fr. Scott and Miss Asvat.[101] A similar meeting held at "Red Square" in Durban on 6th October 1946, and attended by 6000 cheering people of all races made a marked impression on the Revd, Vernon Inman, who recalled,

> I shall never forget going to hear him talk in what was known then as Red Square, between Pine Street and Commercial Road, and getting in amongst the crowd and hearing what he was saying, and hearing what the crowd was saying. The gist of what the crowd were saying was "cut the white man's throat". He (Scott) never got into the crowd to hear what people were saying. When you ally yourself with <u>that</u>, you mustn't claim that you are taking the church with <u>you</u>. Don't claim you are speaking for the church when you are speaking in that kind of way. 102

99. INMAN, the Right Revd. T.G.V., Bishop of Natal 1953-74, Interview, Durban 14.9.1977.
100. Natal Diocesan Office. Proceedings, 74th Diocesan Synod, 14th-17th September 1947 at St. Saviour's Cathdral Pietermaritzburg under the presidency of Leonard Noel Fisher, p. 24.
101. <u>District Flash</u>, No 4, 14.10.1946, Jan Hofmeyr Library SAIRR Johannesburg, Passive Resistance Box 43.
102. INMAN, Interview op. cit.

Bishop Clayton's irritation over Michael Scott's absence from his parish "without permission" and for failing to make proper provision for the pastoral care of the people of St. Alban's is easy to understand. Clayton's remedy, to give him a general licence whilst offering him no alternative employment in the diocese, reflected his bishop's difficulty. Clayton's attitude to the question of Scott's employment was later revealed in an exchange of letters in 1950 with Canon Streatfield, Director of the South African Church Institute, arising from Scott's request to Streatfield to find him a job in South Africa. Clayton summed up the difficulty thus:-

> It seems to me that Scott must be a free lance. It would be quite impossible for the C.P.S.A. to commit itself to everything he says. That would be dishonest on our part and it would mean putting him in shackles. He is essentially a free lance, and such a person must plough what is to some extent a lonely furrow. Perhaps that it why it appears to be extremely difficult to offer him a specific job of a pastoral nature. That again would shackle him. 103

At the time this must have seemed harsh to Scott. He returned to Johannesburg after serving three months imprisonment to attend the next meeting of his diocesan synod from 6th to 9th October 1946. At Bishop Clayton's behest a resolution was passed which radically revised Rule 243 of the Acts of the Diocese in order to give the Bishop power to revoke a priest's Letters of Collation or his licence. This represented a significant departure from the principle of the "parson's freehold" in the Church of England, whereby a Bishop only had the right to remove an incumbent from his parish if found guilty of misconduct by an ecclesiastical court. Scott, of course, was an assistant priest, for whom this right did not apply. The relevant portion of the new Act now read:

> .... after giving the said clergyman an opportunity to be heard he shall offer the said clergyman other paid work in the diocese. If the said clergyman refuses to accept the other work so offered, the Bishop shall have the right to revoke, upon the expiration of six months, his letters of collation or his letters of institution, or his licence.
>
> If however, two-thirds of the Senate agree to such a course, the Bishop may revoke, upon the expiration of the like notice, the said letters or licence without offering other work: provided that, in this event only the said clergyman shall, have, within three months of the date of

103. CPSA Archive AB 707 SACI papers, Clayton on Scott to Streatfield, quoted to Scott by Streatfield in a letter dated 10.10.1950.

such notice given, the right to appeal to the Metropolitan ...."[104]

Having thus dealt with the issue of Scott's absence from his parish, there was another question which Clayton, as Scott's bishop, felt he had to answer. Was it right for a priest to be directly involved in such a campaign of civil disobedience ? It meant courting imprisonment deliberately and, if successful, would inevitably render him unable to do his pastoral work. Was such a step consistent with the special vocation of a priest ?

Soon after Scott's return from prison, Clayton summoned a meeting of the clergy of his diocese to discuss the matter. At this meeting of Sacred Synod in October 1946 Clayton delivered a "charge" in which he made it plain that he thought the answer to that question was no. The full text of this important address, entitled The Christian and Civic Responsibility, is included as Appendix "B", and is discussed extensively at the end of the chapter.[105] It contained a discussion on New Testament teaching on the duty of Christian obedience to secular authorities, of non-resistance to unjust rulers, and the church's teaching on the justification of rebellion. It asked whether those with the right to vote were justified in employing passive resistance as a means of achieving political change. Clayton reminded even those without constitutional means open to them of "the teaching of Scripture about the State and the duty of obedience". Clayton said he did not think a Christian was justified in refusing to pay his taxes, since he could "conceive of no circumstances in which part of the money which one pays in rates and taxes does not go to purposes of which one does not disapprove". Scott had refused to pay his South African taxes. Clayton referred to the fact that whilst a Christian might pursue the profession of a soldier, it was generally regarded as incompatible with the vocation of a priest. Scott had volunteered for the R.A.F., not as a chaplain, but as aircrew. Now Scott had gone to prison for taking part in a campaign of passive resistance. Should he have done so as a priest ? Clayton's

104. CPSA Record Library, Johannesburg. The Acts and Resolutions of the Diocese of Johannesburg of the 25th Diocesan Synod 6-9 October 1946.

105. CPSA Archive AB 191, Clayton papers, The Christian and Civic Responsibility. Address by Bishop G.H. Clayton to the Sacred Synod of the Diocese of Johannesburg October 1946, repeated to the Cape Town Clerical Society 1950. Appendix "B", and see below, pp. 67-80.

answer was no.

> Granted the right of rebellion in certain instances, and granted the right in certain instances of refusing to obey the law, are these activities consistent with the special vocation of a priest ? It is tempting to say that what is right for a layman is right for a priest, and to object to anything like a double standard. And yet I think this is an over-simplification of the problem. It has been generally agreed, though not universally that while it may be right for a layman to be a soldier, the soldier's career is inconsistent with the special vocation of a priest. And I think that the consensus of opinion is in favour of that view. It is not the business of everyone to do everything. And I believe myself that, in view of the very doubtful justification in Scripture for these activities, in view of the special injunction laid upon you to frame your lives according to the scriptures, in view of our Ordination vow to set forward quietness, peace and love among all Christian people, and in view of the fact that the particular obligations of the Priesthood do constitute in themselves a whole-time job, a Priest should not take part in these activities. I recognise that there may be differences of opinion about this .... I in no way condemn those who disagree with me. If I may do so in all humility, I would echo the words of St. Paul, when he gave his judgement as one that had obtained mercy of the Lord to be faithful. 106

Scott was unprepared for this. Although he was not mentioned by name it was clear to him that he was being judged. On three important issues the Bishop had taken the opposite view to the one on which Scott had already acted. In writing his account of the Sacred Synod, Alan Paton did not have a copy of this address, and had to rely on the reminiscence of Michael Scott. Mr Cyril Dunn who, like Alan Paton, was dependent upon what Michael Scott could remember of the occasion over twenty-five years later, made this interesting observation when I sent him a copy of Clayton's address:

> .... as neither Paton, nor Scott himself has done (the full text of Clayton's address to Sacred Synod) makes clear that Clayton was directly attacking Scott, not simply for the stand he had taken alongside the Indians in Durban but also for having refused to pay his South African income tax. 107

Scott made no reply at the time. Nearly thirty years later he told Mr Cyril Dunn,

> I don't think I was prepared for Clayton's speech. I hadn't expected him to say this and so I wasn't ready to make a

106. Ibid.

107. DUNN, Cyril, letter to the author 19.2.1976 upon receiving the full text of Clayton's address to Sacred Synod (1946).

> proper thought-out reply. His had been quite a scholarly presented thing. I thought it would be better to keep quiet. I sensed that people were not convinced, certainly the African clergy weren't. People came up and said things to me afterwards but only in a bantering way. I don't think anyone but the Africans appreciated how serious it was.[108]

Scott was concerned that his church had made no public statement condemning the legislation, and had avoided any open expression of support for the Indian Congress' passive resistance campaign. As Scott wrote at the time,

> Father Satchell had already made a public protest at what was being allowed to happen. He contended, as did all of us who tried to get official intervention, that if the Indians preferred to incur the penalty of what they considered to be an unjust law rather than acquiesce in it, that was a form of protest which the state must recognize and afford them the protection as well as the penalty of the law. [109]

Clayton had concluded his address to Sacred Synod by making a stirring call that "the church should be a gad-fly continually stinging the government or the municipality, or anyone in authority by denunciation of wickedness and injustice and exhortation to right doing". He stressed that such criticism must be "based upon sufficient knowledge of the facts", but there could be no denying the duty of the church "to be the conscience of the state".

> Our duty is clear: the duty of speaking the truth. And because we are Christians we have to try to do something which is very difficult:- to speak the truth in love. [110]

It seemed paradoxical therefore that Scott, who was busy translating those words into deeds, should be censured for so doing. The disquiet of those who felt that the church had failed to speak up was not unjustified. Apart from a carefully-worded statement in his diocesan magazine The Vineyard by the Bishop of Natal, Leonard Fisher, in July 1946, and some very brief remarks in his Synod charge to the Diocese of Natal in September 1946, other Anglican bishops avoided the isssue. As we have seen, Bishop Clayton dealt with the matter in a Sacred Synod whose proceedings were not published. Archbishop Darbyshire deliberately chose to say nothing. Bishop Fisher's statement of July 1946 in The Vineyard, though it was given great prominence, contained no

108. DUNN, interview op. cit. Mr Dunn read the transcript of what Michael Scott had told him in an earlier interview.
109. TROUP, op. cit., p. 129.
110. The Christian and Civic Responsibility, op. cit., Appendix "B".

more than an appeal for restraint by all concerned.[111] He criticized especially the "cowardly attacks" on the resisters, and implied that he disagreed with "those Indians who regard passive resistance as their only remaining method of upholding their cause". He directed his main criticism, though, to those "Europeans (who) have behaved at this crisis with less dignity and restraint than their Indian fellow-citizens". In his Synod charge in October he did no more than appeal again to all concerned "to exercise restraint".[112] In spite of the prominence given by Bishop Fisher to his statement in The Vineyard, the idea that the church remained silent on the issue persisted. Later Bishop Fisher was fond of saying "If you want to keep something secret, put it in The Vineyard !"[113]

The C.P.S.A. Bishops, after a meeting of Episcopal Synod and the Provincial Board of Mission in October 1946, some nine months after Smuts' first announcement of his intention to introduce the legislation, decided "to make no statement at this juncture". Archbishop Darbyshire explained their reasons in a letter to Canon Streatfield.

> .... in the end we decided to make at this juncture no statement. Briefly the situation is this:-
>
> No one likes the Bill really, and no one feels that the Indians have had a square deal, but then neither have the Natives or the Coloured people; but the temper of the Indians at the moment is such that unless we specialize on their grievances and that without any discrimination of justice or common sense, they would regard any statement we made as insulting. I may say that Bishop Ferguson Davie and the Revd. H. Treble who are both working amongst Indians in Natal and entirely friendly towards the Indians, are at this moment regarded as their arch-enemies. The Bishop because he criticized their speaking of this as a "ghetto act" and other details of fiery propaganda. Mr Treble, because he recommended referring the question of the pay of Indian priests to the Diocesan Finance Board ! On the other side, any adequate statement would have to deal with the questions of representation in Parliament and of the admission of Indians into the provinces of the Transvaal and Orange Free State, to touch on which at this stage would simply infuriate the Europeans. Even if we dared the wrath of both sides nobody could attempt an incontrovertible

111. The Vineyard, 3rd July 1946. Statement dated 24.6.1946 under the title "The Passive Resistance Movement" on the front cover page.
112. The Vineyard, October 1946.
113. RUSSELL, The Right Revd. P.W.R., Letter to the author February 1981.

> statement of the situation without an intensive study of the conditions in Natal and the Eastern Transvaal for two or three months. The question is enormously complicated .... What the Bishops said about colour prejudice a few years ago is all that can wisely be said at the moment. The whole situation is the nemesis of unwise action, in which not only the government, but perhaps all parties concerned are involved. 114

When the Diocese of Natal considered a resolution expressing support for the resisters at its synod in September 1946, it was no less pusillanimous than the bishops. Father Satchell's report, which was read whilst Michael Scott was still in prison only a few hundred yards from where the synod was meeting, ended with this reference to passive resistance:

> I can hardly close this report, my Lord, without reference to the part our people are playing in the Passive Resistance Movement. My colleague and myself (the Revd. J.C. David) together with those of our people who are engaged in this non-violent struggle, appeal, in high hope, to Synod for renewed sympathy, and for fresh endeavour to integrate every community in the fabric of our Christian land. 115

Father Satchell's high hopes must have been dampened by the terms of the resolution the synod passed. It read as follows:-

> That considering the strained feelings which exist between various races in Natal, it is of the greatest importance that every church member in this diocese should consider what he or she can do to lessen tension. 116

Father Satchell's response was to follow Scott and join the resisters. In October he began to serve his three month term of imprisonment. A year later the Natal synod made some amends for its failure to support Scott and Satchell the year before, by passing a resolution which expressed the diocese's deep appreciation for "the outstanding services rendered by the Revd. W.H. Satchell to the Indian community as a whole for sixteen years. It thanks God for his unselfish life and devotion to duty."[117] Another resolution condemned "colour-prejudice as being unchristian and wholly contrary to the teaching of Christ."[118]

114. CPSA Archive, AB 707 SACI papers, letter Darbyshire to Streatfield 24.10.1946.
115. Natal Diocesan Office, Natal Diocesan Synod Proceedings. Acts and Resolutions of the Diocesan Synod 73rd Session holden at St. Paul's Church Durban, 8th-11th September 1946 under the presidency of the Right Revd. Leonard Noel Fisher, Bishop of Natal. p. 50.
116. Ibid., p. 20.
117. Natal Diocesan Office, Proceedings of 74th Diocesan Synod 14th-17th September 1947 at St. Saviour's Cathedral, Pietermaritzburg under the presidency of Leonard Noel Fisher. p. 24.
118. Ibid.

WIDER REPERCUSSIONS.

A month later the bishops' decision to say nothing had an unfortunate sequel. In November 1946 Sir Maharaj Singh, India's delegate to the Trusteeship Committee of the United Nations meeting at Lake Success, sharply criticised the South African Govenment for its racial policies. The Cape Times described this as "probably the most bitter attack South Africa has ever faced at an international conference. From the first speaker to the last not a friendly word was heard about South Africa .... "[119] The occasion for the attack was the presentation by Field Marshal Smuts of a memorandum from the Union Government to the Trusteeship Committee of the United Nations, arguing for the annexation of South West Africa. It was not only South Africa's desire to annex South West Africa, nor only Smuts' "Ghetto Act" that were put on trial, but the Union's native policy. Sir Maharaj knew South Africa from the time when he was Agent General for the Indian High Commission in Cape Town, and he was an Anglican. Taking a phrase from the constitution of the old Transvaal Republic he said that "there is no equality for the Africans in Church or State".[120]

It was not only Smuts who found himself in difficulty, but also Archbishop Darbyshire. The Archbishop allowed himself to be a signatory of a cable to Smuts that attempted to refute this charge. The others were Dr. A.J. van der Merwe, Moderator of the N.G.K. (Cape), Monsignor J. Morris of the Roman Catholic Church, the Revd. A.E.F. Garrett, Secretary of the Methodist Conference, and the Revd. H.M. Agnew, Clerk to the Assembly of the Presbyterian Church in Cape Town, who had initiated the move. Mr Agnew explained in an interview that they "thought it most unfair of the Indian representative to make such a remark for it left General Smuts to face a very serious charge which we in the churches feel to be untrue."[121] The cable was given wide publicity, and evoked a strong reaction from black opinion, especially in the Cape.

119. Cape Times 7.11.1946, "Stiff tide against Union on S.W.A. Issue".
120. Ibid.
121. Cape Times 7.11.1946, "Church cable to Smuts, Indian charge unfair".

Representatives of eight African, Indian and Coloured organizations in the Cape sent another cable to the Trusteeship Committee, "fully supporting and substantiating the contention of Sir Maharaj Singh. There can be no equality when Smuts' government pursues policy of white supremacy".[122]

Feelings in Anglican "Coloured" parishes in the Cape were running high, because of what appeared to them a betrayal by their church. This in turn provoked a strong protest to the Archbishop from his clergy in Cape Town, because the cable appeared to support the colour bar. A telegram from Michael Scott in Johannesburg to Darbyshire said tersely, "Cable to Smuts appears to support colour bar, despite recent resolution by the church condemning colour bar legislation".[123] A letter from Clayton, whilst containing no specific criticism of his Archbishop, made clear to Darbyshire the consequences of his action. Mr James Mdatyulwa, an Anglican layman, wrote to Bishop Clayton announcing his intention of "severing his connection with the English Church". He told Clayton accusingly,

> The action of the Chief Bishop in Cape Town in associating himself with a cable which refuted allegations made by Sir Maharaj Singh against South Africa's treatment of my people in this land of our fathers, has put the clock of confidence in your church, many years back. His action, and the failure of the other Bishops to condemn him has disappointed those who have been labouring under the impression that the Church of the Province of South Africa, through its Bishops, was the champion of the cause of the underprivileged.[124]

Clayton also reported that a Catechist had followed James Mdatyulwa into the African Orthodox Church, and added, "we shall have a difficult time for a bit. I do not however think that any priests will follow .... though it is impossible to be sure."[125]

Archbishop Darbyshire found his own clergy in Cape Town his sternest critics. A meeting, attended by 31 members of the Cape Town Clerical Society, was so incensed that it appointed a deputation

122. Cape Times, 7.11.1946. The cable was sent on behalf of the African National Congress, the African People's Organization, the Communist Party of South Africa, the Cape Passive Resistance Council, the India League, the Cape Malay Association, the Anti-Pass Committee and the Teachers' League of South Africa.
123. CPSA Archive AB 189, Darbyshire papers. Telegram Scott to Darbyshire.
124. CPSA Archive loc. cit., letter Clayton to Darbyshire 28.11.1946.
125. Ibid.

to see the Archbishop, that included the Dean (J.C.H. Brooke), two Canons of the Diocese (Michael Gibbs and Tom Savage), the Chairman of the Clerical Society (The Revd. Charles Runge) and four clergy who were working in Coloured parishes. The Archbishop complained of the procedure, whereby "the Archbishop's behaviour had been debated in the Clerical Society and then sent a very considerable deputation to see me".[126] At first he tried to avoid the meeting. Included in Darbyshire's notes of the meeting is the draft of a letter to Fr. Runge which said, "whether I was wise or unwise, it does not appear to me that any useful purpose can be served by my meeting any delegation on the matter".[127] However, there is also a carbon copy of another letter, giving Runge the time and date on which he would meet the deputation.[128]

A chief cause for concern was that the cable had caused distress in Coloured parishes, and that the clergy had found themselves overwhelmed with questions and criticism. The Dean was "uneasy" about the cable because it associated the Church of the Province with the Dutch Reformed Church which did "discriminate between Christians who differ in race and colour".[129] One of the most telling points made was that Sir Maharaj, a fellow-Anglican "who was well-known and active in church circles when he was Agent-General here" had been "publicly refuted by the highest local authority of his own church when what he said is perfectly true".[130] The effect of the Archbishop's silence hitherto on the subject of Smuts' Indian legislation meant that this statement was the "only word that has been uttered publicly by representatives of South African Christianity".[131]

In his reply to the delegation, Darbyshire virtually acknowledged that he had made an error of judgement. The initiative had been taken by Mr Agnew of the Presbyterian Church. Darbyshire

126. CPSA Archive, loc. cit., Archbishop Darbyshire's handwritten notes of the meeting with the Cape Town Clerical Society. Gibbs became Dean of Cape Town, and Savage was to become a Dean of Cape Town, and Bishop of Zululand from 1958-66.
127. CPSA Archive loc. cit., Archbishop Darbyshire's draft letter (undated).
128. CPSA Archive loc. cit., letter Darbyshire to Runge, undated.
129. CPSA Archive loc. cit., letter Dean of Cape Town (J.C.H. Brooke) to Darbyshire, 18.11.1946, and proceedings of the Cape Town Clerical Society, November 1946.
130. CPSA Archive loc. cit., letter Runge to Darbyshire, 15.11.1946.
131. Ibid.

did not know that Dr. van der Merwe would also be a signatory. His own intention had been to defend the sweeping charges made at Lake Success. His true feelings about the Indian campaign were revealed when, very much on the defensive, he explained to the Dean and the deputation that accompanied him,

> I was probably the more ready to agree with his (Agnew's) suggestions as I have felt and still feel that the Indian agitators in South Africa were ready to use any argument, even if unfair, to further their own cause .... perhaps I should have foreseen that at this moment any expression of any opinion other than one which was clean against Smuts and the government would be interpreted as another injury to the non-European peoples. 132

At home, Smuts' critics on his right exploited their opportunity with skill and venom. It was to no avail that Smuts, in his original memorandum, had stated that "South Africa is a sovereign state and cannot acquiesce in any interference in its domestic affairs."[133] Dawie, in his column in Die Burger, criticized Smuts for ever allowing the matter on to the agenda at Lake Success in the first place, and pointed out that the gap between Smuts' work abroad and his policies at home did not go unnoticed in South Africa.[134] The sense of shock and anger engendered in every white South African breast by the vehemence of the attack upon their country and their hero Smuts at Lake Success was cleverly exploited. Dawie said that South Africa had two statesmen, Field Marshal Smuts and Dr. Malan. The Field Marshal had brought home to the Union her biggest defeat and scandal: "neerlaag en skande". Dr Malan with his unimpeachable standpoint and his unflinching resolution ("koervastheid") held out hope that he could maintain white civilization.[135] Dawie made a subtle play on Smuts' British associations by using his rank and title in the British Army. He already held South Africa's highest military rank, that of General. He belittled Smuts' image as a statesman, and projected Dr. Malan as being more far-sighted and perceptive, saying that Malan had foreseen the storm resulting from the mad Indian legislation, and that it was Malan who warned that the U.N. would become dangerous

132. CPSA Archive loc. cit., Archbishop Darbyshire's handwritten notes on his meeting with the Cape Town Clerical Society, November 1946.
133. Cape Times 7.11.1946, "Stiff tide against Union on S.W.A. Issue".
134. Die Burger, Dawie, 12.10.1946 and 14.12.1946.
135. Die Burger, Dawie, 14.12.1946.

once it interfered in the internal affairs of member states.[136]

On 29th December 1946 Dr Malan addressed a crowded public meeting in the Strand City Hall to introduce the Nationalist candidate for the Hottentots' Holland by-election. South Africa must have control ("baaskap") over its own internal affairs. He referred back to General Hertzog's return from the Imperial Conference twenty years before, stating that he had got what he wanted, the recognition of South Africa's own freedom and nationhood. He said that unlike Smuts, the Nationalists had grasped the nettle ("aanpak") of the Native question and the Indian question. The fruit of Nationalism, Dr. Malan said, was to repatriate ("uit die land kry") between 17 000 and 18 000 Indians. He attacked the United Nations for concentrating power in the hands of the big nations. Because of what Smuts had done, South Africa was like a criminal in the dock in connection with the most important question for the future of South Africa, the colour question. He recalled the Afrikaner's struggle with British Imperialism, when at least they had only one antagonist. Now, as a direct result of Smuts' steps, "het ons nie een baas nie, maar vyftig".[137] He emphasized how Smuts had returned empty-handed. South Africans were not ready to commit suicide.

> *Ons het geen ander land nie en ons stel daar prys op dat hierdie land 'n witmansland gaan bly .... Diegene wat sê dat die Nasionale Party 'n beleid van onderdrukking van die nie-blankes voortstaan vertel 'n leuen. Ons beleid is 'n beleid van apartheid en ons sal sorg dat reg aan alle seksies van die bevolking geskied.* 138

The meeting ended with an appeal to make the by-election in Hottentots' Holland a "protesverkiesing". The tactic succeeded, for Sir de Villiers Graaf, the United Party's candidate, was defeated in the by-election of 1947, although he won the seat back for the United Party in 1948.[139]

Senator Edgar Brookes, an Anglican and at that time one of the four Natives' Representatives in the Senate, must have summed

136. Ibid.
137. Die Burger, 30.12.1946, "Geen inmenging in S.A. Dr Malan stel standpunt ten opsigte can V.V.O."
138. Ibid.
139. Cape Times, 28.5.1948, "Smuts out U.P. loses the election".

up the feelings of many South Africans when he said in his presidential address to the South African Institute of Race Relations early in January 1947:

> There was no doubt that a large proportion of white South Africans felt hurt, bewildered and angry at what they conceived to be unfair judgement of South Africa by U.N.O. What has happened during the past year is surely a challenge to us to put our house in order, to face the issues squarely, to be prepared to accept radical changes, and above all not to be afraid of the truth, however stridently, inopportunely or provocatively uttered. 140

In a book written in 1948 Professor Arthur Keppel-Jones commented on the South African's blindness to criticism from abroad:

> If the suggestion comes from abroad (that the coloured races of South Africa are oppressed), those who make it are denounced as ignorant people who don't undertand our problems.... It is an important example of our practice of pulling the wool over our eyes and imagining that other men's vision will be obscured as much as own own. 141

As J.D. Rheinallt Jones said of the U.N. criticism of South Africa at the end of 1946, "much of what was said was true".[142] It seems unjust and paradoxical that it should have been Dr. Malan who made political capital out of Smuts' discomfiture, when it was, of all men, Smuts and Hofmeyr who held the political cards, which would have enabled the principal criticism of the Indian delegation to have been met in due time. That Archbishop Darbyshire suffered the rebuke of his clergy in Cape Town was due in part to his own deep regard for Smuts and his sensitivity towards Smuts' predicament. But Darbyshire's problems arose as much from his own mistaken assessment of the church's role in such a situation. His decision to make no statement on the issue of the Indian legislation was wrong, because he acted from motives of expediency, by not wanting to risk offending whites, rather than of firmly witnessing to the truth. The C.P.S.A.'s silence on the subject had left Mr J.H. Hofmeyr and the Natives Representatives alone and isolated in parliament on an issue of Christian principle, and black people rightly felt betrayed by their church.

140. Wits. Archive, Rheinallt Jones papers, an unidentified Press cutting reporting on the Annual Meeting of the Council of the Institute of Race Relations in the Hiddingh Hall, Cape Town, January 1947.

141. KEPPEL-JONES, A., Friend or Foes, Pietermaritzburg: Shuter & Shooter 1949, p. 19.

142. RHEINALLT JONES, J.D. South Africa and U.N.O. Address to the SAIRR, Pretoria, 1946. Quoted in an unidentified Press cutting in the Rheinallt Jones papers, Wits. Archive.

THE AFRICAN MINEWORKERS' STRIKE AND THE ADJOURNMENT OF THE NATIVES' REPRESENTATIVE COUNCIL.

While Scott was in prison in Durban an event of great importance took place on the Witwatersrand. On Monday 12th August between 45 000 and 50 000 African mineworkers came out on strike for a daily wage of ten shillings and improved working conditions.[143] They did so in response to the call of the African Mineworkers' Union, whose President was John Marks, a long-standing member of the Communist Party and an executive member of the African National Congress. Their strike. in terms of existing labour legislation, was illegal. The Industrial Conciliation Act of 1937, like its predecessor of 1924, excluded Africans from the definition of "employees", and refused official recognition to African trade unions. In 1942 War Measure 145 made all strikes of African workers illegal. In 1944, when the African Mineworkers' Union was busy organizing thousands of workers, a further War Measure (1425) forbade meetings of more than twenty people on mine property.[144]

As the strike spread, the police adopted a policy of arresting "agitators" and persuading the strikers to return to work. At West Springs No. 1 Compound "400 Natives were rounded up" but released when they said they were willing to return to work. At City Deep workers going on to the morning shift were given a police escort to the pithead. On being told by the Mine Manager and the Native Commissioner that they were breaking their contracts by striking, they agreed to go on shift.[145] On Tuesday 13th August, 4000 strikers formed a procession six miles long and attempted to march to Johannesburg during the afternoon. They were intercepted by police near Brakpan and on their refusing to turn back the police opened fire. Four were killed, eight wounded and larger numbers injured in clashes with the police.[146] At the Sub-Nigel Mine police intervened to drive 2000 strikers back to their compound when they began stoning police. Eight Africans

143. Rand Daily Mail, 13.8.1946, p. 1. "45,000 Natives strike at 11 Rand Mines - Police baton charge dispese Benoni mob".
144. KARIS, T. & CARTER, G.M., From Protest to Challenge, Vol II, Stanford, California: Hoover Institute 1973, pp. 70, 76, 77.
145. Rand Daily Mail, 13.8.1946, p. 4. Article continued from p. 1.
146. Rand Daily Mail, 14.8.1946, p. 1, "4000 strikers try to march on Johannesburg".

were hit by bullets and in the ensuing rush four were trampled to death and eighty-three injured.[147] On Wednesday 14th August two columns of strikers, one from the East Rand and one from Germiston, tried to march on Johannesburg. They were armed with sticks, stones, knives and iron bars.[148] At the Nourse Mines, when some 6000 miners refused to go underground at 5.00 a.m., police armed with rifles and bayonets drove them from their compound and forced them to go underground.[149] On the same day an attempt by 500 strikers "to see the Chamber of Mines" was met by the police, who told them to sit down, and then used batons to disperse them. The Rand Daily Mail reported that "a number of Natives were injured but none seriously".[150]

On 13th August the police raided the offices of the African Mineworkers' Union, seizing documents, books and the card index system. John Marks was arrested in terms of the Riotous Assemblies Act, and a headline in the Rand Daily Mail accused that "Communists are among forces behind strikes".[151] This contention was supported by citing resolutions of support for the strike from the Johannesburg District Committee of the S.A.C.P. and the Passive Resistance Council of the Transvaal Indian Congress. The South African Federation of Progressive Students at the University of the Witwatersrand was reported to be collecting strike funds and doing clerical work in the union's offices.[152] Senator Basner and Mrs Margaret Ballinger M.P. called on the South African Trades and Labour Council to protest against the police raid on the offices of the African Mineworkers' Union, and eighteen African Trade Unions affiliated to the Transvaal Council of Non-European Trade Unions decided to go on strike in sympathy with the mineworkers.[153] In an editorial, the Rand Daily Mail described the "mine Natives" as being "raw as any to be found in Africa", and asked,

> How can such people know anything of trade union procedure or the orderly conduct of strikes ? And how can they be

147. Rand Daily Mail, 14.8.1946, p. 1, "Eight Natives wounded, four trampled to death at Sub-Nigel".
148. Rand Daily Mail, 15.8.1946, p. 1, "Police attack armed columns marching towards city. Natives dispersed after running fight".
149. Rand Daily Mail, 15.8.1946, p. 1, "Many Natives go underground after police action".
150. Rand Daily Mail, loc. cit., "Police attack armed columns ..."
151. Rand Daily Mail, 14.8.1946, "Communists are among forces behind strikes".
152. Ibid.
153. Ibid.

> anything but pawns in the hands of anybody who tells them they have a grievance and offers them the hope of getting twice as much as they are receiving now ? 154

As the Police responded with increasing severity to break the Mineworkers' strike, the Natives' Representative Council began its annual session in Pretoria on 14th August. There was angry criticism, both of the police and of the government, who showed no inclination to negotiate with the strikers. Councillors demanded a statement on the strike from the chairman, a young under-secretary from the Department of Native Affairs, Mr R. Rodseth, and resolved to go to Johannesburg to see for themselves what was happening. Dissatisfied with Mr Rodseth's assurances that the matter was receiving the personal attention of the Prime Minister, who had appointed a cabinet committee to investigate the strike, and that "everything was being done to meet the situation", Councillor Paul Mosaka said,

> We cannot be satisfied with a Cabinet Committee. We hold the Government responsible for the wanton shooting which took place on the Reef. We can only assume that instructions to shoot came from the Government. 155

The veteran trade unionist Councillor A.W.G. Champion, President of the A.N.C. (Natal) said that "strikers were on their way peacefully to the Chamber of Mines .... when they were stopped by the police who charged them with batons and bayonets and attacked them".[156] Professor Z.K. Matthews, who as Chairman of the caucus of the N.R.C. was regarded as a moderate by Mr Hofmeyr, said that "an alarming state of affairs existed, and the council could not be asked to go on with routine matters when there were disturbances of such magnitude".[157] Whilst giving news and photographs of the strike prominence on the front pages, the Rand Daily Mail in the same issue reported the debate in the N.R.C. on an inside page, where a very different picture of the strike began to emerge. At an early stage in the proceedings on the 14th August Dr. James Moroka, having referred to the "reactionary nature of the Union's Native policy" went on to put his historic resolution proposing the adjournment of the Natives Representative Council. He concluded,

154. Rand Daily Mail, 14.8.1946, p. 8, Editorial.
155. Rand Daily Mail, 15.8.1946, p. 10.
156. Ibid.
157. Ibid.

> .... The Council, therefore, in protest against the breach of faith towards the African people in particular and the cause of world peace in general, resolves to adjourn this session, and calls on the Government forthwith to abolish all discriminatory legislation in this country. 158

Councillor Paul Mosaka called the N.R.C. a "toy telephone". For ten years they had passed resolutions and no-one had listened.[159] Mr Rodseth, however, refused to accept the motion of adjournment, since it "savoured of a threat to the Government", and appealed to members to be "level-headed". This incensed the Councillors still further, and they continued to debate the adjournment resolution. Councillor S.S. Thema noted how the press had urged the Government to take a strong line against the strikers.

> When we say we blame the Government for this we mean what we say. The Press says that Communists and agitators have started the strikes, but 50 000 people will not leave their work because of agitation. The cause goes much deeper. 160

Meanwhile the police continued to take strong measures to suppress the strike. John Marks and three others appeared in the Johannesburg Magistrate's Court charged with inciting a strike in terms of the Riotous Assemblies Act. A further "62 Natives" were charged with contravening Section 19 of the Labour Regulations Act by refusing to start work. The first group were remanded and bail refused, the second were remanded and released on bail.[161] By Friday 16th August the newspapers were confidently predicting that the strike would "peter out" and normal work would be resumed.[162] The police were also reported to be clearing the mine dumps of strikers who had taken refuge there. At the Nigel Mine police even went underground, where 1000 miners were staging a sit-down strike, and drove them to the surface.[163]

On Thursday 15th August the N.R.C. resumed its debate, and Professor Z.K. Matthews summed up the discussion of Dr. Moroka's resolution, before the vote was taken for the N.R.C. to adjourn indefinitely.

158. Ibid.
159. PATON, A., Hofmeyr, London: OUP 1965, Abridged edition, p. 334.
160. Rand Daily Mail, 15.8.1946, p. 10.
161. Ibid., "Sequel to native mine strike. 66 in court".
162. Rand Daily Mail, 16.8.1946, "Native Mine strike likely to peter out".
163. Ibid., "Police go underground to end sit-down strike".

> We are not an irresponsible people. We in this council are grown up men who occupy various important and responsible positions throughout the Union. We will not come here and lightly put forward a proposal that the council should adjourn unless we have good and reasonable cause to do so .... The Native people are very patient and they are easy to manage. The demands they have made on the Government are not many and impossible of satisfaction .... The Government must not forget that the most dangerous man to deal with is the patient man. We are slowly reaching the stage where this patience will become exhausted. We have generally tried our best to help and advise the Government. We have sacrificed personal interests, to serve the cause of our people, and unless the Government is prepared to take urgent steps to meet certain urgent needs of the Native people we cannot continue this work. The Native people had accused members of the council of helping the Government to oppress them. They were losing confidence in their own leaders. We could exert considerable influence among our people and if we put our influence on the wrong side things can become serious. But we do not want to do this. [164]

Mr Rodseth then said he would depart from the "usual practice for a chairman to reply to the debates", and added that he would be "failing in his duty as a government servant if he adjourned the meeting without saying anything".

> Making allowances for the feelings of the council, I must say that I consider that a lot that has been said here has been exaggerated and unwarranted. [165]

On 16th August Field Marshal Smuts left for the Peace Conference in Paris and the United Nations meeting at Lake Success, leaving Mr J.H. Hofmeyr as Acting Prime Minister. The miners returned to work and Professor Z.K. Matthews, as chairman of the caucus of the N.R.C., went to see Mr Hofmeyr to tell him that they did not want the council abolished, but hoped the government would be conciliatory. Hofmeyr, however, told him that he could not do anything that would be interpreted as a surrender, and Matthews said he would consult his colleagues. Hofmeyr then wrote to Smuts, saying that he expected there might be a "climb-down", but almost immediately an emergency conference of the African National Congress, with eight councillors on the platform, decided to support the adjournment of the N.R.C., and called for a boycott of all further elections.[166]

164. Rand Daily Mail, 16.8.1946, p. 9, "Native Council adjourned indefinitely - Protest against State's 'breach of faith'".
165. Ibid.
166. PATON, Hofmeyr, op. cit., pp 334, 338, 339.

Meanwhile, the Synod of the Diocese of Johannesburg met from 6th-9th October, with feelings still running high over the manner in which the strike had been suppressed by the police, and because of the persistant refusal by both the Chamber of Mines and the Government to promote negotiations. In his charge to synod Bishop Clayton trod a delicate path between the feelings and perceptions of black and white members. He began by conceding "that the rule of law must in the last resort be maintained by force". However, he also pointed out that "the rule of law should be the expression of love .... force while it is there should as far as possible remain in the background. If it has to be continually exerted something is wrong".[167] Then, after a two-hour debate synod passed a resolution by 103 votes to 38 urging the Government to recognize the African Mineworkers' Union and to open negotiations between the Chamber of Mines and the African Mineworkers' Union without delay.[168] Its proposer, Fr. C.M. Lunniss C.R., was quoted as saying,

> The crux of the matter is that the mines have swayed the Government to their point of view. There has to be a change to that policy - unless the Chamber recognizes the right of its workers to free negotiation, there will be more strikes and bloodshed. 169

The motion, however, was opposed by a lay member of synod, Mr C.L. Read, a former mine official, who pointed out that 98,64% of African mineworkers were migrant workers, and asked,

> How can these illiterate men, ignorant of the underlying relations between employers and employees, be welded into a union ? The Lansdowne Report has recognized this and regarded the inevitable control of a trade union by people unconnected with industry as undesirable. 170

Everyone knew what he meant, because only four days earlier, on 4th October, after repeated appearances in court throughout August and September, fifty-two alleged communists, including twelve members of the Johannesburg District of the S.A.C.P., had been sentenced in terms of War Measure 145 and the Riotous Assemblies Act for "inciting Mine Natives to strike".[171] A few weeks before that

167. The Star, 7.10.1946, p. 8, "Bishop calls for a new spirit to build a better future - rule of law should be expression of love".
168. CPSA Record Library, Johannesburg. Acts and Resolutions of the 25th Diocesan Synod of the Diocese of Johannesburg 6-9 October 1946, Resolution 11.
169. The Star, 8.10.1946, "Diocesan Synod votes for recognition of African Mineworkers' Union".
170. Ibid.
171. Rand Daily Mail, 5.10.1946, p. 4; 16.9.1946, p. 4; 9.9.1946, p. 9 "Incitement to strike alleged against 52 people".

Dr. Colin Steyn, the Minister of Justice, had told a meeting of the women's branch of the United Party in Joubert Park, Johannesburg, that political influences were trying to control the trade unions, and complimented the mining industry on avoiding labour troubles for so many years.[172] John Marks, Daniel du Plessis. Michael Harmel, Yusuf Dadoo, R.H.W. Fleet, James Majoro, Abraham Fischer, J.N. Singh, Hilda Bernstein, Edwin Mofutsanyana and Lionel Bernstein were each fined £50 or four months, of which £25 or two months was suspended. The remainder were fined £15 or three months with £10 or two months suspended.[173] In his summing up speech for the defence on 19th September, Abraham Fischer argued that there had been no incitement and that the strike had been "spontaneous".

> An outbreak became inevitable. There was a lack of legal machinery which could have been used to prevent a strike. The proclamation 1425 was in fact a restriction of free speech. The Natives were unable to air their grievances. Neither the Government nor the Chamber (of Mines) did anything to organize any machinery which could have been used to avoid a strike. The strike, he was perfectly satisfied, was spontaneous. 174

The vote in synod in favour of Fr. Lunniss' resolution advocating the recognition of the African Mineworkers' Union must have owed much to Archdeacon Rouse's speech, which denied that supporters of the resolution should be dubbed communists. He pointed out that there had been "agitators in every strike in history and cries of horror could not halt evolution".

> I am worried because a workers' movement is being left undirected. I am not a communist because I support this resolution - I have no wish to see communism in this country - but it is no use closing our eyes to a fact. 175

The synod then appointed a delegation consisting of Archdeacon R.P.Y. Rouse, the Revd. T. Comber, Fr. C.M. Lunniss, Mr J. Cullum and Mr S. Lesolang to see the Prime Minister. Mr Hofmeyr told them, as he was to tell the Natives Representative Council also, that although progress was being made towards the legislation which would recognize African Trade Unions, the African Mineworkers

172. Rand Daily Mail, 18.9.1946, p. 4.
173. Rand Daily Mail, 5.10. 1946, p. 4.
174. Rand Daily Mail, 20.9.1946, p. 10, "Sentence on Mine strike case deferred to October 4".
175. The Star, 8.10.1946, "Diocesan Synod votes for Recognition of African Mineworkers' Union".

Union was the one union which the government did not propose to recognize.[176]

On 20th November Mr J.H. Hofmeyr himself opened a resumed session of the N.R.C., at which he told them that the removal of all discriminatory legislation was impractical. He tried to show that much was being done to improve education and health services for the African, and how expenditure had increased. He added that whilst considerable progress was being made towards legislation to recognize African Trade Unions, the government did not propose to recognize the miners' union. Professor Z.K. Matthews gave the N.R.C.'s reply five days later in proposing a resolution that the council should be suspended, and that councillors should remain in Pretoria to await a more reasonable reply from the government than the speech of the Acting Prime Minister. Mr Hofmeyr's statement, said Professor Matthews, "seemed merely an apologia for the status quo".

> The statement makes no attempt to deal with some of the burning issues of the day such as the pass laws, the colour-bar in industry, the political rights of the non-European in the Union; and in effect it raises no hope for the future as far as the African people are concerned ....
>
> In his statement the Acting Prime Minister virtually denies that the Native policy of the Union is in need of revision and proceeds to justify the policy of segregation and discrimination on the grounds of its supposedly protective character. 177

On 26th November, Mr Hofmeyr's reply stated that the government was unable to vary its decision but that it was hoped that the N.R.C. would continue to play its part in promoting the advancement of the African people. Professor Matthews then moved another resolution to adjourn the N.R.C., so that councillors could "make fully known to the African people the nature and contents of the Acting Prime Minister's statement".[178] In May 1947 Field Marshal Smuts held talks in Cape Town with Professor Matthews and five other members of the N.R.C. Smuts explained that he

176. LUNNISS, the Revd. Fr. C.M., C.R., Conversation at Rosettenville, 8.3.1982. and CPSA Record Library, Acts and Resolutions of the 25th Diocesan Synod of the Diocese of Johannesburg, 6-9 October 1946, Resolution 11.

177. PATON, A., Hofmeyr, op. cit., p. 341.

178. Ibid., p. 343. The full text of Mr Hofmeyr's statement as Acting Prime Minister and the reply of the caucus of the Natives' Representative Council as conveyed to him by Dr. Z.K. Matthews is published in full in WILSON, M. (ed.), Freedom for my People, the Autobiography of Z.K. Matthews, Cape Town/London: David Philip &

envisaged an All-African, all-elected Council of fifty members meeting under its own chairman, spending its own revenue and making laws within the sphere of its own interests. He also anticipated the recognition of African trade unions, but the details would have to await the report of the Fagan Commission. However, as Sir Keith Hancock has observed,

> .... he did not envisage any immediate extension of African parliamentary representation. That was the crux. Professor Matthews would not withdraw the demands that had been stated in 1943. 179

In 1943 a committee of twenty-eight African leaders under the chairmanship of Professor Matthews had drawn up the document African Claims in South Africa, which included a commentary upon the Atlantic Charter from the standpoint of Africans within the Union of South Africa, and a Bill of Rights. They demanded "full citizenship rights as are enjoyed by all Europeans in South Africa" which meant the abolition of separate representation "and the extension to all adults, regardless of race, of the right to vote and to be elected to Parliament, Provincial Councils and other representative institutions".[180] The deadlock seemed to be complete. The Natives Representative Council did not meet again until January 1949, and then only briefly, to be told by the Minister of Native Affairs, Dr. E.G. Jansen, that the newly-elected Nationalist Government had decided to abolish the Council. This was finally done in 1951, in terms of the Bantu Authorities Act.[181]

TOBRUK AND MOROKA.

Bishop Clayton's attitude towards Scott's re-employment after his return from prison has already been described earlier in this chapter.[182] With a general licence he could preach and officiate anywhere in the diocese, but as he was given no alternative appointment he found himself without remuneration or accomodation. At first he went to stay with the Blaxalls at Ezenzeleni,

179. HANCOCK, W.K., Smuts, op. cit., Vol II p. 489.
180. KARIS & CARTER Vol II op. cit., p. 217, Document 29b, "African Claims in South Africa". Including: "The Atlantic Charter from the Standpoint of Africans within the Union of South Africa" and "Bill of Rights".
181. PATON, op. cit., p. 343.
182. See above, p. 31.

a school for the African blind near Johannesburg.[183] Bishop Clayton also asked Father Lunniss to keep a fatherly eye on him, and Scott used to make frequent visits to the Community of the Resurrection's mission at Leseding in Orlando "for a meal and a bath".[184] He often slept in a flat at Calvert House in the city, which was shared by Meers Kathrada and J.N. Singh as students.[185] He also stayed with a Jewish friend, Leon Levy, who complained that Scott gave away one of his suits to a beggar.[186] Whilst this suited his peripatetic tendencies perfectly, it meant that in practical terms he was unemployed. He lived off his friends. Canon Charles Hooper was a university student at the time, and knew Scott at St. Michael's Jeppe, which was a daughter church of the Cathedral. "He seemed to us more of a sadhu from India than an Anglican Christian" he said, recalling the lifestyle of a Hindhu "holy man", who was expected to live on the charity of his neighbours and thus be free to move about unhindered by worldly possessions.[187] Scott's desire to be free to respond to any call made upon him by the poor, wherever that might take him, meant that no normal parish appointment was going to be suitable. Appointments such as chaplains to migrant workers, the Director of the C.P.S.A.'s Department for Justice and Reconciliation, and other specialist ministries in ecumenical Christian agencies are recent developments in the life of the church in South Africa. At that time the church exercised its ministry exclusively through a geographically based parish system. Scott's new circumstances at least meant that he was entirely free to take up any challenge that came his way.

Scott went to see the Chamber of Mines in an attempt to persuade them to negotiate with the African Mineworkers, but his overtures were rejected.[188] However, it was not long before the difficulties being experienced by so-called squatters of a shanty town on the outskirts of Johannesburg called Tobruk claimed his attention. There, Scott's intervention, though resented by

183. PATON, A., Apartheid and the Archbishop, op. cit, p. 153.
184. LUNNISS, The Revd. Fr. C.M., C.R. Conversation at the Priory, Rosettenville, 8.3.1982.
185. SINGH, J.N., Interview, Durban, 27.1.1978.
186. HOOPER, The Revd. Canon Charles, Interview, Manzini, 15.12.1980.
187. Ibid.
188. SCOTT, M.,A Time to Speak, op. cit., p.116.

the authorities, did not go unrequited. And to him must go part of the credit for causing the Johannesburg City Council to expedite its plans to provide emergency shelter for the inhabitants of Tobruk in a newly established emergency camp called Moroka.

Black soldiers coming home from the war found themselves amongst the thousands flocking into the cities to find work. War-time shortages had brought municipal housing schemes for Africans to a stand-still. Existing townships were over-crowded and large squatter settlements began to appear on the outskirts of major cities. One such shanty-town was called Tobruk by its 40 000 inhabitants, in memory of the North African port where many of them had been taken prisoner, alongside the many white South Africans who had gone "up north" to fight in the war against Italy and Germany. The squatter movement which established Tobruk was led by an African called Mpanze, founder of the so-called Sofasonke Party.[189] The inhabitants were expected to pay "rates" to Sofasonke, who in return undertook to lay on municipal services. However, they proved unequal to the task, charging more and more rates whilst rendering fewer and fewer services. Mr Cyril Dunn, who was the Observer's Johannesburg correspondent at the time, told me, "Sofasonke became a protection gang .... when people didn't pay their rates they beat them up".[190] Mr Samuel Saul Koma, described by the Star as "leader of the Tobruk squatters" defended the charges levied by Sofasonke:

> We receive one shilling a week from each person - some pay and others do not - and our takings are roughly £40 a week. We have to maintain camp services @ £120 a week: the transport of garbage from individual tents to our refuse dump costs £20 per week, health services such as first aid and medicines costs us £28 a week and clerks, camp police, teachers and so forth all require remuneration 191

Early in 1947 this situation had deteriorated to such an extent that the inhabitants appealed to Michael Scott for help.

189. SAIRR Jan Hofmeyr Library, Box 43a, Riots A-G. Johannesburg City Council. Confidential memorandum for submission to the Fagan Commission of Enquiry into the riot at Moroka Emergency Camp on Saturday 30th August 1947. This blamed the Sofasonke Party led by Mpanza for the riots at Moroka, and identified them as the same group which had terrorized Tobruk earlier.

190. DUNN, Cyril, Interview, Blackheath, August 1975.

191. The Star, 30.4.1947, p. 9., "Tobruk squatters to be moved next week".

Scott's concern for the plight of shanty-town dwellers was well known since the most successful charity concerts he had arranged in collaboration with Father Trevor Huddleston in October 1944, in the name of the Campaign for Right and Justice. A massed African choir had sung in St. Mary's Cathedral in aid of the Shanty Town Relief Fund, and three days later the entire Johannesburg Symphony Orchestra, conducted by Mr Joseph Trauneck, had given a concert performance in aid of the same fund at St. Cyprian's School, Sophiatown.[192] In the mean time Scott's name had become a household word in South Africa as a result of his activites at Bethal and in Durban. African people instinctively knew that they would not appeal to him in vain. At the invitation of the Revd. Theophilus, the minister of an African independent church in Tobruk called the Congregational Church of Christ, he went to live there. Scott immediately gave the £100 he had left in his savings to start up municipal services again. At night he slept on a camp-bed behind the altar of the Revd. Theophilus' hessian church. Cyril Dunn takes up the story of what happened.

> Sofasonke began a progressive campaign against him. First they came in the middle of the night and did war dances around the hessian church. Then another night they tried to set fire to it. Another night they again did their war dances and after a long period of silence they called, "Michael Scott, come out !" Michael said to Theophilus the priest, "Let's go and see what they want." Theophilus was saying, "Don't !" Michael went to the door and said "Yes", and a fellow with an iron bar hurled it down. But fortunately the bar was longer than he thought and it smashed against the lintel. This diverted the blow so that it hit Michael on the shoulder. It could have killed him. Then they set fire to the church. 193

Thoroughly shaken by this experience, Michael Scott sent a telegram to Margaret Ballinger in Cape Town which graphically described the situation at Tobruk:

> Position at Tobruk deteriorating rapidly x Police have refused protection to ambulances assault cases complainants and witnesses burning down of church and school has come as climax to long series disorders by gang made subject of repeated representations to government and Non-European department over last three months x By withholding requested action against gangsters at Tobruk police are creating impression whole settlement is disorderly and criminal x If they withhold action further bloodshed inevitable urge you fly to Johannesburg immediately and use authority to compel police authorities

192. Wits. Archive A 410 Ballinger papers, Campaign for Right and Justice B2.10.2.
193. DUNN, Interview, op. cit.

> to act after inhabitants have used every constitutional means to have gangsters removed must inevitably lead to disorder in which 99 percent blame must be borne by the state. 194

Scott's presence in Tobruk and his experience there attracted extensive publicity. The municipal authorities responded by charging Scott under a by-law for being in a black area. He was fined £5 or 14 days. As Mr Dunn recalled, "First of all they had to prove it was a black area, which was a thing they consistently denied it was. For if they declared it was a black area they would be responsible for it. But they did prove that the little bit that Michael was sleeping in was a black area".[195] Pleading in mitigation, Scott said, "If the story of the shanty-towns could bring both races face to face before it is too late to solve it, God will have brought some good out of this evil".[196] A year before, Michael Scott had prepared a memorandum on the social problems arising from the shortage of housing for Africans, and had proposed the formation of a voluntary housing corporation for Johannesburg in an attempt to deal with the problem of squatter settlements like Tobruk. Armed with this document, Bishop Clayton, accompanied by Fr. Trevor Huddleston and others, then led a deputation to the Non-European Affairs Department of the Johannesburg City Council.[197] Scott's trial in the Magistrate's Court on charges brought by the municipal authorities now served to illustrate the need for urgent and imaginative action on their part. Now the surprising reaction of the authorities in charging Scott merely had the effect of focussing attention increasingly upon the issue. In defence of the squatters Scott brought to light the fact that

> of 40 000 who were screened in the camp known as "Tobruk", where they squatted illegally on municipal land, only 4.25% were found to be without legitimate employment in the factories, shops and homes of white people. They cooked their food, nursed their children and waited on them at table. 198

194. Wits. Archive, A 410 Ballinger papers B2.14.21, Police. Telegram Scott to Ballinger posted at Fox Street Johannesburg and post-marked 29.4.1947 Cape Town.
195. DUNN, Interview, op. cit.
196. SCOTT, M., A Time to Speak, op. cit., p. 168.
197. CPSA Archive AB 397, Commission on the Church and the Nation, Continuation Committee minutes, 6.3.1946.
198. SCOTT, op. cit., p. 111.

Scott wanted the authorities to intervene and provide municipal services properly, and assist the inhabitants to build their own homes. However, the violence, the squalor, the untidiness and the lack of proper sanitation, together with talk of typhoid and disease created the impression that a shanty-town was a disorderly and unsavoury place that needed to be obliterated. Thus Moroka was devised, as a temporary replacement for Tobruk. Sir George Albu, a mining magnate, was chairman of the Non-European Affairs Department of the Johannesburg City Council. His explanation of the position on 29th April 1947 shows that Scott's cri de coeur to Mrs Ballinger had been heard.

> The South African police have taken control of Tobruk camp in order to preserve the peace. The land on which these Natives are squatting illegally is the property of the City Council and it has, therefore, been decided to request those squatters who are entitled to be in Johannesburg to move to the new emergency site .... the events of the last week made it quite clear that certain individuals had taken advantage of the acute housing shortage in Johannesburg for their own political and financial advantage. We are determined to put an end to these deplorable conditions and offer the Natives concerned a place to live, where they will be free from intimidation and where adequate facilities are provided. 199

Scott continued to live in Tobruk until the police moved in to raze the area, in spite of the suspended sentence he had received. The people of Tobruk were moved to Moroka, where they could rent plots twenty feet square on which they were permitted to build their own homes. For this they paid a monthly camp fee of fifteen shillings. The Church and Nation Continuation Committee of the Diocese of Johannesburg considered this to be too high, since they regarded the plots as being too small and transport and medical services inadequate.[200] Nevertheless, the provision of land for this purpose at Moroka marked a significant departure from established norms set by inflexible housing regulations. It provided an early example of an attempt at a flexible self-help scheme, which did much to relieve the plight of the homeless. Scott's action in going to live in Tobruk rivetted public attention on the problem, and compelled the municipality to expedite their

199. The Star, 30.4.1947, p. 7. "Council decides to set up Emergency Transit Camp for squatters - proposal to ask police to keep order".
200. CPSA Archive AB 397 Continuation Committee minutes loc. cit., March 1947.

plans to deal with the problem, and was something which earned for Scott a justified tribute, even from his critics.[201]

When rioting occurred in Moroka on 30th August 1947, it was a liquor raid by the police which precipitated the trouble. Underlying the outbreak was dissatisfaction over what was regarded as the high price demanded by the municipal authorities as a site rental. This had led to a campaign to boycott rent payments and elections to the Native Advisory Boards. Secondly, there was a conflict between the inhabitants and the authorities over "illegal trading", which was reflected in the stoning of shops. It is significant that a confidential memorandum prepared by the Non-European Affairs Department of the Johannesburg City Council for submission to the Fagan Commission blamed the rioting upon

> .... the attitude of mind produced in the urban Native population of Johannesburg by the series of squatter movements which have occurred in Johannesburg since 1944 and which may best be summarized as one of contempt for authority and for constitutional methods in favour of direct action however illegal and violent; coupled with growing political and national consciousness of the urban Native population. [202]

MICHAEL SCOTT: A PROPHET WITHOUT HONOUR ?

Was Scott a communist ? This was a question which his detractors liked to ask, and answer in the affirmative. For instance, the American scholar Edwin Munger, who has made frequent visits to South Africa, and seems to have had an entrée into Nationalist Afrikaner circles, wrote of Scott in 1961, "His influence upon white opinion (including Anglican) in South Africa was weakened by his confession of having worked as an Anglican priest and as a member of the Communist Party at the same time."[203] On the other hand, Cyril Dunn told me that Scott was "never a card-carrying member", although the Communist Party "exploited" him by getting him to "carry secret messages around the world".[204]

201. INMAN, The Right Revd. Vernon, Interview, Durban, 14.9.1977.
202. SAIRR, Jan Hofmeyr Library, Box 43a, Riots A-G. Johannesburg City Council, memorandum for submission to the Fagan Commission of Enquiry into the riot at Moroka Emergency Camp on Saturday 30th August 1947.
203. MUNGER, E., American Universities Field Service Report 1961, Christians and Race Relations in South Africa, in African Field Reports 1952-1961, Cape Town: Struik, limited edition 1961.
204. DUNN, Interview op. cit.

In January 1952 Scott specifically denied being a communist, when speaking before the Trusteeship Committee of the United Nations on behalf of the Herero People of South West Africa. "I am not a communist", he said, "I believe in non-violence", and he explained the action of the South African government in declaring him a prohibited immigrant in 1950 as being due to his "past activities in political associations with what are regarded as 'undesirable' movements in South Africa". His associations with these movements were due not to his being a member of the Communist Party, but to his belief that these movements were leading the resistance to racism, Nazism and Imperialism.[205] What were these movements with whom Scott shared a common purpose, and which caused him to regarded by Afrikaner Nationalists, if not as a communist, then as a dangerous fellow-traveller ?

Scott's clash with Dr. Dadoo in 1944 and his subsequent resignation from the Campaign for Right and Justice in 1946, already described, give an authentic picture of where Scott stood in relation to communist doctrine. His efforts to assist the African Mineworkers to negotiate with the powerful Chamber of Mines provide an instance where Scott's altruism could so easily be misconstrued. It was probably Scott's link with the Springbok Legion which did most to feed the rumour that he was a communist.

The Springbok Legion was different from the other ex-servicemen's organizations, whose foundations went back to the First World War, like the British Empire Service League, the South African Legion and the Memorable Order of Tin Hats. They concentrated on welfare work. The Springbok Legion argued that none who had fought to defeat fascism in Europe should be ready to allow fascists like Dr. J.F.B. van Rensburg's Ossewabrandwag, or racialists like Dr. D.F. Malan's Herenigde Nasionale Party to win a political victory for national socialism in South Africa. The Springbok Legion, therefore, besides taking up the complaints and difficulties of returning prisoners of war and demobilized ex-servicemen with the Union Defence Force, saw an essential dimension of their work in preventing a Nationalist victory at the polls. In the 1948 general election and the provincial elections a year later,

205. Ibid.

the Chairman of their National Action Committee, Mr Isac Isacowitz played a leading part in harnessing the Springbok Legion's support for the United Party-Labour pact.[206] Mrs Joyce Harris, who knew Mr Isacowitz well, described him as a "socialist".[207] Michael Scott called the Springbok Legion "a left-wing servicemen's organization".[208] In 1945 Lieutenant Brian Bunting was chairman of the Springbok Legion's National Action Committee at a time when their chief concern was to take action against "anti-democratic activites in South Africa".[209] Bunting, a journalist, was among those convicted in 1946 for inciting the African Mineworkers to strike, as a member of the Johannesburg District of the S.A.C.P. In 1953 he was elected as the Natives' Representative for Cape Western in succession to Mr Sam Kahn, before he, like his predecessor, was expelled from the House of Assembly in terms of the Suppression of Communism Act.[210] Though the Springbok Legion had active members of the S.A.C.P. among its leaders, like Brian Bunting, its membership was drawn from South African soldiers who had volunteered to go "up north" to fight Hitler. Their greater loyalty was to Field Marshal Smuts as their Commander-in-Chief. Thus, for example, when a guard of honour was required to welcome Smuts at an election meeting in the Johannesburg City Hall in 1948, it was natural for the United Party to ask the Springbok Legion to oblige.[211]

As the war ended, it was perhaps inevitable that Michael Scott's Campaign for Right and Justice should find a close affinity with the objectives of the Springbok Legion. On 9th July 1945, only two months after the war in Europe ended, the Campaign for Right and Justice had organized a rally at the Johannesburg City Hall to welcome home returning servicemen. Some 1500 attended the meeting, many of them from the Springbok Legion. Scott, however, was far from satisfied. He told readers of his newsletter that the Ossewabrandwag had recently filled the City Hall

206. Wits. Archive, Springbok Legion Papers. Minutes of the Action Committee 9.3.1948.
207. HARRIS, Mrs Joyce, National President of the Black Sash 1978-82. Conversation. Pietermaritzburg, 29.1.1981.
208. SCOTT, op. cit., p. 122.
209. Wits. Archive loc. cit , Springbok Legion Action Committee minutes, 20.8.1945.
210. See p. 46 above and Chapter below. cf. BUNTING, B., The Rise of the South African Reich. London: Penguin 1964.
211. Wits. Archive loc. cit., Springbok Legion Action Committee minutes 24.6.1948.

to overflowing to hear Dr. van Rensburg "glorify fascism", and that they should have done better.

> .... thousands of men and women who have been away in their country's service, have founded a fellowship which excludes racialism and works towards a common ideal. Many of these men and women have returned and are ready to devote themselves to the reconstruction of their country. They are frankly shocked and disillusioned by what they find, self-interest in place of community, cynicism in place of idealism,racialism in place of comradeship. They ask themselves if it is for this that they spent their best years in the Libyan desert and the Italian mud. 212

Field Marshal Smuts had set out to attend the Commonwealth Prime Ministers' Conference in London on 4th April, as a prelude to the charter-making conference of the United Nations at San Francisco from 25th April to 26th June. There he had presided over the General Assembly of the embryo world organization, as it dealt with the Preamble to the United Nations Charter.[213] He finally returned to South Africa after an absence of three and a half months, to receive a tumultuous welcome in Pretoria on Monday 16th July, and again on Saturday 21st July. Thousands turned out to cheer. An old soldier who had served with Smuts in both the South African War and the First World War was overheard telling an old friend, as cheering crowds lined the streets of Pretoria, "He's the finest man South Africa has produced".[214] Smuts told the crowds outside the Union Buildings,

> When I left at the end of March our allied armies in the West stood on the Rhine, in the East on the Oder, in the South on the Appenines. Months of hard battle and terrible losses seemed to be ahead of us .... within a month it was all over, the great collapse had come, the nightmare had passed. 215

But Smuts also warned of another nightmare that lay ahead. For the moment they could cheer because the war was over and their leader had returned, but

> .... Hard times may lie ahead of the world, a world destroyed by war. But at any rate it will not be a slave world. It will be a world of free men in which they will shape their own destiny .... Here in South Africa we face special

212. Wits. Archive A 410 Ballinger papers, Campaign for Right and Justice B2.10.2, Newsletter No. 4., 16.7.1945.
213. SMUTS, J.C., Jan Christian Smuts. London: Cassell 1952, pp 466, 485.
214. The Star, Saturday 21.7.1945, p.3, "Enthusiastic scenes in streets of Pretoria", and p. 1, "Transvaal gives great welcome to General Smuts".
215. Ibid.

dangers of our own. We are a house divided against itself ...[216]

The extent of that division was to be savagely demonstrated only two months later in Johannesburg. Dr. D.F. Malan's Herenigde Nasionale Party decided to hold its national conference in Johannesburg on 18th September 1945. The slogan for their conference was "Save South Africa from Communism". 871 delegates met all day in the Selborne Hall, and at 7.30 p.m. Dr. Malan was scheduled to address a public meeting in the City Hall opposite, on the dangers of communism. Angered that the Nationalists should have chosen to meet in Johannesburg, a United Party stronghold, the Springbok Legion called for a counter-demonstration of ex-servicemen outside the City Hall between 5.00 and 6.30 p.m., and asked Michael Scott to open the proceedings with a prayer and a short speech. Whilst the assembled delegates of the H.N.P. were conferring in the Selborne Hall, a crowd of some four thousand gathered outside the City Hall. Scott opened the proceedings with prayers, and then gave "a short but not inflammatory address".[217]

According to the Star, the crowd then listened to a succession of speakers condemning "those who had hindered the Union's war effort and had insulted and assaulted members of the armed forces".[218]

> ....then came the sound of breaking glass (and) an elderly soldier was led away with blood streaming down his face and a cry went up that bottles were being thrown from the Selborne Hall. 219

This was the signal for serious clashes between the rival crowds of ex-servicemen and Nationalist supporters who were arriving to hear Dr. Malan in the City Hall. The police intervened with batons to separate the contestants, causing 160 casualties, "many of them serious". Because those who had come to the Springbok Legion rally were in the street and the Nationalists took refuge in the City Hall, it was the ex-servicemen who felt the force of the police batons. Scott recalled how the "meeting broke up in

216. The Star, Tuesday 18.9.1945, p. 5, "National Party Congress call to repel communism".
217. SCOTT, op. cit., p. 122.
218. The Star, 19.9.1945, p. 1. "More than 160 injured in disturbances in city - police charge with batons after throwing of missiles - crowd incensed by incidents".
219. Ibid.

wild disorder with the organizers of the meeting nowhere to be found". He set up a microphone in an open window above the milling throng as police made repeated baton charges, and disciplined groups of infuriated ex-servicemen tried to march back to the City Hall.[220] The Star reported how attempts to disperse the crowd "proved fruitless":

> The Revd. Michael Scott of the Campaign for Right and Justice, asked the crowd to go home, suggesting that a deputation should interview the Prime Minister and ask for action to be taken against Fascist elements in the Union. 221

The Commanding Officer of the Police contingent involved was reported as saying that "the police used no more force than was absolutely necessary". The Springbok Legion, however, charged that "a certain section of the police used force far in excess of what was required to disperse the crowd". They accused the police of injuring women and children and inflicting "the severest punishment on soldiers, striking them repeatedly even after they had been knocked to the ground", and concluded that whilst many of the police were ex-soldiers, "we are of the opinion that there were several constables who enjoyed protecting Nationalists and beating up the soldiers."[222] Members of the public who were eye-witnesses, and the Star reporter, gave accounts of the baton charges down Loveday Street which show that the Springbok Legion had not exaggerated. The next day the Transvaal Congress of the National Party began what was to have been a two-day conference in the Selborne Hall. During the course of the day a team of ex-servicemen hoisted a banner outside the Selborne Hall, which read,

> The fruit of our victory is a new South Africa: free from herrenvolk and führers. We shall not be denied. 223

During the lunch-hour a crowd of two to three thousand turned out to watch, carefully separated from those inside the Selborne Hall by police and military police. At the request of the police, the business of the conference was hurried through, and what was to have been a two-day conference ended by 3.30 p.m. on the first day. The same day a contingent of two hundred ex-servicemen formed up outside the Springbok Legion offices, and marched to

220. SCOTT, M., op. cit., p. 122.
221. The Star, 19.9.1945, loc. cit.
222. The Star, 19.9.1945, p. 5, "Dispersal of crowd. Behaviour of Police".
223. The Star, 19.9.1945, "Congress ends early".

see the Deputy Commissioner of Police and the O.C. Witwatersrand Command, and asked that "the Nationalist Conference should be banned".[224] Scott recalled that the riot in which "the police had to protect the Nationalists, to the fury of the servicemen .... left everyone with a feeling that Dr. Malan and his Nationalists had triumphed over democracy."[225] However, what Scott failed to see in making that observation was that police action, however violent, by enabling the Nationalist Conference to take place in spite of interference from the Springbok Legion, was designed to protect the right of freedom of association and freedom of speech. The consequence of this unfortunate episode was to link the Springbok Legion and Michael Scott with communist agitation. In an interview with the Johannesburg representative of Die Volksblad in 1948, the Secretary of the Springbok Legion, Mr P.J. Hodgson, explained that the Springbok Legion had 25 000 members, of whom 4000 were non-whites, and that the organization accepted those of all political persuasions.

> *Daar is wel 'n paar kommuniste, maar dit maak die organisasie nog nie kommuniesties nie.* 226

The Nationalists, however, did their best to make political capital out of this. The canvassing done for the United Party-Labour pact in the 1948 general election by the Springbok Legion was cleverly exploited by the Nationalist Press. A cartoon in Die Transvaaler on 17th May 1948 depicted the United Party as a horse with four left legs. Smuts in the saddle, trying to ride this wondrous animal, was portrayed with his hands up, desperately shouting to Hofmeyr, who was heaving at the halter to pull the beast further to the left to prevent it from tipping over. The four left legs were: the Communist Party, the Springbok Legion, the Labour Party and the Coloured Vote, with the caption pointing out that all leftist organizations supported the United Party.[227] The indignation with which the minutes of the Springbok Legion recorded an accusation by Mr Swart, the new Minister of Justice in Dr. Malan's government, that the Springbok Legion were "communistically inclined" seemed to belie the innuendo.[228] Evidently

224. Ibid.
225. SCOTT, op. cit., p. 122.
226. Die Volksblad, 12.2.1948, "Springbok Legion en die Kommunisme".
227. Die Transvaaler, 17.5.1948, cartoon by ETAM, "Alles links".
228. Wits. Archive loc. cit., Springbok Legion Action Committee minutes, 24.6.1948.

it was enough merely to have the support of socialists to be accused of being a communist sympathizer in South Africa. Unlike Smuts and Hofmeyr, Scott's associations went much further to the left than either the Springbok Legion or the Labour Party.

On the week-end before the general election over three hundred delegates of all races attended a "People's Assembly" which adopted a "People's Charter" that called for equal political rights for all. African and Indian leaders who had been active in the anti-pass campaigns in 1944 saw an opportunity to dramatize the franchise issue. Michael Scott was invited to open the Assembly. Karis and Carter have noted that communists played an "important (but often exaggerated and not controlling) role" in its organization, and that Dr. Xuma as National President of the A.N.C. refused to attend or become a sponsor. The People's Assembly adopted a resolution calling for a joint meeting of the executive committees of the A.N.C., the S.A.I.C. and the A.P.O., to plan for a "National Assembly of the South African Peoples".[229] The "People's Charter", in one sense a pre-cursor to the Freedom Charter of 1955, recorded its protest on behalf of the voteless people of South Africa at the holding of elections to parliament from which they were excluded, and pledged that

> .... we shall not rest until all adult men and women of all races in South Africa have the right to stand for, vote for and be elected to all representative bodies which rule over our people. 230

This demand was no more than the entirely respectable one that had already been made in 1943 by Professor Z.K. Matthews' committee that had drafted African Claims. In the eyes of white South Africa, the fact that the organizers of this gathering included communists meant that the reasonable demands of voteless Africans were perceived to be a dangerous and communist-inspired threat to white political survival. The People's Assembly of 1948 merely re-emphasized the threat which Nationalist propaganda was exploiting. The English-language press, however, ignored the event, with the result that it could have had little effect upon

229. KARIS & CARTER, Vol II, op. cit., p. 117.
230. Ibid., pp 398-400, Documents 75a and b, Manifesto, Call to Attend People's Assembly, and "The People's Charter", manifesto adopted at People's Assembly.

white voters. It served only to identify Michael Scott more closely with communist-inspired agitation, in white eyes, and to underline the affection in which he was held by the voteless black people of South Africa.

Scott left South Africa soon after the general election to represent the Herero people of South West Africa at the United Nations.[231] In 1949 he established the Africa Bureau in London, and from there continued a campaign against the policies of the Nationalist government of Dr. Malan.[232] Among the papers of the South African Church Institute are two passionate letters Scott wrote in 1949, one to Dr. D.F. Malan and the other to King George VI, pleading the cause of voteless black South Africans.[233] In 1950 he was declared a prohibited immigrant or visitor to the Union of South Africa.[234] In October of the preceding year his general licence was withdrawn by the Bishop of Johannesburg. Bishop Reeves told the Bishop of Chichester, George Bell, who later gave Scott a general licence to work in his diocese, that he was "very careful to make it plain to the Union Government that my action was determined solely by his absence and not by his political opinions".[235] Scott's comment illustrates his sense of betrayal due to the actions of his ecclesiastical superiors. "I could understand his (Reeves') difficulty but it distressed me at the time, being conscious of my weakness under a heavy burden".[236]

Scott, however, had won a measure of respect amongst his confrères, and the deep affection of his friends in the Congress movement. J.N. Singh told me that above all Scott was

> .... a most likeable and friendly person. He was so easy to get along with. He wouldn't think twice about sharing a sandwich or a meal with anybody. He was simple, he

231. HARE, Paul & BLUMBERG, Herbert ed., A Search for Peace and Justice, Reflections of Michael Scott. London: Rex Collings 1980, p. 63.
232. CPSA Archive AB 702, Michael Scott papers 1949-1957. Papers on the foundation and work of the Africa Bureau.
233. CPSA Archive AB 707, South African Church Institute records. Letter G.S. Streatfield to Scott 6.5.1949 and enclosures, letter Scott to The King's Most Excellent Majesty 9.2.1949 and Scott to Dr. D.F. Malan 27.4.1949.
234. SCOTT, A Time to Speak, op. cit., p. 267.
235. WCC Archive, Geneva, General Secretariat. Letter Reeves to the Bishop of Chichester (Bell) at Geneva, 30.1.1950. cf. The Watchman, January 1950 for Reeves' explanation to the Diocese of Johannesburg.
236. SCOTT, op. cit., p. 255.

> treated everybody as an equal, and personal status meant nothing to him. Michael was completely Gandhian in spirit .... nothing would hurt him personally. 237

In his personal habits Scott, he said, was untidy. For example, when he packed a case "he just threw everything in .... nothing was folded".[238] Canon Clack remembered how he "lived on fish and chips with huge amounts of salt which he used to buy wherever he was, and eat as he walked about the streets".[239] In a sermon he preached at the South African Church Institute's annual festival in June 1950 in London, Clack paid him the warmest of tributes:

> Who are you going to follow when so many voices come to you from South Africa ? Is it Michael Scott, my old curate, one of the greatest men the Anglican Church has produced in this generation, a man of absolute sincerity and wonderful humility, the only South African I have ever met who has no conception of any colour distinction, to whom a man's colour makes absolutely no difference 240

Canon G.C. Streatfield, Director of the South African Church Institute until 1951, who persevered in trying to find an appointment for Scott in the C.P.S.A. between July and December 1950, wrote to Bishop Reeves, mentioning Scott's suggestion to him that the new mission district of Moroka would be an ideal appointment for him. In a letter which conveyed both his liking and respect for Scott, Streatfield aptly described him as "a prophet".

> .... Whether we agree with Scott's method or not it is difficult to deny he is a prophet and it is difficult to see how the Church, as organized today, can best use his great qualities of selfless service. 241

Scott, however, seemed to make an unfavourable impression upon Bishops. Even Bishop Bell, who had ordained him, and who gave him a general licence in the Diocese of Chichester, wrote to Bishop Reeves saying that Dr. W.A. Visser 'tHooft had seen Scott in India. "I don't think he was particularly impressed with Scott; and I personally am very dubious about Scott's judgement".[242]

237. SINGH, J.N., Interview, Durban 27.1.1978.
238. Ibid.
239. CLACK, The Revd. Canon M., Interview, Bloemfontein, 6.4.1981.
240. CPSA Archive, AB 707, SACI papers. Sermon preached by Maurice Clack, Rector of Hillcrest, Pretoria, at SACI Festival June 1950.
241. CPSA Archive, AB 707 loc. cit., letter Streatfield to Bishop of Johannesburg, 17.8.1950.
242. WCC Archive, Geneva, General Secretariat. Correspondence with South African Member Churches. Letter Bishop of Chichester to Reeves, 26.1.1950.

Reeves echoed the same opinion in his reply, saying that "while I am certain that he is sincere and earnest, I am very dubious about his judgement".[243] Both Reeves and Clayton evaded Scott's overtures to return to work in South Africa, in spite of the urgent appeals being made at the time by S.P.G. for no less than forty priests, most of them bachelors, to fill vacancies in the C.P.S.A.[244] Scott had become a prophet without honour even in his own church.

THE CONFLICTING IDEAS OF MICHAEL SCOTT AND BISHOP CLAYTON ON RESISTANCE (1946).

Geoffrey Clayton's choice of title for his "charge" to that meeting of Sacred Synod in October 1946, when he set out to deal with the questions raised by Michael Scott's activities in Durban, betrayed the direction of his thinking about divine and civil obedience at the time. He called it The Christian and Civic Responsibility.[245] He did not think of a title such as "The Biblical Grounds for Civil Disobedience", or "The Justification for Christian Resistance to Injustice". It is significant that he delivered the same address at a meeting of the Cape Town Clerical Society in 1950. This was the year of the Nationalist Government's legislation to provide for the registration of the population by race, to facilitate the application of their Act of the year before to prohibit mixed marriages. This, and also the Suppression of Communism Act, had again raised the question of resistance to the state. In this address, Clayton emphasized the Christian's duty of obedience to the civil government, but left the question of whether resistance could be justified on Christian grounds largely unanswered.

Clayton said he did not think that the Old Testament was of much help, even though it contained examples of rebellion and political assassination which were represented as being approved by God himself. For instance, the prophet Jeremiah was an

243. WCC Archive, loc. cit., letter Reeves to Bishop of Chichester, 30.1.1950.
244. CPSA Archive AB 707, SACI papers, letter Streatfield to Reeves, 15.1.1951.
245. See below, Appendix "B".

example of someone who strongly disapproved on religious grounds of the policy being followed by the government. "He saw clearly the disaster to which the policy of the government was leading. But", concluded Clayton, "if he could not persuade his people to change that policy, he was ready to share its consequences".[246]

Turning to the teaching of the apostles, he then considered 1 Peter 2;13, "Be subject for the Lord's sake to every human institution ...." He pointed out that this, of course, referred to the Roman Emperor. "But what if the government is oppressive and unjust?" Clayton argued that the advice offered was the same as that given to the slaves of unjust masters, which stated, "be submissive to your masters with all respect not only to the kind and gentle, but also to the overbearing". (1 Peter 2;18). Clayton also noted that later in the same epistle the same advice was given to the whole Christian community, who were suffering persecution unjustly.

> If they suffer for righteousness sake they are blessed .... it is better to suffer for well doing than for evil doing. I cannot resist the conclusion that the whole teaching of the epistle is that a Christian should submit to injustice, because by so doing he is following in the steps of the Master. 247

He then referred to the teaching of St. Paul in Romans 13 which says that the powers that be have been instituted by God, and that he who resists them resists God. But Clayton also noticed that Paul did not "explicitly contemplate the possibility of the secular power acting in a tyrannical way, saying that 'rulers are not a terror to good conduct but to bad'. (Romans 13;3)".[248]

Clayton then wrote in an omission from the typed copy in his own handwriting, which referred to the Apocalypse. The Book of Revelation contained the theme of "bitterness against persecutors" and the longing for revenge, something which stood alone in the New Testament, but could be compared with a similar emphasis in the Epistle of Clement.

Turning from the teaching of the apostles to their actions,

246-248. Ibid.

Clayton noted that they "did of course refuse to obey the civil authorities when those civil authorities commanded them to desist from preaching the gospel".[249]

In the Gospels it was necessary to take cognisance of Christ's teaching on non-resistance, (Matt 5;39, Luke 6;29) which urged the Christian, "do not resist one who is evil. But if any one strikes you on the right cheek turn to him the other also". Clayton did not think this applied to the relations of one state with another, but considered that "there can be no doubt at all that it is meant to apply to the personal behaviour of an individual when confronted with injustice".[250] It is of interest here that Clayton, in a sermon preached in St. Mary's Cathedral, Johannesburg, in April 1952, added that this did not mean a Christian had the right to turn the cheek of others.

> The Christian is told to take it patiently if he suffers unjustly. He is told that he is to try to be like Christ, who, when reviled, reviled not again .... If he does not do that he becomes embittered. He begins to nurse a sense of grievance. His character is spoiled.
>
> But nowhere are we told to take patiently the unjust sufferings of others. We are told to turn the other cheek, but we are nowhere told to turn somebody else's cheek. [251]

This shows that by 1952 Clayton acknowledged that this text did not refer to all injustice, but in instances of injustice to oneself. The Christian should resist the temptation to strike back, cf. 1 Peter 3;9, "Do not return evil for evil or reviling for reviling, but on the contrary bless ...." This was the same issue which later confronted Father Trevor Huddleston when he was recalled to Mirfield in 1956. The Archbishop of Canterbury, Dr. Fisher, believing that Huddleston resented the Afrikaner, told him, "You must forgive your enemies". Huddleston replied, "But I cannot forgive theirs".[252]

Secondly, Jesus' answer to the question about tribute money (Matt 22;21) Clayton took to mean that Christians were required to pay their taxes, even if they were put to uses of which they

249. Ibid. 250. Ibid.
251. CPSA Archive, AB 191 Clayton Papers: Sermons. Johannesburg Cathedral, April 1952.
252. DUNN, Interview, op. cit. cf also below, Chapter Eight, pp. 422-7.

disapproved. At the time Michael Scott had refused to pay his South African taxes. Clayton pointed out, to Scott's discomfiture that, even though publicans collected taxes on a very unjust basis, "Our Lord did not tell publicans that they must cease to be publicans".[253] Clayton did not make the distinction here, which he later made in his letter to the Prime Minister about the "Church Clause" in 1957, derived from this passage. On that occasion Clayton saw only too clearly that grounds for disobedience existed if the secular government tried to command the church to render to Caesar that which properly belonged to God. Then a Christian had to obey his conscience rather than the law of the land.

Thirdly, there was the problem of Jesus' own example when facing the High Priest. Clayton pointed out the fact that,

> in His Passion, He submits Himself to the law, as St. Paul did after Him. When the High Priest with the authority of the High Priest questions Him He answers. Also He recognizes the authority of Pilate as given from above. On the other hand He bids people not to be deterred by any fear of the consequences from speaking the truth and proclaiming the Gospel. 254

Clayton then observed that the teaching of the church had been somewhat different from what he had found in the New Testament. He referred to the theory of the just war and just revolution, whereby it was the

> accepted teaching of theologians that an organized attempt to overthrow a duly constituted government by force can be justified by the fulfilment of the following conditions:
>
> 1. That a government is guilty of grave and prolonged violation of the rights of its subjects.
> 2. That all peaceable or constitutional methods of obtaining redress and reform have been honestly tried and have failed.
> 3. That there be a reasonable prospect of success. 255

Clayton then noted that, whilst Christian theologians had upheld the right of rebellion, Anglican moral theologians had differed from the general view of Christendom. He referred to Jeremy Taylor, who had denied the right of rebellion in any circumstances.

253. See below, Appendix "B".
254. Ibid. 255. Ibid.

Reference has already been made to the passage in this address where Clayton, setting aside the question of armed rebellion, tried to deal with the issue of passive resistance, both for those who had the rights of citizenship, and could therefore seek redress in matters of which they disapproved by constitutional means, and, second, for those who could not.[256] He noted that "those to whom the epistles were written had no constitutional method open to them", and furthermore they must bear in mind "the condition that the Catholic theologians regarded as necessary for the justification of rebellion, that is, that there should be a reasonable prospect of success", and asked "are these activities consistent with the special vocation of a Christian Priest ?" Clayton's answer to this question was to use the example of the incompatibility between the vocation of a priest and that of a soldier, to justify his conclusion that he thought the "obligations of the priesthood constituted in themselves a whole-time job" and therefore it was his view that "a priest should not take part in these activities". He added, however, that he would in no way condemn those who disagreed with him on the matter.[257]

Rather than joining in a campaign of passive resistance, Clayton saw it as the duty of the Church and its clergy to witness to the natural law of justice and specific Christian principles. Like the Old Testament prophets and Socrates, Clayton concluded, it was the church's duty "to be the conscience of the State". It was not a popular role. Socrates was put to death, Jeremiah was put in a dungeon. The church's duty was "to speak the truth in love".[258]

I do not dissent from Cyril Dunn's interpretation, referred to above, that Clayton, in this address, "was directly attacking Scott, not simply for the stand he had taken alongside the Indians in Durban, but also for having refused to pay his South African income tax".[259] In the light of Clayton's address, the question which Mr Dunn put to me needs to be asked, "Could it be that a

256. Ibid, see above, p. 33.
257. Ibid.
258. Ibid, see above, p. 34.
259. DUNN, Cyril, letter to the author 19.2.1976. See above, p. 33.

Christian priest is entitled (if not actually obliged) to resist the ill-treatment of other people ?"[260] I think that Trevor Huddleston answered this question when he wrote Naught for your Comfort in 1955, and said,

> I don't think I should find it too hard to forgive a person, or even to love him, if his actions were directed against me. But what right have I to be patient and forgiving when all his viciousness is directed against others. 261

The Church and Nation report had stated that "as the extension of the Incarnation in history" it was the mission of the church to share in Christ's redemptive work, and "to share in the suffering of her Lord" and "in the self-oblation of her Lord".[262] What did these principles mean in practice ? It was admitted that because the church was made up of sinful and fallible men, she was liable to error in the application of these principles to particular circumstances.

> Nevertheless, it is the duty of Christian men, in reliance upon the guidance of the Holy Spirit, to attempt to bring about a social order in which they find expression. 263

To uphold these principles set forth in the Church and Nation report was a primary duty of the church's witness "by proclaiming the will of God as the supreme standard to which all human conduct must conform".[264] And this must be done "in spite of such a denial (by the State) of fundamental justice".[265] In 1943 Clayton acknowledged that this could give rise to tension between the church and the state, and that there could be occasions when the Christian might have to choose between obedience to the state and obedience to the will of God.

> We realise that whilst it is true that our Lord told His disciples to "render under Caesar (sic) the things that are Caesar's and unto God the things that are God's"; it is God who declares what belongs to Caesar. Therefore whatever the choice may be, the Christian, whether as a member of the Church, or as a citizen, must always obey the will of God. 266

Apart from this one reference to Matt 22;21, the Church and Nation report of 1943 gave no guidance as to what the church or a

260. Ibid.
261. HUDDLESTON, Trevor, Naught for your Comfort, London: Fontana 1957, p. 173.
262. Report The Church and the Nation, Appendix "A", B 10, 16 and 17.
263. Ibid., B 18. 264. Ibid., C 3.
265. Ibid., C 4. 266. Ibid., C 5.

Christian might do should the government fail to practice the Christian principles which the Church declared to be the will of God. It assumed a government that would be willing to co-operate and listen, and a church that would "co-operate with the State in promoting the welfare of all its citizens."[267] Apart from bearing witness to the truth of these principles as they applied to a number of issues in the economic, industrial and political life of the country, and in particular in the matter of racial segregation, which was roundly condemned, the report provided no help to the Christian if confronted by a situation in which the state persistently refused to listen, or wilfully continued to perpetrate injustice.

Michael Scott later told Cyril Dunn his reactions to what Clayton had said at that Sacred Synod of the Diocese of Johannesburg in 1946. Scott gave his own interpretation of Matthew 22;21 on the question about the tribute money, which provided an interesting justification, both for Scott's refusal to pay his South African taxes, and for his participation in passive resistance. He did not, however, say anything at the time in the discussion that ensued in the Sacred Synod.

> I didn't say anything at all. Clayton delivered a charge. It was about the same time as the issue of my general licence. I think he explained at the synod that he was not depriving me of my rights to do duty as a priest (perhaps he said it to me in conversation afterwards). I don't think he mentioned me by name in the synod. He just dealt with the principle of civil disobedience. As far as I can remember he said it was incompatible with Christ's teaching: that Christ accepted the system of law and order which he found, and his teaching was to leaven the lump in the course of time, but that he never suggested a confrontation with the state and when the state went after him, he submitted to it without resistance and reproached the people who would have defended him with the sword like Peter did.
>
> I think he quoted the famous phrase about rendering unto Caesar which was a very ambiguous statement indeed. First of all the word render really means give back. It could be interpreted in the context of the time when Roman currency was regarded as unclean from a religious point of view. They wouldn't allow it in the temple; that't why they had money changers waiting to change it into Jewish coinage. So it was in that context that he held up a coin with Caesar's image on it and asked if it was right that they

267. Ibid., C 9 (f).

> pay tribute to Caesar with a coin with Caesar's image on it. In fact they were saying: You accept Roman rule ? If you don't want to accept it give back the things Caesar has brought you. It could almost have been an invitation to passive resistance: a boycott of the Roman currency. 268

One facet of the encounter between Scott and Clayton in 1946 which is of particular interest for this consideration of the theological grounds on which Christian resistance to the state could be justified was the way in which it revealed the contrasting attitudes of the two men towards the state in the New Testament. Where Clayton almost ignored the Apocalypse, concentrating his attention upon the views of the Apostles Peter and Paul, Michael Scott's exegesis of Matt 22;21 reflected an attitude towards the Roman state more congruous with that found in the Book of Revelation. In the Apocalypse, "Babylon" is used as a pseudonym for the tyranny of the Roman Emperor, whose rule, in the light of the most savage persecution of Christians by the Emperor Nero, could hardly be defended in terms of what Paul said in Romans 13. To the writer of the Book of Revelation, Roman rule could in no sense be considered as God's instrument for the institution of law and order in the world. Rather it was an oppressive and tyrannical regime which, Christians hoped, would be overthrown by the power of God, who alone had sovereignty over the universe.

The second interesting feature of the Scott-Clayton encounter in 1946 was that, where Clayton was still at the stage of emphasizing the civic responsibility of the Christian citizen on the basis of a constructive engagement with the secular government, Scott was already at the stage of employing methods of resistance to the state, by refusing to pay his South African income tax, and actively participating in the Indian Congress campaign of passive resistance. Where Clayton still assumed that Smuts' government was open to persuasion by the moderate statement of Christian theological principles by the church, Scott had already concluded that the South African government was behaving unjustly towards its black citizens. Smuts' Indian legislation, as well as the violence with which the police had intervened in the African

268. DUNN, Cyril, Interview op. cit. Mr Dunn read his transcript of what Scott had told him in an earlier interview

Mineworkers' strike, had proved this and made resistance necessary. The Church and Nation report had advocated a constructive engagement by the church in the social and political life of the nation, so that the church would co-operate with the state in tackling the ills of society. Scott's Campaign for Right and Justice was a practical expression of this aim. By trying to establish a national movement for this purpose, which would transcend racial and religious differences, Scott seemed to be supporting a policy of constructive engagement with the state. But its failure caused him to turn in quick succession to more extreme methods of witness. In the manner of an Old Testament prophet, he acted out his prophecies against the injustices which he saw in post-war South Africa. He went to Bethal and discovered first-hand from African farm workers the facts about the abuses inflicted on them by white farmers, and told the nation about them. He went to live in a shanty town erected by African ex-servicemen. This highlighted the housing problem, the plight of the squatters, and the raw deal that Africans who had fought in the war were getting by comparison with the efforts being expended on the rehabilitation of white ex-servicemen. When Scott was then arraigned in court under a municipal by-law which prohibited whites from living in an African area, it drew attention to the ambiguity of the United Party's attitude towards residential segregation. In a tribute written in 1977, David Astor, Editor of the Observer, said of him, "To pursue moderate aims by extreme means became, at one time, his motto". This was because he had noticed that those who believed in tolerance and moderation were less willing to fight for their beliefs than those with illiberal aims. Scott had concluded, observed Astor, that "the trouble with moderates was that, often, they were only moderately willing to fight for their beliefs".[269] It would seem that Scott wrongly thought this of Clayton, and it helps to account for the inherent conflict in their relationship.

Scott did not go to Durban with any premeditated theological justification for a Christian's participation in passive resistance. Otherwise he would have been able to answer Geoffrey Clayton's

269. HARE, Paul & BLUMBERG, Herbert ed. op. cit., p. 24. David Astor's tribute to "The man in the crumpled suit". (1977)

arguments promptly and convincingly, so soon after spending three months in prison. Scott went to Durban to observe. As the pattern of violence increased, and with it, his admiration for the fortitude of the satyagrahis, he found he could no longer remain a spectator. It did not occur to him that anyone might think that such actions were in any way incompatible with the teaching of Christ. Were the satyagrahis not, in fact, fulfilling Christ's teaching about turning the other cheek ? If anyone should have thought that it was wrong for a Christian to break the law deliberately, as David Astor later pointed out, Scott believed that

> .... this was partly what Jesus was teaching in his attitude towards the Romans. The non-violent breaking of laws that are regarded as morally wrong is to him a positive act, deriving from respect for the law, and is the opposite of lawlessness. 270

But these were later rationalizations for his actions, as were the very moving poetry and prose he produced about Satyagraha.[271] In an address at the Central Hall, Westminster, in February 1953, Michael Scott commented on this aspect of the Defiance Campaign:

> Satyagraha implies the use of means which are not incompatible with the dignity and worth of the human individual .... It has a fundamental respect for the law in human relations and political strife: but there are occasions when that very respect enjoins a breach of the law in obedience to a higher or divine law where the conscience perceives these to be at variance one with another. 272

Scott acted first, and engaged in theological reflection upon those actions afterwards, as advocated by liberation theology today. In this respect, too, he was very different from Geoffrey Clayton.

From a comparison of Clayton's "Charge" and the account Michael Scott gave Alan Paton of the address which Clayton gave to Sacred Synod in 1946, three things are apparent.[273] Firstly, Scott correctly took it as a statement of censure against his participation in the passive resistance campaign, even though Clayton prefaced his whole address with the remark that he was

270. Ibid.
271. TROUP, F, In Face of Fear, op. cit., p. 204, "Satyagraha".
272. Christian Action, Urgent Call for Christian Action in the Africa Crisis, The Report, edited by Canon Collins, of a meeting at the Central Hall, Westminster, Monday 2nd February 1953 at 7.00 p.m. p. 6.
273. PATON, Alan, Apartheid and the Archbishop, op. cit., p. 152.

"genuinely puzzled" by the question. Secondly, this address to Sacred Synod should not be seen as the Bishop delivering an authoritative "Charge" as he would to a diocesan synod, but rather as a Father-in-God discussing a perplexing matter of practical theological moment with his clergy. The address should not, therefore, be given the status of anything more than a discussion paper to a clerical society. Thirdly, it does, however, faithfully reflect Clayton's thinking at the time. It shows that though Clayton was in some respects undecided, he deliberately erred on the side of caution (i.e. emphasizing obedience to the law) until the issue became clearer to him. The fact that he chose to use the same address again, at a meeting of the Cape Town Clerical Society in 1950, seems to indicate that Clayton had not changed his view about obedience. This is corroborated by his advice to clergy to obey the Prohibition of Mixed Marriages Act in 1949.

Clayton had already censured Scott for being absent from his parish "without permission", by removing him as the Assistant Priest at St. Alban's. Had he wished to punish him for wrongly joining in a campaign of passive resistance, he would presumably have withdrawn his licence altogether, as someone whose moral behaviour or teaching was untrustworthy. But Clayton did not do that. He specifically disagreed with Scott's decision not to pay his South African taxes. The issue whether or not it was right for a Christian to take part in passive resistance was left as an open question, although Clayton did say that he considered the vocation of a priest precluded this. For the same reason that a priest should not be a soldier, he should not engage in a passive resistance campaign, because "the obligations of priesthood do constitute .... a whole-time job".[274] Scott, it has already been noted, had enlisted in the R.A.F., not as a chaplain although he was already ordained, but as aircrew. He could not, in the circumstances, be blamed for thinking that his Bishop was "gunning" for him, nor that the wisest policy for the moment was to remain silent.

274. CPSA Archive, AB 191 Clayton papers, The Christian and Civic Responsibility op. cit., and Appendix "B". cf. above, p. 33.

Although Clayton did not offer any final answers to the "puzzle", a good deal can be concluded of Clayton's attitude towards passive resistance from that address to Sacred Synod in 1946. He did not really think it proper for a priest, though he would not condemn one if he disagreed. Though he did not rule out the possibility of a Christian layman becoming a satyagrahi, Clayton made it obvious that he did not think it a particularly good idea, because he could not entertain any very sanguine hopes for the chances of success of the Indian Congress Campaign. His strongest emphasis was that Christians had an obligation to obey the laws of the land. The only exceptions mentioned were, firstly, if the state ordered the church not to preach the gospel (Acts 5;29), or secondly if a government was guilty of "grave and prolonged violation of the rights of its subjects" and, further, that "all peaceable and constitutional methods of obtaining redress and reform had been honestly tried and have failed", and provided that there was a "reasonable prospect of success".[275] However, he then pointed out, those who had constitutional rights could seek redress by constitutional means. Concerning those who did not have such rights, he noted that those to whom Peter and Paul wrote their epistles enjoining obedience had no constitutional means open to them either. Nor indeed did he think that one condition which Catholic theologians regarded as necessary for the justification of rebellion existed, namely that there should be a reasonable prospect of success. Alan Paton's statement, "He declared that passive-resistance was incompatible with the Christian faith" perhaps went too far, though it rightly reflects Scott's own interpretation of what Clayton had said.[276]

The negative reactions which Scott evoked from his episcopal superiors arose from their mistrust of his methods. Also, with the possible exception of Bishop Clayton, 1946 was a time when the issue of Christian resistance to the government in South Africa was one which most bishops in South Africa preferred to evade. Michael Scott, however, moved rapidly from the tactics of creative engagement with those in authority to cure society's

275. Ibid.
276. PATON, Alan, op. cit., p. 152.

ills, to a policy of employing every possible non-violent means of protest. Like Ezekiel he saw the value of direct action, whereby the means of protest dramatically illustrated the prophet's message. Hence, Scott's actions on behalf of farm labourers in the Eastern Transvaal, or the squatters of Tobruk shanty town, provided vivid acted parables of the injustices his protests were designed to expose. He was a member of the Anglican Pacifist Fellowship, so his long-standing commitment to pacifism gave him a natural empathy with Gandhian methods of political protest.[277] Scott's experience in India before the war, his commitment to pacifism arising from the revulsion he felt for the consequences of R.A.F. bombing in World War II, had prepared him for the role of a satyagrahi in Durban in 1946. This explains why his decision to participate in a campaign of civil disobedience was not a premeditated one. A futher explanation, however,is needed to account for the ambivalent reactions which Scott's imprisonment as a passive resister evoked from fellow Anglicans and this is most vividly illustrated by his relationship with Bishop Clayton.

Setting aside all considerations of an incompatibility between the two men, which in my view amounted toapersonality clash, their differences arose not from any disagreement over the issues which required protest. They differed about methods. Where Michael Scott already instinctively accepted that there were sufficient grounds to justify the response of Christian resistance to the state in 1946, Geoffrey Clayton did not consider he could sanction the step of refusing obedience even to unjust laws until he was confronted by Clause 29 (c) of Dr. H.F. Verwoerd's Native Laws Amendment Bill in March 1957.[278]

Where Clayton roundly rejected resistance in 1946, Scott was already practising it. He saw that direct action was the only means of political expression that many could use, despite the danger of non-violent action degenerating into violence. It is interesting that in an interview with Paul Hare and Herbert

277. CLACK, The Revd. Canon Maurice, Interview, Bloemfontein, op. cit.
278. See below, Chapter 16, cf. also PATON, A., op. cit., p. 152, where Paton attributes the cause of their differences to their "irreconcilable views" of the "nature and function of the Church", which is also true.

Blumberg some thirty years later, Michael Scott gave this explanation of his readiness to use direct action as a means of protest, in evaluating the failure of his Campaign for Right and Justice.

> South Africa has an oligarchy which it calls a democracy. Masses of people have nothing but direct action that they can use. Unfortunately there has been such a delay in organizing non-violent action that protest is now degenerating into violence. But the violence is not always initiated by the people, it seems to me; sometimes, it is instigated deliberately - sometimes by the police, sometimes by extremists. 279

Michael Scott's significance for this study is that he was the first to see that verbal protests were not enough to effect meaningful change where the causes giving rise to situations of injustice were deep-seated. Dr. Yusuf Dadoo's influence over Scott may have been greater than he thought, for it was the former's advocacy of Gandhian methods over a long period which finally convinced the Indian Congress to plan a campaign of satyagraha when government legislation threatened the vital interests of the Indians of South Africa. As this account unfolds it will be seen how the C.P.S.A., in its desire to oppose racially discriminatory legislation over a long period, gradually moved from the kind of stance towards the issue of Christian resistance adopted by Bishop Clayton in 1946, to the position of accepting the Christian's obligation of giving absolute priority to divine over civil obedience. But this only happened in 1957, when the church was confronted by legislation which sought to impose apartheid upon the church itself. Neither the C.P.S.A. nor the Indian Congress adopted a stance of resistance until their own most vital interests were perceived to be at stake. Michael Scott's unique example in joining the satyagrahis in Durban was that he was ready to suffer the consequences of resistance to the state on behalf of others.

279. HARE & BLUMBERG, op. cit., p. 43.

CHAPTER TWO

1948

The description of Michael Scott's ministry in South Africa between 1943 and 1948 has served to introduce the central theme of this study of the means of Christian resistance to racial injustice. Chapter One also drew attention to some of South Africa's social and political ills before the Nationalists came to power. A hesitant United Party led by Field Marshal Smuts and his heir-apparent Mr J.H. Hofmeyr girded itself for reform, encouraged by a diffident Archbishop of Cape Town, John Russell Darbyshire. Then suddenly and unexpectedly all was changed by Dr. D.F. Malan's narrow victory in the general election of 1948. This chapter begins with a political reassessment of General Smuts' surprising defeat in 1948 and also records some of the important ecclesiastical events and changes of the same year.

Besides the general election of 1948, which proved to be such an important watershed in South Africa's political history, the same year, in addition to a change of Prime Minister, also brought a new Anglican Archbishop to Cape Town. Archbishop John Russell Darbyshire died suddenly in England in June 1948 just as the Lambeth Conference was about to begin. Geoffrey Hare Clayton was chosen to succeed him, and soon afterwards Canon Richard Ambrose Reeves, the Vicar of Liverpool, was elected as the next Bishop of Johannesburg.[1] These changes, which were to have important consequences for church-state relations in South Africa, occurred against the background of an international context which saw in the same year, 1948, the inauguration of the United Nations Organization and the adoption of the United Nations Charter and Declaration of Human Rights. The inaugural assembly of the World Council of Churches took place at Amsterdam in August[2] preceded by the first Lambeth Conference of Anglican Bishops since 1920.[3] Also in 1948 meetings were held of the Presbyterian World Alliance

1. PATON, A., Apartheid and the Archbishop, Cape Town: David Philip 1973; and PEART-BINNS, J.S., Ambrose Reeves, London: Gollancz 1973.
2. VISSER 'tHOOFT, W.A., The First Assembly of the World Council of Churches, Vol. V, The Official Report, London: SCM 1949, and Ecumenical Studies in Preparation for The Assembly, Vols. I to IV, London: SCM 1948.
3. The Lambeth Conference 1948, Report, London: SPCK 1948.

in Geneva, the Lutheran World Federation at Lund, as well as the Reformed Ecumenical Synod (of Dutch Reformed Churches) in Amsterdam.[4]

On the morning of Friday 28th May 1948 South Africans awoke to discover that the United Party had lost the general election. The Cape Times reported that "other world news had been swept off the cable page of some of the London papers to give maximum space to General Smuts' defeat and the dramatic success of Nationalist candidates".[5] The effect of all the publicity Field Marshal Smuts had received at the United Nations was that the world was now conscious of South Africa, and her name was irretrievably linked with the colour-bar, segregation and now apartheid. The Nationalist and Afrikaner parties of Dr. D.F. Malan and Mr N.C. Havenga together polled 443 710 votes and won 79 seats. Although the United Party alone had 534 230 votes they had won only 65 seats so that even with six M.P.'s of the Labour Party and the three Native Representatives to support General Smuts' coalition, Dr. D.F. Malan had a clear majority of five. Although the United Party alone had polled 90 511 more votes than their opponents, they won fourteen fewer seats. With the number of seats in 1943 given in brackets, the table below gives the state of the parties in the new parliament.[6]

Herenigde Nasionale Party	70	(43)
Afrikaner Party	9	-
United Party	65	(89)
Labour Party	6	(9)
Native Representatives	3	(3)
Dominion Party	-	(7)
Independents	-	(2)
	153	(153) [7]

In his own constituency of Standerton, General Smuts had lost to Mr W.C. du Plessis, the candidate of the H.N.P. and a member of the Afrikaner Broederbond, by 224 votes. Smuts' Minister of Native Affairs, Major Piet van der Bijl, was defeated by a mere

4. Reformed Ecumenical Synod 1948, Report, Grand Rapids: Eerdmans 1948.
5. Cape Times, 28.5.1948.
6. The Star, 28.5.1948.
7. WILSON, M., & THOMSON, L., The Oxford History of South Africa Vol II 1870-1966, Oxford: OUP 1971, p. 423.

259 votes in Bredasdorp. Similar results were repeated across the country, where the United Party, in losing 24 seats overall, did so in many equally close contests. One result running counter to this trend was in Hottentots Holland, where Sir de Villiers Graaf had been narrowly beaten in the by-election of January 1947. The United Party regained this seat from the Nationalists by 571 votes.[8] There were some close contests which went the other way. In Alberton Dr. H.F. Verwoerd (N.N.P.) who had refused help in the campaign from the Ossewabrandwag lost by 171 votes. Mr B.J. Vorster (A.P.) lost Brakpan by only two votes, where Dr. D.F. Malan's coldness towards the Ossewabrandwag was blamed for this defeat.[9]

Mr Ben Schoeman, the Nationalist leader on the Witwatersrand, admitted that the result was a great surprise. "We expected to gain several seats" he said, "but nobody thought there would be such a land-slide away from the United Party".[10] "Dawie", of Die Burger, who had been careful to avoid the prediction of a Malan victory, said that he had never acknowledged a mistake with greater pleasure.[11] Professor T.N. Hanekom, editor of Die Kerkbode, wrote of how church and parliament now stood very close to each other, and that the election of Dr. D.F. Malan, an ordained minister of the N.G.K., was an answer to prayer:

> *Ons Christelike volk gedurende die afgelope weke .... bid dat die Here aan ons Christelike leiers sal gee, manne wat by God om hoër lig en leiding soek .... Dit was asof 'n heilige ontroering ons volk aangegryp het in daardie veelbewoë dae ....*[12]

Inspan, the official organ of Die Reddingsdaadbond and Die Federasie van Afrikaanse Kultuurvereeniginge, and which numbered Dr. N. Diedericks and Professor J.C. van Rooy on its editorial committee, said that heaven had descended on earth because there was a new government in authority.[13] Die Burger believed that the reason was not that the electorate did not want Smuts, but that they distrusted the man who would shortly take over the reins from him.

8. Cape Times final edition 28.5.1948; The Star City Late Edition 28.5.1948; WILSON, M., & THOMSON, L. op. cit., Vol II p. 423.
9. Die O.B., 2.6.1948.
10. The Star, 28.5.1948.
11. Die Burger, 29.5.1948.
12. Die Kerkbode, 16.6.1948, pp 1368-9, "Kerk en Parlement".
13. Inspan, June 1948, "'n Nuwe Bewind".

"Standerton and tens of other constituencies had spoken on Minister Hofmeyr's colour policy". This, it was claimed, was the reason that Smuts had been discarded, thus neutralizing the "Hofmeyr-gevaar". General Smuts, according to Die Burger, had become the victim of the "liberalistic" direction in which he had permitted his party to travel.[14]

When in December 1948, the 1946 census figures were finally published, Die Transvaaler attributed Dr. Malan's success to the fact that whilst 930 000 gave their home language as English, 1 360 000 were Afrikaans-speaking.[15] The ensuing enalysis of the 1948 election will show that the Nationalists' victory was founded on this demographic fact. Because Afrikaners outnumbered English-speaking South Africans in the proportion 59,4% to 40,6%, and due to a system of delimitation which favoured rural voters coupled with the concentration of United Party support and English-speakers in the cities, Dr. Malan must have calculated that he could win an election provided he won the support of two-thirds of Afrikaans-speaking voters alone. Hence his adroitness lay not in exploiting racial prejudice, something which was done all too crudely. Dr. D.F. Malan's political acumen was to be seen in the way in which he re-united the Afrikaner within his Herenigde Nasionale Party. When his autobiography was published eleven years later, Dr. Malan called the 1948 election "hereniging se kroningsdag".[16] He attributed the reunion of Afrikanerdom firstly to the end of the coalition between Smuts and Hertzog at the outbreak of war in 1939, and secondly to the ooreenkoms" in 1947 between the H.N.P. and the Afrikaner Party which gave victory to these two "bondgenote" in 1948.[17] However, important as these party-political re-alignments within Afrikanerdom may have been in giving an ever-increasing proportion of the Afrikaner vote to Dr. Malan, there were other more potent forces at work in re-establishing the social and political cohesion of Afrikanerdom and isolating Field Marshal Smuts from his own people. At the time Mr J.H. Hofmeyr's liberalism was blamed for the United Party's defeat in 1948, coupled

14. Die Burger, 28.5.1948.
15. Die Transvaaler, 28.12.1948, cited in SAIRR Press Digest, No. 51, dated 29.12.1948.
16. MALAN, D.F., Afrikaner Volkseenheid en my Ervarings op die Pad daarheen, Cape Town: Nasionale Boekhandel 1959, p. 235.
17. Ibid.

with dissatisfaction over "bread-and-butter" issues like the war-time restrictions on the sale of white bread. Before these matters are discussed it is important to appreciate the extent to which the electoral system gave an unfair advantage to the Nationalists.

In the ten years between April 1948 and April 1958 three general elections were held in South Africa. The table below gives an analysis of the percentage of votes cast for the government and for the opposition. To take account of the large number of constituencies in which the United Party candidate was unopposed (there were 24 in 1958), an allowance of 85% of 85% of the enrolled votes was given to the winning party, and 15% of 85% to the major opposing party.

	Nationalist and Afrikaner.		United and Labour.	
1948	39,96 %	(79)	53,14 %	(71)
1953	45,50 %	(94)	54,20 %	(62)
1958	48,90 %	(103)	50,36 %	(53)[18]

The political reality behind ten years of resistance to apartheid was that whilst support for the Nationalists in an all-white electorate had steadily increased by 9%, they still could not yet claim to have won majority support even amongst white voters.

The disparity between the votes cast and seats won was due to the unequal delimitation between rural and urban constituencies and the concentration of United Party support in the cities. The National Convention at Bloemfontein in 1909 had conceded much to the principle of voters' equality by accepting an allowance of 15% above or below the standard quota for a constituency, to allow for sparsity or density of population.[19] This meant that in extreme cases a rural vote could have a value up to 30% more than an urban one. This imbalance which favoured the Nationalists was further accentuated by the uneven distribution of the United Party's voter support. Many of the United Party's Members of Parliament were returned unopposed in the cities. If each vote had possessed the same value in 1948, Smuts' biographer, Sir Keith Hancock has suggested that the apportionment of seats in parliament would have been:

18. CARTER, Gwendoline, The Politics of Inequality, London: Thames & Hudson 1958, pp. 491 and 448.
19. HANCOCK, W.K., Smuts I, The Sanguine Years 1870-1919, Cambridge: Cambridge University Press 1962, p. 267.

For Smuts: 80; for Malan: 60; Independents and others: 10.[20]

WHY DR. MALAN WON IN 1948: THE GROWING SOCIAL AND POLITICAL COHESION OF AFRIKANERDOM IN SUPPORT OF THE NATIONAL PARTY - THE ROLE OF THE BROEDERBOND.

Firstly, the social and political cohesion of Afrikanerdom has to be understood as one of the most potent factors in underwriting Afrikaner support for the National Party. Due credit must be given to the political adroitness of Dr. D.F. Malan in achieving his hallowed goal of Afrikanervolkseenheid under the banner of his aptly re-named Herenigde Nasionale Party. By repudiating Dr. J.F.J. van Rensburg's Ossewabrandwag and taking up its call for volkseenheid in the course of making his accord with the Afrikaner Party in 1947, Dr. Malan laid the foundation for his party's victory in 1948. Not only did this help to dissociate the National Party from embarrassing associations with the National-Socialism of the O.B., but it destroyed the movement, which was the most serious obstacle to Afrikaner unity because of its nefarious activities during the war, which were repugnant to most moderate Afrikaners.[21] There were however other powerful influences at work also. Whilst Professor Dunbar Moodie is right in saying that "to overemphasize the importance of the Broederbond is to denigrate the importance of the National Party whose role in the eventual triumph of Afrikanerdom was quite as important as that of the Bond", it is important not to overlook the role of the Afrikaner Broederbond both in the achievement and the maintenance of Afrikaner unity under the banner of the H.N.P.[22]

In 1936 General Hertzog had charged that the "geheime Broederbond" was "niks anders as die Gesuiwerde Nasionale Party onder die grond". Moreover, it was also the cause of "onenigheid onder die

20. HANCOCK, W.K., Smuts, II, Fields of Force 1919-1950, Cambridge: Cambridge University Press 1968, p. 505. Hancock acknowledges Miss Clodagh O'Dowd of the University of Cape Town as the author of these calculations.
21. MALAN, D.F., op. cit., p. 235; cf. Die O.B., 23.1.1946, "Volkseenheid", and Die Transvaaler, 20.9.1947, "Kongres besluit oor O.B."
22. MOODIE, T. Dunbar, The Rise of Afrikanerdom, Power Apartheid and the Afrikaner Civil Religion, Berkeley: University of California Press 1975, p. 115, and STULTZ, Newell M., Afrikaner Politics in South Africa 1934-1948, Berkeley: University of California Press 1974.

Afrikaner-volk deur uitsluiting van die Engelse deel uit die regering van die land".[23] The sinister pretensions to power of the Broederbond were revealed in this claim made in December 1943 by a school inspector named Hamman from Senekal in the Orange Free State to an agent of Dr. E.G. Malherbe's Department of Military Intelligence.

> The Broederbond broke and ruined the late General Hertzog politically and that its strength and composition was such that it would break any who endeavoured to thwart its aims and objects. Broederbond, he added were no saboteurs, wire cutters, or dynamite fiends but were the Salvationists of South Africa for Afrikanerdom and would by sheer weight of brains, intellect and ability direct affairs until everything that was foreign and alien to South Africa and her best interests was eliminated. 24

That this was no idle threat is illustrated by the following statement attributed to Dr Verwoerd when he was still the editor of Die Transvaaler:

> The A.B. must gain control of everything it can lay its hands on in every walk of life in South Africa. Members must help each other to gain promotion in the Civil Service or any other field of activity in which they work, with a view to working themselves into important administrative positions.[25]

In a speech to the National Congress of the United Party in Bloemfontein in December 1944 Field Marshal Smuts had himself described the A.B. as "'n gevaarlike, onderduimse, politieke Fascistiese beweging" which worked in secret and consisted mainly of civil servants and teachers with its remaining members party politicians, clergy, professors and professional men.

> *Dis 'n soort geheime teenstand onder die volk, 'n liggaam om 'n klein seksie se belange te bevorder, 'n klein geheime minderheid of oligargie is besig om vir hom 'n magsposisie te verwerf.* 26

The persistent theme of the United Party's election campaign

23. Wits. Archive, Hofmeyr papers, The Afrikanerbroederbond. A report classified "Most Secret" and dated 29.3.1944, p. 22.
24. Wits. Archive, Hofmeyr papers. An unnamed agent's secret report dated 22.12.1943 on his conversations with those attending a meeting of the A.B. in Bloemfontein on 11.12.1943 prior to a Volkskongres on Moedertaal-onderwys on 14.12.1943 at which he posed as a delegate. The secret assembly was attended by 302 people of whom he said 80% were members of the "The Dutch Church".
25. Wits. Archive, Hofmeyr papers, the Afrikanerbroederbond, dated 29.3.1944, p. 3, and repeated in a United Party election booklet entitled "Who Governs South Africa, the People or the Broederbond (1948), p. 6, in which this statement was attributed to "Broer A", the Editor of a Nationalist newspaper. Alongside it, in Hofmeyr's handwriting, is the word "Verwoerd".
26. Die Volkstem, 7.12.1944.

in 1948 had been to attack the H.N.P. for being the "agent of the broederbond" since 1934. An election pamphlet stated that "It provides leaders for the Nationalist Party - which is its 'political front'. It also has an 'Action Front' of which the Ossewabrandwag is the chief organization".[27] Dr. D.F. Malan, however, hotly denied that the Broederbond was in control of his party and tried to avoid any unsavoury association with such bodies as the Ossewabrandwag and the Stormjaers who, during the war, had engaged in a campaign of sabotage and subversion to weaken the war effort.[28]

Where does the truth lie, between these conflicting claims of two South African Prime Ministers ? An unpublished doctoral thesis for Natal University by Dr. C.J. Juta found that the Broederbond was the secret hand which guided a number of front organizations. He described the National Party as the A.B.'s "political front" organization, in exactly the same way as the Federasie vir Afrikaanse Kultuurverenigings (F.A.K.) was its "cultural front". Die Reddingsdaadbond, later replaced by the Ekonomiese Institut of the F.A.K. and the Afrikaanse Handelsinstitut was the "economic front". He further described the Ossewabrandwag as its "military front", at least until it was deemed to have outlived its usefulness in 1948. Dr C.J. Juta has made a cogent case for these claims, concluding that

> .... most of the heirarchy of the post-1935 National Party are members of the Broederbond.... [and] if the heirarchy of the one is not the heirarchy of the other, then at least the Bond and the National Party are closely associated not only through their membership but by their policies and principles. 29

However, what is even more important for our purposes is Dr. Juta's description of the Afrikaans Churches as the "ecclesiastical front" of the Broederbond. This conclusion was based

27. Wits. archive, Hofmeyr papers. Election pamplet issued for the United Party by Marais Steyn, entitled Safeguard your Heritage, Vote United Party for a United Nation (1948).
28. Die Burger, 24.5.1948, "Groot beslissing vir Suid Afrika, Broederbond spook". For a description by the retired judge Mr Justice Kowie Marais (from 1977-81 a P.F.P. M.P.) who was interned with Mr B.J. Vorster at Koffiefontein for his part as a saboteur on behalf of the O.B. and the Stormjaer movement in 1941-2, see D'OLIVERA, John, Vorster the Man, Johannesburg: Ernest Stanton 1977, pp 81-3.
29. JUTA, C.J., Aspects of Afrikaner Nationalism, unpublished doctoral thesis for the University of Natal 1965. A similar picture is presented by VATCHER, W.H. in White Laager: The Rise of Afrikaner Nationalism, New York: Praeger 1965, pp 146-7.

on the disclosures about the Broederbond made by Dr. Beyers Naudé and Professor Albert Geyser in the Sunday Times in 1963. These findings have since been substantiated by a more recent exposé of the A.B. by the investigative journalists Ivor Wilkins and Hans Strydom. They published lists of members which demonstrated how far Dr. Verwoerd's desire of 1944 had been fulfilled: there were few positions in the Civil Service, the Afrikaans Churches, Afrikaans educational institutions, publishing, the press and broadcasting, and in the Government itself that were not filled by Broeders.[30]

The importance of the Broederbond for our purposes is to recognize the important link it provided between the leading members of the Afrikaner ecclesiastical and political establishment. It was in this fellowship of the elite that the Moderatuur of the Afrikaans churches could meet with the most powerful figures in the National Party to co-ordinate their principles and their policy. It was here that the programme of government legislation was planned to keep pace with opinion in the synods of the Afrikaans churches.

WHY GENERAL SMUTS LOST IN 1948: THE CAMPAIGN TO ISOLATE SMUTS FROM HIS AFRIKANER HERITAGE BY EMPHASIZING HIS BRITISH CONNECTIONS. THE ROYAL VISIT: "DIE PARTY VAN NIKSDOEN EN LAATMAARLOOP."

As a Boer general, Smuts' prestige amongst Afrikaners had been enormous. This made the alliance of the only surviving Boer Generals, Smuts and Hertzog, in 1933 an unbeatable combination. After Smuts' resounding success in the 1943 general election, few expected a Nationalist victory in 1948. The only way in which Dr. Malan could counteract Smuts' natural prestige was to try to reduce the political capital he still enjoyed amongst Afrikaners. This Malan did most effectively by demonstrating that Smuts, in his desire to achieve his dream of reconciliation between Boer and Briton upon which he had embarked both with General Botha in the S.A.P., and with General Hertzog in the United Party, had in the process sold his own people, the poor Afrikaners, down the

30. WILKINS, I., & STRYDOM, H., The Super Afrikaners, Johannesburg: Jonathan Ball 1979.

river to the British. Hence one of the primary objectives of the Nationalists' election campaign in 1948 was to try to isolate Smuts from his Afrikaner heritage by emphasizing his British connections.

This accounts for the way in which Nationalist speakers took great delight in referring to Smuts by the British rank of Field Marshal conferred on him in 1941 instead of by the more familiar and homely one of General, which, amongst traditionally minded Afrikaners, associated him with those who had fought for their freedom in what they called the Second War of Independence of 1899-1902.

The subtlety of Dr. Malan's offer of a moratorium on electioneering during the Royal Visit of 1947 also becomes apparent. Every public appearance which Smuts made in the presence of the King, George VI, and his family, had a paradoxical effect. Dr. Malan accused that this gave the Field Marshal an unfair advantage and that the Royal visit had been stage managed to favour the United Party. However the effect upon the Afrikaners seems to have been precisely the opposite. There, the Nationalists could say, was "slim Jannie", a traitor to die volk, who was now captive to the very English mining and commercial interests which had exploited the wealth of the country but had given nothing to the poor Afrikaners when they came to the cities to seek work. Not only this, but he had been disloyal to the rural interests of the Afrikaner, since the drift off the land to the cities had become a deluge. Every time Smuts appeared wearing the uniform of a Field Marshal in the British Army, laden with medals and decorations conferred upon him by a grateful King, the very awards which set him apart as a man of great distinction in the British Commonwealth also set him apart from die volk in his own country.

Field Marshal the Right Honourable J.C. Smuts, O.M., C.H., P.C., K.C., F.R.S., F.B.A., was a Fellow of Christ's College and Chancellor of the University of Cambridge, and Bencher of the Middle Temple. He was freeman of eighteen cities, of which no fewer than fourteen were in Britain. Only Malmesbury in 1945 and Johannesburg

in 1950 among South African cities accorded him the same honour. He had been awarded no less than twenty-nine honorary doctorates from various universities around the world of which thirteen were in Britain and only five in South Africa.[31] He held the Commonwealth's Efficiency Decoration, but preoccupied by the war he could be shown to have been far from efficient or attentive to the needs of the Afrikaner at home.

By contrast Dr. Malan was presented as a true son of die volk, who had studied at Stellenbosch, obtained his own doctorate at Utrecht, was a minister of the N.G.K. who understood the needs of the Afrikaner and the yearning of the true Afrikaner to come into his own and to enjoy political power in the land of his birth.

Dr. Malan called Smuts' United Party "die party van niksdoen en laatmaarloop", and the accusation struck home.[32]

DIE HOFMEYR-BELEID: THE COMMUNIST SMEAR: THE UNITED PARTY'S SELF-ASSESSMENT OF THEIR DEFEAT.

Ever since the Hottentots Holland by-election in 1947, when Dr. Malan had blamed Mr Hofmeyr's liberalism for the United Party's difficulties, the Nationalists had focussed their attack upon Hofmeyr.[33] Field Marshal Smuts was portrayed as a lackey of British Imperialism, an impression amply confirmed, in the eyes of the Afrikaner, by his attentiveness towards the Royal Family during the Royal visit of 1947.[34] Whenever the colour question was mentioned, it was not the policy of Smuts, nor that of the United Party that was condemned by Dr. Malan, but the "Hofmeyr-beleid, wat op die kleurvraagstuk nie wesenlik van die Kommuniste verskil nie".[35]

31. SMUTS, J.C., Jan Christian Smuts, London: Cassell 1952. p. 53/1, Honours-Awards-Decorations.
32. Die Burger, 24.5.1945, "Groot beslissing vir Suid-Afrika - Dr. D.F. Malan se oproep in verband met verkiesing".
33. Wits. Archive, Hofmeyr papers, J.H. HOFMEYR, Diary, 29.8.1947, 18.9.1949.
34. Die Volksblad, 2.4.1948, "Die Rhodes-man".
35. Die Burger, 24.5.1948.

Reference was made in the previous chapter to a brilliant cartoon which appeared in Die Transvaaler on 17th May, depicting Smuts astride a United Party horse with four left legs labelled "Kommuniestiese Party", "Springbok Legion", "Arbeide Party" and "Kleurlingstem".[36] Although Smuts opposed Communism overseas he was deemed to be guilty by association for receiving the support of Communists at home. Dr. Dadoo's appeals to white voters to support Smuts, the Springbok Legion's assistance with canvassing for the United Party, the "mildly pink" socialism of the Labour Party, and the fear of communist influence amongst Coloured voters, especially in the Cape where the S.A.C.P. was strongest, accounted for what might otherwise seem an absurd accusation: The United Party subject to communist influence ! However, the Nationalists seemed to believe their own propaganda, and the United Party in its turn over-reacted to demonstrate how papably untrue such accusations were, thus drawing attention to the untruths and authenticating them on the platteland.

Now that they had lost the election, Mr Hofmeyr found that his own party began to believe them too. Two days after the results became known, Hofmeyr wrote in his diary:

> From a telephone converstion with Sarah Millin [Smuts' secretary] my impression is confirmed that I am being stigmatized as the scapegoat responsible for the defeat of Smuts and the government. This confirms the doubts which I was already feeling as to whether I should accept the leadership of the opposition if Smuts decides not to come back. It might be better for the party not to have me as leader unless it has full confidence in me and from my point of view freedom from responsibility would enable me to take a more independent line and ultimately perhaps work myself into the John Bright position which I have always had in mind. But it is not easy to see what effective alternative the party would have.[37]

On the 8th June, after addressing a dinner of the 1926 Club in Johannesburg on "The Elections and After", Mr Hofmeyr posed his and the United Party's dilemma in the wake of their surprising defeat:

> The U.P. in Parliament is predominantly urban and English - not representative of the U.P. in the country. It is desirable that it should become more representative and that

36. See above, Chapter 1, p. 63.
37. Wits. Archive, Hofmeyr papers, Diary op. cit., 30.5.1948.

> means trying to win back the platteland. Must we, in order to do so, try to compete with the Nats in the appeal to colour prejudice ? If so, we cannot hope to defeat them. Or else must we come out boldly with a liberal policy ? If so, does this mean giving up the hope of winning back the platteland ? 38

In the event, General Smuts chose to stay on, so persuaded by Sarah Millin[39] and the United Party chose the first course, for ever fearful of offending the racial prejudices of their supporters on the platteland. Had Mr J.H. Hofmeyr survived and succeeded to the leadership, there is little doubt that he would have tried to force the United Party to adopt a more liberal policy. The chances of doing this successfully, however, were considerably diminished by the United Party's loss of the election, and by their own mistaken self-analysis of the reasons for their defeat. As Dr. Bernard Friedman has rightly said of Smuts' attitude on the colour question, "Smuts was never, at any time, ready to move in advance of public opinion. That was the chief of his shortcomings as a Statesman".[40] ".... If he is content to head a party which merely reflects current ideas and prejudices, he is following public opinion, he is not leading it".[41] Since Smuts "had no comprehensive plan to deal with the many problems in the all-important field of race relations, he was compelled to meet each of these problems as it arose ...."[42]

UNITED PARTY NEGOTIATIONS WITH THE AFRIKANER PARTY.

In the crisis into which the United Party had plunged there were those within its ranks who were ready to consider the old expedient of fusion with the "Hertzogites", who under Mr N.C. Havenga now formed the Afrikaner Party. Strained relationships between Dr. J.F.J. van Rensburg, the Kommandant Generaal of the Ossewabrandwag, and Dr. D.F. Malan, meant that there was still a small crack in the newly-formed monolith of Afrikaner volkseenheid which the new Prime Minister had worked so assiduously to achieve.

38. Ibid., 8.6.1948.
39. Ibid., 19.6.1948.
40. FRIEDMAN, B., Smuts, a Reappraisal, Johannesburg: Hugh Keartland, 1975, p. 167.
41. Ibid.
42. Ibid., p. 169.

The evidence of J.H. Hofmeyr's diary makes it certain that the second half of 1948 was occupied in a secret negotiation between the United Party and the Afrikaner Party. Dr. van Rensburg, still smarting under the hurt that Malan had done him by repudiating the O.B. in the course of making his accord with Havenga's Afrikaner Party in 1947, wrote to Smuts.[43] Dr. Malan had astutely cut the ground from under the feet of Dr. van Rensburg by taking up the O.B.'s call for volkseenheid, whilst distancing himself from the O.B. itself by saying that his party could not co-operate with national-socialism.[44] Dr. Malan had ordered his candidates not to enter into any local treaties with the O.B. in the election campaign, and is alleged to have said:

> *Die O.B.'s sal in elk geval vir my stem wanneer ek hulle nodig het, en daarom kan ek maar ongehinderd voortgaan, selfs in 'n kritieke verkiesing, van sy volkstaak en roeping.*[45]

By April 1948 Dr. van Rensburg went so far as to say that he hoped for a Smuts-Hofmeyr victory, and he advised O.B. members not to vote for the H.N.P.[46] In an attempt to demonstrate to Dr. Malan that without the O.B. there would be no victory for him in the Cape, in September 1948 Dr. van Rensburg called on O.B.'s not to vote in certain Cape constituencies. This was a potent threat because there were Provincial elections due, but it came to naught. The H.N.P. made further gains in the Provincial elections of 1949.[47]

Dr. van Rensburg's initiative led to a meeting in Bloemfontein between Mr Oosthuizen, the Secretary of the United Party, and Mr N.C. Havenga, of which Mr Hofmeyr noted that

> Havenga had indicated his desire to co-operate with us and wanted to know what our attitude would be. He had said that he would not insist on any conditions for co-operation.[48]

It is clear that serious negotiations took place between the United Party and the Afrikaner Party in 1948. Alan Paton has stated in

43. Die Transvaaler, 25.9.1947, "Dr. van Rensburg bemoeilik pad van Afrikanerparty"; and Wits. Archive, Hofmeyr papers, Diary op. cit., 19.6.1948. Sarah Millin reported to Hofmeyr that a letter came from Van Rensburg (O.B.), and "she believed it contained an overture from Van Rensburg to Smuts".
44. Die O.B., 2.6.1948, "Waarom Brakpan verloor is".
45. Die O.B., 19.5.1948.
46. Die Transvaaler, 19.4.1948, "'N Pistool voor die Kop". and Die O.B., 28.4.1948, "Waarom O.B. nie kan stem vir H.N.P."
47. Die Burger, 22.9.1948, "O.B. se opdrag aan sy lede".
48. Wits. Archive, Hofmeyr papers, Diary op. cit., 26.11.1948.

his biography of J.H. Hofmeyr that "whatever negotiations there were Hofmeyr played no part in them".[49] But what Alan Paton did not say was that Mr Hofmeyr actively supported this move, for his diary ends with these words:

> O. and I went out to see Smuts and after discussion instructed O. to let it be known to H's friends that he S. was willing to see H. and the sooner the better .... [diary ends] 50

This however was not an alternative of Smuts' choosing, and in the end he rejected it.[51] Another option was suggested to Mr Hofmeyr by Dr. Leo Marquard. If he should fail to force the United Party to adopt a liberal policy, he, Hofmeyr, should "strike out on his own". We have seen how Mr Hofmeyr had in a way already considered this, in thinking of "the John Bright position". However, he told Marquard, "With Smuts as leader such a course will not lead to much success .... I could not do anything that might look like a desertion of him".[52]

THE DEATH OF HOFMEYR; THE CONFUSION OF LIBERALS; THE PROSPECTS FOR RACE RELATIONS.

Hofmeyr's untimely death on 3rd December came as a great shock to his liberal friends, which was as devastating as the news of the result of the election had been six months before. Generous and sincere tributes were paid to him in most of the diocesan magazines of the C.P.S.A. Bishop Leonard Fisher of Natal aptly expressed the feelings of most Anglicans when he wrote

> There are all too few statesmen of his capacity and moral honesty. He was not afraid to put his principles based on his Christian faith before political expediency. 53

Senator Brookes and J.D. Rheinallt Jones wrote urgently to General Smuts "from a deep concern about the gravity of the national crisis" and proposed an appeal to the nation by Smuts, possibly in the course of the no-confidence debate at the beginning of the new session of parliament, "for a combination of democratic forces to 'Save the Union'".[54] The object of such an appeal was "a call to defeat the government

49. PATON, A., Hofmeyr, Abridged Edn., London: OUP 1965, p. 406.
50. Wits. Archive, Hofmeyr Papers, Diary, op. cit., 26.11.1948.
51. Sunday Tribune, 26.6.1977, p. 24, "A Long Time Dying", Dr. E.G. Malherbe writes: "Havenga hated the Broederbond.... and indicated that he would rather come in with General Smuts, if he would have him. I put this offer to General Smuts. He, however, mindful of the fact that a number of Havenga's Afrikaner Party had been Ossewabrandwag during the war, firmly rejected the offer. "I don't want to have any dealings with a lot of fascists".
52. Wits. Archive, Hofmeyr papers, Diary, op. cit., 21.6.1948.

at once and to join in forming a national government" in this "time of grave national danger".[55] It was a year too late. Had something of the kind been the central theme of the United Party's election campaign, the result might perhaps have been different.

The problem for the United Party was that no-one had thought that a Nationalist victory was a possibility. Even Professor Arthur Keppel-Jones' book When Smuts Goes assumed that a Nationalist victory would not come until 1952, the tercentenary year of Van Riebeeck's landing at the Cape.[56]

The unexpected nature of the Nationalist's victory was vividly demonstrated at a Symposium in June 1948 on "The next twenty-five years in Race Relations in South Africa", arranged by the Institute of Race Relations.[57] Each of the three principal speakers, Senator Edgar Brookes (an English-speaking South African), Professor T.J. Haarhoff (an Afrikaner) and Advocate A.I. Minty (a Johannesburg Indian lawyer) had been required to prepare his paper before the election. In making his forecast for the next 25 years, not one assumed a Nationalist victory. Senator Brookes said emphatically,

> The Nationalist Party as at present constituted, and with its present policies will never succeed in getting into power in South Africa with a sufficient majority to carry out revolutionary changes. 58

Professor Haarhoff thought "there must be steady progress in giving non-Europeans more rights and privileges but it must come step by step".[59] Advocate Minty said optimistically,

> It is difficult to conceive of the position of Indians deteriorating further .... I think the Union Government will not rigidly enforce the policy of segregation. 60

Mr Quintin Whyte, who had succeeded Dr. J.D. Rheinallt Jones as Director of the Institute of Race Relations, was more accurate in

55. Ibid.
56. KEPPEL-JONES, A., When Smuts Goes, Pietermaritzburg: Shuter & Shooter 1947, p. 1.
57. Wits. Archive, Rheinallt Jones Papers, The Next Twenty-Five Years in South Africa C29C/11 R.R. 86/48 LR 14.6.1948, Johannesburg: SAIRR.
58. Ibid., paper by Senator E.H. Brookes, mimeo 2 pp.
59. Ibid., paper by Professor T.J. Haarhoff, mimeo 2 pp.
60. Ibid., paper by Advocate A.I. Minty, mimeo 2 pp.

his summing-up, in the light of knowing the result of that fateful election, when he said,

> If the present government gains a substantial working majority and wish to put into execution the policy outlined by the recent Apartheid Commission, despite non-European, world and Commonwealth opinion, then inevitably there must be a distinct and immediate worsening in race relations. .... It is inevitable that the government will try to put such a policy into practice, but it is my opinion that it is equally inevitable that it will fail. 61

1948 also saw the gathering of two important ecclesiastical assemblies. From 14th July to the middle of August the Lambeth Conference of Anglican bishops met, with William Temple's successor as Archbishop of Canterbury, Geoffrey Fisher, as host.[62] This was followed from 23rd August to 4th September by the first Assembly of the World Council of Churches at Amsterdam, with the Dutch theologian, administrator and diplomat of the ecumenical movement, Dr. W.A. Visser 'tHooft, as the first General Secretary.[63] Both Archbishop Fisher and Visser 'tHooft have an interesting part to play in this account of Christian resistance to apartheid in South Africa.

Archbishop Darbyshire set off at the beginning of June for Lambeth and Amsterdam, preceded by a concentrated preaching tour in England. His sudden death at the age of 68 took everyone by surprise. He was buried in England on 3rd July just as the Lambeth Conference opened.[64] Geoffrey Clayton had planned a more extended visit of six months around the Lambeth Conference, leaving Dean Palmer as Vicar-General of the Johannesburg Diocese from the end of April until the end of October. This schedule allowed ample time for preaching and visiting friends and relations.[65]

LAMBETH 1948

In prospect, one of the main tasks of Lambeth 1948 was to

61. Ibid., Summing-up by Mr Quentin Whyte, mimeo 2 pp, p. 2.
62. VISSER 'tHOOFT, W.A., Report of the First Assembly of the World Council of Churches at Amsterdam, op. cit.
63. The Lambeth Conference 1948, report, London: SPCK 1948.
64. Cape Town Diocesan Magazine, July 1948.
65. PATON, A., Apartheid and the Archbishop, Cape Town: David Philip 1973, p. 161.

discuss the relationship between the different independent provinces of the Anglican Communion and the new Church of South India.[66] In retrospect the conference will be remembered for what it said about two items that were less prominent on the agenda. These were "The International Order and the problems that arise from it" and "The relation of the State to such questions as personal and communal life, education and religious liberty."[67] These subjects were considered by the committee to which Clayton was assigned, on the Christian doctrine of Man. This committee had the Bishop of London, Dr. J.W.C. Wand, as Chairman, and Clayton as Chairman of one of its sub-committees.

Geoffrey Clayton did not think that the Lambeth Conference had "issued any epoch-making pronouncement". Rather it was "a gathering of pastors rather than of prophets."[68] He considered that "the positive message of the conference" had been,

> a reassertion of the Christian doctrine of man .... against alternative systems which glorify the state at the expense of the individual, and in particular Marxian communism. 69

He saw the danger of "muddle headed people" becoming communists because of their "passion for social justice". Christians should see that it was

> .... the business of the Church to show a better way. There can be no justification of an assertion of the importance of the individual except on the basis of his relation to God. 70

In spite of the exhortation contained in the message published by the Lambeth Conference urging Anglicans "to take every opportunity of co-operating with Christians of other churches and to work and pray for the reunion of Christendom", and the assertion that "Christ's cause in the world can never be served by a divided church", Geoffrey Clayton was among the substantial minority of Anglican bishops at Lambeth who opposed the Church of South India reunion.[71] However, it was the positive message of the three

66. East and West Review, Vol 14, No 2, April 1948, p. 41, "Lambeth and Amsterdam" by Bishop S. Neill.
67. East and West Review, loc. cit., p. 37, article by Bishop W.W. Cash, Bishop of Worcester and formerly General Secretary of the C.M.S.
68. CPSA Archive AB 191, Clayton papers. An article on the Lambeth Conference by Bishop Clayton, published in the Parish Magazine of All Saints' Margaret Street, London, September 1948.
69. Ibid. 70. Ibid.
71. Ibid, and Church News, October 1948.

hundred and twenty-nine bishops who met at Lambeth that was emphasized. What they said could have been prepared expressly for the situation the C.P.S.A. now had to face, due to the Nationalist election victory two months earlier. Anglicans of all races throughout the world were reminded,

> Some of the first believers were slaves owned by non-Christian masters. Man suffered persecution for Christ's sake .... Whatever man may do, God is undefeated. God reigns.
>
> Only when the sovereignty of Christ is owned in our communities can they become what God wills them to be. Societies that are built on other foundations are built on sand .... While we seek to serve our earthly cities, our allegiance always is to Christ the King; and to hold by that is our hightest contribution to the good of those among whom we dwell. For freedom and justice in the world depend on there being enough men and women who say, "We must obey God rather than men". 72

The message ended with this exhortation:

> Finally we invite all men and women to join with us under Christ's banner in the war against the evils which wreck man's life and against the false creeds which debase it. In that war there can be no neutrality. To those who stand aloof Christ says, "He that it not with me is against me". 73

The Lambeth Conference passed many resolutions, among which four were of such relevance to the South African situation that they were specially endorsed by the C.P.S.A. Episcopal Synod at its next meeting in November. In Resolution 6 the Lambeth Bishops unanimously declared that "all men irrespective of race or colour, are equally the objects of God's love ...."[74] Resolution 43 proclaimed to the world, and in particular to South Africa, that "discrimination between men on grounds of race alone is inconsistent with the principles of Christ's religion."[75] Resolution 7 referred to the right to security of life and person, to work, of family, of property, to freedom of speech, of discussion and association, and of religious life and practice "irrespective of race and colour", that should be "recognized by the state and safeguarded by international law".[76] Resolution 27 held that the church

72. Church News, October 1948.
73. Ibid.
74. Highway, Magazine of the Diocese of Kimberley and Kuruman, issued as a supplement to Church News, December 1948.
75. Ibid.
76. Ibid.

should "press for the best educational opportunity for all, without racial discrimination and without privilege for wealth".[77]

The same meeting of Episcopal Synod gave assent to the nomination of Geoffrey Clayton as Archbishop by the Elective Assembly of the Diocese of Cape Town on 17th November 1948. The Bishops affirmed that the principles of these four resolutions were "an especial challenge to the inhabitants of Southern Africa at the present time", and called on all South Africans

> .... and particularly the members of our Church, to reconsider their race attitudes in the light of the teaching of Christ and to uphold with all their power the Christian Doctrine of the Fatherhood of God and the Brotherhood of Man.[78]

The statement then condemned the proposed withdrawal of Native Representatives in Parliament, and the threatened curtailment of the present political rights of the Coloured people of the Cape Province.[79]

This statement was reported fully in the Times a month later.[80] Bishop Bell of Chichester thought it a "splendid expression of the Christian attitude" and spoke of its "timeliness" and "courage".[81] The Editorial Secretary of the Society for the Propagation of the Gospel noted the sense of danger arising out of the election of Dr. Malan's Nationalist Party to office "largely on the ground of Native policy, which is summed up in the word apartheid or segregation," and gave great prominence in his review of the year to the Lambeth resolutions.[82]

On 7th November 1948 Bishop Clayton delivered his fifteenth and last charge to the Synod of the Diocese of Johannesburg, in which he dealt with the Lambeth Conference's consideration of the Christian doctrine of man. He gave a cogent exposition of the Christian's duty in a hostile world nevertheless to be concerned and active in it. He emphasized that as citizens of two cities both built by God "we must not run away from our vocation".

77. Ibid. 78. Ibid. 79. Ibid.
80. The Times, 21.12.1948.
81. CPSA Archive, AB 191, Clayton papers, letter Bishop of Chichester to Clayton 22.12.1948.
82. S.P.G. Report, 1948-9.

> .... God calls us to claim the world for Him. But we cannot claim these things for God unless we recognize His claim upon ourselves. 83

The Christian has both duties and rights. To the duty of "common worship" which "must have a background of private prayer" Clayton added the duty of "personal contact and personal service" amongst the underprivileged, as well as the duty to "remove everything that stands in the way of the development of his personality".[84]

There must be limits to the sovereignty of the state. Clayton's words rang out with prophetic candour that anticipated much of what lay ahead in his encounter with the Nationalists, and they deserve to be quoted at some length.

> What is to happen when these rights are denied to some portion of the population by any given State ? ....
>
> In a country like this, where the majority of the population has hardly any voice in the Government of the country, and where it is suggested that in future they should have no voice at all, these rights would not be safeguarded by any law, either national or international. It seems essential that a group within a particular State should be able to appeal to the public opinion of the world. And in spite of appearances to the contrary, it is a mistake to underrate the effective force of that opinion. But if there is to be any really effective safeguard for human rights, in this country or in any other, there must be some limitation of national sovereignty. 85

What Clayton said in 1948 about motivating world opinion is most interesting. Later he was to differ sharply with Father Huddleston about his articles in the Observer about South Africa, on the grounds that these were domestic issues that were no direct concern of the British public.[86]

He warned that to take away "all opportunity of making progress through ordinary democratic means" was the surest way to drive people to communism. In reiterating Lambeth's resolution on racial discrimination he said with contrition that

> .... there is a good deal to be done before it can be said that this resolution is thoroughly implemented in this country.

83. The Watchman, December 1948, p. 6, cf. PATON, A., Apartheid and the Archbishop, op. cit., p. 171.
84. Ibid.
85. Ibid.
86. See below, Chapter Fourteen, p. 761.

The Church asserts the principle but it has not always been carried out. 87

With regard to the Church's duty in politics, Clayton repeated that "the Church is not and cannot be attached to any political party", though "individual members of the Church naturally may have their own political allegiance". Nevertheless the Church corporately must have "the right and duty of suggestion and criticism" whatever government is in power. Whilst "the Church has a pastoral duty to individual souls .... the Church has also a prophetic duty to stand for righteousness. She must do so whether men will hear or not hear."[88] He called for united Christian witness, and suggested that conversations between Church leaders should take place in private. This would, he said, help "... to come to a better understanding of each other's points of view. .... At least we should be able to know why we differ and how we differ,, and if in any points we could come to an agreement, it would be an immense gain".[89]

He ended with an exhortation that Christians should be a better advertisement for their religion. "It must mean something to be a Christian and a Churchman. We must be different because we are Christians."[90]

Here is something very different in character from the charge which he had delivered to his clergy in that Sacred Synod of October 1946. There was nothing tentative about this charge to the full Synod of his Diocese in November 1948. He now spoke with the authority of a bishop who knew that what he was saying had the moral authority of 328 other bishops behind him. The knowledge that he had been nominated as a candidate for the election of a new Archbishop lent added dignity to all that he had to say.

Dr. Malan's election victory on 28th May and Archbishop

87. The Watchman, December 1948, loc. cit., p. 7.
88. Ibid.
89. Ibid., p. 9; cf. also Chapter 18 below.
90. Ibid.

Darbyshire's death at the beginning of the conference gave a sense of urgency and relevance to the deliberations of Lambeth on the doctrine of man. The new Government in South Africa had as its Prime Minister an ordained minister of the N.G.K. whose policy of apartheid was declared to be "inconsistent with the principles of Christ's religion" by both the bishops of the Lambeth Conference and then of the C.P.S.A.[91] Whereas the response of Anglicans in electing Geoffrey Clayton as the sixth Archbishop of Cape Town on 17th November may be seen as an expression of their prayers for a leader who would oppose apartheid, the election victory of Dr. D.F. Malan six months earlier had been hailed by the editor of Die Kerkbode as the response of God to the prayers of "ons Christelike volk" for Christian leaders.[92]

AMSTERDAM 1948.

Since Bishop Fisher of Natal, as Acting Metropolitan, was unable to go to Amsterdam, the sudden death of Archbishop Darbyshire in July meant that only the Bishop of Kimberley and Kuruman, John Hunter, was there to represent the C.P.S.A.[93] However, one who is to feature prominently in this discussion of Christian resistance to apartheid in South Africa was present, in the person of Canon Ambrose Reeves, then Vicar of Liverpool and a member of the Church of England delegation. He had been an associate of the General Secretary of the new World Council, when he and Dr. Willem Visser 'tHooft had worked together for the World Student Christian Federation between 1935 and 1937.[94] He and Professor G.B.A. Gerdener who was representing both the Cape and the Transvaal Synods of the N.G.K. were among the ninety eminent church leaders elected to serve on the World Council's Central Committee. Other South African Churches represented as full members of the new body were the Methodists, Die Hervormde Kerk and the Presbyterian Church. The Gereformeerde Kerk sent observers, but did not join, unlike the Congregational Church, which did not attend but later became a member. In all 147 Churches from 44 countries sent 351 delegates and 238 alternates.[95] Four parallel conferences

91. The Lambeth Conference 1948, report op. cit.
92. Die Kerkbode, 16.6.1948, Editorial "Kerk en Parlement" by Prof. T.N. Hanekom.
93. W.C.C. Archives, Geneva, Correspondence with the C.P.S.A.
94. PEART-BINNS, J.S., Ambrose Reeves, London: Gollancz 1973, pp 36-8.
95. VISSER 'tHOOFT, Report of the First Assembly of the World Council of Churches, op. cit., pp 230-267.

took place.[96] The first was for the delegates of member churches and the consultants. A second was for the alternates. A third was for youth, with three South African delegates present, representing the Presbyterian Church, the Paris Evangelical Mission and the Gereformeerde Kerk. Among the Hervormde Kerk's accredited visitors were Ds. P.S. Dreyer and Ds. Ben Engelbrecht, who, with Ds. T.F.J. Dreyer were also among this Church's representatives at the Cottesloe Consultation twelve years later.[97]

Since the World Council was to have an important influence upon the course of inter-church relations in South Africa, a description of the first Assembly at Amsterdam requires to be more than just a passing reference. This was no ordinary ecumenical conference to which delegates came voluntarily and then went away again. Each person present was the duly accredited delegate of his Church, who had been sent to Amsterdam in order to inaugurate a new world organization whose constitution was unprecedented in Church history. Dr. Willem Visser 'tHooft had been appointed General Secretary of the Provisional Committee of the World Council at Utrecht in 1938, which brought together seven members from the Faith and Order and seven from the Life and Work movements. It had been envisaged then that the first Assembly might be held in 1940 or 1941, but war intervened. During the war, the Council in its embryonic form somehow maintained contact with and between the churches from its base in neutral Switzerland. The three years after the war ended saw the Department of Reconstruction and Inter-Church Aid established to minister to refugees. The Ecumenical Training Centre at Bossey was opened. A World Christian Youth Conference was held at Oslo in 1947. The Commission of the Churches on International Affairs also began its work in this period. The study department made extensive preparatory studies for the first Assembly.[98]

96. Ibid., pp 16-20.
97. HEWSON, L.A. (ed.), Cottesloe Consultation. The report of the consultation among South African Member Churches of the World Council of Churches, 7-14 December 1960 at Cottesloe, Johannesburg. Printed by Transvaal Printing and Photo-Lithographers, 1961. No publisher mentioned, but "obtainable from P.O. Box 97, Johannesburg", the address of the S.A.I.R.R., and of the Secretary of the Planning Committee, Mr F.J. van Wyk.
98. VISSER 'tHOOFT, op. cit., pp 12-15.

When the Archbishop of Canterbury, Geoffrey Fisher, declared the first Assembly to be constituted "in accordance with the constitution drafted at Utrecht in 1938" on Monday 23rd August 1948, this represented the culmination of ten years' dedicated work and planning.[99] Dr. Visser 'tHooft soberly explained the status of the Council:

> We are a Council of Churches, not the Council of one undivided Church .... We are a fellowship in which the Churches enter into serious and dynamic conversation with each other about their differences in faith .... We are a fellowship in which Christian solidarity is practised, so that the churches aid their weak or needy sister churches. We are a fellowship in which a common witness is rendered to the Lordship of Christ in all matters in which a common word for the churches and for the world is given to us. We are above all a fellowship which seeks to express that unity in Christ already given to us and to prepare the way for a much fuller and much deeper expression of that unity. 100

In its message Amsterdam declared:

> .... We are divided from one another not only in matters of faith, order and tradition, but also by pride of nation, class and race. But Christ has made us His own, and He is not divided. In seeking Him we find one another. Here at Amsterdam we have committed ourselves afresh in constituting the World Council of Churches. We intend to stay together 101

It is of significance to this account of the Anglican resistance to apartheid in South Africa that twelve South Africans were present to take the message of Amsterdam home with them. Delegates came from all five continents and all the belligerent countries except Russia were represented. Churches from all the major communions were present, except the Roman Catholics and the Russian and Eastern Orthodox Churches. Among the delegates were men like Martin Niemöller and Bishop Lilje from Germany, Bishop Berggrav of Norway and Bishop Michael Yashiro of the Anglican Church in Japan, who had been imprisoned during the war.[102] So many of the world's leading theologians were present that someone is reputed to have said that he saw his theological library walking before him.[103]

99. Ibid., p. 28. 100. Ibid, p. 29. 101. Ibid., p. 9.
102. East and West Review, Vol 15, No. 3, 1948, p. 4. "From Edinburgh to Amsterdam" by J. McLeod Campbell.
103. VISSER 'tHOOFT, W.A., Interview, Geneva, 23.7.1975.

The Amsterdam Assembly was a world event, the ecclesiastical counterpart to the founding of the United Nations Organization, and it received world publicity by radio and in the press. There were some 250 in the press corps from all over the world. An Anglican delegate reported that "American papers were said to be covering Amsterdam more lavishly than the Olympic Games".[104] Consequently a certain image of Amsterdam was created, particularly in the United States, and in the on-going debate that ensued. The issues of the Assembly that were remembered most vividly were the East-West conflict, highlighted by the speeches of John Foster Dulles and Dr. Hromadka on capitalism; Communism and war, Church Union and Intercommunion, and the relationship of the churches of the west to the younger churches of Asia and Africa.[105] A result has been an assumption by some that Amsterdam was silent on the race question, and that it was not until the Second Assembly of the World Council at Evanston, when South African delegates were present in greater numbers and strength, that the issue of race was finally tackled.

There was, however, an explicit condemnation of "race discrimination" in the Message of the Assembly at Amsterdam, which declared,

> We have to learn afresh together to speak boldly in Christ's name both to those in power and to the people, to oppose terror, cruelty and race discrimination, to stand by the outcast, the prisoner and the refugee. 106

The Report of Section III on The Church and the Disorder of Society contained a well-considered statement on the social function of the Church, as well as a specific condemnation of racial prejudice.[107] Dr. R.D. Aitken, convenor of the Christian Council's Medical Work Section, attended the Assembly as a member of the Church of Scotland's delegation. Writing in the South African Christian Council Quarterly, he reminded his readers of the anomaly that the Afrikaans Churches present at Amsterdam were not members of the Christian Council of South Africa. The N.G.K. (Transvaal) had been among the founder members in 1936, but had withdrawn in 1940.

104. Ibid.
105. The Ecumenical Review, No 1, 1948; No 2, 1949.
106. VISSER 'tHOOFT, op. cit., p. 10.
107. Ibid., pp 74-87.

The other Afrikaans Churches never became members.[108]

> It has to be admitted that some Churches find it easier to co-operate at this international level than on the national level. 109

Dr. Aitken also drew attention to the "emphatic condemnation of race and colour discrimination particularly in the Church itself."[110] The Afrikaans delegates had been placed in Section I, on the Universal Church in God's Design, which centered its discussion on the issue of Church unity. The only South African present in Section III was the Methodist delegate, the Revd. F.H. Kirkby. What this section had to say on the issue of race could not have been put more strongly.

> Our Churches have often given religious sanction to the special privileges of dominant classes, races and political groups, and so they have been obstacles to changes necessary in the interests of social justice and political freedom. They have often concentrated on a purely spiritual interpretation of their message and their responsibility. They have often failed to understand the forces which have shaped society around them, and so they have been unprepared to deal creatively with new problems as they have arisen. 111

The drafting committee, which had Dr. C.L. Patijn of the Netherlands Hervormde Kerk as its Chairman and Dr. John C. Bennett of the United States as Secretary, must have had at the forefront of their minds the most recent experience of the Church in Germany. As Dr. Rheinold Niebuhr observed, "the old contrast between American activism and continental quietism has disappeared completely".[112] The European Churches, awakened to their social responsibilities by the persecution of the Confessing Church in Germany, had a clear message for any in South Africa with ears to hear. In discussing the social function of the Church, Section III must surely have had South Africa in mind when it said,

> If the Church can overcome the national and social barriers which now divide it, it can help society to overcome those barriers.

This is especially clear in the case of racial

108. STRASSBERGER, E., Ecumenism in South Africa 1936-1960, Johannesburg: SACC 1974, p. 158.
109. Christian Council Quarterly, November 1948, p. 2, "Report on Amsterdam" by Dr. D.R. Aitken.
110. Ibid.
111. VISSER 'tHOOFT, op. cit., p. 76.
112. Christian Council Quarterly, November 1948, p. 4, "The World Council at Amsterdam" by R. Neibuhr, reproduced from Christianity and Crisis.

> discrimination. It is here that the Church has failed most lamentably, where it has reflected and then by its example sanctified the racial prejudice that is rampant in the world. And yet it is here today its guidance concerning what God wills for it is especially clear. It knows that it must call society away from prejudice based upon race or colour and from practices of discrimination and segregation as denials of justice and human dignity, but it cannot say a convincing word to society unless it takes steps to eliminate these practices from the Christian community, because they contradict all that it believes about God's love for all his children. 113

Section IV, in dealing with the observance of human rights and fundamental freedoms, made a most important contribution to the Assembly by presenting a Universal Declaration on Religious Liberty, and also dealt with discrimination in the strongest possible terms.[114]

> We are profoundly concerned by evidence from many parts of the world of flagrant violations of human rights. Both individuals and groups are subjected to persecution and discrimination on grounds of race, colour, religion, culture or political conviction. Against such actions, whether of governments, officials, or the general public, the churches must take a firm and vigorous stand. 115

In the ensuing discussion Mr Kenneth Grubb, Chairman of Section IV on International Affairs, took pains to point out why, for example, there was no direct mention of Palestine. He pointed out that they had wanted to focus on the "general ground of those principles to which they desired to direct the Assembly's attention", otherwise, he argued, "it would have been necessary also to mention Korea, the Baltic States, or the racial situation in the United States or in South Africa".[116] The Youth Conference, however, observed no such restraint, and made its condemnation quite specific:

> The Church has often identified itself with parties and systems or has acquiesced in unchristian attitudes, such as racial segregation and discrimination (particularly in South Africa and the U.S.A.) and in class distinctions. 117

The Amsterdam debate on communism and capitalism gave rise to some useful insights about the nature of the church-state

113. VISSER 'tHOOFT, op. cit., p. 81.
114. Ibid, pp 97-99. cf. also below, Chapter 16.
115. Ibid., p. 93. 116. Ibid., p. 100.
117. Christian Council Quarterly, November 1948, Aitken article op. cit., p. 3.

relationship. Man's responsibility to God, and the Christian Church's acknowledgement of the Lordship of Christ, appeared to be the principles which must guide both the state and the church in dealing with the disorder of society.[118] In the debate between communism and capitalism as two rival economic systems Amsterdam refused to take sides.

> The Church cannot resolve the debate between those who feel that the primary solution is to socialize the means of production, and those who fear that such a course will merely lead to new and inordinate combinations of political and economic power, culminating finally in an omnicompetant State. 119

But what Amsterdam did advocate was a responsible society "where freedom is the freedom of men who acknowledge responsibility to justice and public order, and where those who hold political authority or economic power are responsible for its exercise to God and the people whose welfare is affected by it".[120] There was no overt legitimation of any political theory. If anything, it was the assumptions of the so-called western liberal democratic traditions that were implicitly endorsed. There was an explicit denial of atheistic Marxian Communism, but also a reminder to Christians that

> .... For many young men and women Communism seems to stand for a vision of human equality and universal brotherhood for which they were prepared by Christian influence. Christians should try to see the world as it appears to many who know themselves to be excluded from its privileges. 121

But this acknowledgement was far from naïve, for the Section III Report concluded:

> All should understand that the proclamation of racial equality by Communists and their support for the cause of colonial peoples makes a strong appeal to the populations of Asia and Africa and to racial minorities elsewhere. It is a great human tragedy that so much that is good in the motives and aspirations of many Communists and of those whose sympathies they win has been transformed into a force that engenders injustice and oppression. 122

Amsterdam's message for Christians was that the Church must put its own house in order:

118. VISSER 'tHOOFT, op. cit., p. 74.
119. Ibid., p. 76.
120. Ibid., p. 77.
121. Ibid., p. 78.
122. Ibid., pp. 78-9.

> Christians should recognize with contrition that many churches are involved in the forms of economic injustice and racial discrimination which have created the conditions favourable to the growth of Communism, and that the atheism and the anti-religious teaching of Communism are in part a reaction to the chequered record of a professedly Christian society. 123

Amsterdam gave a stern "no" to the principle of "Christian" political parties;

> The Church as such should not be identified with any political party, and it must not act as though it were a political party. In general, the formation of such parties is hazardous because they easily confuse Christianity with the inherant compromises of politics. 124

Unlike the Madras Conference of the International Missionary Council in 1938, which had stressed the priority of changing the structures of society, Amsterdam ten years later seemed to reverse the focus, back to the need to convert the individual. The Report of Section III stated:

> .... But the social influence of the Church must come primarily from its influence upon its members through constant teaching and preaching of Christian truth in many ways that illuminate the historical conditions in which men live and the problems which they face. The Church can be most effective in society as it inspires its members to ask in a new way what their Christian responsibility is whenever they vote or discharge the duties of public office, whenever they influence public opinion, whenever they make decisions as employers or as workers or in any other vocation to which they may be called. 125

Besides the focus of the Amsterdam Assembly on racial discrimination, another theme of significance for this study of Christian resistance to apartheid in South Africa to which attention was given was the twin issues of civil and religious liberty. The tone was set by the opening act of worship in Amsterdam's Nieuwe Kerk at 3 p.m. on Sunday 22nd August. The sermon preached by a young leader of the Methodist Church in Ceylon, the Revd. D.T. Niles, was built on the text from Exodus 3;11, "Who am I, that I should go unto Pharaoh ?" Recognizing the Christian's sense of insufficiency, Dr. Niles urged his hearers that they must not be concerned overmuch with Pharaoh's hard heart. This was God's business and not theirs to deal with. Christians should address themselves rather "to the people".[126]

123. Ibid., p. 79.
124. Ibid., p. 81.
125. Ibid., p. 82.
126. Ibid., p. 23.

> Christ tells us it is not for us to "know times and seasons", but sends us forth in the strength that springs from God's continuation in us and through us of what He has begun.
>
> He says to us, "The power you will show is the power of the leaven which I have already hid, the harvest you will reap is the harvest of the seed which I have already sown, the passions you will rouse are the passions of the fire which I have already kindled, the love you will share is the love of the deed which I have already done, and the end you will proclaim is the end which I have already accomplished."
>
> .... We are to be his witnesses unto the uttermost part of the earth, for the Christian witness recognizes no barrier and allows no partiality, whether for Negro or white, western democracies or eastern republics. To all and over all, we proclaim salvation and power, the kingdom of our God and the authority of His Christ. 127

Following up the theme of this sermon, the Assembly later in its proceedings adopted a comprehensive declaration on religious liberty described above, to which further reference is made in Chapter Fifteen.[128]

There had been certain hesitations on the part of the Afrikaans Churches towards participation in the World Council. In 1947 Professor S. du Toit of the Teologiese Skool, Potchefstroom, had written, "Daar is bedenklike tekens en dit kan wees dat die Wêreldraad heeltemal in die hande van moderniste kan geraak".[129] However, Die Kerkbode argued for participation on the grounds that

> .... *ons kerke van Gereformeerde belydenis het ook hier 'n roeping nl. om in sulke vergaderings ons getuienis met krag te laat hoor.* 130

These indications of incompatibility were insufficient to prevent the N.G.K. (Transvaal) Synod sending Dr. G.B.A. Gerdener as their official delegate, and asking him to be an observer for the N.G.K. (Cape) His articles about the World Council were carried regularly by Die Kerkbode. He put the case for membership more positively and persuasively on returning from Amsterdam:

127. Ibid., pp 23-4.
128. Ibid., pp 97-99, cf. Chapter 15, p.828-9, and above, p. 108
129. Die Kerkbode, 23.6.1948, p. 1413.
130. Ibid.

Elkeen weet hoe swaar dit is om alleen to voel. As die kind van God alleen voel en alleen stry, is dit dubbel swaar, want ons is bywoners op hierdie aarde. Ook om hierdie rede was dit goed om mekaar te leer ken in Geneve en Amsterdam. [referring also to the World Presbyterian Alliance that had met at Geneva] *Maar die kennismaking het maar nog net begin.* 131

The poor representation from South Africa had not escaped Dr. Gerdener's attention, nor, indeed, had the strong terms in which racial discrimination had been condemned.[132] "Op hierdie punt sal ons bereid wees om 'n baie eensame pad te bewandel". Nevertheless this should not be used as a reason to keep out.

Ons moet egter nie buitekant bly en ons lot betreur nie, maar juis ons goeie standpunt soek te regverdig, of dit anders prysgee. Dit is egter baie seker dat ons nog veel te leer het insake rasseverhoudings en dat ons ook in die praktyk bereid moet wees om die prys te betaal ten einde elkeen in die samelewing sy gelykwaardige geleentheid te gee. 133

If there had been ambivalence on the part of the Dutch Reformed Churches towards membership of the World Council, it has to be said also that the Church of the Province at that time was luke-warm towards the ecumenical movement in general. Both Archbishop Darbyshire and Bishop Clayton were opposed to the South Indian Church union, and this was typical of many Anglican clergy in South Africa at the time, who were generally of an Anglo-Catholic persuasion. Whereas for the Afrikaans churches, it was the World Council's statement of the biblical grounds for the unity of the church which attracted them, and its stance on racial discrimination which tended to repel, for Anglicans it was the other way round. A rigid "catholic" doctrine of the church inhibited wholehearted participation in the ecumenical movement, whilst the strong witness of the World Council on race seemed unequivocally attractive. In all the diocesan magazines of the C.P.S.A., it was Lambeth that the Bishops wrote about and not Amsterdam. The painstaking diplomacy of the World Council's General Secretary Visser 'tHooft, and the indefatigable work of the Afrikaner ecumenicals like Dr. Gerdener, Ds. Johan Reynecke

131. Die Kerkbode, 20.10,1948, p. 925, "Die Wêreldraad van Kerke", by Dr. G.B.A. Gerdener,
132. Ibid., p. 927. 133. Ibid., p. 928.

and Mr Fred van Wyk provides an important theme for this study, and is dealt with more fully in Chapter Seventeen. The first Assembly of the World Council of Churches at Amsterdam was significant for setting the scene for a patient and sometimes painful courtship between the N.G.K. and the C.P.S.A. that culminated in the Cottesloe Consultation of 1960.[134]

ARCHBISHOP DARBYSHIRE.

The sudden death of John Russell Darbyshire, the fifth Archbishop of Cape Town from 1938 to 1948, came as a shock to his fellow Anglicans. The tributes and obituaries in his diocesan magazine reflect a deep and genuine sense of bereavement and loss. His Co-adjutor Bishop, Sidney Lavis, who preached the sermon at the memorial service arranged for Archbishop Darbyshire in St. George's Cathedral on 4th July, spoke of a "great leader" whose "real value and true worth" were not seen "in true perspective" until removed by death. To Bishop Lavis, himself a much-loved pastor and friend to the parishes of the Cape Peninsula, Darbyshire was someone with a "pastoral heart" and "unfailing courtesy and kindness".[135] The Dean of Cape Town, Michael Gibbs, noted "that tired look" at a farewell gathering on his departure by ship for Lambeth. Gibbs, it will be remembered, had been among that delegation of clergy who had criticised the Archbishop in 1946 for sending a telegram to Lake Success supporting Smuts. He mentioned Darbyshire's "academic cast of mind which made his preaching on occasions seem remote".[136] Clayton saw in him "a talented musician [with] all the charm and sensitiveness of the artist, and a wonderful power of sympathy for all who found life difficult."[137] Canon C.T. Wood spoke of his being "utterly defeated nervously by the South African's lack of sensitivity".[138] On life at Bishopscourt, Canon Wood recalled:

134. HEWSON, L.A., (ed.), Cottesloe Consultation, op. cit.; and LUCKHOFF, A.H., Cottesloe, Cape Town: Tafelberg 1978; cf Chapter 18 below.
135. Cape Town Diocesan Magazine, July 1948, Sermon preached in St. George's Cathedral, Sunday 4.7.1948 by Bishop S.W. Lavis.
136. Cape Town Diocesan Magazine, July 1948, p. 6.
137. The Watchman, December 1948, p. 3., Bishop's Charge by Bishop G.H. Clayton.
138. WOOD, C.T., unpublished handwritten journal lent to the author, p. 381.

> In Darbyshire's time, which coincided with the Second World War, social functions lapsed and sporadic attempts were made to grow vegetables, much to the indignation of the head gardener whose co-operation was minimal. Miss Darbyshire was the chatelain, known locally as Auntie B. The Archbishop was completely terrified of her .... [He] asserted himself in one way only. He always arranged the flowers and expropriated the vestry as a flower room. 139

Whilst Archbishop Darbyshire seems to have been regarded with mixed feelings by fellow Anglicans, he clearly won the respect of colleagues in the Christian Council. The obituary writer for the Action Committee of the Christian Council spoke highly of his intellectual gifts that evidently were well used as chairman of a meeting:

> He had the astonishing gift of being able to seize on the essential points of what often appeared a confusing discussion and presenting them in a manner that commanded everyone's assent .... His brilliant mind made it a delight and a mental and spiritual inspiration to hear Dr. Darbyshire speak. 140

Dr. R.H.W. Shepherd saw through the contradictions of Darbyshire's ecumenical stance when he said:

> Dr. Darbyshire was faithful, and sometimes rigid, in his adherance to the convictions of his communion. His coldness to the South Indian Church union came as a shock to some who worked happily with him in inter-denominational efforts. .... [However] with the breadth of mind that characterized him and the realism that mingled with his deeply spiritual nature, he saw that the christian forces of South Africa had a grim battle to fight on the national plane and that where christian men could speak with one voice and work in co-operation it was their bounden duty to do so.
>
> .... to many, however, the chief memories will be centred in his personal qualities. He was a man sensitive to the finger-tips: to those meeting him for the first time it came as no surprise to learn that he was a poet and a musician. A man of scholarship too 141

Archbishop Darbyshire spent himself in fulfilling a very full programme of commitments. Though Bishop Lavis had spoken of his "extraordinary gifts of administration" such records as remain in his papers reflect, by modern standards, an extraordinary lack of office discipline.[142] Letters were, for the most part,

139. Ibid., p. 380.
140. Christian Council Quarterly, August 1948.
141. South African Outlook, 2.8.1948.
142. Cape Town Diocesan Magazine, July 1948, p. 2.

handwritten and difficult to read. Carbon copies and a typewriter were seldom used. Other notebooks contain his meditations, another his poetry, all, if edited, meriting publication. They spoke to an age when contemplation of the other-worldly was for the purpose of retreat from the day-to-day concerns of this world. But the word "pietist" would not fairly describe him. As President of the Christian Council he played a leading part at the Fort Hare Conference on Christian Reconstruction. He raised the voice of protest against the native policies of General Smuts' government, even if it was a quiet voice. On this issue he spoke with clarity and purpose. Perhaps it was not entirely his fault that this message was not heard, amidst the preoccupations of war. Some might say that it was a timid voice that was raised, but this would not be true either. It was a quiet, courteous, yet firm voice, and it was not heard because at that time, when other more assertive qualities were more highly regarded among men fighting a costly and cruel war, they did not so much admire such virtues as sensitivity and humility. There were in 1946 genuine grounds for criticising him for a failure of leadership in not condemning Smut's Indian legislation for fear of white reactions. Archbishop Darbyshire's profound respect for General Smuts meant that he was not strong enough to stand up to the Prime Minister and prevail.

CLAYTON BECOMES ARCHBISHOP.

Those who saw the need for a more robust challenge to the government, now that Dr. D.F. Malan had assumed power, elected Clayton as their Archbishop. From the discussion above of the Lambeth Conference, it seems they did not have to wait long to see results. The same meeting of the Episcopal Synod which met simultaneously with the Elective Assembly of the Diocese of Cape Town and gave its assent to Geoffrey Clayton's nomination as Archbishop, issued a statement endorsing four Lambeth resolutions on racial discrimination, and then condemned the Nationalists' proposed withdrawal of the Native representation in parliament, and the removal of the Cape Coloured people from the electoral roll. The very fact that Clayton was in the end elected in

preference to the kindly but quieter Fisher (of Natal) was a justified commentary upon Darbyshire's failure to respond adequately to Smuts' discriminatory legislation in 1946, for which Leonard Fisher also was to bear some of the blame.[143] Episcopal Synod then elected Fisher Dean of the Province. Of Clayton's election to the office of Metropolitan which he so nearly filled himself, Bishop Fisher wrote:

> It fills us with hope for the future.... We shall have an Archbishop who is not only a man of great intellectual powers, but one who has shown remarkable gifts of leadership, combined with shrewd judgement and moral courage. 144

Although Clayton spoke not a word of any African language, it was "his experience of Native affairs and race problems" which commended him to Bishop Fisher, "together with his concern for the welfare of all races and his insight in relating all these matters to fundamental Christian principles [which] will stand him and us in good stead".[145]

As Bishop Fisher wrote, Clayton's election "has been widely welcomed on all sides".[146] Having paid a fulsome tribute to the C.P.S.A.'s "many-sided activities in defence of the poor and the weak and those who have no other champion, activities which have given it a place of special importance in the life of the nation", the leader-writer of the Cape Times attributed this to "the spirit which pervades its clergy, but at least in equal measure to the strong leadership given by a succession of remarkable Archbishops". In welcoming Geoffrey Clayton's election the Cape Times said:

> While some may regret that the new Archbishop is not a family man, all will agree that he is well-fitted to carry on the tradition of strong and fearless leadership that has done so much to earn the general esteem of the Church of the Province. He succeeds to a difficult and responsible office at a time of great political changes, such as are likely to try the faith and conscience of many individual Christians .... His career as Archbishop will call for courage and leadership. No man can better provide these qualities than Bishop Clayton. 147

The following extracts from the numerous letters of congrat-

143. PATON, A. Apartheid and the Archbishop, op. cit., pp. 172-3.
144. The Vineyard, January 1949.
145. Ibid. 146. Ibid.
147. Cape Times, 18.11.1948.

ulation that have been kept among Clayton's papers give an indication of the range of Clayton's friendships, and their perception of the task he was going to be called upon to fulfil as Archbishop.

Father Trevor Huddleston C.R., by then Father Provincial of the Community of the Resurrection in South Africa, began his letter by quoting Philippians 1;3-6. "I thank my God in all my remembrance of you...." This sincere tribute came from a priest who, as we shall see later, regarded Clayton as one who had a significant influence upon his life and thought.[148] From Barlborough Rectory, Chesterfield, came this message from a former curate:

> I had so hoped you would be elected, for the Church of the Province needs as its Archbishop a man of strength and courage, as well as scholarship; and South Africa itself will need to hear the voice of the prophet in these challenging days when men are faced with choosing between the short cut of self-pleasing, and the rough track of self-sacrifice.[149]

Alan Paton gave these apposite words of encouragement:

> .... I rejoice that it [the task] is to be yours for you think clearly and deeply, and are able to translate your thoughts into clear and simple language.
>
> I myself am sure that there is no policy that can by some magic reconcile the respective claims of justice and survival, and that we must learn to do what is right, to obey and love and trust God, and to love men; and I believe that you, with no desire to cause antagonism, will teach us what are our duties to God and what are our duties to the State. 150

Mrs Margaret Ballinger M.P., showed how her participation in the Bishop's Commission had cemented her respect for Clayton, and how much she valued his counsel, when she wrote,

> The times we are facing are so difficult and so dangerous that it has seemed to me of the very first importance to all of who profess and call ourselves Christians that we should have the most intelligent and courageous leadership available. I believe God in His mercy has met our need.
>
> I selfishly hope that all your multifarous duties in your new office will not preclude the possibility of your giving me an occasional personal encouragement as you have done in the past. 151

148. HUDDLESTON, The Right Revd. T., Interview, Stepney, 25.6.1975, and CPSA Archive AB 191 Clayton Papers, Letters of congratulation on Clayton's election as Arch-Bishop.

149. CPSA Archive loc. cit.

150. Ibid.

151. Ibid.

H.R. Raikes, Principal of the University of the Witwatersrang, said he did not mind importing bishops from England,

> .... but I feel it is absolutely wrong that the Archbishop should be imported. It is essential that the holder of that great office should have a large measure of local experience before he assumes office. 152

To him Clayton obviously fulfilled that requirement where Darbyshire had not. A young African priest who had been ordained by Clayton, Fr. Rakale C.R., said he gave

> .... thanks for the unwavering faith and courage with which you faced many of the intricate problems that confront the church and the nation .... and my joy and gratitude to God and to you for championing the cause of all sections of the community and the cause of the poor in particular. 153

A lady in Windhoek whom he had helped pastorally spoke of his "honesty and courage" in regard to the "Native problem".[154]

From St. Anthony's Indian Mission came this sincere tribute:

> For the past fourteen years you so wisely directed this Diocese and your strong and forceful personality has made the ordinary man in the street, irrespective of race or colour, to read your utterances with reverance and respect .... I pray from your exalted position we will still hear your voice in championing of the cause of righteousness and justice.[155]

From someone who had not yet met Clayton, but who had contacts with both his predecessors, Ds. J. Reynecke of the N.G.K., at 75 Bosman Street Pretoria, came a loving hand of fellowship:

> Perhaps we shall have more opportunity of learning to know each other in the Christian Council which has its headquarters at the Cape. I generally attend meetings there. I feel that the Christian forces of our land have a great need of wise guidance in these times. My prayer is that God will give you the necessary strength and wisdom for the great responsibilities that will rest on your shoulders. 156

Ds. Reynecke's relationship with the new Archbishop, begun here, later bore much fruit. It was at Reynecke's suggestion that Clayton and Ds. C.B. Brink, Moderator of the N.G.K. (Transvaal) Synod were to be the Co-chairmen of a multi-racial conference of Christian leaders in December 1954, arranged by the Federal Mission Council of the Dutch Reformed Churches.[157]

152. Ibid. 153. Ibid. 154. Ibid.
155. Ibid. 156. Ibid.
157. God's Kingdom in Multi-Racial South Africa, N.G.K. Federal Mission Council Report on the Conference, December 1954; cf. also below, Chapter Seventeen.

Among the letters from episcopal friends old and new whom Clayton had so recently seen at Lambeth, three are worth noting. Bishop George Bell of Chichester wrote recommenting Toynbee's new book Civilization on Trial, and quoted this passage from it:

> Moreover, the alternative to extermination or segregation has been exclusion - a policy which averts the danger of internal schism in the life of the community which practices it, but does so at the price of producing a not less dangerous state of international tension between the excluding and the excluded races - especially when this policy is applied to representatives of alien races who are not primitive but civilized, like the Hindus and Chinese and Japanese.[158]

Earlier, in his article for the All Saints' Margaret Street magazine, in which he had argued against the South India Church union, Clayton had described Bishop Bell as "the most fair-minded man I have ever met".[159] Bell thanked Clayton for "your too kind words" and said how glad he was "at your appointment as Archbishop of Cape Town".[160] It was a pity that this relationship did not have much opportunity to develop, since Bell might have led Clayton more rapidly from his attitude of reticence towards ecumenism. The greater regret, however, may be that George Bell did not succeed William Temple as Archbishop of Canterbury, and in consequence his powerful intellect was not applied to South African problems.[161] Instead it was Leonard Fisher's brother Geoffrey whom Mr Churchill chose in 1944 to succeed Temple. Just as the South African Church needed an Archbishop like Clayton in Cape Town, for the same reasons it might have benefitted the Church of England to have an Archbishop like Bell at Canterbury.[162]

From the far north of Scotland, the Bishop of Argyll and the Isles wrote, "Congratulate you I do not, for it is a thorny throne on which you are called to sit. But I pray that you may have the grace and power and love for the work".[163] Also to the north, but on the continent of Africa, the Bishop of Nyasaland observed in much the same vein,

158. CPSA Archive AB 191 Clayton papers loc. cit., letter Bell to Clayton 22.12.1948.
159. Parish Newsletter, All Saints' Margaret Street Westminster, Sept. 1948. (In CPSA Archive AB 191 Clayton papers loc. cit.)
160. CPSA Archive, AB 191 Clayton papers, letters of congratulation loc. cit.
161. JASPER, R.C.D., George Bell, Bishop of Chichester, London: OUP 1967, p. 286.
162. See below, chapters 9 and 14.
163. CPSA Archive, AB 191 Clayton papers loc. cit.

> It will, I imagine, be a most difficult and delicate business being Archbishop with a Nationalist Government, but I won't daunt you. Who will follow you at Johannesburg - another difficult bash ? 164

There is no record of the replies which Clayton made to these and the numerous other letters of congratulation he received, but his response to them was contained in the sermon he preached at his enthronement as Archbishop of Cape Town in St. George's Cathedral on 2nd February 1949. This was a sermon preached as much to himself as for his hearers. He began, "This is for me a humbling and a frightening day".[165]

> No one who sits in the seat of Robert Gray can doubt that he is called to obey God rather than men, and that his primary duty is not to be popular but to be faithful.
>
> .... For the work which lies before us as a Diocese is, as I see it, a work which can only be done at a great cost. What can we expect ? We are the body of Christ; and, because we are His Body, we must share His Cross.
>
> .... We have to bear witness to Our Lord and to His teaching in a society which partly has turned away from Him, and partly renders Him a lip-service which is worse than repudiation.
>
> .... Our Lord taught us that the worst sin against a human being is to treat him with contempt, and the worst sin against God is to regard any of those He loves with contempt. If the Church is to be true to her Master, she must be especially the friend and champion of the under-privileged.
>
> .... To stand for the rights of the under-privileged, to bear witness to Christ's standard of personal morality, is not the road to popularity. But we are not commanded to be popular, but to be faithful. We are servants to One Who came into the world to bear witness to the truth. That led Him to the Cross. Can we expect any other fate ourselves ? Yet words are comparatively cheap. And the most reliable witness is that borne by the lives of Christian men. I know well, my brethren of the laity, that in these matters yours is the harder part. Every day you associate with men who do not share your faith or your moral standards. You work with them. You play with them. It is hard to be different from them. Yet it is to that which God calls you; it is for them that he strengthens you by the gift of His Spirit. If the witness of the Church is to be effective the public teaching of the clergy must be backed by the behaviour of clergy and laity. We must live as though we

164. Ibid.

165. Cape Town Diocesan Magazine, February 1949, p.1., Sermon preached on the occasion of his enthronement on 2.2.1949 by The Most Revd. G.H. Clayton.

believed that these things are true.

> .... We know that all that we hold dear is challenged by powerful and determined adversaries. But we also know that Christ is risen from the dead, that He reigns. Let us thank Him in these days of crisis He has called us to His service. And let us pray that we may be worthy of our Master and go forward without fear. 166

This sermon was described by The Cape Times as a "stirring call to the Church to stand for the rights of the under-privileged and to reassert the importance of personal morality and the stability of family life."[167] The full text was reproduced in the Cape Times, as well as in the magazines of the other dioceses. Highway, the magazine of the Diocese of Kimberley and Kuruman, made this interesting comment about Clayton,

> It is said that General Smuts once said of our new Archbishop (when he was Bishop of Johannesburg) that he was the one man that South Africa need fear. Perhaps this was because of Dr. Clayton's ability and courage to be able to say the right thing at the right moment. 168

THE CHOICE OF AMBROSE REEVES FOR JOHANNESBURG.

The election of Ambrose Reeves to succeed Geoffrey Clayton was a logical choice. In nominating him, the Dean of Johannesburg made much of his remarkable ministry in Liverpool. His able organization of relief measures for bomb victims during the war, and above all Reeves' successful mediation in the deadlocked Liverpool dock strike of 1945 had brought his name to the attention of a wider public, far beyond his parish of St. Nicholas' Liverpool.[169] He told me that one of the few books he could afford when he went up to Cambridge in 1919 had been a report presented to the Archbishops of Canterbury and York on industrial relations. It was this book, the writings of Studdart Kennedy, the Industrial Christian Fellowship, the Christendom Group, F.D. Maurice, the Christian Socialists and Berdyaev which had exercised a "formative" influence

166. Ibid.
167. Cape Times, 3.2.1949, "A strong call to the church to stand for the rights of the underprivileged".
168. Highway, March 1949, p. 6, "The Message for the Times".
169. PEART-BINNS, J.S., Ambrose Reeves, London: Gollancz 1973, p. 64.

upon him.[170] He read history at Cambridge and then it was at the theological college at Mirfield in Yorkshire, run by the Community of the Resurrection that he came in contact with the thinking on church and state of Fr. J.N. Figgis and Bishop Charles Gore.[171] The most salutory influence upon him, however, came in the period between 1935 and 1937, when he had worked in Eastern Europe as a colleague of Dr. Willem Visser 'tHooft in the World Student Christian Federation. His journeys frequently took him through Berlin. There he knew Pastor Martin Niemöller, and wrote a series of letters to leading churchmen in England warning about the consequences to the church of the rise of Nazism. Reeves was thus already keenly aware of the moral and theological issues raised by acts of Christian resistance to a totalitarian state, through this direct experience of the Confessing Church's struggle against National Socialism in Germany.[172]

The manner in which the African Mineworkers' strike on the Witwatersrand had been handled, even at a time when a leading liberal like Mr J.H. Hofmeyr was in charge of the government, had left many members of the elective assembly of the Diocese of Johannesburg disillusioned and perplexed.[173] A Bishop with a reputation for dealing with industrial disputes and emergency relief seemed to them to possess qualities which amply compensated for his lack of South African experience. Furthermore, in a diocese nurtured on the Church and Nation report, a Bishop who not only had a reputation for industrial relations but who also knew about church-state relations as well must have seemed a distinct advantage. In a diocese which regarded very highly the work of the Community of the Resurrection it is not difficult to see why a definite Anglo-Catholic like Ambrose Reeves, steeped in the tradition of Gore and the Anglo-Catholic sociologists should have been seen as such an obvious choice for Johannesburg in February 1949.

170. REEVES, The Right Revd. R.A., Interview, Shoreham-on-Sea 8.4.1975; "One of the most formative influences on me in my theological pilgrimage was the activities of the Christendom Group led by Canon Demant, Maurice Reckitt and Conrad Noel... It's that group who were the Anglo-Catholic sociologists."

171. FIGGIS, John Neville, Churches in the Modern State, first published in 1913 and reproduced from the second edition of 1914; New York: Russell & Russell 1973. and PRESTIGE, G.L., The Life of Charles Gore, London: Heinemann 1935.

172. REEVES, Interview, op. cit.

173. See above, Chapter 1, pp 43-51, and especially p. 48.

In Geoffrey Clayton, the diocese of Johannesburg had a bishop who was recognized as an authority on the theology of church-state relations. In choosing Reeves as his successor, members of the Johannesburg diocese's elective assembly should not have been unaware of an important speech he had made in the Convocation of York on 28th May 1948 about church-state relations. On that occasion Canon R.A. Reeves, the Vicar of Liverpool, had successfully proposed the creation of a joint committee that would "elucidate further the principles that should determine any action to be taken by the Church to make its relation with the State more satisfactory.[174]

In his speech, which won many plaudits, Reeves argued for "the importance of freedom to the Church in a world of increasing State control".[175] Whilst there had been much writing on the nature of the Church, he said, the need was for "a clear exposition of the Christian doctrine of the State".[176]

> .... they were living at a time when the independent, secular State, neutral or indifferent in matters of religion, was rapidly being replaced by the planned State, which sought in greater or lesser degree to guide the whole life of the community, and to exercise some measure of control over human culture, made it imperative for them to realise that to persist in demanding a free Church in a free State was about as helpful as crying for the moon. 177

Reeves saw the need to subordinate human power to Christian principles and looked to the teaching of F.D. Maurice, who had written:

> A National Church should mean a Church which exists to purify and elevate the mind of a nation... it should exist to make men tremble at the voice of God speaking to them in their conscience. 178

He saw nothing wrong in a National Church being closely associated with the affairs of the State since "both had been established by God for the accomplishment of his purpose among men".[179] He did not want a Church "built into the fabric of the State" nor to "sever all connections".[180] Rather he sought a third way which was able to meet the situation of a National Church whose role put it in collision with the State.

As he looked at the clash of Church and State both in Russia

174. The York Journal of Convocation, York: W.H. Smith 1948; 27-28 May 1948, p. 65.
175. Ibid., p. 66. 176. Ibid., p. 67. 177. Ibid.
178. Ibid., p. 68. 179. Ibid., p. 69. 180. Ibid.

and in Germany, it seemed to him that it was just in these matters that the church was confused and uncertain.[181] Reeves was thus elected Bishop of Johannesburg as someone with a reputation not only as mediator in the Liverpool dock strike, but as a priest who was well informed about the theology of church and state.

Later in this study of Christian resistance to apartheid in South Africa it will be seen how Bishop Reeves, in responding to the Defiance Campaign in October 1952 and in making his decision to resist the implementation of the Bantu Education Act in November 1954, explained his attitude and accounted for his action in terms of his theological understanding of the function of the church in relation to the state. Bishop Reeves' stance on the issue of Christian resistance has to be seen in the context of his understanding of the theology of the church-state relationship, and it is interesting to see how this developed under the influence of his experience in South Africa.[182]

On 24th February 1949 Canon Richard Ambrose Reeves was in London in connection with the planning for the great mission to London in 1950 when he was told that he had been elected the third Bishop of Johannesburg. It was just one month after he had been asked to allow his nomination to go forward, whilst attending his first meeting of the Central Committee of the World Council in Geneva. Reeves' biographer records how the Bishop of Chichester had told him "Johannesburg is the second most important see in the Anglican Communion".[183] The reporter of The Star who interviewed his family in Liverpool considered him "young for the responsible position he is to take".[184] He was in fact 49, but he looked younger in the photograph that was published in The Watchman.[185] From the Edinburgh Castle Reeves wrote his first pastoral letter to his new diocese, by which time the gravity of the task ahead was beginning to be apparent to him.

181. Ibid.
182. See below, Chapters Eight, Eleven and Twelve.
183. PEART-BINNS, op. cit., p. 64.
184. The Star, 4.3.1949.
185. The Watchman, April 1949.

> I am deeply conscious that I am entering on my episcopate at a time that is critical for the Church. Many and diverse are the problems that we are bound to face together .... All that He asks of us, whatever may be our particular place in His Church, is that we should be found faithful ....
>
> Certainly the Church will only be able to discharge her urgent evangelistic task as other men are able to take knowledge of us that we have been with Jesus. As churchmen we must spare no effort in grappling with the assaults of evil. But for long I have been persuaded that everywhere we must be constantly vigilant, lest in our preoccupation with the ills that now afflict human society we grow unmindful that our first responsibility as the Church is to be the Church of God. In every place our primary task is the same - it is so to give ourselves to the common life that is ours in Christ, that God is able to fashion each local Church into a blessed company of faithful people in that place. 186

Bishop Reeves was never untrue to what he wrote then, though it was sadly true that later his critics were to accuse him of being so preoccupied with the ills of society that he neglected his "church work". Perhaps this was so simply because Reeves, like Clayton, came to see that prophecy was an integral part of the Church's ministry which called for pastoral care especially for the poor and the oppressed. For the time being this did not arise, for Reeves was conscious of being a bishop who had been "imported" from England.

> I went to South Africa knowing nothing about South Africa, and I said to my wife: "I won't open my mouth for two years. I really must learn the situation". 187

Apartheid was the slogan which had brought the Nationalists to power in May 1948. By January 1949 Michael Scott had left South Africa and three Anglican leaders who were to become apartheid's most cogent opponents had been promoted. Geoffrey Clayton became Archbishop of Cape Town, Ambrose Reeves was chosen to succeed him as Bishop of Johannesburg and Trevor Huddleston moved from his position as Priest-in-Charge of Sophiatown to the Priory at Rosettenville to become the Provincial Superior of the Community of the Resurrection. Dr. D.F. Malan had still to show the nation what apartheid meant in practice and it is the purpose of the next chapter to discuss the extended debate which took place in 1948 on the meaning of apartheid and to describe the churches' initial reactions as the full import of the new government's intentions was perceived anew.

186. The Watchman, July 1949.
187. REEVES, Interview, op. cit.

CHAPTER THREE.

APARTHEID: ITS MEANING AND THE CHURCHES' INITIAL REACTIONS.

"The question, 'what is apartheid ?' ran like a refrain through opposition speeches", said Dr. D.F. Malan in Parliament in September 1948. "No matter how much it was explained it was always repeated. The opposition knew what apartheid meant".[1] In one sense the new Prime Minister was right. His party's election manifesto, published in both Afrikaans and English on 29th March 1948, contained a clear statement of all that the Nationalists wanted to do. Close study now of this document prepared by a commission under the chairmanship of Mr Paul Sauer and entitled The National Party's Colour Policy shows just how accurately it reflected the new Government's intentions and how fully it carried out its manifesto in the decade ahead.[2]

However, by the time this debate took place in both houses of Parliament in September 1948 it is doubtful whether most white South African voters really knew what apartheid meant. "When a new word comes into common use, it acquires a different significance to different people", wrote Mr J.H. Hofmeyr in August, "the resultant confusion tends to darken counsel".[3] From the considerable debate that ensued in the correspondence columns of Die Kerkbode after the election on the scriptural grounds for the principle of racial apartheid, it is clear that there were still many members of the largest of the Afrikaans churches, the N.G.K., who were in the process of thinking out the moral implications of the policy.[4] For faithful Afrikaners who had supported the National Party in the election, as Mr Hofmeyr pointed out in the same article

1. Rand Daily Mail, 3.9.1948, "Malan on Apartheid"; see also BALLINGER, M., From Union to Apartheid, Cape Town: Juta 1969, Part III, Chapter 3, p. 232 ff, "What is Apartheid ? The Constitutional Issue Raised".
2. H.N.P. INFORMATION OFFICE, The National Party's Colour Policy, Cape Town: Nasionale Pers 1948 (Report of the Sauer Commission). cf. Rand Daily Mail, 29.3.1948, "Nats announce their apartheid policy"; Die Burger 29.3.1948 and 30.3.1948; The Star 29.3.1948 "Apartheid: Summary of the proposals of the Nationalist Party as given in a statement to the press".
3. United Party Newsletter, August 1948, p. 2, "Political Apartheid" by J.H. Hofmeyr.
4. See below, Chapter Four.

quoted above,

> Apartheid started as a "blessed word", with no very specific meaning, but with soothing qualities which the old lady found in "Mesopotamia". The virtue for those who gave it currency was that it raised sentimental reactions of potential political value. 5

In spite of all that had been said and written about apartheid during the election and before 1948, the problem for the United Party opposition in parliament was to discern what particular version of apartheid was to be applied in practice. Just as Humpty Dumpty told Alice in Through the Looking Glass, "when I use a word, it means just what I choose it to mean - neither more nor less",(6) spokesmen for the new government, in defining what they chose to mean by apartheid, revealed that there were some who wanted more separation, whilst others gave the impression that they wanted less. The Prime Minister, Dr. D.F. Malan, and his Minister of Native Affairs, Dr. E.G. Jansen sought to allay suspicions about the new policy by giving the impression that there was little difference between the kind of apartheid they advocated and the policy of segregation already practised by the United Party. It was merely that in place of the United Party's ambiguity about racial policy there would now be clarity. Under the United Party government, the Colour Bar, though customary, was not absolute and social segregation was still largely conventional and not statutory. Nevertheless the United Party had already accepted the two key principles of apartheid policy, separate racial representation in parliament and residential segregation. In place of vagueness the Nationalists promised there would be certainty. They would legislate to forbid racial mixing in trains and buses, in post offices and public buildings. Henceforth there would be separate entrances and separate facilities for black and white. They would legislate to forbid mixed marriages. All necessary steps would be taken to keep the races apart, because the alternative was miscegenation. Such integration would result in the loss to the Afrikanervolk of its identity and racial purity.

Whose voice should be regarded as authoritative ? Was it

5. United Party Newsletter, loc. cit.
6. CARROLL, Lewis, Through the Looking Glass and what Alice found there, London: MacMillan 1887 (People's Edition), first published 1871, p. 114.

those of the Prime Minister and the Minister of Native Affairs who seemed to imply that apartheid, except in minor ways, was no different from segregation ? On the other hand, "Dawie's" column in Die Burger was said to reflect Nationalist orthodoxy more faithfully than the Prime Minister himself. The report of the Sauer Commission, which was published as the National Party's election manifesto on 29th March 1948, as we shall see, already contained all the clues to the Nationalists' intentions.[7] The discerning student of Afrikanerdom could have pointed to the book by Dr. G. Cronje, 'n Tuiste vir die Nageslag, published in 1945.[8] In 1947 Cronje also published Regverdige Rasseapartheid which was designed to show that the policy adumbrated as a means of securing a homeland for the Afrikaner was not selfish, because it would do the same for all races and was therefore just and reasonable.[9] In addition there were the writings of the other Broederbond philosophers of Afrikanerdom like P.J. Meyer who was soon to be appointed Chairman of the S.A.B.C. Board of Governors, or Dr. N. Diedericks who as a Professor of Philosophy at the University of the Orange Free State had been Chairman of Die Reddingsdaadsbond.

More than any other figure in Afrikanerdom, the individual who gave the word apartheid greatest clarity and content was a former Professor of Applied Psychology at Stellenbosch, who had since 1937 been Editor of Die Transvaaler, and a leading member of the Afrikaner Broederbond. He had been narrowly defeated at Alberton in the general election, and entered Parliament in 1948 not as an M.P. but as a Senator. It was his speech to the Senate on 3rd September 1948 which did more to define the meaning of apartheid than any other. Dr. H.F. Verwoerd defended his party's policy against charges of injustice against the African, and explained the thinking behind the Sauer Report. Having heard this speech and the extended debate in both houses of Parliament during September, the Natives' Representative for Natal in the Senate, Dr. Edgar Brookes commented, "The meaning of apartheid is growing clearer".[10]

7. H.N.P. INFORMATION OFFICE, The National Party's Colour Policy, op. cit.
8. CRONJE, G., 'n Tuiste vir die Nageslag, Johannesburg: Publicité 1945.
9. GROENEWALD, E.P., CRONJE, G., & NICOL, W., Regverdige Rasseapartheid, Stellenbosch, CSV
10. The Star, 22.9.1948, "Meaning of apartheid growing clearer: Extreme views on both sides now largely discounted" by Senator Edgar Brookes. cf. PELZER, A.N. (ed.) Verwoerd aan die Woord, toesprake 1948-1966, Pretoria: Afrikaanse Pers 1966 (also in English translation, Verwoerd Speaks); SCHOLTZ, G.D., Dr. Hendrik Frensch Verwoerd 1901-1960, 2 Vols., Johannesburg: Perskor 1974; HEPPLE, Alexander, Verwoerd, London: Pelican 1967; and KENNEY, Henry, Architect of Apartheid H.F.

Yet, as will be evident as this discussion continues, he underestimated the extent of the changes that apartheid would bring in his article for the Star in September 1948. Only a year later his friend J.D. Rheinallt Jones was to rebuke him for the growing militancy of his public speaking during 1949, and Brookes replied "I have become more forthright because I believe that the situation demanded it."[11] In 1948 however, like "happiness", the word "apartheid" meant different things to different people. Dr. Brookes discounted the extreme views of Dr. Verwoerd in the hope that the moderation of Dr. E.G.Jansen would prevail.

Before proceeding to describe the Nationalist manifesto of March 1948 and the debate in Parliament about apartheid in September, an examination of the etymology of the word "apartheid" is illuminating.

"Dawie" claimed that the first use of the word "apartheid" was by Die Burger in a leading article on 26th March 1943, which spoke of"die Nasionaliste se beleid van apartheid."[12] He traced the first use of the word in Parliament to Dr. Malan on 25th January 1944, when he had said that "die getroue handhawing van die beginsels van apartheid" would make South Africa safe for the white race and Christian civilization.[13] Up to that time segregasie had been the common term in political debate to describe the policy of "aparte woonbuurte".[14] This claim provoked an interesting debate on the origin of the word "apartheid". Ds. J.S. du Plessis wrote to "Dawie" to show that he had used the word as long ago as 1929 in a speech to the N.G.K. Synod of the O.F.S. to describe the guiding principle for his church's mission work. What he had said then on "Die ideale wat ons Kerk beoog in verband met Sendingwerk" had been published as a booklet by Nasionale Pers in Bloemfontein under the title Die N.G.K. en die Naturellevraagstuk. There Ds. Du Plessis had spoken of "die gees van apartheid" as the foundation of his church's missionary work, and it was in that context that clarity should be sought for the meaning of

11. Wits. Archive, Rheinallt Jones papers, letter E.H. Brookes to J.D. Rheinallt Jones 15.11.1949, cf. also Chapter Five below.
12. Die Burger, 24.3.1951, "Dawie".
13-14. Ibid.

apartheid, which some now misunderstood.[15]

"Dawie"'s conclusion was that the word had been used sporadically earlier.[16] It was in 1944, when a political body decided formally to adopt it, that the word "apartheid" became perhaps the most powerful word in the political history of South Africa. Dr. G. Cronje's book 'n Tuiste vir die Nageslag made extensive use of the word "apartheid" and its alternative eiesoortige ontwikkeling (separate development), while exploring thoroughly all the theological implications of the new concept.[17]

Dunbar Moodie rightly points to the Volkskongres of the F.A.K. on 29th September 1944 in Bloemfontein, on Die Rassebeleid van die Afrikaner, as the datum for understanding Nationalist policy-making on the race question.[18] It was there that the guidelines for apartheid were laid down.

> In order to give the natives sufficient opportunities freely to realize their national aspirations, they must be provided with separate areas which will be administered and developed initially for them and eventually by them as self-ruling native areas in which the whites may have no rights of citizenship. 19

Recalling the 1944 Volkskongres, in May 1948 Inspan reiterated that one of the most important issues was that whites must assume responsibility for the welfare and development of non-whites.[20]

THE NATIONAL PARTY MANIFESTO.

The manifesto prepared for the 1948 general election by Dr. D.F. Malan's Herenigde Nasionale Party contained the findings of a commission which had been given the task of defining that party's colour policy. With Mr Paul Sauer as its chairman, this commission had included among its members Dr. E.G. Jansen who was the first Afrikaner to become Governor-General of the Union of

15-16. Ibid.
17. CRONJE, G., 'n Tuiste van die Nageslag, op. cit.
18. MOODIE, T. Dunbar, The Rise of Afrikanerdom, Berkley: University of California 1975, pp. 273, 248. cf. Inspan, October 1944.
19. Inspan, October 1944, cited by MOODIE, op. cit., in translation.
20. Inspan, May 1948, "Ons en die nie-blankes".

South Africa in 1950 when Dr. H.F. Verwoerd succeeded him as Minister of Native Affairs.[21] Published as a pamphlet entitled The National Party's Colour Policy on 29th March 1948, this manifesto presented apartheid as a policy of "separation on Christian principles of justice and reasonableness".[22] This, it should be emphasized, was the sincerely held belief among those nurtured in the fellowship of the Broederbond. They had fought for the creation of separate cultural and political institutions for the Afrikaner; and honestly thought that black people would automatically desire the same for themselves. It was the view of Nationalist-minded Afrikaners that whites had been responsible for the disruption of African tribal life, and robbed them of the opportunity of initiating their own development. As Dr. Jansen had written in 1944 "We have tried to make white men of them"[(23)] an idea that was often repeated by Dr. Verwoerd in promoting the concept of Bantu Education in the fifties. According to this manifesto of 1948 it was only a policy of complete separation of the races that would "guarantee racial peace" and safeguard "European civilization".[24] Therefore the H.N.P. rejected a policy of "equality" which involved the granting of "equal rights within the same political structure". That, they held, would lead inevitably to racial integration or verbastering, the "bastardization" of the white race. Accordingly the aim of apartheid was the "protection of the European.... as a pure white race".[25] This also provided for:

> ....the protection of the indigenous racial groups as separate communities, with prospects of developing into self-supporting communities within their own areas, and the stimulation of national pride, self-respect and mutual respect among the various races of the country. 26

Whilst undertaking to "protect the white race", they firmly rejected "any policy of oppression or exploitation of the non-European by the European".[27] Each race would develop its own national character.[28] The policy would be so planned as to promote "the ideal of complete separation (algehele apartheid)"nationally.[29]

21. Regverdige Rasseapartheid, and CRONJE, G, 'n Tuiste vir die Nageslag, op. cit., PELZER, A.N. ed., Verwoerd Speaks, Johannesburg: Afrikaanse Pers 1966; DE KLERK, W.A., The Puritans in Africa, London: Rex Collings 1975, pp 229-30.
22. H.N.P. INFORMATION OFFICE, The National Party's Colour Policy, op. cit.
23. Inspan, October 1944.
24. H.N.P. INFORMATION OFFICE, The National Party's Colour Policy, op. cit.
25 - 29. Ibid.

What, then, were to be the practical methods by which this policy of algehele apartheid would be achieved ? All marriages between Europeans and non-Europeans and between Coloured and Africans would be prohibited. In their own areas non-Europeans would develop their own institutions and special services. A permanent advisory board of experts on non-European affairs would be established. The State would "exercise the complete supervision over the moulding of youth."[30] No outside interference or destructive propaganda to the outside world would be tolerated. The party would assist the churches in encouraging non-Europeans to make the Christian religion the basis of their lives. Churches that undermined the policy of apartheid would be checked.[31]

The Coloured people would be protected against unfair competition from the Natives in spheres where they were already established. The Common Roll franchise would be abolished. Instead they would be represented in the Senate "by a European representative to be appointed by the Government by reason of his knowledge of Coloured affairs".[32] In the House of Assembly the Coloured people would have three European representatives, elected by a Coloured Representative Council, who would not vote on

(1) Votes of confidence in the Government.
(2) A declaration of war.
(3) A change in the political rights of the non-Europeans.[33]

In the Cape Provincial Council they would be represented by three Europeans, elected by a Coloured Representative Council. Coloured Area Councils, "with their own public services" would manage themselves "within the framework" of the existing (white) councils. There would be territorial segregation.[34]

Africans (called Natives, or Bantu) would have "a system of education designed .... to attract the principal ethnological groups and sub-groups .... into their own areas".[35] Further land would be allocated under the 1936 Act. A vigorous policy of soil conservation would be instituted. "The Native Reserves must become the true fatherland of the Natives" where "better education services" must be provided instead of in the urban locations, as well as "a greater variety of economic activities".[36]

30-36. Ibid.

"All Natives" would be placed in "separate residential areas" and "in the urban areas .... [the Native would be] regarded as a 'visitor' who can never be entitled to any political or equal social rights with Europeans in European areas."[37] "The number of de-tribalized Natives" would be "frozen".[38] There would be the strictest influx control to the urban areas, as well as efflux control from the Native reserves so that "all superfluous [sic] Natives in the urban areas" would be "sent back to the rural areas or Native reserves from which they migrated. .... A simplified system of identification and an effective control will be applied".[39]

With regard to workers in urban areas and in industry, "Natives from rural areas" would come only as "temporary workers" and they would have to return "to their homes regularly on the expiration of their service contracts".[40] There would be separation "in factories, industries and workshops so far as is practically possible".[41] There would be no Trade Unions for Natives. The State "as guardians will take care of their interest".[42] Labour control would be exercised through a "central labour bureau and an effective network over the entire country".[43]

"Native Education [would be] strictly Christian National .... and anchor the Native to his own way of life".[44] Here the State would "exercise proper supervision .... through a separate division of the Department of Native Affairs".[45] At that time Native Education was under Provincial Council control. Expenditure on Native Education "must be more in keeping with his contribution to the State income".[46] Eventually, the Native must"provide for the expenditure and control of Native education under the supervision of Europeans".[47] "The Native must be taught to build up his own social, medical and welfare services in the reserves .... "[48]

With regard to the franchise and representation in Parliament, "the representation of Natives in the House of Assembly and the Provincial Council would be abolished".[49] Instead, Africans would be represented by seven Senators (all Europeans).

37. Ibid.

38-49. Ibid., p. 3.

Three would be appointed "by virtue of their special knowledge of Native matters" and four elected "by the various Native councils".[50] The Natives Representative Council would be abolished, and a system of local Native Councils substituted in towns, whilst the Bunga system that incorporated the Chiefs was to be continued.[51]

> Under this system the Native will ultimately find expression for his political aspirations in the reserves instead of political rights in the European areas as is advocated by the United Party. [52]

So far as the Indians were concerned, they were to be regarded as a "foreign element" which was "unassimilable", and who "could never become part of the country and must therefore be treated as an immigrant community".[53] A policy of "repatriation of as many Indians as possible" would be applied, for which South Africa "must be prepared to make great financial sacrifices".[54] "No Indian immigrants would be allowed entry to the country".[55] The Asiatic Land Tenure Act and Indians Representation Act would be revised, so that there would be "no representation .... in the legislative bodies of the country".[56] "So long as Indians remained in South Africa .... a definite policy of separation .... would be applied in every sphere".[57]

Indians would have separate areas.[58] They could not own fixed property in European areas.[59] Proper compensation would be paid for property that was expropriated.[60] Facilities for trading outside their own areas would be "drastically curtailed".[61] This would apply to both European and African areas.[62] Inter-provincial movement of Indians would be "effectively prevented."[63] "Family allowances for Indians must be abolished".[64] "The party would take drastic action against Indians who incite the non-European races against the Europeans".[65]

THE UNITED PARTY'S RE-STATEMENT OF NATIVE POLICY, JULY 1948.

Understandably alarmed by their unexpected defeat in the general election in May, the United Party undertook what they called a

50-51. Ibid.

52-65. Ibid., p. 4.

re-statement of their "Native Policy" in July 1948.[66] This endorsed the principle of segregation but denied some of the reforms that had been advocated by the Fagan Commission.[67] For instance, nothing specific was said about the granting of freehold rights to Africans in urban areas[(68)] nor was the "voluntary" system of registration for those coming into the urban areas mentioned, as suggested by the Fagan Commission.[69] The only concession made with regard to African representation was, however, in a segregationist direction. The existing representation for Africans in the Senate, the House of Assembly and the Cape Provincial Council would be maintained, whilst the Natives Representative Council which the Nationalists proposed to abolish, would be developed and its functions expanded.[70]

The United Party, it was stated, stood for "European leadership" and "Christian trusteeship".[71] It was "not in favour of a policy of equality or assimilation .... but stood for the maintenance of a policy of social and residential separation and the avoidance of race intermixture".[72] They stood for "development", but under "European guidance".[73] Hence the United Party would maintain the 1936 Land Act, simplify the Pass Laws, and maintain a system of labour registration. Subject to registration, people should be free to take up employment.[74] They pledged to maintain the Coloured Common Roll franchise.[75] Coloured people would not, "by reason of their race or colour be debarred from any form of industrial occupation or employment ...."[76] "Social separation" would, however, be maintained, since "this was in accordance with the wishes of both Coloureds and Europeans".[77] Nothing at all was said about the Indians.

Thus the United Party's policy of segregation was no different in principle from apartheid, though it was milder in application. Where the Nationalists refused to recognize the urban African except as a bywoner in the cities, the United Party sought to

66. Wits. Archive, Hofmeyr papers, A re-statement of the Native Policy of the United Party, mimeo 3 pp.
67. U.G. 28-1948, Report of the Native Laws Commission 1946-48.
68. Ibid.
69. SUZMAN, Helen, A Digest of the Fagan Report, Johannesburg: SAIRR 1948, p. 13.
70. A Re-statement of the Native Policy of the United Party, op. cit.
71-77. Ibid.

make the transition from rural to urban life easier. Whilst the Nationalists proposed to abolish African representation in parliament and the common roll franchise for Coloured people in the Cape, the United Party would do no more than maintain the status quo. It is significant that Dr. Edgar Brookes should have observed two months later "the real content of apartheid is simply continuing previous policies".[78]

APARTHEID AND ITS ALTERNATIVES: THE DEBATE IN 1948.

Despite the clarity with which the National Party had presented their manifesto, there seemed a reluctance on the part of many to believe that they would do what they had said they would do. The debate in Parliament during August and September revealed some of the immediate effects of implementing the policy. Measures were taken to separate black from white on the trains, with immediate and visible effects in the Cape, where large numbers of whites used the commuter train services.

With regard to the new government's intention of abolishing the Natives' Representative Council and of giving the Indians no representation whatsoever, the situation arising from the decision of the N.R.C. to adjourn, and the total rejection of the Indian Representation and Land Tenure Act in 1946, meant that this was the de facto situation anyway. The abolition of the Coloured common roll franchise in the Cape was however another matter since, under the provisions of the entrenched clauses of the South Africa Act of 1910, any change required a two-thirds majority at a joint sitting of both houses of parliament.

The outstanding feature of this debate on the new government's apartheid policy was the speech in the Senate by Dr. H.F. Verwoerd in which he defended his party against charges of injustice against the African.

According to Dr. Verwoerd it was not the African who was

78. The Star, 22.9.1948. "Meaning of apartheid growing clearer" by Senator Edgar Brookes.

threatened but the white man. It was the rights of whites and not of blacks which needed protection.[79] He presented an exaggerated picture of how black and white were interspersed throughout the length and breadth of South Africa. They came together on the trains, in hotels and eating places, in theatres and in the streets. "Natives" were ravaging the reserves. He complained they were seeking knowledge that would not be of service to their own people, but that non-whites used their education for the purpose of crossing the border into white society (blankedom). They were traitors (verraiers) to their own people (volk) and had forsaken them in their migration to the cities. The National Party's solution was clear and simple. These trends would be reversed.[80] The Native Reserves would become the fatherland of the Native and there he would be master (baas). It was there that his education should be nurtured and not in urban locations. Was that oppression ? In the cities, however, the native would be regarded as a sojourner ('n bywoner) with no political or community rights with the whites. Natives from the platteland and the reserves would only be allowed to come to the "white" cities and towns as temporary workers and they must return to their homes as soon as their service contracts were completed. The native would be led to provide his own community, health and social welfare services in the reserves, and if this was to be so Europeans must not interfere. "Die hand wat gee moet kom van die volk aan wie gegee word".[81]

After the intensive debate which took place in Parliament Senator Edgar Brookes made an assessment of the meaning of apartheid in an article for The Star at the end of September 1948. He thought that in practical terms the immediate effect would be seen in the discouragement of housing schemes as a disincentive for blacks coming into the cities, the intensification of influx control measures and a greater use of migratory labour.

> Unless it can in practice be checked through the experience of the officials, and the moderation of the Minister, [the effect] will be to restrict unnecessarily movements into the towns; to hinder, instead of actively encouraging housing schemes; to foster, instead of checking migratory labour; and to create a totally unnecessary atmosphere of resentment

79. PELZER. A.N., Verwoerd aan die Woord: Toesprake 1948-1966, Pretoria: Afrikaanse Pers-Boekhandel 1966, p. 16.
80. Ibid.
81. Ibid., p. 9.

and uncertainty.

> Let us, however, at this stage sum up the situation, and realise that the real content of apartheid is simply continuing previous policies, plus a brake on the adjustment of our cities to the new industrial conditions and an attempt to curtail political rights. This is a very different thing from the revolutionary movement which was supposed to be the new discovery of our age and the complete justification for the change of government. 82

Whilst the new government spoke of its intentions to develop the reserves as homelands for the African people, the deliberate exclusion of white philanthropy, initiative and finance from the process of black development left unanswered the critical question of where the resources were to be found for implementing the positive aspects of their policy. The debate in Parliament revealed that it was the negative measures to achieve separation of the races in the towns and cities that were to be implemented first. There would be separation at every possible level for the purposes of avoiding racial friction and the concomitant of this was the development of the Reserves. From the debate it was Dr. Verwoerd who emerged as the H.N.P.'s pre-eminent patron and spokesman on "Native policy". The author W.A. de Klerk has observed,

> What it revealed was .... a man with leadership qualities, equalled by no-one else in the country. Here was no ordinary politician or even statesman. Here was a man of unusual intelligence, integrity and courage. He spoke without notes and with great clarity, logic conviction and at great length. He was never bitter, ruffled or at a loss. He knew exactly what he wanted to say and how to say it. He had the dominant presence of a man called to a task. 83

There may have been good tactical reasons for emphasizing the moderation of the Minister, Dr. E.G. Jansen, and ignoring the radical nature of Dr. Verwoerd's speech. Dr. Brookes' observation already cited above, that "the real content of apartheid is simply continuing previous policies" acknowledged the United Party's complicity with segregationist policies before 1948. In saying this, however, he showed that he had seriously under-estimated the revolutionary implications of the new government's intentions.

82. The Star, 22.9.1948, "Meaning of Apartheid growing clearer" by Senator Edgar Brookes.
83. DE KLERK, W.A., The Puritans in Africa, a story of Afrikanerdom, London: Rex Collings 1975, p. 238.

The debate about the meaning of apartheid in 1948 yielded six possible alternative policy options. These were:-

1) Total assimilation;
2) Parallelism;
3) Total segregation/Apartheid;
4) Partial separation;
5) Christian trusteeship;
6) Limited parallelism linked to a qualified franchise.

> The Fagan Commission suggested "three main tendencies":-
>
> On the one wing are the advocates of a policy that may be called that of total segregation. The goal at which they aim is an absolute territorial division between European and Native; ultimately there would be in South Africa an area in which no Native, and another in which no European would be regarded as a permanent inhabitant. .... On the other wing we may place those who consider that there should be no racial discrimination in law and administration. The third view, which one may place between the two already mentioned, is that European and Native communities, spread over the country as is the case today, will continue to exist side by side and must therefore be recognised as permanent, but there are differences between them which legislation must take into account and which make a measure of separation in matters of administration necessary and advisable. 84

Professor Alfred Hoernlé, in a series of lectures to the University of Cape Town in 1939, South African Native Policy and the Liberal Spirit, had discussed the first three alternatives, Total Assimilation, Parallelism and Total Segregation.[85] Recognizing the strength of existing race feelings, Hoernlé had rejected "total assimilation" as an objective for the liberal, because such a policy would condemn him to "utter impotence" and a situation in which he could "do nothing for the realisation of the greater liberty of the non-European". Realizing that whites would not be willing to surrender their dominance, Hoernlé had also rejected the choice of parallelism within the same political structure since he considered this would not work either. From the point of view of the policy which would find favour amongst white groups genuinely concerned with the welfare of non-whites,

84. Report of the Native Laws Commission 1946-48, UG 28-1948, pp. 13-14, para. (18).
85. HOERNLE, R.F.A., South African Native Policy and the Liberal Spirit, Johannesburg: University of the Witwatersrand Press 1945. Lecture delivered at the University of Cape Town, 1939.

Hoernlé had concluded that "from that point of view total segregation should be the liberal's choice".[86] However, as Quintin Whyte, J.D. Rheinallt Jones' successor as Director of the Institute of Race Relations, pointed out,

> His [Hoernlé's] choice was based on his appreciation of the violence of racial prejudice and the already existing sentiment in favour of separation. But he was compelled to add - "as hard-headed realists, we must confess to ourselves that Total Separation is as unrealisable in practice as are its alternatives." 87

Where Professor Hoernlé had discussed only the first three policy alternatives, Total Assimilation, Parallelism and Total Segregation, Quintin Whyte considered two more. Interestingly he described the National Party's policy of apartheid as interpreted by Dr. D.F. Malan as "partial separation".[88]

A fifth alternative policy was the concept of Christian Trusteeship as advocated by Mr J.H. Hofmeyr in his Hoernlé Memorial Lecture to the Institute of Race Relations in 1945.[89] Hofmeyr's great concern about apartheid in 1948 was that whilst its political proposals for the removal of political rights were realizable, the full economic apartheid programme, which was "complementary to such a withdrawal" was not.[90] Hofmeyr's concept of Christian Trusteeship meant that all would ultimately succeed to political rights irrespective of race. The objective was that the wards would grow up and take their part in the affairs of the country equally with the trustees. To him the key word was "development", and this would mean the opening up of all forms of economic opportunity to all.[91]

> The outcome of a policy based on faith may be unpredictable in detail but there is more than a reasonable chance of its leading to success and the Christian approach is the approach not of fear but of faith. 92

Where Chief Albert Luthuli was to speak approvingly of

86. Ibid., pp. 182-3, my italics.
87. WHYTE, Q., Apartheid and other policies together with a suggested practical programme, Johannesburg: SAIRR 15.6.1948; R.R. 89/48 C 29c/12.
88. Ibid.
89. HOFMEYR, J.H., Christian Principles and Race Relations, Hoernlé Memorial Lecture, Johannesburg: SAIRR 1945.
90. United Party Newsletter, August 1948, p. 2, "Political Apartheid" by J.H. Hofmeyr.
91. WHYTE, op. cit., p. 9.
92. HOFMEYR, op. cit.

Hofmeyr's policy of Trusteeship at the Rosettenville Conference in July 1949, it is of considerable interest that Geoffrey Clayton had misgivings on this issue. In the sermon he preached at St. Mary's Oxford in May 1948, Clayton had asked the question of how the world was to deal with what he called "the problem of fellowship". "How are people to live together ?"

> .... The two races cannot be kept apart - in different parts of the land. They need one another economically and in other ways. The slogan of those in authority [i.e. the Smuts government] is that the white race is the trustee for the black. You can be a trustee for a lunatic, who will never be able to manage his own affairs. Or you can be trustee for a minor, who will in the course of time come of age, and be able and entitled to manage his own affairs. It has never been made clear which of these conceptions of trusteeship is entertained.
>
> .... There are still large numbers of people living under conditions of primitive tribalism. But there is also a comparatively small, but growing minority of people who are fairly well educated - lawyers, doctors, nurses, ministers of religion, teachers .... In these circumstances the colour bar, enforced against all these people alike, leads to an increasing sense of frustration, and to increasing discontent. 93

It is of interest that the alternative to apartheid which was acceptable to Chief Luthuli was the one that had been suggested by Professor Hoernlé's widow, Winifred. In her discussion of Hofmeyr's lecture in 1945, Mrs Hoernlé proposed a system of "limited parallelism" on a strict basis of "separate but equal", which included separate areas of residence in the interests of the preservation of racial integrity, and the wide use of parallel institutions, but combined with a common roll qualified franchise, for all who could meet the stipulated requirements.[94]

Quintin Whyte found that there was a mingling of policies already:

> We find bits and pieces of assimilation, parallelism, apartheid and Christian Trusteeship, but not one of them carried out logically and fully. 95

South Africa with its variety of races must be prepared to

93. CPSA Archive AB 191, Clayton papers, Sermons and Addresses, "The Christian and his Neighbour", sermon by the Right Revd. G.H. Clayton, Bishop of Johannesburg, 9.5.1948 at St. Mary's, Oxford.
94. Race Relations, Vol. XV, No. 3, 1948, "Alternatives to Apartheid" by A.W. Hoernlé.
95. WHYTE, op. cit., p. 10.

> tolerate a diversity of practice .... A single uniform pattern cannot be forced on European and non-European. Differences must be recognized, differences in development, in tradition, in custom, mentality and outlook 96

His conclusion, however, about the immediate prospects was less optimistic:

> In the present temper of the European people the way to common and equal political authority is barred; the road to economic achievement though uphill and badly made is open. The quickest way to the former is through the speeding up of social and economic development. What the ultimate political pattern of the country will be, no one can yet say for the application of democratic principles to a multi-racial society may not necessarily follow the European model.[97]

The validity of Whyte's analysis, however, depended upon the extent to which white opinion in South Africa ought to have been regarded as immutable, even in the immediate term. The vague hope that economic development would in the long term secure black political rights suffered from the same fault as the trend of thinking in the United Party immediately after the election, which believed that a change of direction towards segregationist policies would restore to them the political power they had lost. As we have seen, their unexpected defeat at the polls resulted in a retreat from some of the modest reforms proposed in the Fagan Report, and the acknowledgement of the principle of segregation. The United Party blamed Mr Hofmeyr's liberal race policy for the loss of the election, when in fact it was the absence of any clear vision for the post-war epoch on Field Marshal Smuts' part that accounted for the failure of the United Party at this critical juncture.[98] It will remain a matter for conjecture now, what effect a determined advocacy of Winifred Hoernlé's concept of a qualified franchise, combined with a policy of parallelism, might have had, particularly if this idea had been accepted and propagated energetically and in unison by the Fagan Commission, the United Party, and in particular by General Smuts himself. Instead he permitted the United Party to temporize with a milder version of segregation that left the principle of separation unaltered.

Where Dr. D.F. Malan's interpretation of apartheid intended

96. Ibid., p. 11. 97. Ibid., p. 12.

98. See above, Chapter Two, pp. 89 ff. and 91 ff; and FRIEDMAN, B., Smuts, a Reappraisal, Johannesburg: Hugh Keartland 1975, pp. 155 ff, and Preface pp. 6-7.

a form of partial separation more rigorous than the degree of segregation practised by the United Party, Dr. H.F. Verwoerd's exposition of eiesoortige ontwikkeling advocated the implementation of the kind of total segregation which Professor Hoernlé had said was "as unrealisable as its alternatives". In July 1948, Dr. W.W.M. Eiselen, who had just been appointed Secretary for Native Affairs by Dr. E.G. Jansen, was invited to address the Institute of Race Relations' Winter School on "The Meaning of Apartheid".[99] Here he faced a sceptical if not hostile audience, and put forward a cogent case for a policy of total separation. Society, he argued, ought to be separated into what he called "functionally self-sufficient units" with all the possibilities of full "self-realisation" as a "twenty-year plan".[100]

> The commonplace assertion that natives will require centuries of contact with Western Civilization before attaining intellectual parity with Europeans is scientifically untenable and furthermore disproved by successful careers of a number of individuals. [101]

Moreover, Dr. Eiselen believed that "the rightful place" of the white working man had been "usurped by the native" in the "economic structure of his society".

> .... there is no people which does not include a considerable class of persons who, by their natural endowment, are predestined to live by the work of their hands and who cannot make good in any other way. [102]

The Fagan Commission, he contended, had envisaged a society that was dependent upon "European initiative, organization and technical skill". Was this not, asked Dr. Eiselen, "a euphemistic restatement of the familiar slogan 'white man's brain and black man's brawn' ?"[103] To avoid the situation of whites being the dominant caste, it was his opinion that a policy of total separation was the only answer.

To refute the argument that total apartheid was an unrealizable ideal, Dr. Eiselen then cited his experience as Director of Native Education for the Transvaal. He said he had placed an "all-native staff" in departmental high schools, and this had earned him "the greatest measure of gratitude". Thus, he con-

99. EISELEN, W.W.M., The Meaning of Apartheid, Lecture to the Winter School of the South African Institute of Race Relations. C 29 c/14 R.R. 127/48. Johannesburg: SAIRR 9.7.1948, Mimeo 11 pp.

100. Ibid., p. 10. 101-2. Ibid., p. 3. 103. Ibid., p. 5.

cluded, "the educated native too would soon co-operate whole-heartedly in the more comprehensive task of educating his people to attain self-sufficiency".[104] Separation was therefore "not an unattainable ideal", nor was the "sacrifice involved for both white and non-white .... too high a price to pay for deliverance from the evils of a caste society".[105]

Dr. Eiselen, in the same address to the Institute of Race Relations, then took the statement made in 1939 by Professor Hoernlé that "total separation should be the liberal's choice" out of its context in an attempt to deceive his audience into believing that one of their founder members had supported a policy of total separation. Eiselen neglected however to add that Hoernlé's statement merely recognized that total separation was the only policy from the point of view of white opinion that would find acceptance, but that it was "unrealisable"in practice.[106]

However, what neither Dr. Eiselen nor Dr. Verwoerd could achieve in their exposition of apartheid policy, was to show that a policy of total separation was going to be acceptable from the point of view of black opinion. No promise of political rights to be exercised only in the rural African reserves could possibly compensate someone born in Cato Manor, Sophiatown or New Brighton for having no say even in municipal affairs. Talk of regverdige rasse-apartheid[107] was impossible as long as Africans were to be regarded merely as temporary sojourners in the urban areas only as long as their labour was required there to keep the wheels of industry turning. From the African point of view in the cities it was clear to him that the goal of preserving the Afrikaner's racial purity was to be achieved at the expense of making him a bywoner in the land of his birth. To the S.A.I.R.R. such a policy was unrealizable precisely because the claim made by the Sauer Report that apartheid was founded on Christian principles of justice and reasonableness could not be substantiated.

The C.P.S.A. and member churches of the Christian Council all

104. Ibid., p. 9. 105. Ibid., p. 5.
106. HOERNLE, op. cit., p. 182, cf. EISELEN, op. cit., and WHYTE, op. cit.
107. CRONJE, G., Regverdige Rasseapartheid, Stellenbosch: CSV 1947, and cf. above pp. 128, 131, 136-7.

opposed apartheid. However, by a convention that assumed the church should not be involved in party politics, church newspapers and magazines had studiously avoided any direct commentary on any subject which might have been construed as being a party political issue during the general election campaign. For instance, in June 1948 the Editor of The Watchman published an article by Arthur Blaxall entitled "The Church and Racial Segregation", with the explanation "now that the election is over, we believe we are free to publish it without taking sides in party politics".[108] Between June and December 1948 an intense debate ensued in the correspondence columns of Die Kerkbode which will receive attention in Chapter Four.

Where debate between the political parties in Parliament sought to clarify the meaning of apartheid, and the discussion in the Institute of Race Relations considered whether this policy could be applied in practice, the question which faced the churches was whether the claim made by the Sauer Report was true. Was apartheid indeed founded on Christian principles of justice and reasonableness ? When J.D. Rheinallt Jones met Dr. D.F. Malan in September 1948 his appeal was that the Government must "keep faith with the non-European",[109] for the sake of good race relations. The Afrikaans churches on the other hand debated whether apartheid was "scriptural". The question addressed by member churches of the Christian Council concerned the morality of apartheid.

THE CHURCHES' JUDGEMENT ON APARTHEID.

With the Afrikaans churches supporting the Government, what then was the judgement of the member churches of the C.C.S.A. on the morality of apartheid ? How would the Government react to those churches which believed that their policy was unchristian ?

108. The Watchman, June 1948, p. 6.
109. Wits. Archive, Rheinallt Jones papers JDRJ/DAR 20.9.1948; A written memorandum, mimeo 3 pp., for the purpose of presenting to the Prime Minister when he received a deputation from the S.A.I.R.R. in September 1948, and see below, Chapter Four pp. 157 ff.

The National Party's election manifesto contained the sinister statement that "Churches and societies which undermine the policy of apartheid and propagate doctrines foreign to the nation will be checked".[110] Mr John Christie, Leader of the Labour Party, asked Dr. D.F. Malan in Parliament what this process of checking was to be. If any of the churches took the line that apartheid was wrong, as many of them did, surely they were entitled to place their opinions before their congregations, and the public ? [111]

In his reply Dr. Malan tried to give the assurance that his party stood for Western-type democracy "based on the rights and freedom of the individual. The individual had human rights and nothing should be allowed to infringe those rights."[112] These were "the right to live, of movement and of action, of freedom of thought and conscience, of religion and the right to express himself and his opinions".[113] Margaret Ballinger described what happened when Dr. Malan was pressed to answer the specific question about the churches and apartheid.

> As the argument went on, it appeared that this was something different. The human rights to which Dr. Malan and his party subscribed (besides obviously not applying to people of colour) did not include the right of people "who undermine the principle of apartheid, who preach equality and who propagate foreign ideologies in South Africa". But who were these people ? They were the Communists and the communistically minded people. They would certainly be checked. 114

In spite of the slur implicit in the Nationalists' attitude, that those who undermined the principles of apartheid and preached equality were "communistically minded", the risk taken by the spokesmen of those churches who ignored this clear warning did not deter certain individuals and the member churches of the Christian Council from expressing their unequivocal opposition to apartheid.

The Archdeacon of Kimberley, the Ven. H.E. Wraige, in the absence of his bishop, John Hunter at the W.C.C. Assembly at Amsterdam, issued a strong statement in his diocesan magazine Highway

110. H.N.P. INFORMATION OFFICE, The National Party's Colour Policy, op. cit., p. 2.
111. House of Assembly Debates, 755, 24.8.1948, Mr J. Christie (Labour, Johannesburg City).
112. Ibid., 774, 24.8.1948, The Prime Minister.
113. Ibid., 775, 24.8.1948, The Prime Minister.
114. BALLINGER, M. From Union to Apartheid, Cape Town: Juta 1969, pp 246-7, and see below, Chapter Fifteen, pp. 830-2.

in September.[115] He maintained that the policy of apartheid was one "which calls for the strongest possible measure of protest and resistance by Christian people".[116] He re-stated what Episcopal Synod had said as long ago as 1938 about interference with the Cape Coloured franchise. Referring to the findings of the Fagan Commission Report and the resolutions of the Lambeth Conference a month earlier, Wraige concluded,

> The bishops, as leaders of our Church in this land, have made a consistent witness over very many years for such rights for every section of the people of South Africa. It has, unfortunately, not always been true that our Church people have followed their lead. Many of us need to shed our fears, our prejudices - and to see them for what they were, mere fears and prejudices - and our selfishness. 117

Having pointed to the gap between episcopal statements and lay opinion in the C.P.S.A., a factor of great importance in the church's ensuing struggle against apartheid, it is significant that Archdeacon Wraige spoke not only of protests but also used the word "resistance" to describe what he thought the church's response to apartheid should be. He continued,

> Part of our witness to God's truth must be that we shall take our part in resisting attacks that are being made, and that seem likely to be made, upon the rights of the Non-European citizens of South Africa. 118

Archdeacon Wraige's article was published just as the debate on apartheid in parliament was at its most intense, and at a time when many bishops were still returning to their dioceses after the Lambeth Conference. His article was quoted extensively by the Kimberley English language newspaper, the Diamond Fields Advertiser. He was interviewed by the Bloemfontein Afrikaans daily, Die Volksblad, who asked permission to publish his article in Afrikaans, and handed him a list of questions. Two examples must suffice to illustrate how effectively Wraige dealt with his questioner, and the challenge of his witness among Afrikaans speakers. Die Volksblad's circulation extended to the Afrikaans-speaking community throughout the Orange Free State and the North Western Cape, the majority of whom would have been faithful members of one or other of the three Afrikaans churches.

115. See above, Chapter 1, p. 3. Wraige was Chairman of the Executive Committee of Michael Scott's Campaign for Right and Justice between 1944 and 1946.
116. Highway, September 1948, Statement on Apartheid by the Ven H.E. Wraige. (My italics).
117. Ibid.
118. Ibid, (my italics).

Q. If I support the policy of apartheid, am I unChristian ?

A. I do not think that there are any Christian principles which uphold the policy of apartheid.

Q. By attacking or criticising apartheid, are you not, directly or indirectly, supporting Communists who have made use of the same means to undermine the Government and to bring the European section of the community into bad repute ?

A. No. The attack upon the policy of apartheid comes from a very wide section of the public of South Africa, which includes many religious bodies, Members of Parliament, social workers, and very many of those who care for the good name and prestige of the Union. I object strongly to the suggestion made by some Government spokesmen, that all who object to this policy are Communists. The names of the speakers at the great protest meeting in Cape Town provide a sufficient answer to this question. 119

The protest meeting referred to in Cape Town by Archdeacon Wraige had been organized by the Civil Rights League, who in addition organized another in Johannesburg at which the chief speakers were the Bishop of Pretoria (Wilfrid Parker), in the absence of Bishop Clayton who was still on leave in England, Mr J.H. Hofmeyr and Mrs Margaret Ballinger.[120]

A second individual whose voice was raised in opposition to apartheid before Episcopal Synod met on 17th November was Bishop Wilfrid Parker.[121] He had been elected Bishop of Pretoria in the same year that Geoffrey Clayton was chosen to succeed Bishop Karney in Johannesburg. After Leonard Fisher of Natal, the Acting Metropolitan, he was thus the most senior bishop in the Province at the time. As Priest-in-Charge of St. Cyprian's Johannesburg before 1933 he had been responsible for all African work on the Witwatersrand and, like his predecessor Bishop Furse, he was noted for his outspoken witness against all forms of racial discrimination. Bishop Parker's charge to his diocese in October 1948 drew attention to the resolutions of the Lambeth Conference and applied them to South Africa. He considered the government's franchise proposals "a grave breach of trust" with the non-European peoples of South Africa.

119. Highway, October 1948, pp 2-3.
120. Ibid., p. 2.
121. See Chapter 2 above, p. 100.

> One cannot think that the then Prime Minister would ever have contemplated for a moment that these meagre rights then conceded to the Natives would ever be filched away from them. If this were to come to pass I maintain that it would be a grave breach of trust on the part of the Europeans of the Union, and would disgrace us in the eyes of the world. 122

Bishop Parker was also concerned about the general policy of apartheid. Whilst he saw no harm in voluntary segregation, the consequences of compulsory segregation were readily illustrated by conditions in Lady Selborne. Apartheid looked to him to be "mere hypocrisy" because,

> If total segregation were carried out, and the Africans were given ample territories where they had complete social, economic and political freedom there are few of us who would quarrel with that. But every honest person knows that this will never be carried out, and to talk as though it might is mere hypocracy. The Africans are amongst us today and we know that the European population will never be willing to deny themselves the service which the Africans give to us. 123

The claim that apartheid was designed to safeguard "white civilization" was really "an excuse not for trusteeship but for a perpetual domination".[124] The Bishop, who had by then shared a platform at a protest meeting in the Johannesburg City Hall with two of South Africa's most eminent politicians to protest against apartheid, gave his reasons for speaking out.

> It would be a great misfortune if the Church were to be identified with one political party. But there are times when every citizen must say what he believes to be right with regard to political matters, that is, what concerns the "polis" of the State of which he is a member. 125

By the end of November 1948, with the exception of the three Dutch Reformed Churches, all the major Christian churches in South Africa had condemned as unchristian the policy of apartheid in general, and the new government's intention to abolish Native representation in parliament and to remove Coloured voters from the common roll in particular. The Civil Rights League published a booklet, The Church's Judgement on Apartheid, documenting the statements of all these churches.[126] Besides the resolution of the Anglican Episcopal Synod already referred to in the previous chapter, there were statements from the Annual Assemblies of the Baptist, Congregational and Presbyterian Churches, and the Methodist Conference.

122. The Kingdom, November 1948, p. 4.
123. Ibid. 124. Ibid., p. 5. 125. Ibid.
126. SAIRR Jan Hofmeyr Library, Box 42 E, pamphlet The Church's Judgement on Apartheid, published by the Civil Rights League, 1948.

The Roman Catholic view was expressed in a pastoral letter to his Vicariate in the Cape by Bishop Hennemann S.A.C., who declared apartheid to be a "noxious, unchristian and destructive policy".[127] The Bishop recalled a letter he had addressed to his priests in 1939, in which he had said that "the rights of man are inherant in his human nature, irrespective of race or colour. Any attempt therefore to introduce legislation based purely on race or colour must be opposed and condemned as unjust".[128] What was worse,

> .... all this is done in the name of Christian civilization. "Christian civilization" is, we are asked to believe, one and the same thing as "white civilization". The truth is, there is no such thing as "white civilization", and there never was. If it is "white" exclusively, it is not Christian, and if it is Christian, it is not "white". 129

The booklet also contained a forthright statement by the Wynberg Ring of the N.G.K. Sending Kerk, representative of nine Coloured congregations in the Cape Peninsula, declaring that they found geen grond in die Heilige Skrif vir Kleurapartheid nie". They urged the government not to apply compulsory apartheid laws and to seek the advice of Coloured leaders in connection with legislation proposed that affected the Coloured people.[130]

The Baptist statement deeply regretted "any aspects of the Government's policy which may involve social and economic injustice and the breaking of solemn pledges given to the non-European people of the Union", and condemned any tampering with franchise rights entrenched in the South Africa Act. The Assembly also warned of "the rising tide of bitterness and resentment, non-co-operation and hatred."[131] The Congregational resolution declared its "unconditional opposition" on the ground that the government proposed to remove a right "which was theirs ever since the introduction of responsible government in the Cape".[132] They warned that these proposals could only lead to "increasing racial bitterness and ultimately to strife", and that "any policy of injustice and oppression will have disasterous repercussions on the whole community".[133] It was their "sincere conviction" that apartheid "has no sanction in the New Testament Scriptures" and is "diametrically opposed to

127-128. Ibid., p. 14. 129. Ibid., p. 15. 130. Ibid., p. 9.
131. Ibid., p. 6. 132-133. Ibid., p. 7.

the teaching of Jesus Christ, and His concept of the Fatherhood of God and the Brotherhood of Man".[134]

The Methodist Conference declared to its one million members of all races that "no person of any race should be deprived of constitutional rights and privileges merely on the grounds of race", and called upon the government to reconsider its intention.[135] They expressed "grave concern" about "the deteriorating position of the Indians in South Africa" and asked the government to invest the Natives Representative Council "with such powers and prerogatives as will enable it to render effective service to the African people for which the experience and qualifications of its members so well fit them".[136]

The General Assembly of the Presbyterian Church addressed its resolution to the Prime Minister and the Minister of the Interior, saying,

> The General Assembly views with alarm and sorrow the suggested proposals of the Government of the Union of South Africa to deprive the Africans of their present Parliamentary representation, and to take from the non-Europeans their long-established and pledged rights to vote on the common roll. The Assembly considers that any such action will be a retrograde step and contrary to the many and fervid claims of the Europeans in South Africa to recognise the responsibility and Christian Stewardship [sic] towards the African and non-European people of the Union. Our earnest prayer is that White South Africa may be saved from the contempt in the eyes of the world which such action is bound to produce. 137

The work of the Civil Rights League in compiling a booklet containing the resolutions on apartheid of its constitutent churches prompted the Christian Council to write to the Prime Minister asking for an interview, "so that these views should be placed before the Prime Minister personally by representatives of the Churches concerned".[138] After furnishing the Prime Minister's office with the names of those who would be members of their delegation, which was to have comprised the heads of five Churches, three Mission Boards, and the Vice President and Secretary of the Christian Council, and

134. Ibid.
135. Ibid., pp 11-12.
136. Ibid., p. 12.
137. Ibid., p. 13.
138. Wits. Archive, CCSA papers, letter from CCSA Secretary (S.G. Pitts) to Prime Minister's Private Secretary, 23.11.1948.

possibly a Roman Catholic delegate[139] the Christian Council received this letter written by the Prime Minister's Private Secretary on 31st January 1949, refusing out of hand the request for an interview.

> With further reference to your letters of 23rd November and 13th January last I am directed by the Prime Minister to state that he has carefully studied the wording and contents of the resolutions adopted by the constituent and associated bodies of your Council, and which your deputation wishes to place before him personally.
>
> The Prime Minister considers the views expressed in these resolutions and the terms in which they are couched, as extremely one-sided and exaggerated. Besides, apart from their present political intent they obviously, though impliedly stigmatize the existing as well as the traditional policy of the country as unjust, anti-Christian and immoral.
>
> As far as the reference to the alleged demands of Scripture and Christianity is concerned, the Prime Minister disagrees with the interpretation in terms of political theory and practice, contained in these resolutions, and finds himself unable to agree that such interpretation ever can be the monopoly of any particular person or Church or group of Churches.
>
> In these circumstances the Prime Minister cannot regard the interview you desire otherwise than as an opportunity to lodge a protest, and not for the purpose of discussion or enlightenment. As the views your proposed deputation obviously holds are already sufficiently and capably represented in the field of party-political discussion and further with a view to the Prime Minister's renewed attempt to have the Native question dealt with on a non-party basis, he does not think that the proposed interview can serve any useful purpose.
>
> I have the honour to be Sir,
> Your obedient servant,
> J.D. LOUW, Private Secretary.[140]

Where the new Prime Minister had agreed to see Dr. J.D. Rheinallt Jones and a delegation from the South African Institute of Race Relations in September 1948, this blunt refusal to meet with the heads of member churches of the Christian Council was unprecedented.[141] It marked the abrupt change that had taken place in

139. Wits. Archive, CCSA papers, letters from CCSA Secretary to Prime Minister's Private Secretary 5.1.1949 and 13.1.1949, and letter from Prime Minister's Private Secretary to CCSA Secretary 28.12.1948.

140. Wits. Archive loc. cit., letter from Prime Minister's Private Secretary to CCSA Secretary, 31.1.1949.

141. Wits. Archive, Rheinallt Jones Papers JDRJ/DAR, memorandum to the Prime Minister op. cit. See above, p. 145, reference 109.

Church-State relations since the affable relationship which had prevailed between the government led by Field Marshal Smuts and Archbishop Darbyshire. Soon after the Christian Council published this correspondence with the Prime Minister in February 1949, Dr. A.B. Xuma, President-General of the African National Congress, wrote to the Minister of Native Affairs Dr. E.G. Jansen, asking him to meet with African leaders in order to explain apartheid policy. Over a month later no reply had been received and there is no record of such a meeting having taken place. "But this is not any worse I suppose, than the Prime Minister's refusal to meet representatives of the Christian Council" was the rueful comment of "I.C. Darklie" in a letter to Highway, the diocesan magazine of the diocese of Kimberley.[142]

The meaning of apartheid had in one sense been explained. The new government had signified that it would not tolerate criticism of its policy from the member churches of the Christian Council. Dr. D.F. Malan's letter to the Christian Council indicated the confidence he felt in his own ability as a qualified theologian to discount the condemnation of his policy of apartheid as unchristian by other churches. It was however a matter of some importance to the Nationalist government, faced by this forthright challenge to their policy by the member churches of the Christian Council, that they should have the judgement of the Afrikaans churches on apartheid policy before they were ready to face their critics with confidence. It is the purpose of the next chapter to describe the process whereby the Afrikaans churches and the Prime Minister's own church, the N.G.K. in particular, set the seal of approval on the political policies of the National Party government between 1948 and 1951.

142. Highway, June 1949.

CHAPTER FOUR.

THE LEGITIMATION OF APARTHEID BY THE N.G.K. 1948-1952.

EARLY BIBLICAL ARGUMENT IN SUPPORT OF APARTHEID: "TOTIUS" AND THE F.A.K.

Professor Dunbar Moodie has rightly identified the datum point for Afrikanerdom's adoption of the term "apartheid" to describe its political philosophy as the Volkskongres organized by the F.A.K. in 1944.[1] It was at this congress that Professor J.D. du Toit ("Totius") of Potchefstroom delivered a paper entitled "Die Godsdienstige Grondslag van die Rassebeleid, in which his whole theme was upon God as "Skeiding-maker".[2] He set out to show that from the beginning God had separated the different orders of creation, culminating in the creation of man himself.

> *Ja, ook die mens, die hoogste van die werk van God, kom in onderskeidenheid te voorskyn .... elkeen word afgesonder in sy eie kraal.* [3]

Du Toit believed that the climax to this process of creation was reached with the war of languages in the tower of Babel.

> *Nou kom die Here weer as die Skeidingmaker. Hy sê: Daar is hulle nou een volk en het almal een taal ! En dit is net die begin van hulle onderneming. (Gen 11;6) Deur taalverwarring "het die Here hulle [toe] oor die hele aarde verstrooi". (11;9).* [4]

Texts from the New Testament, like Matthew 24;7 and Acts 21;24, were then employed to show that the peoples ("die volke") of the world must uphold their own interests by fighting against "die Babiloniese gees van eenmaking".[5] For texts like Col. 3;11 and Gal. 3;28 which emphasized that in Christ there was no separation between Greek and Jew, barbarian and Scythian, and that all are one in Christ Jesus, "Totius" had his own answer:

> *Ongelukkig vir diegene wat hulle vir die eenmakingsgedagte op hierdie apostoliese woorde beroep dat die Griek en Jood, die barbaar en vryman nog altyd daar is ! Selfs die slaaf ontbreek nie, ook al is slawerny afgeskaf. Die Evangelie moet volgens hulle in hierdie opsig 'n mislukking gewees het.* [6]

1. MOODIE, T. Dunbar, The Rise of Afrikanerdom, Berkeley: University of California Press 1975, pp. 273, 248; and Inspan, October 1944.
2. DU TOIT, J.D., Die Godsdienstige Grondslag van ons Rassebeleid en die Skrif, including articles by Professor J.D. du Toit and Professor S. du Toit, Potchefstroom: Pro Rege Pers 1955, pp. 5, 7. Die Argief, N.G. Kerksentrum, Cape Town.
3. Ibid., p. 6. 4. Ibid., p. 7. 5-6. Ibid., p. 9.

> .... *Wie in Christus is, is geestelik een, al bly die aardse onderskeidinge bestaan.* 7

He saw the history of Christendom on the continent of Africa, from the earliest times of Augustine, Cyprian, Tertullian, Athanasius, Origen and Clement of Alexandria, to the trek of the Afrikaner and the bringing of Dutch and English culture to Southern Africa as all falling under the providence of what Paul had said as he set out on his first missionary journey, "In past generations he allowed all the nations to walk in their own ways; yet he did not leave himself without witness".[8] Totius' conclusion is interesting, for it expressed the basis of so much of Afrikanerdom's civil religion:

> *Ten eerste, wat God saamgevoeg het, moet die mens nie skei nie. Dit is die kern van ons pleidooi vir volkseenheid....*
>
> *Ten tweede mag ons ook nie saamvoeg wat God geskei het nie. In die pluriformiteit word die raad van God verwerklik. Die hoëre eenheid lê in Christus en is geestelik van aard.*
>
> *Gevolglik wil ons geen gelykstelling en ook geen verbastering nie.*
>
> *Gelykstelling openbaar die Babiloniese plan van gelykmaking wat deur God in die vlakte van Sinear verydel is. Gelykstelling waar geen gelykheid moet wees nie, is mensewerk. Gelykheid in die sin van dooie eenvormigheid bestaan daar dan ook nie onder die nasies nie ....* 9

He cited with approval the pamphlet of J.G. Strijdom, Die Rassevraagstuk en die toekoms van die blankes in S.A., which had commented that had Jan van Riebeeck been a Roman Catholic there would not have been a pure white race in South Africa, and concluded,

> *Die beleid van assimilasie word grootendeels gevolg in die dele waar die Roomse nasies die oorhand het.* 10

Thus as Protestants, and as in the Southern States of North America, he would heartily endorse what Dr. F.G. Badenhorst had said,

> *Wie in die gees van die geopenbaarde Wil van God vir rassuiverheid staan, suiverheid van die ras as sodanig, sondig nie.* 11

1 Cor. 7;18-24 he saw as a pericope, which had a message from on high for the Afrikaner whose duty it was to uplift the Native in

7. Ibid., p. 10.
8. Acts 14;16-17 (R.S.V.)
9. DU TOIT, op. cit., p. 14.
10. Ibid., p. 16.
11. Ibid., citing BADENHORST, D.G., Die Rassevraagstuk, p. 116 to show purity of race as such was not sinful.

his minority and dependence. The Afrikaner was called to be the torch-bearer for black Africa, the giver of light.[12]

Attention has been directed to "Totius'" paper to the 1944 F.A.K. Volkskongres because of its seminal influence upon Afrikanerdom's tenacious belief that apartheid had biblical sanction. Ten years later the article was re-published along with another by his son, Professor S. du Toit, who by then had succeeded to the chair of Biblical Theology at the Gereformeerde Kerk's stronghold at Potchefstroom University, as a Festschrift in honour of that original lecture. He, too, set out to show that "rassevermenging .... is sonde teen Gods ordinansie",[13] and that the Afrikaner's perception of the need to preserve his identity was not just a matter of biology but an undertaking of faith ("'n geloofsaak").[14]

Lest the opinion of "Totius" be discounted as being only the view of one Professor of only one of the Afrikaans churches, and that the F.A.K. and hence Dr. Malan's H.N.P. had based its conclusion on the ideas of a minority theological position, it was important for Afrikanerdom's peace of mind that the synods of the largest Afrikaans church, the N.G.K., should pronounce their view on the matter. Under the auspices of the Federal Mission Council of all the Afrikaans churches, a Volkskongres was organized at Bloemfontein in July 1947 (the precursor to the larger congress of 1950) at which it was decided that there were sufficient scriptural grounds for the policy of apartheid.[15] The issue was then also taken up by standing commissions of the N.G.K. (Transvaal) and the N.G.K. (Cape). In the midst of the general election campaign in April 1948, the Transvaal Synod of the N.G.K. considered a report of its Sinodale Kommissie vir Aktuele Vraagstukke that dealt with "die skriftuurlike grondslae van die beleid van rasse-apartheid en voogdyskap".[16] Some incorrectly assumed that because the report had to be referred back to the commission for further study, the Synod had declared itself

12. Ibid., p. 20, "fakkeldraers vir swart Afrika .... liggewers".
13. DU TOIT, op. cit., article by Prof. S. du Toit, "Openbaringslig op die Apartheidvraagstuk", p. 30.
14. Ibid., p. 34.
15. DE KLERK, W.A., The Puritans in Africa, London: Rex Collings 1975, p. 222.
16. NGK, Agenda van die 21ste Sinode van die Ned. Herv. of Geref. Kerk van S.A., NGK 1948, p. 279, B, "Verslag Aktuele Vraagstukke". Die Argief, N.G. Kerksentrum, Cape Town.

against apartheid as a policy. This was not so. Dr. Ben Marais explained it thus at a press conference:

> *Oor die beleid van apartheid was die hele Sinode dit skynbaar eens. Ek as voorsteller het daaroor geen twyfel gelaat nie. Die besluit beteken derhalwe hoegenaamd nie 'n afwyking van ons tradisionele beleid nie. Al wat ter sprake was, was sekere skriftuurlike gronde wat in 'n sekere verslag voor die Sinode gedien het. Daaroor was meningverskil en die Sinode het besluit om die saak na die kommissie terug te verwys.* 17

THE DEBATE IN DIE KERKBODE, 1948.

In the same issue of Die Kerkbode in which the editor, Professor T.N. Hanekom, had acclaimed the victory of Dr. Malan in the election, a brief letter appeared from P.V. Pistorius, Professor of New Testament at Pretoria University, severely criticising the above Report for "foutiewe eksegese".[18] Professor Pistorius assured readers that he stood for rasse-apartheid, but not on the grounds advanced in this Report. Matt. 18;17, which referred to the separation between Jew and Samaritan, had been wrongly used to show that Jesus accepted the principle of social apartheid. Paul's warning to Christians not to eat with heathens (1 Cor. 8) had been falsely used to justify the same principle. The first text, he said, "het met rasse-apartheid niks te doen nie, en nog minder met sosiale apartheid tussen verwante volke".[19] The second text was "nie oor sosiale apartheid nie".[20]

A five-week silence was broken by a long and full critique of the Commission's work by the Professor of Old Testament at Pretoria University, Dr. Ben Marais.[21] He found most of the efforts that were made to find direct biblical grounds to support a policy of rasse-apartheid utterly unconvincing("uiters onoortuigend") and shocking ("skokkend").[22] He pointed out that the Afrikaner nation was itself a mixture of races and people; that the unity

17. Die Burger, 12.4.1948,"Sinode se beleid insake apartheid".
18. Die Kerkbode, 2.6.1948, p. 1279, letter from P.V. Pistorius.
19. Ibid. 20. Ibid.
21. Die Kerkbode, 14.7.1948,p. 1596.
22. Ibid.

of Israel was a religious unity and not a biological one; and that the moment that Ruth had said "Your God is my God" the walls between her and Israel came down. The injunction to Jews not to associate with heathen tribes was for a religious reason, not a biological or a racial one. There were parallels between the history of Israel and that of the Afrikaner. Both were surrounded by a sea of heathendom. Mixing ("vermenging") for the Afrikaner held the same dangers as for Israel. If rasse-apartheid were indeed a principle of scripture, why was it that only non-whites were singled out ? The precept of the New Testament was that believers must not mix with unbelievers. He could say a great deal about the cogent practical and Christian grounds which had led to a policy of apartheid. The policy which had developed from these practical circumstances (of Afrikaner history) was not "rasse-apartheid" but "apartheid gegrond op kleur".[23] He could find no direct grounds in scripture for either.

Between the beginning of August and the middle of October Die Kerkbode published no less than 166 column-inches of vigorously argued letters, most of the them in opposition to the views stated by Marais and Pistorius. On the 20th October, after a lengthy reply by Professor Pistorius, the Editor delared the correspondence closed on the grounds that the subject was sub judice, since the matter had been referred back to the Commission for further study by the Transvaal Synod. The Editor stated that he thought that Pistorius had gone too far in his criticism of the Transvaal Synod Report.[24]

J.F. Brits of Hartelus in the Transvaal said that if racial mixing between black and coloured was allowed they would be violating many of the ordinances of God.[25] Dr. Marais was told by F.A. Kock of Bloemfontein that the question was not merely a practical matter but an issue of principle:

> *Ons sien hierin dat 'n volk die weg van God verlaat, nie net wanneer hy sy godsdiens onsuiwer laat word nie, maar ook sy bloed laat verbaster.* 26

23. Ibid., p. 1597.
24. Die Kerkbode, 20.10.1948, p. 939.
25. Die Kerkbode, 4.8.1948, p. 265, J.F. Brits, letter.
26. Ibid., letter from F.A.Kock, who repeated the view in a further letter to Die Kerkbode 13.10.1948, p. 875: "Bloedvermenging is nie 'n suiwer praktiese kwessie, gegrond op tydsomstandighede alleen nie - nee dis 'n prinsipiële kwessie gegrond op die heilige verbondseise van die Here."

"Bloedvermenging" was not just a biological question, but a cultural question, and in the final analysis an issue of belief.[27] Ds. E.A. Venter of Tarkastad argued that Israel was more than a religious group ("geloofsgroep"). They also had a political and cultural unity. However, since they had no community with the children of Israel, "En die proseliete het .... nog altyd vreemdelinge gebly".[28] Particularly dangerous was Dr. Marais' view that apartheid was only a policy based on practical circumstances, because

> .... *die noodsaaklikheid van apartheid sal verdwyn wanneer die omstandighede anders sou wees.* 29

The Secretary of the Commission that had produced the original report that was now being so severely questioned, Dr. S.H. Rossouw, wrote at great length in order to show that the principle of apartheid was like"n goue draad wat dwarsdeur die Bybel loop".[30] He pointed out that exegesis was only a science that sought the true meaning of the Word, and the spirit of Scripture. He set out to prove that "die verbasteringsproses van rasse .... in stryd met die ordinansies van God [is]".[31] Noah, the Tower of Babel, injunctions to the Israelites against mixing with the Canaanites (Exodus 12;88), all showed that this kind of mixing was contrary to the ordinances of God. It was the mixed people whom Israel urged to return to the fleshpots of Egypt ! (cf. Numbers 11;4-5.)

> *Begryp eens, God lei Israel uit die slawehuis om hulle 'n groot volk te maak en Hy neem hulle "apart" en hulle - nie die "gemengde bloed" nie, maar die volk self - praat smalend van hul leier as "daardie Moses" en hulle maak 'n goue kalf. As die "skriftuurlike apartheid" dan net bedoel sou wees om godsdienstige redes, soos van u korrespondente beweer dan is hierdie stukkie kalwerdiens voorwaar vreemd ! Nee, God het Israel sekerlik ook geskei van sy buurnasies om nasionale, sosiale en godsdienstige apartheid te bestendig.*
>
> .... *Ou Israel was wel 'n "geloofsgroep" maar ook 'n nasionale volkseenheid wat vandag nog sy apartheid handhaaf deur nie maklik met ander te assimileer nie. Jona was bv. so 'n enge patriot dat hy selfs teen Gods bevel geweier het om vir die Niniviete te gaan preek.* 32

27. Ibid.
28. Die Kerkbode, 11.8.1948, letter from Ds. E.A. Venter, p. 317.
29. Ibid.
30. Die Kerkbode, 25.8.1948, p. 442, letter from S.H. Rossouw.
31. Ibid.
32. Ibid., p. 443.

The first letter written in support of the Marais-Pistorius position came from J.S. de Villiers of Noordhoek, who argued that

> *.... die Bybelse apartheid is gegrond op godsdiens en geloof nie op rasse nie .... Die apartheid waarmee ons hier in ons land te doen het, is nie een van ras of geloof nie, maar wel van kleur. Ons vaders het 'n lyn getrek tussen blank en gekleurd en ons handhaaf dit en vertrou dat ons kinders dit ook sal doen; en ons het die volste reg daartoe, maar ons het nie die reg om die Bybel te gebruik as 'n krag vir ons handelswyse nie, want ons het geen bewysgrond daarin nie. In die Bybel is nêrens 'n kleurlyn nie, en in die hemel sal daar ook nie een wees nie.* 33

The Editor's comment was that he had not drawn the correct implications from earlier correspondence. However, Mr de Villiers' letter was brief and well-argued. He pointed to the many examples of racial mixing in the Bible and concluded,

> *Nee, daar was nie rasse-apartheid nie - die enigste was tussen die Jode en Samaritane - en hulle was ook nie rasseg nie.* 34

Ds. R.H. Venter of Die Sendingpastorie, Hoopstad, made the necessary point that there were many among the Coloured peoples who were "God se volk". Coloureds and Natives who were Christians could not be lumped together with the heathen:

> *Laat die diskriminasie dan veral wees teen die kommunisme wat met godsdiens niks te doen wil hê nie.*
>
> *Bowenal moet die naturel nie geminag word omdat hy 'n swart vel het nie. Die Here het dit aan hom gegee.*
>
> *...."Alles wat julle dan wil hê dat die mense aan julle moet doen - net so moet julle aan hulle ook doen: want dit is die wet en die profete".* 35

Professor Pistorius' reply, with which the debate concluded on 20th October 1948, justly rebuked his critics for failing to answer his points about the exegesis used in the Report. There was the possible exception of some oblique references("sydelingse verwysing") made by Dr. Rossouw.[36] One correspondent had tried to show that Israel practised "volksapartheid".[37] But there were still proselytes who belonged to other races. Did their children not belong to the other race just as their fathers ? Nor had he answered Dr. Marais, when he had asked where in the New Testament

33. Die Kerkbode, 1.9.1948, p. 506, letter from J.S. de Villiers.
34. Ibid.
35. Die Kerkbode, 8.9.1948, p. 572, letter from Ds. R.H. Venter.
36. Die Kerkbode, 20.10.1948, p. 937, letter from P.V. Pistorius.
37. Die Kerkbode, 6.11.1948, p. 808, and 11.8.1948, p. 317, letters from Ds. E.A. Venter.

was it taught that believers should keep apart from other believers on grounds of "volk of ras", and where in the Old Testament was Israel forbidden to have fellowship with those of other races who had come to a belief in Jahweh ?

> *Ons loop gevaar dat ons die Skrif aan ons eie opvattinge diensbaar wil maak. Ons meen dat ons aan rasse-apartheid glo. Dan moet ons eksegete maar eenvoudig sorg dat die Skrif saamstem !* 38

With reference to the texts 1 Cor. 10;32 and Gal. 3;28, these could not be interpreted as though Paul wished to deny the continued existence of separate peoples and races ("die voortbestaan van aparte volke en rasse"), just as he would not have wished to deny the separate existence of men and women, or slavery, either.[39] He accepted Dr. Rossouw's point that apartheid ran like a golden thread through the Bible. But this was "'n geloofsapartheid" and not "'n rasse-apartheid". As for "kleurapartheid", this was "'n kaartjie" of a different colour. There was no objection to mixing with people of other races provided they were"assimileerbaar". So far as "kleurvermenging" was concerned, he could find no direct reference to this in either the New Testament or in Early Christian literature, in the same way as there was nothing in the New Testament about the atom bomb.[40] Were there derived grounds ("afgeleide gronde") or general principles ("algemene beginsels") ? Professor Pistorius' answer was a qualified yes. Scripture told us to honour one's father and mother. He supported apartheid because the heritage of his parents would disappear with "kleurvermenging".

> *Omdat ek weet dat kleurvermenging die dood van ons volk en van ons Westerse beskawing hier in Suid-Afrika sal beteken, beoefen ek apartheid.... Maar ons mag nie die Skrif aan ons opvattings diensbaar maak nie ....* 41

The correspondence columns then remained silent on the subject until the Report of the Commission of Die Raad van Kerke had been adopted by the Cape Synod of the N.G.K. on 20th October 1949, and was published in Die Kerkbode on 21st December 1949. This was followed by the publication of an article "Ons Kerk en die Rasse-probleem by Dr. G.B.A. Gerdener, an address he had given originally in English on 25th January 1950 at the Summer School of the South

38. Die Kerkbode, 20.10.1948, p. 938.
39. Ibid. 40. Ibid. 41. Ibid., p. 939.

African Institute of Race Relations.[42] In this article Dr. Gerdener emphasized the positive aspects of the term"eiesoortige ontwikkeling", to distinguish it from the negative connotation of "apartheid" which, he said, the N.G.K. also did not like. He could see the force of certain African objections to apartheid, and quoted the Revd. Seth Mokitini's criticism that to the non-European "apartheid is synonymous with oppression".[43] However, it was strange that where "segregasie" had been the "erkende patroon" for a long time in South Africa, it was the N.G.K. that should now be criticized, when in practice almost all churches followed this policy. It was strange that biblical grounds were sought for segregation. Why was this not done for integration ? The N.G.K. believed that the whole question should be taken out of party politics. In her own development it was the principle of trusteeship that was "volmondig aanvaar". There had been a time in our land when the Afrikaner (including the N.G.K.) had been well on the road to being anglicized ("verengels te word").

> *Die Ned. Geref. Kerk met sy hele hart glo dat die bydrae van elke rassegroep in ons vaderland moet gewaarborg bly en dat hiertoe die weg van segregasie en nie van integrasie die juiste is.* 44

> *.... Die Ned. Geref. Kerk verkies om die regte beginsel te aanvaar en dan sonder vrees vorentoe te gaan hoewel al die implikasies nie enduit duidelik is nie.* 45

According to Dr. Gerdener, therefore, the division between the N.G.K. and her daughter churches was not on the grounds of colour or racial differences but because of cultural and other dissimilarities.

The correspondence columns of newspapers are notorious for generating extremes of view, and this extended debate on the scriptural basis for apartheid in Die Kerkbode in 1948 was no exception. However, a great majority of faithful members of the N.G.K. had voted for Dr. Malan's party, knowing him to be an ordained minister of their church. This debate therefore needs to be seen against the background of the strong opposition from other churches who said that apartheid was contrary to biblical teaching. Afrikaner Christians who had voted for the H.N.P. now needed the assurance

42. Die Kerkbode, 15.2.1950, "Ons Kerk en die Rasseprobleem" by G.B.A. Gerdener, p. 295.
43. Ibid. 44. Ibid., p. 296. 45. Ibid., p. 297.

of their church that the principle of apartheid was not denied by scripture. The debate in Die Kerkbode served to reveal the weakness of the work being done by the Kommissie vir Aktuele Sake of the N.G.K. Transvaal Synod, which had Dr. S.H. Rossouw as its Secretary. It is interesting to note that by the time the issue again surfaced in October 1949, it was when the N.G.K. (Cape) Synod received the report of the Inter-Church Commission of the Council of (Afrikaans) Churches on Race Relations. The ensuing discussion of the reception of (1) the Report of the Inter-Church Commission on Race Relations by the N.G.K. (Cape) Synod in October 1949, (2) the Federal Mission Council's Bloemfontein Congress in April 1950, and (3) Die Rapport oor die Skriftuurlike gronde van rasse-apartheid adopted by the N.G.K. (Transvaal) Synod in 1951 is done with two purposes in mind. Firstly, to assess the extent to which the Afrikaans churches provided ecclesiastical legitimation for state policy between 1948 and 1951; and secondly, to give an indication of the kind of arguments that were used in support of the view that the principle of the political policy of compulsory racial separation could be supported by biblical precedents and principles.

THE N.G.K. (CAPE) SYNOD, OCTOBER 1949.

On 20th October 1949 the N.G.K. (Cape) Synod gave a very warm and sincere welcome to Archbishop Geoffrey Clayton and his Co-adjutor Bishop, Sidney Lavis.[46] In welcoming the Archbishop, the Moderator, Dr. A.J. van der Merwe, said that while there were "differences in outlook, temperament and approach" between Anglicans and Dutch Reformed, "there was no reason why there should not be mutual esteem and mutual faith".[47] In his address Clayton apologized for not being able to speak Afrikaans. He complimented the Dutch Reformed Church on the way it had made its people conscious of the obligations of church-going. Because of that the drift from religion was less in South Africa than elsewhere. He told

46. Handelinge van die een-en-dertigste vergadering van die Sinode van die Ned. Geref. Kerk in Suid-Afrika, gehou te Kaapstad op Donderdag 20 Oktober 1949; Cape Town: NGK 1949, p. 64, Die Archief, N.G. Kerksentrum, Cape Town.
47. Christian Council Quarterly December 1949, p. 6, "Archbishop addresses D.R. Synod".

the Synod that he did not believe it was worthwhile his being there "unless I am ready to face realities".[48]

> It is obviously true that there are many matters, including some which at this time are of pressing importance, in which we do not agree with you. Yet you and we alike accept the authority of our Lord Jesus Christ. You and we alike desire above everything else in the world to see the Will of God, as declared through the teachings of our Lord Jesus Christ, done in this country. We differ as to what that Will is.
>
> It is the dearest wish of my heart that we should learn to understand one another better. Would it be worthwhile to try to do so ? It is inevitable that we should say things that are widely different .... But I think we should differ with much less bitterness. 49

The Archbishop was thanked for his address by Ds. G. de C. Murray, Minister at Three Anchor Bay, who said that the Synod endorsed Dr. Clayton's desire for better understanding. It felt gravely concerned that such different viewpoints should exist, for they could only lead to further misunderstanding.[50]

The same Synod of the N.G.K. (Cape)) that welcomed the new Archbishop of Cape Town, Dr. Clayton, and Bishop Lavis, with such warmth and friendship in October 1949, made its opinions known on the question of apartheid policy with undisguised clarity.[51] One resolution conveyed the thanks and esteem of the church for the government's courageous ("moedige") measures against mixed marriage, and asked for legislation that would make compulsory the segregation of whites, natives and coloureds in separate living areas ("aparte woonbuurte"). The same resolution by Ds. P.W. Jordaan and Ouderling J.G. du Toit respectfully requested the government to promote ("aanmoedig") in all white and non-white state schools the awakening of a healthy race-pride ("gesonde rassetrots") amongst both whites and non-whites.[52] Another resolution, by Ds. P.J. Loots, Medeleraar from Noorder-Paarl, was just as clear in its unqualified support of the new government's policy by stating that

> *Die Sinode handhaaf sy tradisionele beleid van vertikale apartheid tussen blank en nie-blank en gekleurd soos dit b v. aangewend is in die ontwikkeling van 'n self-standige*

48. C.P.S.A. Archive, Clayton papers AB 191, Sermons and Addresses, Address to the N.G.K. (Cape) Synod 20.10.1949.
49. Ibid.
50. Christian Council Quarterly loc. cit.
51. Handelinge .... van die Sinode op. cit., p. 64.
52. Ibid., p. 29.

> *Ned. Geref. Sendingkerk langs die Moederkerk, maar spreek hom uit teen enige vorm van doelbewuste horisontale apartheid wat die nie-blanke van sy algemeen menslike regte beroof.* 53

The same distinction between vertical separation and horizontal separation had been made by Dr. Eiselen. Like the Cape Synod, he too argued that vertical apartheid, the policy of the new Government, was designed to separate the races in every sphere of life, in order to enable the unimpeded development of indigenous leadership within each racial group. Horizontal apartheid, by contrast, represented a separation based on social class in a common society, whereby the blacks would automatically end up at the base of the sociological pyramid, and whites remain the dominant caste.[54]

The Report of the Tussen-Kerklike Kommissie van die Raad van Kerke on Race Relations was presented to the Cape Synod by Ds. Willem Landman, and was included in the Proceedings of the Synod, in English.[55] The principle of political and territorial segregation laid down in the 1936 Native Trust and Land Act was endorsed by citing this statement of mission policy in 1935:

> Whereas the Church declares itself against social equality in the sense of the disregard of racial and colour differences between white and black in every day life, it desires to encourage and promote social differentiation to the advantage of both groups. 56

The report recalled the decision of 1857 that the "heathen would enjoy their christian privileges in a separate building", whereby, it was said, the principles of "afsonderlike, eiesoortige ontwikkeling tot selfstandigheid" had been "laid down by our Church". The Afrikaans was translated as "separate, characteristic development towards complete self-reliance" with the observation that "only in recent years has there been agitation against it". The appeal was made to "return to the tried ways of our forefathers", and this agitation was deplored.

> Your Committee wishes to stress that by a sound and just application of this policy of separate characteristic development towards complete self-reliance, the D.R. Church does not aim at or desire any inferiority, much less oppression.

53. Ibid., Resolution B 53, "Apartheid".
54. EISELEN, The Meaning of Apartheid, op. cit., p. 6.
55. Handelinge .... van die Sinode, op, cit., p. 458, "Report of the Committee on Race Relations", H 4.
56. Ibid.

> On the contrary, the Church regards this policy as a means to an end, viz. that of self-assistance and self-reliance for every racial group according to its own character and needs....
>
> This policy .... most effectively attempts to lead all these existing and dissimilar groups to realise their destiny as entirely worthy [volwaardige] members of Church and State ....
>
> Only "vertical" separation will allow each group to reach its highest development, whereas the "horizontal" view which hinders the non-European in his separate characteristic development towards complete self-reliance, is rejected by your Committee. 57

The Report, which was accepted by the Synod, also declared that there were

> .... scriptural grounds for our conception of the differences between and characteristics of the races",

and that the principle of "afsonderlike, eiesoortige ontwikkeling tot self-standigheid" .... "is scriptural".[58] The reasons advanced in support of this conclusion are summarized below:

(1) Gen. 5; 18-21, Amos 9;7 are cited to support the view that "the human race .... fulfils its function on earth by means of various races and nations".[59]

(2) Christ "upheld the distinction between the Centurion .... and Israel" (Matt. 8), "between the Syro-Phoenician woman and Israel" (Matt. 15), and between "the Samaritan woman and the Jews" (Matt. 4).[60]

(3) "At Pentecost the existence of various nations and races in the same Christian fellowship was not abolished". (Acts 2;9-11).[61]

(4) "At the second advent of Christ God will be glorified by the redeemed out of every tongue and nation". (Rev.5;9).[62]

(5) When Paul "speaks about our oneness in Christ [he] refers only to a spiritual oneness". (Gal. 3;28).[63]

(6) "Holy Scripture nowhere denies the natural differences between nation and nation, race and race. On the contrary .... the existence of various races and nations was not only allowed by God, but was specifically willed and ordained by him". (Acts 17;26).[64]

57. Ibid. 58. Ibid., p. 459. 59. Ibid., (a).
60. Ibid., (b). 61. Ibid., (c). 62. Ibid., (d).
63. Ibid., (e). 64. Ibid., (f).

(7) "There is nothing in the letter or spirit of the Old or New Testament which is at variance with this policy .... although Holy Scripture nowhere specifically .... makes a pronouncement in this regard".[65]

(8) "If a tree is known by its fruit, and note is taken of the blessings resulting [from it] .... your Committee is convinced that this policy has been formed and thus far followed under the guidance of the Holy Spirit, and that it is in accordance with the will of God".[66]

(9) "Both our fathers and we [are] .... convinced that we were not acting contrary to the Spirit of Christ and Holy Scripture .... God has blessed our policy and our work, and this inspires us to continue on this road".[67]

Whilst the N.G.K. (Cape) Synod's endorsement of the principle of apartheid was whole-hearted and unequivocal, and the policy of "afsonderlike, eiesoortige ontwikkeling tot self-standigheid" was declared to be scriptural, it should be noted that there was no trace in this report of 1949 of any of the points of exegesis that had been so rigorously questioned in the correspondence columns of Die Kerkbode in 1948. Nor was there any trace of what Professor Verkuyl later characterized as "Ham-theology".[68] There was no attempt to manipulate the genealogical tables of Matthew 1. Nothing was said of Israel's religious or cultural exclusiveness. It was not said that God's separation of Israel from Egypt was for the purpose of maintaining Hebrew racial purity. There was no mention of Ruth. The injunctions against mixed marriages in Deuteronomy and Nehemiah were not repeated. All the debatable points of earlier arguments were omitted. Yet the conclusion left no doubt that the influential Cape Synod of the N.G.K. believed that there were sufficient scriptural grounds on which to base a policy of compulsory segregation of the races in South Africa.

65. Ibid., (g). 66. Ibid., (h). 67. Ibid.

68. VERKUYL, Johannes, Break down the Walls; a Christian cry for Social Justice, tr. Lewis B. Smedes, Grand Rapids: Eerdemans 1973, pp 30-33. (In the 18th and 19th Centuries there appeared so-called theological writings which made use of pseudo-theological manipulations of Genesis 9;24-27 to justify slavery. The curse of Canaan, it was suggested, rested upon the sons of Ham, who were black. Blacks therefore were pre-destined to be slaves, whereas the sons of Shem and Japheth, the Aryan races, proceeded to the inheritance of Canaan.)

THE BLOEMFONTEIN CONGRESS, APRIL 1950.

Now we must turn to the important Church congress on the "Native Question" organized by the Federal Mission Council of all the N.G. Churches, at which representatives of both the Hervormde and the Gereformeerde Kerke were also present. This took place at Bloemfontein from 4th-6th April 1950. No blacks were invited to attend "because we ourselves first wished to gain clarity on our own policy".[69] Among the observers present were Dr. Arthur Blaxall, the Acting Secretary of the Christian Council of South Africa, and the Dutch theologian Dr. J.C. Hoekendijk on behalf of the World Council of Churches, both of whom recorded their impression of the Congress.[70] Mrs Winifred Hoernlé and Mr F.J. van Wyk were also there for the South African Institute of Race Relations.[71]

Dr. Blaxall "heard an experienced observer say that it was difficult to believe that it was a gathering of churchmen and not a meeting of politicians"(72) and certainly this is the distinct impression given when this abbreviated summary of its six most important points of principle is studied. It reads like a party-political manifesto:

(a) *Die Kongres wil die oortuiging uitspreek dat die enigste blywende oplossing van die rassevraagstuk ten opsigste van wit en swart ook op ekonomiese terrein geleë is in uiteindelike totale skeiding van blanke en nie blanke en 'n gedifferensieerde ekonomiese ontwikkeling van die naturel in sy gebiede. (Verslag van kongres bl. 117).*

(b) *Die beleid van uiteindelike vermenging word verwerp omdat dit lei tot onnodige botsings tussen die twee rasse.... (bl. 131)*

(c) *Die beleid van aparte ontwikkeling word aanvaar as die gesonde grondlag waarop sowel blankes as Bantoe gelukkig kan saamlewe sonder dat die belange van die een in botsing kom met die belange van die ander en sonder dat die een die ontwikkeling*

69. Statement for General Information issued by the Church Congress of the Dutch Reformed Federated and Mission Churches on which the Hervormde and Gerformeerde Churches were represented, in connection with the Native Question; held at Bloemfontein on April 4-6 1950. Bloemfontein: N.G. Sendingspers 1950.
70. Wits. Archive, CCSA papers, letter Blaxall to Grant "Strictly Private", 22.4.1950; and HOEKENDUK, Dr. J.C., South Africa, an Informal Travel Diary, Nos. 1-5, "Confidential".
71. Wits Archive, CCSA papers, letter Blaxall to Grant op. cit., p. 1.
72. Ibid, and cf. Church News 17.5.1950, "Dutch Reformed Church and Apartheid: A critical review of the Bloemfontein Conference" by the Revd. A.W. Blaxall, Official Observer for the Council of Churches, and The Forum 22.4.1950, "The D.R.C. Vision of Self-Sacrifice" by the Revd. A.W. Blaxall, Acting Secretary of the Christian Council of South Africa.

van die ander as 'n gevaar of bedreiging vir homself sal aanvoel. (Verslag bl. 131.)

(d) Die staatkundige toekoms van die Bantoe moet met 'n langtermynbeleid helder en duidelik aangedui word. (bl. 131).

(e) In sy eie gebied moet die Bantoe ooreenkomstig sy eie nasionale agtergrond, bevrug deur die Christelike beskawing, op natuurlike wyse gelei word om tot volle nasieskap te ontwikkel. (Verslag bl. 131).

(f) Die Bantoe sal geleer word dat hy in die blanke gebiede nooit op direkte politieke regte aanspraak sal kan maak nie; eweneens sal die blankes nie geregtig wees tot politieke regte in die Bantoe se gebiede nie. (Verslag bl. 132).[73]

Dr. Blaxall's impression was that whilst it was"true that attention was given to the biblical aspect of race relations .... only a few diehards attempted to maintain that racial separation is rooted in the scriptures".[74] He found that "most inclined to the convictions of Prof. Keet".[75] Dr. Hoekendijk, who according to Blaxall, "received a great welcome"[76] remarked wryly how the "W.C.C. visitor is expected to be nothing more than an observer and is conceived .... as a probable convert to and a potential missionary of the Dutch Reformed policy".[77]

He found "wide divergence between official attitude and personal conviction".

> Several delegates admitted in personal talks, that they did not believe at all in the practicability of total apartheid .... but they did not feel free to oppose this idea openly. 78

The significance of the meeting was that

> For the first time, a body of such influence as the Bloemfontein Congress has formally accepted the policy of total apartheid, hitherto advocated only by a few nationalist theorists.
>
> It would not be correct .... that the congress decided on total apartheid. It rather contemplated how this (in principle) accepted "policy of our forefathers" could be implemented. 79

73. N.G.K., Die N.G. Kerk in Suid-Afrika en Rasseverhoudinge: Opsomming van belangerike uitsprake en besluite vanaf 1950 - Desember 1960. Pretoria: NGK Boekhandel 1961, p. 7.
74. Wits. Archive, CCSA papers, letter Blaxall to Grant op. cit.
75. Ibid. 76. Ibid.
77. HOEKENDIJK, op. cit., No. 1, p. 2.
78. Ibid., No. 2, p. 7. 79. Ibid., No. 2, p. 2.

Dr. Hoekendijk observed "an almost complete identification of 'Afrikaner-Volk' with the D.R. Church".[80] One delegate had proposed that the churches should "propagate the racial standpoint of the Afrikaner as well as the Gospel, because both are essentially one".[81] Since the "apartheid solution" would require "fantastic hardship and self-sacrifice on the side of the European population .... the Churches were asked to prepare the whole population for this self-sacrifice".[82]

Such was the strength of the churches' endorsement of total apartheid that The Star concluded:

> The Afrikaans Churches are in a unique sense the conscience of the present Government and in the absence of an authoritative statement (from the side of the Government) their policy will be regarded as accepted State policy. 83

Within a week Dr. D.F. Malan, the Prime Minister, and Dr. E.G. Jansen, the Minister of Native Affairs, dissociated their government from the main conclusions of the Congress.[84] Dr. J.C. Hoekendijk described a courtesy call on the Prime Minister, the day after he had preached to a congregation in Rondebosch where Dr. Malan, six members of his cabinet and "a score of members of Parliament" were in the congregation.

> The visit to Dr. Malan was a short courtesy call. The Premier outlined why the Dutch Reformed Churches have gone too far in advocating total apartheid. ("Impracticable. It will never be possible to expropriate enough European owned land to set up a Bantustan") and he gave as the basic motive for his policy "fear to be swamped by African barbarism". 85

He found Dr. Jansen "perhaps the most hard-boiled about keeping the African down".[86] Dr. Eiselen explained that "total apartheid is only a point of orientation on the horizon".[87] Dr. Malan said it was "the logical conclusion of the Government's policy".[88] The government press saw that "the ultimate aim would be total apartheid".[89] The Forum commented that "the pitiful spectacle has been witnessed of Dr. Malan and Dr. Jansen, the arch-apostles of Apartheid, in full panic-stricken flight from it."[90] Senator Edgar Brookes told Dr. Hoekendijk that this "first visit of the

80. Ibid., p. 6. 81. Ibid. 82. Ibid., p. 8.
83. The Star, 10.4.1950.
84. HOEKENDIJK, op. cit., No. 2., p. 9.
85-87. Ibid., No. 5, p. 4. 88-89. Ibid., No. 2., p. 9.
90. The Forum, 22.4.1950, "The D.R. Churches' vision of Self-Sacrifice".

W.C.C. is of primary importance to our country".[91] He thought that "in a country like South Africa it is a merit and not a defect to refuse to set up a Utopia". Both extremes, the National Party and the Communist Party, tried to set up their utopias, and "hallow the means used".[92] He advocated "no further barriers based on race or colour, the removal of the most harmful and oppressive of the present barriers, and an ordered march towards freedom for all races, based as far as possible on the conversion of European opinion."[93] Dr. Arthur Blaxall thought that "the great majority of the 600 delegates present have no real knowledge of what the majority of Africans feel and think today".[94] He thought that because of the "clear-cut final resolutions on total apartheid" there was "no hope of useful discussion even if an approach be made".[95] The Bloemfontein Congress was "such a complete antithesis" to the Rosettenville Conference, even though he had rapidly sold out the few copies he had with him of the C.C.S.A.'s Rosettenville Conference Report.[96]

THE N.G.K. (TRANSVAAL) SYNOD 1951.

The 1951 Transvaal Synod of the N.G.K. adopted a report on Die Skriftuurlike Gronde van Rasse-Apartheid.[97] This contained a more emphatic endorsement of apartheid than the Cape Synod's report of 1949. Apartheid was similarly understood as

> .... *afsonderlike, eiesoortige ontwikkeling .... tot selfstandigheid van die nie-blanke rasse op politieke, ekonomiese, maatskaplike en kerklike terrein so dat elke ras sy identiteit behou.* 98

Scripture taught "die eenheid van die menslike geslag" but also

> .... *dat God die menslike geslag verdeel het, as gevolg van die sonde, in rasse en volkere en tale.* 99

The claim that the division of mankind into races, nations and languages was as a result of the fall was further amplified by saying that God not only willed the existence of "aparte volkere"

91. HOEKENDIJK, op. cit., No. 5, p. 5.
92-93. Ibid.
94. Wits. Archive, CCSA papers, letter Blaxall to Grant op. cit., p. 2.
95-96 Ibid.
97. N.G.K., Die N.G. Kerk in Suid-Afrika en Rasseverhoudinge, op. cit., pp 7-8.
98. Ibid., (a). 99. Ibid., (b) and (c).

but also perpetuated them ("bestendig")[100]

Particular attention was directed to the question of inter-racial marriage. On the basis of Gen. 2;18 it was stated that deep-seated differences between peoples were a hindrance in marriages between people of different groups. The greater the physical, psychological, cultural and religious differences, the greater the threat to a mixed marriage.[101] The example of Ruth 1;16 was cited to show that the only instance when a mixed marriage could be consummated on a healthy basis was when assimilability was possible in every sphere.[102] On the other hand, Neh. 13;23-27 was cited as an example of disobedience to principles of separation that had been laid down by God himself.[103] Whenever various different peoples had come together in a new fatherland, to arrive at "'n nuwe volkseenheid" by a process of natural assimilation, this must be regarded as an exceptional dispensation ("besondere beskikking") of the Almighty and not as a denial of his established principles of separation.[104] The striving for the assimilation of natives, coloureds and whites must be condemned in the light of the principles above.[105] It was an inviolable scriptural principle (" 'n onaanvegbare skriftuurlike beginsel") that in every divinely ordained community there stood an appointed structure of authority ("in elke gemeenskapsordening [bestaan] 'n bepaalde gesagsverhouding".[106] The Synod adopted this doctrine ("stelling") as the basis for further study and development in future ("verdere besinning en uitbouing in die toekoms")[107]

THE LEGITIMATION OF APARTHEID BY THE AFRIKAANS CHURCHES, 1948-1951.

The process by which the National Party's policy of apartheid received legitimation by the Afrikaans churches has been clearly demonstrated in this discussion of the debate in the N.G.K. between 1948 and 1951. The Synods of the two most influential

100. Ibid., (d). 101-103., Ibid., (e). 104. Ibid., (f).
105. Ibid., (g) 106-107., Ibid., (h).

of the Afrikaans churches, the N.G.K. Cape and Transvaal, found scriptural grounds for supporting a policy of apartheid, interpreted as separate development. We have also seen that this was the church of the Prime Minister and several members of his cabinet. The Cape Synod in 1949 expressed itself with greater moderation than the Transvaal Synod in 1951, but more significantly, the Bloemfontein Congress of 1950, at which all the Afrikaans Churches were represented, went even further than Dr. Malan and Dr. Jansen in their expression of the policy at that stage.

In September 1948, the Editor of Die Kerkbode published leading articles in successive weeks which were designed to demonstrate that apartheid was also the policy of the church.[108] These two articles traced the historical basis of separate development in the N.G.K. Apartheid had been the foundation of mission policy since the nineteenth century. Thus at a most critical phase in its development, during the first three years after it first won office by the narrowest of margins in 1948, the support of the Afrikaans churches and of eminent Dutch Reformed churchmen "undoubtedly strengthened the National Party".[109]

How and why was this done ? Dunbar Moodie's article just cited sought to give a theological explanation for the political legitimation of the ideology of apartheid, and to prove that it was the theology of the Dutch statesman and theologian Abraham Kuyper which played a decisive part.[110] Kuyper laid down the principle of God's sovereignty being established in each particular sphere of society ("sowereiniteit in eigen kring") which was intended in its original context to refer to different aspects of life which had their own God-given autonomy. An example of this was the university, and Kuyper's foundation of the Free University in Amsterdam testifies to his vision of freedom from interference by the state. In South Africa, a neo-Kuyperian application of this idea of "sowereiniteit in eigen kring", by H.G. Stoker and

108. Die Kerkbode, 22.9.1948 and 29.9.1948, "Apartheid as Kerklike Beleid".
109. Social Dynamics, 1 (2) 1975, pp 158-166, "The Dutch Reformed Churches as vehicles of political legitimation in South Africa" by T. Dunbar Moodie.
110. KUYPER, A., Calvinism, Amsterdam: Honeker & Wormser 1899.

others, was linked to the Afrikaner volk identity, and then further notions of ethnic separation between black and white as well.

Professor I.D. MacCrone later suggested a social psychologist's explanation of the Afrikaner ecclesiastical legitimation of apartheid, when he addressed the Multi-Racial Conference of South Africa in December 1957.[111] He described the inexorable process by which the racial myth of die volk, once constructed, became linked with a dominative urge, and this in turn was translated by its own anxiety neurosis into the arousal of more anxiety and aggression. This syndrome inevitably then required the assurance that could be provided by religion, which became pressed into the service of both the racial and the master ideology.

> .... the very success of the national myth of the Volk which has played such a crucial role in the drive towards effective domination, appears only to have engendered new and more alarming threats to the integrity of the group in question. .... To an ever increasing extent those who are imbued with the concept of the Volk feel themselves isolated in a hostile world while the racial ideology by which they live and on which they have staked their future existence, is being subjected to ceaseless attacks by far from friendly critics. The "mutual hostility and distrust" in our kind of society has given rise to a state of mind always on the alert and ready to detect some sinister enemy of the Volk. This arousal of anxiety and aggression merely serves, however, to arouse still more anxiety and aggression .... Under such circumstances we may expect to find the powerful reassurances provided by religion being pressed into the service of the master ideology. And when we bear in mind the historical role played by religion in preserving and fostering the identity of the group in question, particularly during the late 18th and early 19th centuries when its development took place under conditions of virtual isolation from contact with the rest of the civilized world, it is not surprising that there should then have occurred this fusion between racial and religious ideologies that has persisted to the present day. 112

The historical explanation, interestingly, was the one for which the N.G.K. itself opted.[113] As was stated in an editorial

111. CPSA Archive, AB 964 f. "Human relations in a multi-racial society" by I.D. MacCrone; paper delivered at the Multi-Racial Conference of South Africa, Johannesburg, December 1957, mimeo. The Conference was organized by Bishop Reeves for the Interdenominational African Ministers' Federation (now Association), in the Great Hall of the University of the Witwatersrand.

112. Ibid.

113. Die Kerkbode, 22.9.1948 and 29.9.1948, "Apartheid as Kerklike Beleid", I & II.

in Die Volksblad on 5th April 1948,

> *Die H.N.P. se beleid is inderdaad niks anders as die gesonde Christelike beleid wat die N.G. Kerk ten aansien van die kleurling opkerklike en opvoedkundige gebied volg nie.* 114

That apartheid was already the church's policy made it easier to explain politically. However, as Dr. Edgar Brookes wrote some years later,

> Ministers of religion in the Deep South could justify slavery, as ministers of the Dutch Reformed Church in South Africa can justify apartheid. But who reads their manuscripts now, except as historical curiosities ? 115

THE CHRISTIAN COUNCIL VIEW OF RACE : WHAT DOES THE BIBLE SAY ?

The Christian Council's counter to the earnest debate going on within the Afrikaans Churches, which sought to define the scriptural grounds for rasse-apartheid was twofold. The Rosettenville Conference of July 1949 on The Christian Citizen in a Multi-Racial Society will be described in the next chapter.[116] Not only was it a multi-racial conference, itself a practical demonstration of the very antithesis of apartheid. This was called eendrag, and their meeting together regardless of race and colour supplied a rallying point for member churches of the Council. Rosettenville, however, did not tackle in any systematic way an exegesis of the biblical view of race relations. Realising how important it was to answer the Afrikaans churches with biblical argument, the Biennial Meeting of the Christian Council held after the Rosettenville Conference appointed a commission to "explore afresh the teaching of the Bible in connection with race relations".[117] The main work of the commission was done by the Revd. E. Lynn Cragg and the Revd. Mungo Carrick, and this was published in English by the Christian Council in May 1952 as a 28-page booklet under the title Race - What does the Bible say ?[118] It dealt with many of the points

114. Die Volksblad, 5.4.1948.
115. BROOKES, E.H., City of God and City of Man in Africa, (two lectures at the University of Kentucky in 1963) Kentucky: University of Kentucky Press 1964, p. 63.
116. C.C.S.A., The Christian Citizen in a Multi-Racial Society, Report of the Rosettenville Conference, Johannesburg: CCSA 1949.
117. Christian Council Quarterly, March 1952, "The Bible and Race Relations".
118. C.C.S.A., Race - What does the Bible say ?, Roodepoort: CCSA 1952.

of interpretation from Old and New Testaments over which there was such heated controversy within the Afrikaans churches. The last eight pages were employed to give a closely documented summary of certain key doctrinal themes pertaining to the New Testament teaching on race. It dealt with the New Testament doctrine of man, the origin of race, the relationship of race and religion, the relationship between a Christian view of race and the position of race in the political and social affairs of the world. A full meeting of the Christian Council, after making "some slight alterations" approved the draft of the booklet for publication in 1952.[119] Besides giving its authors some guidelines for the study, Archbishop Clayton also contributed the Foreword in which he succinctly summarized the two contending viewpoints of the English and Afrikaans speaking churches.

> There are some who believe that it is God's will to use a particular race for the working out of His purposes in the world, and that it is a Christian duty that racial purity should be preserved .... The white races should indeed assist the black, but they should maintain the relationship of master and servant where contact is inevitable; and the black races should be educated and encouraged to develop "on their own lines". Those who take this view point to the Biblical teaching about "The Chosen People", and to the emphasis laid in the Old Testament on the importance of race purity.
>
> Others, including most of the English-speaking Churches, believe that our Lord Jesus Christ broke down the various barriers between race and race, and that the teaching of the New Testament is that the Christian Church is the new Israel, a new race, consisting of those who, from any race, have been born again into the family of God. Thus they regard God's instrument for the working out of His purposes to be, not any particular race or races, but the Christian Church, in which Christ has "made both one". 120

It is of interest that the view taken by Cragg and Carrick coincided at some key points with the exegesis of Marais and Pistorius. For instance, we can compare what Professor Pistorius had said about there being no New Testament teaching that believers should keep apart on grounds of "volk" or race, with the Christian Council booklet, which said,

> There is nothing in the New Testament to direct or to suggest that intermarriage or social mixing is prohibited by divine command. Neither of course is it enjoined. The New

119. Christian Council Quarterly, March 1952.
120. Race - What does the Bible say?, op. cit., Foreword, p. 3.

> Testament neither prohibits nor commands racial or social mixture between Jew and Gentile or between any other races .... Whether racial intermarriage and social mixing is in any particular instances good or bad is a matter to be determined by biology, psychology, sociology or economics rather than by Christian teaching. 121

This question therefore had to be decided on pragmatic grounds.

They demonstrated that Israel was a mixed nation socially as well as racially.[122] They drew attention to the theme of universalism in many Old Testament passages.[123] To the claim based upon Deut. 32;8 and Acts 17;26 that God had fixed the boundaries for the nations, they asked,

> At what particular period in history are we to regard the lands occupied by any particular people as those allotted to it by God ? .... If God has allotted each race or nation its own territory the reasonable application to South Africa would seem to be that the European races should have remained in the lands ostensibly allotted to them i.e. Europe or Central Asia. 124

Not only were false claims like the above refuted but a fair and objective exposition given of how the Old Testament emphasis on the separation of Israel as the people of God gave way to teaching about the Church in the New Testament which embraced people of all races.[125] This unity was not merely a spiritual unity. The racially mixed congregations at Antioch, Thessalonica, Corinth, Ephesus and Rome were evidence of this. "Nowhere is it stated that in any of these cases was the local church divided into racial groups".[126] The idea that the unity of Christians in Christ was merely a spiritual unity that somehow applied only to some future fulfillment of the kingdom of God, and had no immediate physical implications was dealt with with particular clarity as follows:

> But as has already been said spiritual unity in the Church cannot remain merely spiritual, it must show itself, at least within the Church, in outward fellowship between Christians of different races, social status or sex. And if Christians of different races meet in fellowship within

121. Ibid., p. 25; cf. Die Kerkbode 20.10.1948 letter from P.V. Pistorius, and see above p. 160.
122. Race - What does the Bible say? , op. cit., p. 10, cf. Die Kerkbode loc. cit., p. 938, and above p. 161.
123. Race - What does the Bible say ?, op. cit., p. 11.
124. Ibid., p. 7., cf. GROENEWALD, E.P., CRONJE, G. & NICOL, W., Regverdige Rasse-Apartheid, Stellenbosch: CSV 1947, Groenewald on p. 46.
125. Race - What does the Bible say ?, op. cit., p. 23.
126. Ibid., p. 24.

> the Church, can they refuse to mix when they meet each other outside the Church and in the affairs of the world ? Unity in Christian fellowship must inevitably spread into fellowship in secular activity. Fellowship cannot stop there. If Christians of different races meet in fellowship and co-operation in the social, economic or political spheres, must not that same spirit of fellowship extend to those of other races who are not Christian ? There is surely something grudging in the Christian spirit which would meet with fellow-Christians of another race, but would refuse to meet with those of any other race who are not Christian, measuring out one's fellowship in social life according to a man's religion .... If it be said that the spread of this spirit of fellowship must mean the end of the white race in South Africa, it must be replied that there is nothing in the Bible which suggests that the preservation of the white race or of any other race (unless it be the Jews) is the chief object of God's purpose or of Christian activity in the world. 127

> The ultimate unity to which Christians look forward is the unity of the Church triumphant in heaven, and it is fantastic to suppose that the various tribes, peoples and nations which make up the community of the redeemed (Rev. 5;9) will each keep its own segregated place in heaven.... But the unity of heaven must surely have its foretaste on earth, at least within the Christian church. The New Testament gives no clear directions for social and political life on earth, but its bias toward unity would naturally lead to the suggestion that on earth as in heaven (if the will of God is to be done on earth) unity is the ideal, though it may be a unity which embraces diversity. 128

Having described its purpose, scope and contents, and indicated its main conclusions, it remains to record here that the great merit of this publication lay in the fact that it dealt with the issue of apartheid biblically. At no time were the interpretations forced, even when answering points that its authors believed to be faulty. In refuting points raised by the Afrikaner civil religion it did so firmly but calmly. For example, on the belief of Afrikanerdom that the Afrikaner was a chosen people to bring the message of the Kingdom of God to Southern Africa, the booklet was quite emphatic in stating that

> Israel is the people, and no other people has the right to assume that it is the chosen of God in the same way. 129

In a sermon preached in 1955, Canon C.T. Wood drew attention to the importance of the church fighting apartheid theologically,

127. Ibid., pp. 25-26. 128. Ibid., p. 26. 129. Ibid., p. 13.

not politically.[130] This was precisely what this booklet sought to do. Yet it did not receive the attention it deserved, even in Anglican church magazines. It was not published in Afrikaans translation. Die Kerkbode did not mention it. The Christian Council lacked the organizational resources to ensure that the booklet was widely distributed. Arthur Blaxall was still only the Council's part-time Secretary with part-time secretarial help.[131] Blaxall in this period continued to live at Ezenzeleni, the Institute for the Blind he had founded at Roodepoort, although he did resign as Chairman of the South African Council for the Blind in 1952.[132]

The minimal response evoked by this booklet amongst the member churches of the C.C.S.A. indicates that only a few church leaders and the small group of those directly concerned with its publication by the Christian Council could have seen the importance of theological persuasion as a means of resisting apartheid. Chapter Seventeen returns to this theme. A survey of the efforts made to promote ecumenical dialogue between the English and Afrikaans churches indicates that from 1952 the value of theological persuasion as a means of resisting apartheid, though not widely practised, was being seen by some church leaders as an important strategy in their opposition to apartheid.

Meanwhile the narrative of the next chapter returns to the beginning of the year 1949. Throughout 1948 South Africans of all races had listened to arguments extolling the praises of the policy of apartheid by politicians of the National Party. Apartheid, it was said, would improve race relations. By removing, as far as possible, the points of meeting and therefore points of friction between peoples of different cultures, relations between the races would be improved. The events of 1949, however, were to show the fallacy of such arguments about separating the races, and the preaching of apartheid by cabinet ministers created quite different consequences to those which had been promised.

130. WOOD, C.T., unpublished Journal, op. cit., p. 39. Outline of a sermon preached in Chester Cathedral 20.2.1955.
131. BLAXALL, A., Suspended Sentence, London: Hodder 1965. Chapter 9, "Divided Loyalties (1952-1954)", p. 80.
132. BROWN, Basil, and WOOD, C.T., Interview, Hermanus, 4.5.1976.

CHAPTER FIVE.

THE DETERIORATION OF RACE RELATIONS, 1949.

On 13th January 1949 an incident took place in the vicinity of the Victoria Street Bus Rank in Durban which was to lead to an outbreak of racial rioting unprecedented in the history of race relations in South Africa. The Durban riots are important for this study of Christian resistance to apartheid as a barometer of the deteriorating state of race relations in South Africa following an election in which racial prejudice had been ceaselessly exploited by the Nationalists over a long period. Hence the charge by Field Marshal Smuts that it was the new Government's policy which was responsible for the deterioration of race relations in 1949. The riots may thus be seen as one of the immediate practical effects which the promise of apartheid was to have on the nation. To the Nationalists, however, the incidence of racial rioting between Indians and Africans in Durban provided good grounds for implementing their policy of racial separation with greater urgency, since they believed that harmonious race relations depended upon reducing the points of contact and hence the points of friction that could arise between the races. To the Government therefore these tragic events at the beginning of 1949 provided no obstacle to pressing on with their legislative programme. The Provincial Elections in March 1949 served to confirm them in this view. The National Party won control of the Transvaal Provincial Council for the first time, and the results elsewhere showed that the Government had made slight gains in white voter support since the general election the year before.[1]

1. The Natal Mercury, 12.3.1949:
Provincial Election Results:

	U.P.	Nat.	Labour.	Indep.	TOTAL.
Natal	22	2	-	1	25
Transvaal	27	34	2	2	65
Cape	28	26	1	-	55
O.F.S.	1	24	-	-	25
	78	86	3	3	170

Votes cast: For Government 402 440; against 432 972.

Race relations were further exacerbated by the long and acrimonious debate which surrounded the passage of the Prohibition of Mixed Marriages Bill and the South African Citizenship Bill through parliament during May and June. Besides the important political effect of reinforcing the Government's will to proceed with the implementation of its policy, another significant consequence of the rioting in Durban was to accelerate the process of consolidating black political resistance to apartheid. An unexpected result of the Durban riots was the forging of a vital political alliance between the leaders of the African and Indian Congresses, which also laid the foundation for the adoption of a more radical stance of resistance by the African National Congress.

The reaction of the churches, however, differed from that of a now united Congress movement. Where the African National Congress adopted the A.N.C. Youth League's Programme of Action, which emphasized methods of direct action and resistance to the government, and was further reflected in the election of more radical leaders at its Conference in 1949, the response of the churches was significantly different. In the Church of the Province of South Africa, and in particular in the Diocese of Natal where the rioting had taken place, the Anglican response was to attempt to accelerate the reform of its own structures to eliminate racialism from within its own church life. In the church's teaching a new emphasis was placed, not on resistance to apartheid, but upon the Gospel teaching about racial reconciliation. The Christian Council likewise, having been denied an interview with the Prime Minister on 31st January 1949, turned its attention to arrangements for a conference at Rosettenville in July as a demonstration of unity between Christians of all races in Christ. The preceding chapter has already shown how the response of the Afrikaans churches on the other hand was to attempt to provide theological legitimation for the policy of apartheid.

It was also during 1949 that one of the practical indices of the ensuing church-state conflict over apartheid came to the fore, over the issue of permits for church workers to enter African

areas. The chapter ends with Episcopal Synod's statement, again rejecting apartheid. The failure of the United Party's opposition to the principle of the Mixed Marriages Bill left the English-speaking churches, the Labour Party and the Native Representatives, together with the Communist Party, as allies in the opposition to apartheid. This seemed to make more plausible the Nationalist smear that liberals and liberal churchmen were at best fellow-travellers with communists. A most significant feature to emerge during the course of the year was Archbishop Clayton's influential statement in May 1949 on the Prohibition of Mixed Marriages Bill. He advised his clergy that however badly they felt over the principle of prohibiting mixed marriages, it was nevertheless their duty to obey the dictates of the Prohibition of Mixed Marriages Act. The significance of 1949 therefore in the development of resistance to apartheid was that where the Congress movement deliberately opted for the more radical stance of resistance, the C.P.S.A. accommodated to the situation by acquiescing in the demands of apartheid under protest. Hence, in the first round of the conflict between the Anglican church and the government over apartheid, Archbishop Clayton eventually chose the course of unwilling obedience to the state in 1949, showing that the views he had expressed in 1946 on the Christian's duty of civil obedience had been, if anything, reinforced.

In Chapter Three the theoretical meaning of apartheid was described, and some of the theoretical alternatives discussed. Chapter Four considered the biblical grounds for declaring apartheid scriptural or unChristian. This chapter examines some of the critical events in 1949, to see what practical effect the promise of the practice of apartheid would have upon the nation. Severe racial rioting in Durban between Africans and Indians in January set the pattern for that year. May saw the passage through Parliament of the Prohibition of Mixed Marriages Act, legislation that was described by one of its advocates as one of the laws that "clears the path for apartheid".[2] A recurring theme of 1949 was a widespread concern for the deterioration of race relations. The chapter concludes with a summary of the Anglican response to the situation in which the nation found itself at the year's end.

2. House of Assembly Debates, 6409, 24.5.1949; H.S. Erasmus.

THE DURBAN RIOTS.

The riots were sparked off by an incident, described by the Government Commission of Enquiry as "ludicrous in its insignificance".[3] When large numbers were congregating to go home in the vicinity of the Victoria Street bus rank at 5.00 p.m. on Thursday 13th January 1949, an African youth was assaulted by an Indian shopkeeper and taken to hospital. "By-standers took sides on racial lines and soon a free fight developed between Indians and Africans".[4] "A Native asked me why they should hurt a piccanin", the ambulanceman told a Natal Mercury reporter.

> I said I did not know. Just then an Indian walked past and someone struck him. Indians scattered in all directions and they had to fight back with stones to defend themselves. [5]

A rumour then spread that an "umfaan" had been knocked down and killed by an Indian bus.[6] Indian buses, shops and people returning home were stoned indiscriminately. By midnight, 48 Indians and four Africans had been treated at King Edward VIII Hospital.[7] This might have remained a local disturbance but for the rumour that the boy had been killed.

By lunch-time on Friday 14th January another rumour went around the centre of Durban; "The coons are going for the coolies".[8] In Grey Street, the Indian commercial area, shop windows were broken. In the street near the railway station Indians were pursued by Africans armed with sticks, and stones were thrown at passing cars. That night saw an orgy of murder, looting and arson of unprecedented ferocity and ruthlessness. No-one could have calculated the full extent of what had taken place in that "night of horror". As Bishop Alpheus Zulu told me,

> It was the people who lived in barracks at the Point, and the single men who lived in the centre of Durban and

3. Report of the Commission of Enquiry into Riots in Durban, UG 36-49, p. 5.
4. Ibid., pp 4-5.
5. The Natal Mercury, 14.1.1949, "Natives and Indians Clash in Durban".
6. At the time my parents owned a tearoom in Berea Road, Durban. That night and on succeeding evenings for at least two weeks people, mostly Indian, sought sanctuary in the shop whilst waiting for buses or lifts. The rumour I remember was that an African boy had been knocked down and killed by an Indian bus.
7. The Natal Mercury, 14.1.1949.
8. WEBB, M. & KIRKWOOD, K., The Durban Riots and After, Johannesburg: SAIRR 1949, p. 2.

> travelled by bus every day to drink in the homes of people in Cato Manor. These were the people who caused the trouble.[9]

Next morning the Natal Mercury informed the people of Durban that there had been an estimated death toll of 50, with 300 injured:

> Whole streets of Indian houses and stores were burned down and looted at Cato Manor, Jacobs and Wentworth. Thousands of Natives, chanting their battle cry, ran amok in an orgy of killing and sacking. Whole families of Indians were murdered in their homes, and in some cases they were held prisoner while their homes and their shops were fired. 10

The District Commissioner of Police later reported to the Commission appointed to investigate the cause of the rioting, showing that initial press reports had not exaggerated:

> Houses were now being burnt by the score, all in the vicinity of Booth Road (Chesterville). 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. This state of arson and looting continued through the night and when further military and naval reinforcements arrived many instances occurred where the forces had to resort to the use of firearms to protect life and property. 11

Indian women and children were conspicuous among the casualties treated at King Edward VIII Hospital. Bishop Alpheus Zulu recalled how an African parishioner saved his Indian landlord in Booth Road, and his family, "by putting them in a truck wearing doeks like African women, with the man at the back shouting 'Zooo-lu ! Zooo-lu !', which was the watch-word". After they had saved the family they returned to Booth Road, which was not totally destroyed.[12]

From the city the white residents could see the Berea silhouetted against the glow of fires that illumined the night sky. The sirens of fire engines and ambulances drowned the sound of small-arms fire. By Monday 17th January the Natal Mercury estimated the casualties as 105 killed and 1000 injured, with "a number

9. ZULU, The Right Revd. A.H., Interview, Edendale 23.2.1981. Bishop Zulu was then an assistant priest in the central city parish of St. Faith's, Carlisle St., Durban, which also had pastoral care of Cato Manor and Chesterville.
10. The Natal Mercury, 15.1.1949.
11. WEBB & KIRKWOOD, op. cit., p. 3.
12. ZULU, Interview, op. cit.

of cases of Indians hitting back at Natives", as a "tense peace" brooded over the riot areas.[13]

Bishop Vernon Inman, who was then Vicar of the central city parish of St. Paul's, with its church and hall opposite the central railway station, gave me this eyewitness account:

> I remember being aware, about the middle of the day or early afternoon, of seeing hapless Indians being beaten with sticks and punched to the ground in Church Street, with whites jeering at them. And being so disgusted that I went up to the Indians and took them into the Church, and I dared anyone to cross the threshold.
>
> That night I was at a party, a twenty-first birthday party in St. Paul's Hall. I got a telephone message to come out. The widow of an Indian priest who had worked under Satchell said her daughter and some friends had gone down the South Coast for the day, they'd got back to Durban station and they were terrified to leave the station - could I do something about it ? So I went down to the station, and there were these little girls being jeered at by white youths - I've frequently been ashamed of being a white man - I spoke to them and said [to the girls] "Come on, I'll take you home". 14

As he drove those frightened girls home, Inman saw "roaming gangs of blacks with big sticks hitting everything in sight." He stopped at Overport Police Station to see if it was all right to go on, and there "several Indians dashed out from the darkness and begged me to take them wherever I was going".[15]

> The next morning, David got in touch with me, the priest at St. Aidan's. He asked me to come round and said they had smashed the whole place to pieces. Glass [was] all over the place. I went. He said that he had heard that someone in the street had been killed, and they were taking corpses up to Cato Manor Police Station, would I take him up ? We saw them being brought in - oh, a dreadful scene of slaughter and horror. And he looked over all these dead bodies and he found there were none of his, so I took him back.
>
> .... Later that day, as I was driving along Brickfield Road,

13. The Natal Mercury, 17.1.1949, "Tense Peace broods over Riot Areas".
14. INMAN, The Right Revd. T.G.V., Interview, Durban, 14.9.1977. The Revd. W.H. Satchell served as Priest-in-Charge of St. Aidan's Mission Durban from 1932-1947. He was killed in 1953 by the falling of a tree in the grounds of the Christa Prem Seva Sangha Ashram in Poona, India, which he had joined in 1947, and of which he later became Archaraya (Prior). Church News, 16.12.1953. See also Chapter One, p. 30 above, regarding his imprisonment in the Passive Resistance Campaign of 1946.
15. Ibid.

> I was following a car with Indians in it. They were taking pot shots at any black they saw - I saw them doing it. I saw them drop two. They had taken the number off the car.[16]

On Saturday 15th January Field Marshal Smuts addressed a meeting at Randfontein and said that the disturbances were "the fruit of the present Government's racially repressive .... policy".[17] The Nationalists were said to be annoyed by this, and to think that there should be a "no-party attitude" to the riots.[18]

The next day the Sunday Tribune published a photograph showing the "umfaan" George Madondo, with a bandage round his head and "not dead as many Natives think". He told how he had been injured by a "big Indian" who had pushed him into the window of an eating house in Victoria Street. The glass broke, and he had been cut about the head and taken to hospital.[19] The Indian was later convicted of common assault and fined £1 or seven days' hard labour.[20]

Notwithstanding the statement by the Deputy Commissioner of Police to the Daily News on Tuesday 18th January that "we have no reason to expect any more trouble"[(21)] and the impression given in the newspapers that the rioting was at an end, looting and African assaults on Indians, and Indian reprisals on Africans continued for at least another ten days.[22] I have a vivid recollection of Durban being under a self-imposed curfew for fully two weeks, and seeing a young Indian man being chased down Berea Road by two or three Africans, who beat him to death with sticks. This occurred several days after that initial "night of horror". Incidents such as the one I witnessed occurred daily in the streets, and no reports appeared in the press about them. Instead the Editors of both Durban newspapers gave wide coverage to the relief operations after that first weekend of violence. People knew that the riots were not over because the toll of dead and injured kept

16. Ibid. The Revd. J.C. David was Assistant to Fr. Satchell at St. Aidan's, and succeeded him in 1947. He was made an Honorary Canon in 1960 and died in 1961.
17. The Sunday Tribune, 16.1.1949, p. 2.
18. The Natal Mercury, 17.1.1949, "No-Party Attitude to Riots", p. 10.
19. The Sunday Tribune, 16.1.1949, p. 1.
20. Report of the Commission of Enquiry into Riots in Durban, op. cit., p. 5.
21. The Daily News, 18.1.1949, p. 1.
22. Personal recollections of the author.

rising.

On the Sunday after the riots began the Bishop of Natal, Leonard Fisher, preached to Indian, African and European congregations, emphasizing that all were to blame in different ways for what had happened, but that perhaps the chief responsibility lay upon the Europeans for their attitude to the non-Europeans.[23]

Dr. Malan made a statement in Parliament on 25th January, giving the official casualty list as 137 dead and 1883 injured.[24] The official Commission that reported on 7th April gave the deaths as 142 (1 European, 50 Indians, 87 Natives and 4 others) and the injured as 1087 (32 European, 11 Coloured, 541 Natives and 503 Indians: of the injured 58 died). The damage to property was extensive. One factory, 58 stores and 247 dwellings were totally destroyed, and two factories, 652 stores and 1285 dwellings were "damaged".[25] Because only three Indian females were listed as being killed many suspected that the official figures deliberately underestimated the death toll. As Mr Maurice Webb observed, "many more Indians perished in the flames of their homes leaving no recognizable trace".[26] The "deaths and injuries among Natives were due, in large part, to the bullets of police and military, in small part to retaliatory action taken by Indians".[27]

On 23rd January, ten days after the rioting started, the Sunday Tribune estimated that there were 3500 homeless and 15 000 still semi-reliant on thirty-three relief and aid centres that had been set up across the city.[28] Vernon Inman told me he had immediately made available the two Anglican schools at Sydenham and Overport, as well as the St. Paul's Hall. He recalled:

> The state of fear these people were in was terrific .... there was a peculiar smell about these places. I was told that human bodies en masse under fear emit a most peculiar scent. 29

23. CPSA Archive AB 987f. Record preserved by Heywood Harris of the sermons preached by Bishop Fisher on the Sunday after the rioting began.
24. Natal Mercury, 26.1.1949, p. 10, "Malan condemns 'lies' about Durban Riots".
25. Report of the Commission of Enquiry into Riots in Durban, op. cit., p. 5.
26. WEBB & KIRKWOOD, op. cit., p. 5.
27. Ibid., p. 4.
28. Sunday Tribune, 23.1.1949, cf. Natal Mercury 26.1.1949, loc. cit.
29. INMAN, Interview, op. cit.

Alpheus Zulu remembered visiting one of these centres on municipal property in the Mayville area, to which Indians from Cato Manor had been moved, and experienced no animosity towards him.

> They expected that we should be no enemies, so when they met an African who was open with them they were pleased. They had committed no offence and were accused of none. All they knew was they were being assaulted for no reason.[30]

By 29th January 90% of Indian shops were open again, but a thousand people in a refugee camp were said to be still afraid to return to their homes in Cato Manor.[31]

The official Commission appointed at the end of January by the Prime Minister, however, included no Indian or African members. Its chairman was an Appeal Court judge from Bloemfontein, Mr Justice F.F. van der Heever, and its members the Chief Magistrate of Johannesburg, Mr Ryle Masson, the Chief Magistrate of Durban, Mr H.F.W. Schulz, with a civil servant Mr B.C. van der Merwe as secretary. The Commission reported its findings with commendable speed on 7th April 1949.[32] The desire for speed, however, conflicted with the important need for objectivity.

To save time the Chairman had ruled that there would be no cross-questioning of witnesses by interested parties.[33] This resulted in 18 organizations withdrawing from the proceedings, among them the Joint Council of the South African Indian Congress and the African National Congress, and the Combined Native Locations Advisory Board.[34] The official Report received severe and justified criticism in a report prepared for the South African Institute of Race Relations by Mr Maurice Webb and Mr Kenneth Kirkwood.[35] Some recurring characteristics of the report were as revealing of the attitudes and prejudices of the Commissioners as they were descriptive of the riots and their causes.

Dr. Lowen, the attorney instructed by the newly created Joint Committee (later Joint Council) of the African National

30. ZULU, Interview op. cit.
31. Daily News, 29.1.1949.
32. Report of the Commission of Enquiry into Riots in Durban, op. cit.
33. WEBB & KIRKWOOD, op. cit., p. 5.
34. Ibid., p. 6.
35. Ibid. Also published in Race Relations Journal, Vol XVI, No. 4., 1949.

Congress and the South African Indian Congress, told the Commission that the slum conditions of both Indians and Africans were only partly responsible. He considered it was the racial hostility propagated for years by the previous government and continued by the present government that was to blame. The speeches of cabinet ministers had created "hatred in the European and in the Native", and it was the working up of hostility that had increased the likelihood of such an explosion taking place.[36] This view was not accepted by the Commission, since it was claimed "the allegation that political speeches were the real causes of the disorders emanated from the intelligentsia".[37] However, as Kenneth Kirkwood pointed out, it was curious that the "anti-Indian statements made by local politicians had no effect on African attitudes", when the Report blamed "ill-informed critics"overseas as being one of the "most unsettling influences upon the Native mind".[38] The Commission also claimed that ".... contrary to the prevalent opinion abroad, the average Native is a keen supporter of segregation".[39] Nor did the Commission consider "discriminating legislation" as a factor.

> Save for the occasional intellectual or the revolutionary, Natives in the mass are quite reconciled to discrimination as between themselves and Europeans .... on the other hand, any discrimination as between themselves and the Indians which favours the latter fills them with violent resentment.[40]

Apart from the Commission's prejudice against intellectuals, and its fear or resentment of overseas reaction to South Africa's racial policy, its report frequently referred to Natives and Indians as "racial types", generalizing about their characteristics. For instance, the suggestion that it was frustration with slum living conditions that was a cause of the riots was discounted, because this was said to be an idea "that emanated from intellectuals".[41]

> 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.[42]

36. Report of the Commission of Enquiry into Riots in Durban, op. cit., p. 10.
37. Ibid.
38. WEBB & KIRKWOOD, op. cit., pp. 20-21.
39. Report of the Commission of Enquiry into Riots in Durban, op. cit., p. 21.
40. Ibid., p. 18. 41. Ibid., p. 11. 42. Ibid.

However, the Report did concede that "there was an element of truth in the suggestion".[43]

Enquiries made by the Commission among prisoners, it was claimed, showed that

> 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. 44

The causes of the riots were stated to be:-

a) Increasing lack of discipline on the part of the Natives.
b) Bad precepts and bad examples.
c) The character of the parties in the riots.
d) Increasing tension between the Indians and the Natives.
e) Unsatisfactory local conditions. 45

Bishop Zulu recalled that the view of the Durban African Ministers' Association, submitted to the Commission, was that

> There was no adequate reason for the riots. It was merely an accident. We put forward the view that the reason why this flared after the accident was because Whites put the Indians before the Africans economically. 46

This view seems to have been endorsed by the Commission in detailing the grounds for the increasing tension between Indians and Africans. Firstly there had been an influx of "Natives" to the cities, and they had settled on Indian land. However, charges of "rack-renting", or exploitation by Indian landlords of Africans, were found to be without substance.[47] Secondly, Africans resented Indian "arrogance" towards them, and said "we will not tolerate this other black master".[48] Thirdly, African complaints about the seduction of African women by Indian men, which had been mentioned by Senator Brookes, led the Commission to say this was "one of the most powerful motives of anti-Indian feeling on the part of the Natives".[49] The Commission's conclusion that the provisions of the Immorality Act should be extended to include "illicit carnal intercourse between Natives and Indians"[(50)] was, however, in Bishop Zulu's view, "not due to any pressure within the African

43-45. Ibid.
46. ZULU, Interview, op. cit.
47. Report of the Commission of Enquiry into Riots in Durban, op. cit., p. 13.
48-49. Ibid. 50. Ibid., p. 14.

community".[51] The treatment of African passengers on Indian-owned buses, their exploitation by Indian shopkeepers, and the difficulty that they experienced in obtaining trading licences (which was blamed on Indians) were further reasons which the Commission advanced. These suggestions were not without validity, even if there were many Indians who were unhappy that this was said.[52]

There can be little doubt that the speeches of Nationalist Cabinet Ministers, who had repeatedly asserted that Indians were an unassimilable element in South Africa's population, had stirred up further anti-Indian feeling among Whites, and that Africans were aware of this. The Commission, despite its other shortcomings, said,

> We consider it established that when the rioting was in progress certain Europeans actively incited the Natives to further acts of violence, while others encouraged them by their presence and attitude". 53

Nothing could provide a more telling indictment of the extent to which Nationalist Government policies had given sanction to the racial attitudes that contributed to the violence than the Commission's report of "European women who went dancing up the street", urging the Africans to "hit the coolies". They were, in the Commission's view, "degraded specimens of their race".[54] What the Commission did not attempt to say, however, was who had so degraded them. The Professor of Sociology at Natal University in Durban later wrote that

> The process of imposing racial separation has unleashed racialisms which threaten the disintegration of South African society. 55

Dr. J.C. Hoekendijk, who had been such a perceptive observer for the World Council of Churches at the Bloemfontein Congress of the Dutch Reformed Churches in April 1950, visited Durban a year

51. ZULU, Interview, op. cit.
52. Ibid. Bishop Zulu recalled "My brother priest Canon David was unhappy that we said this" (i.e. gave an economic reason for the riots).
53. Report of the Commission of Enquiry into Riots in Durban, op. cit., p. 9.
54. Ibid.
55. KUPER, Leo, An African Bourgeoisie, Yale: Yale University Press 1965, p. 49 cf. p. 306.

after the riots. There he met Mr Maurice Webb, the joint author with Mr Kenneth Kirkwood of the Institute of Race Relations' report on the riots, Mr A.M. Moola, the Chairman of the Natal Indian Organization, Archdeacon T.G.V. Inman and a group of Indian clergy, and faithfully recorded what they told him.

> Mr Webb spoke of the tendency on the side of all officials to set aside virtually all social analysis of prevailing conditions to cry up race. A serious lack of sober research of all the deep-seated causes of conflict and the "almost complete absence of imagination" to find remedies for the present problems do not hold out a prospect that there will be considerable improvement in the near future. 56

Mr Moola had "interpreted colour prejudice solely as a veil to cover the white man's economic fears" and "spoke with great concern of the coming police state".[57] Indian Christians saw the situation as a challenge to suffer "with Gandhian patience and perseverence".[58] Archdeacon Vernon Inman, commenting on the Commission's conclusion that the solution lay in policing areas like Cato Manor properly, "called it an absurdity to think that 'vigilant policing' might prevent another eruption of this volcano". He declared,

> We have to rebuild society. It will take a long, long, time - if a long time is still allotted to us, which I doubt.[59]

One of the paradoxical consequences of the riots was the way in which closer co-operation between leaders of the Indian and African Congress movements was strengthened by the crisis.[60] Early in February 1949 a joint council of the A.N.C. and S.A.I.C. was formed "to advance and promote mutual understanding and goodwill among our respective peoples".[61] J.N. Singh, who was a member of this Council, when asked to assess the achievement of the campaign of satyagraha in 1946, told me,

> Building on the co-operation already achieved during the Passive Resistance campaign (1946), African and Indian leaders did much to curb further outbreaks of violence after the Durban riots in 1949. Dr. Naicker and Mr Champion jointly addressed people in the central market area of Durban. This was done during the heat of the riots. The van I

56. Wits: Archive, CCSA Papers, South Africa, an Informal Travel Diary by J.C. Hoekendijk, No. 4, Durban to Pretoria April 12-18 1950, p. 4.

57-59. Ibid.

60. WILSON, M. & THOMPSON, L., Oxford History of South Africa, Vol II, Chapter IX African Nationalism in South Africa 1910-1964 by Leo Kuper. Oxford: OUP 1971, p.462.

61. The Leader, 13.2.1949.

travelled in with Champion was hit (presumably) with sticks.[62]

On the day after the most serious rioting during the night of Friday 14th January, A.W.G. Champion, Chairman of the A.N.C. (Natal), and Dr. G.M. Naicker, President of the Natal Indian Congress, issued a joint statement appealing to the African and Indian people of Durban "to do everything in their power to prevent any further disturbances of the like which occurred yesterday". They condemned the violence and called for calm, asking people "to avoid congregating in the streets and public places and to remain indoors as far as possible, and to go straight to their homes after work in the normal manner". They expressed"sympathy with all those Africans and Indians who received injuries as a result of yesterday's unfortunate incidents" and appealed for "greater tolerance and understanding between our peoples".[63]

On 20th January Dr. A.B. Xuma, President General of the African National Congress, signed a statement by an A.N.C. Working Committee on the Durban riots, which deeply deplored

> the wanton destruction of life and property during the rioting, and the further loss of life caused by the use of firearms by the police, naval and/or military units in their intervention. 64

The Working Committee then emphasized that

> .... notwithstanding the incident of the assault of an African youth by some Indian, the Union policy of differential and discriminatory treatment of various racial groups is the fundamental contributing cause of racial friction and antagonisms. 65

The Working Committee stated that "the situation demands a round-table conference of African and Indian leaders including representatives of Indian commercial groups".[66]

This was followed on 6th February by a statement of a Joint Meeting of African and Indian leaders that brought together the entire National Executive Committees of the African National Congress and the South African Indian Congress in Durban, at what was

62. SINGH, J.N., Interview, Durban, 27.1.1978.
63. KARIS, T. & CARTER, G.M. ed., From Protest to Challenge, Documents of African Politics in South Africa 1882-1964, Vol II. Stanford, California: Hoover Institute 1963. Document 44, pp. 285-6.
64. Ibid., Document 45, pp. 286-7, Statement on the Durban Riots by the Working Committee of the A.N.C., 20.1.1949.
65-66. Ibid.

described as "this historic joint meeting".[67] After recording their "regret shock and horror" at the loss of life, and extending "deep and heartfelt sympathy to the relatives of the victims", they declared,

> Whatever are the immediate causes which may have precipitated the outburst and which are receiving the attention of this meeting, this meeting is convinced that the fundamental and basic causes of the disturbances are traceable to the political, economic and social structure of this country, based on differential and discriminatory treatment of the various racial groups and the preaching in high places of racial hatred and intolerance. Any disturbances such as the recent riots are therefore the fruits and results of such a policy as well as the responsibility of those who create and maintain such an artificial social framework. [68]

The meeting directed its constituent bodies and particularly the A.N.C. (Natal) and the Natal Indian Congress to constitute a joint council "to advance and promote mutual understanding and goodwill among our respective peoples". The alliance thus forged between the African and Indian Congresses as a direct consequence of the Durban riots was to have profoundly important results, by unifying black political resistance to apartheid.[69]

SOME ANGLICAN REACTIONS.

The effect of the riots on the Anglican Church, and in particular on the Diocese of Natal, though indirect, was nevertheless of great significance. The revulsion felt by many at what had happened, and particularly for those whites who had openly encouraged rioting Zulus to attack Indians, meant that good Church people who had been told by their Bishop that all were to blame threw themselves into the relief work almost as an act of expiation.[70] This brought people of different races together, which had the effect of strengthening race relationships. The riots brought home to many more white Anglicans the evil of the racial doctrines being preached by the Nationalists and resulted in a quickening of conscience and an acceleration of the process of reform within the

67. Ibid., Document 46, Statement Issued by Joint Meeting of African and Indian Leaders 6.2.1949, p. 287.
68. Ibid.
69. Ibid., see Chapter Six, "The Suppression of 'Communism'" and Chapters Seven to Nine on the Defiance Campaign.
70. CPSA Archive AB 987f, Bishop Fisher's sermons after the riots, loc. cit.

church. It is also possible to trace the radicalization of Dr. Edgar Brookes to this year, who wrote to a friend, "I have become more forthright because I believe that the situation demanded it".[71]

At that time the Natal Diocesan Missionary Conference provided a separate forum for the clergy and lay representatives of Zulu-speaking parishes, then known as "Missions". The Bishop presided, and this body dealt with the domestic concerns of the Zulu-speaking parishes. A key figure was the "Superintendent of Native Missions", to whom the Bishop delegated "changes of clergy".[72] He represented the "Native Missions" at Synod, since only "parishes" could send lay representatives to Synod. This was an ecclesiastical form of communal representation, and in principle no different from the Separate Representation introduced in 1936 by Hertzog. The clergy of all races, however, were entitled to attend and speak at Synod.

The Natal Diocesan Synod of 1950 amended Act 11 of the Diocese, creating fifteen African Mission Districts. Each District with four hundred adult communicants could elect two lay representatives, and those with a thousand or more, three. The Vineyard proudly noted that "this involves an important change from Communal representation through the Missionary Conference, to direct representation on the same principles as parishes."[73]

In his address to the Natal Diocesan Missionary Conference at St. Hilda's College, Rosboom on 7th July 1949, Bishop Leonard Fisher referred to the Durban riots and pleaded for greater tolerance, and called everyone to fight the "evil of race hatred".[74]

The Synod of the Diocese of Natal from 11th-14th September 1949 also reflected the deep concern that had been aroused by the traumatic experience of the riots, in passing these three resolutions:

71. Wits. Archive, Rheinallt Jones papers, letter Edgar Brookes to Rheinallt Jones, 15.11.1949, in which Brookes defended his greater militancy during 1949.
72. Natal Diocesan Office, Minutes of the Diocesan Missionary Conference of the Diocese of Natal, 1952.
73. The Vineyard, October 1950.
74. Natal Diocesan Office, Diocesan Missionary Conference 1949. Minute 5, Minute Book 11.

V. This Synod is convinced that our Christian Civilization in South Africa is doomed, unless we as Christians rouse ourselves now from our apathy and make a tremendous effort to understand and to solve our racial problems in accordance with our professed Christian principles.

VI. That this Synod recognizing the large amount of race feeling which exists in this Diocese calls upon all Christians of whatever race to behave with justice and courtesy towards members of other races and to urge others to do the same.

VII. That this Synod is of the opinion that there should be adequate representation of the non-Europeans in the legislative bodies in this country. 75

In addressing his Diocesan Synod in 1950 Bishop Fisher devoted a quarter of his Charge to the subject of race relations. He expressed concern at the "conditions under which many Africans and Indians live, especially in or around our urban areas".[76] He criticized the "artificial restrictions" which limited opportunities for progress, and the "sense of frustration" of the "more advanced". He spoke very strongly about "some Europeans" who "display a lack of courtesy and consideration in their attitude to non-Europeans which rankles and causes bitterness and resentment". He pointed out that "an African knows a gentleman when he sees one".

> A disquieting sign is the growing antagonism between Europeans and Indians in Natal. Most of the Indians were born here, and know no other country. They resent what they regard as repressive legislation, which will cause them hardship and in many cases take away their livelihood. Many Europeans on the other hand fear lest the standards of Western civilization, inherited from their forefathers and improved by their own efforts, should be endangered. On both sides there is the natural desire to safeguard their position and the future of their children. 77

These observations could be taken as a sign of a greater awareness of the problem of white attitudes towards Indians by Natal Anglicans. Equally, Bishop Fisher's remarks could be understood as evidence of an actual deterioration of race relations between Europeans and Indians, for which Christians had a direct responsibility. What is certainly true is that the tragedy of

75. Natal Diocesan Office, Proceedings of the Synod (Diocese of Natal) held from 11-14 September 1949.

76. The Vineyard, October 1950, "The Bishop's Charge".

77. Ibid.

the Durban riots did nothing to inhibit the new Government's promotion of its racial policy, as the debate on the Prohibition of Mixed Marriages Bill in May 1949 was to show. Perhaps Bishop Fisher's remarks were intended to be a reminder that the social analysis into the causes of the riots by sociologists should not be forgotten, or simply ignored, as the government unrelentingly pursued its policy of apartheid. To the advocates of apartheid, the solution to the problem of race relations revealed by the Durban riots was separation. The cause of the growing tension between Indians and Africans was their contact with each other, on the buses, in shops, as tenants, in the streets and in extra-marital sexual relations. On the other hand, the principal cause of the riots was, to the opponents of apartheid, the climate of racial prejudice induced throughout the country by the propagation of a racialist ideology, that had served to exacerbate relationships and increase inter-racial tension already present in the situation.

DUTCH REFORMED ATTITUDES.

If it is accepted that the speeches of Nationalist cabinet ministers contributed to the conditions whereby such an outbreak of racial violence between African and Indian could occur, then the Dutch Reformed Churches must bear their share of responsibility for providing religious sanction for those policies. The proceedings of the Durban Ring of the N.G.K. (Natal) in 1948 and 1949 had nothing to say about the riots, nor did their leaders make any effort to deny the idea that the Indians were a foreign element who deserved no rights in South Africa, and should be repatriated.[78]

Views hostile to the Indian's presence in South Africa were commonly held in N.G. church circles at the time. This is vividly demonstrated by the report of a meeting of some Dutch Reformed Church clergy and lay representatives at Ferreirastown, Johannesburg, in August 1947, amongst the papers of J.D. Rheinallt Jones.[79]

78. NGK (Natal) Synod Archive, Pietermaritzburg. Handelinge, Durban Ring.
79. Wits. Archive, Rheinallt Jones papers, Report of a meeting held at the Dutch Reformed Church, Ferreirastown, Johannesburg, at 2.30 p.m. on Saturday August 30th 1947.

The meeting had been convened by some white N.G.K. clergy for the purpose of consulting Coloured and African representatives of the daughter churches on the "causes of the ever-widening race deterioration between the Afrikaner and the Bantu".[80] The Chairman of the meeting was a Ds. Raath of the Newlands N.G.K. He explained this was being done in preparation for "a race conference in Durban in June 1948", since it was thought advisable "to obtain the opinion of its church adherents of the average African towards the Afrikaner".[81] Ds. S.S. Tema, Organizing Secretary of the Students' Christian Organization, was the author of a report of proceedings of that meeting. Its contents reveal a most disturbing set of attitudes amongst certain N.G.K. clergy who attended it. Ds. Raath began by explaining the history of the racial composition of South Africa. He said the country was composed of three racial groups, the Afrikaners, the "Bantu" and the "Coloured". He said that "it was of the utmost importance for these three indigenous racial groups to co-operate with one another in facing the common enemy".[82] He regarded the deterioration of race relations between the "Bantu" and the Afrikaner as caused by "the English people and their poisonous Press".[83]

> .... He considered the gravest menace facing the Bantu and the Afrikaners [was] the presence of the Indians in the country. He said that even in areas which are predominantly Bantu, the Englishman was giving trading licences to Indians in preference to the Bantu .... He went on to say that the Afrikaners were determined to see that the Bantu got a square deal in the areas set aside for his occupation and that in those areas no Indian, Chinese or Jew would be allowed to trade in competition with the Bantu. He appealed to every Bantu to co-operate with the Afrikaners in eliminating this, South Africa's greatest danger, and that every conceivable pressure should be employed to get them back to India, and that no self-respecting Bantu and Afrikaner should patronise their businesses.
>
> .... In his concluding remarks, the chairman said that it was in the interests of the Bantu and the Afrikaners to co-operate towards the realisation of the common objective, namely, the eventual removal of the foreigners in the country, the Indian, Chinese and the Jew. He asked the Bantu members present that as the attitude of the Afrikaners towards the Bantu had been grossly misrepresented by the English people and Press, if after his painstaking explanation, they did not see it in its true perspective. 84

80-84. Ibid.

To this Ds. Tema recorded how he had replied that Africans were "by no means influenced by the English press or people in their attitude to the Afrikaner .... it was a question of deeds and not words".[85] He challenged the idea that South Africa consisted of "three racial elements as stated by the Chairman".

> I challenged the Chairman's contention that the Indians had no right to be in South Africa, and maintained that they came here at the behest of the white people, and that they had as much right as a Bantu or Afrikaner to be in South Africa. I said I would have nothing to do with such a move of perpetuating racial strife between the Bantu and the Indian. 86

A sub-committee was then appointed by the meeting "to smooth out differences". This, however, excluded Ds. Tema, and according to his report it was never convened.[87] Nor, it seems, did the proposed Durban race conference take place in June 1948. As we have seen in the previous chapter it was not until 1950 that the Dutch Reformed Churches held their Congress on the "Native Question" in Bloemfontein.

No direct causal relationship can or should be adduced to link the ideas expressed at a meeting attended by fewer than twenty people in Johannesburg in August 1947, and rioting which broke out in Durban in January 1949 fully seventeen months later. However, Ds. Tema's record of this meeting, when read in conjunction with the National Party's election manifesto which described the Indians as an unassimilable minority who should be repatriated, and the legitimation of government policy by the Afrikaans churches, does suggest that anti-Indian attitudes prevailing in certain Dutch Reformed Church circles at the time undoubtedly contributed to the climate of opinion that increased the likelihood of violence. The antagonism towards the Indians shown by English-speaking whites in Natal between 1943 and 1946 has been alluded to in the first chapter and there is no reason to suppose that Anglicans in Natal were innocent of such prejudice. The tenor of Bishop Fisher's preaching on the Sunday after the riots suggests that he did not think his own church to be blameless in this regard. All needed to acknowledge with contrition the already existing racial attitudes

85-87. Ibid.

which lay behind this frightening outbreak of racial violence.[88]

THE PROHIBITION OF MIXED MARRIAGES.

Fortified by the knowledge that they had made modest gains in the Provincial Elections in March[(89)] and that Die Federaleraad van N.G. Kerke as long ago as 1946 had passed a resolution requesting that the government introduce legislation for the prohibition of mixed marriages, the Government confidently went ahead with its legislative programme.[90] The cornerstone of apartheid policy rested upon the principle of residential segregation. It would be to no avail therefore to legislate for separate residential areas for the races whilst it was still lawful to marry across the colour line. Quite apart from any arguments which the theoreticians of apartheid could advance in favour of making a bill to prohibit mixed marriages the foundation upon which the government's legislative programme would be based, the measure also held certain political advantages for the Nationalists. They knew that opinion in the United Party was divided on the issue, and it provided an excellent opportunity to re-open an old wound.

The United Party government led by General Hertzog had appointed a commission to investigate mixed marriages, and its findings were published in 1938. A majority report of that commission had recommended legislation to prohibit mixed marriages.[91] Mr J.H. Hofmeyr, however, had already made it clear that he would not remain a member of any government that introduced such legislation.[92] General Hertzog had then allowed General J.J. Pienaar,

88. CPSA Archive AB 987f, Bishop Fisher's Sermons after the riots, loc. cit.
89. See above, Chapter 5, reference (1), page 180.
90. House of Assembly Debates 6507/49, 25.5.1949, Minister of the Interior. In summing up the second reading debate Dr. T.E. Dönges quoted a resolution in 1946 from the Federal Council of the N.G. Churches asking the government ".... dat wetgewing ingedien word om gemengde huwelik sowel as buite-egtelike verkeer tussen blankes enersyds en naturelle of gekleurdes andersyds te verbied".
91. House of Assembly Debates, 6167/49, 19.5.1949, Minister of the Interior in his speech introducing the Second Reading Debate on the Prohibition of Mixed Marriages Bill.
92. Cited in a speech by Dr. H.F. Verwoerd in the Senate on 3.9.1948. See BROOKES, E.H., Apartheid: A Documentary Study of Modern South Africa, London: Routledge & Kegan Paul, 1968, pp 3-4. Dr. Verwoerd referred to a meeting at Ceres on 5.5.1938 at which Mr Hofmeyr had said he would not remain a member of a government which introduced legislation prohibiting mixed marriages.

leader of the United Party in the Transvaal, to introduce a bill against mixed marriages as a private member's motion. Mr J.H. Hofmeyr argued that legislation was not the right way to deal with mixed marriages. On the other hand, Mr Piet Grobler, General Hertzog's Minister of Native Affairs, could be quoted as having said that Mr Hofmeyr's views did not express the views of the Government any more than his own, and he supported General Pienaar's Bill fully. When the vote to adjourn the debate on General Pienaar's Bill was taken, the voting was close, 66 against 43, because so many United Party members had left the chamber when the division was called.[93]

Since 1938 the war had intervened, and Mr Hofmeyr's return to Smuts' cabinet had ensured that any further consideration of legislation to prohibit mixed marriages was shelved. Now, eleven years later, Mr Hofmeyr was dead and the United Party was in opposition. In 1949 the Nationalists suspected that the United Party caucus was divided on the line they should take, and this suspicion was soon confirmed during the course of the second reading debate. Although the bill was opposed in all its stages, few United Party speakers were ready to advocate the principle of mixed marriages.

On 19th May 1949 Dr. T.E. Dönges introduced the second reading debate to discuss the principle of the Prohibition of Mixed Marriages Bill. He explained that the Immorality Act of 1927 had prohibited extra-marital sexual intercourse between "Europeans" and "Natives", and referred to a new Bill to amend that act which would be "a second step for the discouragement of miscegenation and for the promotion of racial purity".[94] The first step was this bill to prohibit mixed marriages between "European" and "non-European" in order "to check blood mixture" and to "promote racial purity".[95] Field Marshal Smuts himself replied on behalf of the opposition. He described "racial intermixture" as "an evil" which he said in South Africa was a "situation that had arisen in our seaports". Mixed marriages however were not "susceptible to legislative treatment and legislative prohibitions". It was Smuts' speech which

93. PATON, Alan, Hofmeyr, London: OUP, Abridged edition 1971, pp 196-7.
94. House of Assembly Debates, 6175/49, 19.5.1949, Field Marshal Smuts.
95. Ibid.

determined the pattern for the ensuing debate, and the tone was set by his opening remarks:

> Mr Speaker, if there is one thing on which all South Africans are agreed it is this, that racial blood mixture is an evil. That, we all accept in South Africa as a commonplace, and that has been the tradition, the continuous tradition of our people in South Africa through the years ....[96]

Led by Field Marshal Smuts, the United Party found common cause in the argument that a law to prevent mixed marriages was impracticable because there could be no satisfactory legal definition of "a coloured person". This would create "an impossible legal position" and place the onus on the marriage officer, "the majority of whom are parsons .... not trained for that sort of work".[97] Moreover, mixed marriage was a "diminishing evil", while the real evil was "illicit intercourse".[98] There was the problem of "throw-backs" when "one child in a universally accepted European family is distinctly coloured, or the borderline cases".

> By the introduction of a legal test difficulties are raised which are practically insoluble and suffering is caused not only to those individuals but also to their families. [99]

Dr. A.H. Jonker (United Party, Cape Town Gardens) said he was "fully in agreement with the object aimed at".[100] He pointed to what had been "achieved voluntarily in creating separate residential areas"in the Cape. "This is where our solution lies. When we have fully achieved social separation".[101]

Mr A. Davis (United Party, Pretoria City) began his speech with the statement that

> I do not want it to be thought for one moment that I wish to condone or agree in any possible way to marriage between White and Coloured persons. [102]

Mr Davis thought that another way "to fortify the purity of the White population of South Africa" was "by means of immigration".[103] It took the Nationalist Member for Witbank, Mr D.J.J. Mostert, to

96. Ibid., 6175/49, 19.5.1949, Field Marshal Smuts.
97. Ibid., 6178/49, 19.5.1949, Field Marshal Smuts.
98. Ibid., 6179/49, 19.5.1949, Field Marshal Smuts.
99. Ibid., 6180/49, 19.5.1949, Field Marshal Smuts.
100. Ibid., 6184/49, 19.5.1949, Dr. Jonker.
101. Ibid., 6186/49, 19.5.1949, Dr. Jonker.
102. Ibid., 6192/49, 19.5.1949, Mr Davis.
103. Ibid., 6194/49, 19.5.1949, Mr Davis.

point out that "a marriage is not an immoral act".[104] What was needed was legislation "to determine in advance by means of registration who is a non-European and who is a European".[105] The Natives' Representative for the Transkei, Mr W.H. Stuart, went even further, saying that the Government should

> .... get your registration as you suggest .... Then punish absolutely the miscegenation between Coloured and White and punish the miscegenation between Coloured and Indian. The miscegenation between Indian and Native and the miscegenation between White and Native. 106

He thought that a Registration Bill should come before the Mixed Marriages Bill.[107]

Speaker after speaker on the United Party benches prefaced his remarks with a statement of opposition to mixed marriages, before going on to point out the legal or practical difficulties that would arise. Thus the Nationalist Member for Newcastle, Mr W.A. Maree, could say quite accurately "We can accept the fact that in principle we are all agreed that we are dealing here with a social evil".[108] He pointed out that with the passing of the Immorality Act "this House accepted in principle that miscegenation is a social evil and must be combated by way of legislation".[109] Notwithstanding any improvement in their economic position people "will still commit the sin or the act of entering into a mixed marriage".[110] He called for an extension of the principle to apply also to marriages between Indians and Natives, Indians and Coloureds, and Coloureds and Natives.[111] Dr. Dönges, however, said that "at the moment I do not think it can be put into this Bill".[112]

Dr. C.F. Steyn (United Party, Bloemfontein City), on the other hand, saw this legislation as being racially discriminatory, and said it would lead to resentment.

> .... every care should be taken not to worsen the already strained race relations which exist in this country, either

104. Ibid., 6198/49, 19.5.1949, Mr Mostert.
105. Ibid., 6195/49, 19.5.1949, Mr Mostert.
106. Ibid., 6204/49, 19.5.1949, Mr Stuart.
107. Ibid., 6347/49, 23.5.1949, Mr Stuart.
108-109. Ibid., 6375/49, 24.5.1949, Mr Maree.
110. Ibid., 6376/49, 24.5.1949, Mr Maree.
111. Ibid., 6381/49, 24.5.2949, Mr Maree.
112. Ibid., 6510/49, 25.5.1949, Minister of the Interior.

> by irresponsible statements .... and certainly nothing should be done to add fuel to the fire of bitterness which this type of legislation must necessarily bring in its wake. [113]

Dr. Dönges did not, however, consider the legislation discriminatory. It was based on the principle of "racial differentiation". "What applies to the European will apply to the non-European as well".[114]

Sir de Villiers Graaf (U.P., Hottentots Holland) made perhaps the most effective speech from the United Party benches by raising a number of legal and practical problems associated with the application of such a bill. He mentioned certain precedents in law where the racial classification of people had been called in question either for the purpose of admission to a school[115] or being placed on the electoral roll.[116] He pointed out how learned judges of appeal had used different criteria to decide such race classifications. However, as Mr H.S. Erasmus (N.P., Boshoff-Hoopstad) remarked of an otherwise excellent speech by Sir de Villiers Graaf, who in 1956 was to become the Leader of the Opposition, "At the start he knocked the bottom out of his own argument by saying they were opposed to mixed marriages."[117]

In summing up for the government Dr. Dönges, however, did little to clarify the criteria by which racial classifications would be made. He merely said that Sir de Villiers Graaf had wrongly made "descent the crucial test", while Mr Bloomberg had been wrong in trying to show that the only test was appearance.[118] In introducing the Bill the Minister of the Interior had already explained that the test of race classification would be threefold, the criteria being firstly appearance, then social environment, and finally ancestry, should the first two not be decisive. In that event "the courts have said it is probably not necessary in these cases to go further back than the grandfather".[119] Later,

113. Ibid., 6368/49, 24.5.1949, Dr. C.F. Steyn.
114. Ibid., 6511/49, 25.5.1949, Minister of the Interior.
115. Ibid., 6401/49, 24.5.1949, Sir de Villiers Graaf, referring to the case Moller vs. Keimoes School Board, 1911.
116. Ibid., 6402/49, 24.5.1949, Sir de Villiers Graaf, referring to Rex vs. Hadebe, 1945.
117. Ibid., 6408/49, 24.5.1949, Mr Erasmus.
118. Ibid., 6500/49, 25.5.1949, Minister of the Interior.
119. Ibid., 6174/49, 19.5.1949, Minister of the Interior.

when the legislation came to be implemented, it was the question of racial classification which was to cause the greatest heart-ache amongst "Coloured" people.

The first speaker to oppose the Bill on principle, and to attack the whole concept of prohibiting mixed marriages, its goals and the philosophy which lay behind the measure was the Natives Representative for Cape Western, Mr Sam Kahn.[120] In any parliament other than South Africa's his speech would have probably received support across a wide political spectrum. That his was the first voice raised in total opposition in a second reading debate that lasted four days and took up 100 pages of the House of Assembly Debates to record, illustrates how far racial prejudice had infected the minds of South Africans at that time. Apart from Mr Kahn, only Mrs Ballinger, Natives Representative for Cape Eastern[121] and Mr F.B. Allen (U.P., Roodepoort) who spoke about the attitude of the Churches on this question offered opposition directly against the principle of the Bill.[122]

Mr Kahn was said by Mr J.H. Abraham (Nationalist, Groblersdal) to have "filthy ideas".[123] Mr de V. Visser (N.P., Kempton Park), said threateningly "that the day must be hastened when we shall introduce legislation to prohibit the expounding of the ideology that he [Mr Kahn] is preaching far and wide in our country".[124] He volunteered the information that identifying "Coloureds" was really quite straightforward. Some years before he

> .... had the unpleasant task of picking out the Coloured children in a European school .... assisted by the staff I succeeded in finding eight Coloureds, and when I went to the homes of the parents I could see at once that at least one of the parents was Coloured. 125

Mr J.H. Abraham also said he believed that it was

> .... scientific to hold yourself aloof from a race with a lower civilization and less education, and more limited intellectual power, and of an ethnic type totally different from your own. 126.

120. Ibid., 6414-6423/49, 24.5.1949, Mr Kahn.
121. Ibid., 6440-6443/49, 24.5.1949, Mrs Ballinger.
122. Ibid., 6478-6483/49, 25.5.1949, Mr Allen.
123. Ibid., 6425/49, 24.5.1949, Mr Abraham.
124. Ibid., 6423/49, 24.5.1949, Mr Visser.
125. Ibid., 6424/49, 24.5.1949, Mr Visser.
126. Ibid., 6426/49, 24.5.1949, Mr Abraham.

Did the "liberals on the other side wish to identify themselves", he asked, "with the Communist member who this afternoon has vented his spleen on the Afrikaners ?"[127] Mr Kahn had even spoken about the Christian Church. "Imagine people who want to eradicate Christianity .... standing up here to protect the Christian Churches!"[128]

What, then, were these "filthy ideas" that Mr Kahn had expressed ? He called the Bill "the immoral offspring of an illicit union between racial superstition and biological ignorance". The Minister of the Interior was South Africa's "leading political misanthropologist".[129]

> It was far too late for any section of mankind to give sanction of law to pseudobiological phantasies about race purity which are incorporated in the Bill before the House.
>
> .... We in this country are now being asked to worship a new idol, a chemical substance .... the whole community is now being called upon to give legislative sanction to the deification of this chemical substance in the blood .... although it has escaped all physiologists, and biologists and bacteriologists, the Hon. the Minister of the Interior has discovered a new bacillus, the "bacillus blanc supremacoccus" and this is the bacillus of White supremacy. 130
>
> I would like to say to those in South Africa who regard mixed marriages and their offspring as an evil: "Honi soit qui mal y pense"; it is an evil to those who think along evil lines. I cannot myself think of a marriage, whether it be celebrated secularly before a marriage officer or whether it is consecrated by holy rites before a minister as something evil, nor can I think of a baby, whether it has been circumcised or baptised or not, as being something evil. What is evil in South Africa is not the progeny of mixed marriages, but the whole social pattern which dooms those who have non-European progeny to an inferior status and deprives them of the privileges which should be the inherant right of every citizen. The evil does not lie in the mixed marriages but the evil lies in the crazy social and economic pattern of South African life.
>
> .... The theory which lies behind the pigmentocrats on the side of the government [is] their so-called master race theories that are responsible for the introduction of this Bill before the House.... 131

If the State would assure to the offspring of mixed

127. Ibid.
128. Ibid., 6427/49, 24.5.1949, Mr Abraham.
129-130. Ibid., 6414/49, 24.5.1949, Mr Kahn.
131. Ibid., 6415/49, 24.5.1949, Mr Kahn.

> marriages the same cultural advantages, the same educational and economic opportunities as are given to other children in our community, then there can be no such thing as a tragedy attaching to any particular racial group.... The dominance of so-called coloured prejudice in the social scene of South Africa, can be attributed to the unmoral economic relations which exist between the technically advanced white people in South Africa and the relatively backward non-European population in our complex society. I am afraid that I cannot, although I suspect that I am of white origin, subscribe to the ethnic arrogance which appears to dominate the Government benches today. 132

He cited the Universal Declaration of Human Rights that were to apply "without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion ...."

> Men and women of full age have the right to marry and found a family and are entitled to equal rights as to marriage. 133

Mr Kahn quoted the "strong and dignified protest"against the Bill issued by the Roman Catholic, Methodist, Presbyterian, Congregational, Baptist and Anglican churches and the Salvation Army.[134] He had discussed the Bill with his African constituents, with Coloured people and Europeans, and had not "yet encountered a single one who wishes to have any limitation placed upon his unrestricted freedom to choose his partner for life".[135]

> Nobody desires to enter into marriage only with the prior approval of the Hon the Prime Minister or the Minister of the Interior or any gauleiter on the Nationalist benches.[136]

He cited the "infamous Nuremberg laws" which had made it "an unpardonable crime for a so-called German Aryan to marry a Jew or Jewess".[137]

> What is most dangerous is not merely interference with the liberty of the subject, the right of a person to enter into the most sacred contract known to law, marriage, but the whole pattern of segregation and racialism introduced by this Government. 138

He called it a "profane law" that interfered with the "right to found marriage on love".[139] He referred to Cape families who had escaped to the Transvaal "because here their life was made miserable on account of the suffering imposed on them,"

> .... not by reason of the mixed marriage, but the maliciousness of South African people who attach so much importance to colour. While so many of our European people are really

132. Ibid., 6416/49, 24.5.1949, Mr Kahn.
133-134. Ibid., 6418/49, 24.5.1949, Mr Kahn.
135-138. Ibid., 6419/49, 24.5.1949, Mr Kahn.
139. Ibid., 6421/49, 24.5.1949, Mr Kahn.

> Coloured let us rather purge our minds of this odious thing, this wretched race prejudice than make the innocent suffer.[140]

"The type of immorality that South Africa breeds and begets" was due to an economic and political system that was "the product of racialism", which caused "sons and daughters to spurn their own fathers and mothers".

> [They] do not greet them in the street in order to seek some economic or social or political privilege, they have turned their backs on the people from whom they have sprung.[141]

He saw the trend of Government policy as a "return to the dark ages".

> It shows itself in their attitude to culture, to education, with their attachment to the obscurantist Christelike Nasionale Onderwys. It shows itself in their immigration policy, their refusal to issue passports to non-Europeans; they are trying to make South Africa a vast concentration camp for non-Europeans. They should treat the non-European on his merits and not judge him by race colour or religion. 142

Why did Mr Kahn's speech evoke such an angry response from the Government benches ? The comparison with Nazi Germany touched on a raw spot, yes. The reference to the Aryan clause was not without justification. But it was taken to be an attack on the Afrikaner, who was sensitive to the accusation that it was people of Afrikaner stock, in the first two hundred years of South Africa's history at the Cape, who had been responsible for begetting the Cape Coloured population. Field Marshal Smuts had more delicately said that was only a problem in "our harbour cities". Mr Kahn ran the risk of being told that he meant the Afrikaner when he said,

> I do not hold any man's colour against him, but what I do despise and condemn are those, while themselves of Coloured offspring and Coloured ancestry, yet want to condemn others as this Bill proposes to do. They are the people who are despicable and worthy of condemnation by every human being. They are biological quislings. 143

To which an Hon. member said "Who are you referring to ?" and the Speaker had to call for order.[144]

Why such a speech could not have come from the United Party front bench illustrates how far the political opposition to apartheid had been compromised. It was Mr Kahn who gave the most

140. Ibid.
141-142. Ibid., 6421/49, 24.5.1949, Mr Kahn.
143-144. Ibid., 6422/49, 24.5.1949, Mr Kahn.

telling indictment of the proposed Bill of all the speeches from the opposition benches. But it was possible too easily to discount it as being merely the oratory of a card-carrying Communist, and Nationalist speakers lost no time in making this accusation.

According to the Minister of the Interior, there was unanimous public opinion against mixed marriages, "apart from certain Communistic and Liberalistic elements who are in favour of removing all barriers".[145] In response to an interjection by Mr Hayward (U.P., Port Elizabeth District) who asked "What about the Churches ?" Dr. Dönges replied,

> When I talk about the public opinion of South Africa, then I refer to the considered, temperate public opinion of South Africa which so far has been the predominant opinion in this country. 146

By 24th May, when Mrs Margaret Ballinger rose to speak on the attitude of the Churches towards the Bill, the Christian Council had done some good work in collating a statement giving the attitude of its member churches. This joint statement had been published on 6th May, well before this important debate began. It was issued by the Archbishop of Cape Town (Clayton), the President of the Methodist Conference (E.W. Grant), the Roman Catholic Vicar Apostolic of Cape Town (Bishop Hennemann), the Moderator of the Presbyterian Church (J. McDowell), the Chairman of the Congregational Church Union (W.N.M. Tarrant), the General Secretary of the Baptist Union (C. Garrett) and a Lt. Col. Hal Beckett of the Salvation Army. The Statement, read in the House by Mr F.B. Allen (U.P., Roodepoort) said,

> In respect to the "Prohibition of Mixed Marriages Bill" now before Parliament, we, representing the Christian Churches cited above affirm:
>
> (1) That the contracting of marriages between partners of different races is not contrary to the law of God as declared by Jesus Christ.
>
> (2) That we regard such marriages as inexpedient and likely to produce unhappy results for the children, but not as in themselves forbidden.
>
> (3) That hitherto public opinion has been sufficiently effective

145. Ibid., 6494/49, 25.5.1949, Minister of the Interior.
146. Ibid., 6495/49, 25.5.1949, Minister of the Interior.

to reduce such unions from 133 out of 14,135 marriages of Europeans in 1925, to 77 out of 28,385 in 1946.

In view of the above, we maintain that the proposed legislation is unchristian and unnecessary in respect of the duties devolving upon Ministers of religion who are marriage officers, and we are of the opinion that the provisions of the Bill create enormous practical difficulties.[147]

The initiative had been taken by the Action Committee of the Christian Council in Cape Town, and received the well-deserved approval of the Executive Committee when it met later in the year.[148]

On 18th May 1949, the day before the second reading debate began in the House of Assembly, Archbishop Clayton wrote his monthly letter in the Cape Town Diocesan Magazine.[149] It starkly illustrated the dilemma in which every church marriage officer was going to be placed. There are noticeable points of contact between Clayton's letter, the combined statement above, and parts of Field Marshal Smuts' speech of 19th May. For that reason the points of difference seem all the more unfortunate. Field Marshal Smuts said nothing about the State's encroachment upon individual rights as did Clayton in his fifth point below. The Archbishop specifically denied that a mixed marriage was sinful, contrary to what the leader of the United Party opposition seems to have assumed.[150]

I am writing this at a time when the bill for prohibiting mixed marriages has been printed but has not yet been discussed in Parliament. By the time you read this, it is of course possible that the bill may have been amended. But I want to say something about it as it stands at present.

First, I want to draw attention to the very difficult position in which marriage officers will be placed if the bill becomes law. All our clergy are marriage officers. Any marriage officer who knowingly performs a marriage ceremony between a European and a non-European will be liable to a fine not exceeding £50. And any person who appears obviously to be a European and a non-European shall for the purposes of the Act be deemed as such, unless he can prove to the contrary. The phrase "who appears obviously" is, I submit, a kind of phrase which is out of place in an act

147. Ibid., 6480-6481/49, 24.5.1949, Mr Allen. Also released to the press on 6.5.1949, see e.g. Cape Argus 6.5.1949, The Kingdom (Magazine of the Diocese of Pretoria) June 1949, p. 4.

148. Christian Council Quarterly, October 1949.

149. Cape Town Diocesan Magazine, May 1949, "Bishop's Letter" dated 18.5.1949.

150. House of Assembly Debates 6175/49, 19.5.1949, Field Marshal Smuts: "Most sins are not dealt with by law and cannot be dealt with by law. This is one of them".

of Parliament. Sometimes the marriage officer knows the person who wants to be married, and is acquainted with the family history. If he knows that the person who looks like a European is not a European, he ought under the law to refuse to marry him. But if he does not know him, as is often the case, he will marry him, and act according to the law in doing so. But many times it happens that a person to be married is a border-line case. One marriage officer will think that he looks like a European. Another will think that he looks like a non-European. It seems to me incredible that a Government consisting of responsible persons can really be going to pass a measure which exposes a marriage officer to the danger of incurring a heavy fine because a magistrate may take a different view from that which he took as to what a person looks like.

Secondly, we all know that in the same family that one looks like a European and another does not. If the family is non-European, then any member of the family who marries a European is guilty of an offence, but in fact it will be possible for the one that looks like a European to marry a European, but not for his darker brother or sister to do so. If he does so, is his marriage valid ? Or is it a case of something which in the eyes of the law ought not to have happened, but, having happened is valid ? This ought to be made clear.

Thirdly, if a European and a non-European are living together without having been married, and have children, and if they come under the influence of the Church, what is to happen ? Separation may be very undesirable for the sake of the children. But from the point of view of the civil law, they can't be married. There is of course absolutely nothing in the marriage law of the Christian Church to make such marriages sinful. But their present relationship is sinful. A priest, if he is to obey the proposed law, must, so far as I can see, either advise them to continue to live in sin, or advise them to separate at the expense of the children's happiness. This puts a heavy strain on the conscience of the clergy.

Fourthly, in the present condition of South African society, marriages between Europeans and non-Europeans are almost always undesirable. The social consequences will always be bad. But the number of marriages is negligible. There is no existing social evil which will be remedied by the bill. And great hardship will be inflicted on a few individuals.

And, lastly, the bill is an interference with the rights of the individual which is unjustifiable and dangerous. The purpose of the bill is secured by the pressure of public opinion. Encroachment by the state upon the rights of the individual is something to be watched very carefully. And some of those who support this bill may have reason to regret the precedent that will be set if this bill becomes law. 151

151. Cape Town Diocesan Magazine, May 1949, loc. cit.

Mrs Ballinger made a convincing plea that, although the legislation had been asked for by the Dutch Reformed Churches, "the principles of my church call for recognition and consideration by the Government".[152] She could not see how the clergy of the Anglican Church and the Roman Catholic Church, who did not believe in divorce, were "going to square their duty to God and their duty to the State" where a marriage solemnised by the church was dissolved by the state.

> The Hon. Minister is a lawyer; he may know how he is going to get round the conscience of my church, but I have a strong feeling that the conscience of my church is going to be stronger than lawyers, and I may say that I hope so for my own sake, because it is the principle that matters to me. 153

She thought that "those of us who are Christians have a right to make claims upon the State that its legislation shall not run counter to our conscience". She said that the legislation that the Minister of the Interior was proposing was "running dangerously near a conflict with the consciences of many of us".[154] Mr G.F. Bekker (Nationalist, Cradock), replying to Mrs Ballinger said that the Government was "not saying that the sanctity of marriage should not be recognised" but that the sanctity of marriage would be recognised "between white and white, and between black and black, and between Coloured and Coloured".[155] Mr F.B. Allen, (U.P., Roodepoort) having raised further practical objections on the problems surrounding Clause 2 ("any marriage officer who knowingly performs a marriage ceremony between European and a non-European") and Clause 3 ("any person who appears obviously to be a European or a non-European ..."), concluded that "there are implications in this Bill that are not fully appreciated by the Minister".[156]

Dr. Dönges' reply to Mrs Ballinger and Mr Allen is of deep interest because it revealed the many-sided aspect of the church-state relationship at work. The Minister quoted the resolution of Die Federaleraad van N.G. Kerke in 1946 which had asked for legislation prohibiting mixed marriages:

.... *dat wetgewing ingedien word om gemengde huwelik sowel*

152. House of Assembly Debates, 6442/49, 24.5.2949, Mrs Ballinger.
153. Ibid.
154. Ibid., 6443/49, 24.5.1949, Mrs Ballinger.
155. Ibid., 6444/49, 24.5.1949, Mr G.F.H. Bekker.
156. Ibid., 6482/49, 25.5.1949, Mr Allen.

> *as buite-egtelike verkeer tussen blankes enersyds en naturelle of gekleurdes andersyds te verbied.* 157

Dr. Dönges then assured Mrs Ballinger he had "listened with respect" to her argument. "In all matters of conscience, even where we disagree, I think we have to accord respect .... "[158] He cited the C.P.S.A. Bishops' statement to the Mixed Marriages Commission in 1938 that had stated,

> The Bishops as a general rule discourage mixed marriages, but the Bishops cannot regard such marriages as criminal and would offer the strongest opposition to the introduction of any legislation which would have the effect of making them so.[159]

Dr. Dönges then pointed out that the bill did not make mixed marriage itself a criminal offence, despite the fact that criminal penalties attached to the Marriage Officer if he knowingly solemnised a mixed marriage.[160] There were criminal penalties for making a false statement, but not with regard to the marriage as such. In response to the view that marriage was a sacrament that could not be broken by divorce, Dr. Dönges replied,

> I still have to learn that these churches, for instance, would regard a bigamous marriage, sacred though it may be, as standing; they will treat it as the law treats it, as of no effect at all. That is what is done in this Bill.
>
> .... I am simply asking them to do what they have already done in principle, and that is to accept certain grounds of nullity. 161

In referring to the Christian Council's statement, the Minister's attitude turned swiftly from respect to cold disdain. The reader will recognise in Dr. Dönges' reply a similarity of tone to that of the reply of the Prime Minister in January 1949, when Dr. D.F. Malan had refused to receive a deputation from the Council.

> Let me say frankly that that protest of the churches, which was sent to me, is a document that amazes me. Here we find certain churches arrogating to themselves the position of saying what is Christian and what is not Christian. I do not mind that by itself but by their stamping this Bill as un-Christian they have also stamped as un-Christian the attitude of all the Dutch Reformed Churches in this country, who support this Bill, and that I think is a thing I cannot allow to pass. 162

157. Ibid., 6507/49, 25.5.1949, The Minister of the Interior.
158. Ibid., 6506/49, 25.5.1949, The Minister of the Interior.
159. Ibid., 6508/49, 25.5.2949, The Minister of the Interior, citing the resolution of the Synod of Bishops held in Bloemfontein on 11th October 1938.
160. Ibid., 6508/49, 25.5.1949, The Minister of the Interior.
161. Ibid., 6509/49. 25.5.1949, The Minister of the Interior.
162 Ibid., 6509-6510/49, 25.5.1949, The Minister of the Interior.

Thus did the Prohibition of Mixed Marriages Bill pass its second reading, after four full parliamentary days of intensive debate. The United Party kept up its opposition to the bill right through to the Third Reading, when it was Mr J.G.N. Strauss (U.P. Germiston District) who put the opposition's argument. Insofar as Mr Strauss was destined to succeed Field Marshal Smuts as Leader of the Opposition a year later, it is of some interest to take note of his views.

> I want to emphasize it again now, that we as a party regard such marriages as an unmitigated evil. We regard, as all good South Africans do, racial mixture of blood as an evil thing, and we have as great an aversion to such blood mixture as any hon. member on that side of the house. We accordingly condemn mixed marriages as whole heartedly as they do. We realise the tragedy of mixed marriages, not only to the offspring of that marriage, but to the community as a whole but .... the solution is not to be found by way of the statute book. It is an evil which cannot be cured by legislation. It is the censure of public opinion and social ostracism that can and has dealt quite effectively with this evil .... it is a diminishing rather than a growing evil. 163

What the debate on the Prohibition of Mixed Marriages Bill had revealed was the adroitness with which the Nationalists exploited the United Party's weakness. In his speech summing up the second reading debate, Dr. Dönges had given the United Party some advice. "If you try to satisfy two conflicting sections of your party you necessarily make yourself incapable of doing anything".[164] As the story unfolds of the United Party's erratic performance in opposing apartheid this remark aptly describes the United Party's besetting weakness, its inability to provide a united coherent and principled opposition to apartheid. This failure left the member churches of the Christian Council, the Natives Representatives, the Labour Party, the small minority of "liberals" within the United Party, the African and Indian Congresses and the Communist Party as allies in the opposition to apartheid. And, as can be seen from the exchanges which took place in the debate on the Mixed Marriages Bill, speakers on the Government benches lost no opportunity to try to make more plausible the smear that liberals and liberal churchmen were at best fellow-

163. Ibid., 9066/49, 24.6.1949, Mr Strauss.
164. Ibid., 6491/49, 25.5.1949, Minister of the Interior.

travellers with communists. But for Mr Sam Kahn, Mrs Margaret Ballinger and Mr F.B. Allen the argument would have gone by default that marriage is a sacrament in which the state has no right to prescribe the choice of a marriage partner.

In retrospect some have suggested that all the clergy should have resigned as Marriage Officers.[163] Most Anglican Bishops were quick to deplore the legislation in writing to their dioceses. Bishop Fisher of Natal, for example, said that

> .... undesirable and unhappy as such marriages usually are, they are not contrary to the Law of God and of His Church, and the new law may have the effect of increasing the number of illicit unions. 164

Geoffrey Clayton devoted most of his monthly pastoral letter to his diocese in April 1950 to a circular that had just been sent to all Marriage Officers by the Ministry of the Interior. The circular had stated that if a person who desired to be married was not obviously a European or a non-European, it would be sufficient for the doubtful party to prove that he habitually consorts with Europeans and a European or with non-Europeans and a non-European. Clayton protested that

> It is clear that where the legal determination of the race to which a person belongs is based upon such insecure and unscientific criteria as what he looks like and with whom he consorts, there is a grave risk of gross injustice being done to individuals. 165

Moreover, the risk was made worse by the introduction of the Immorality Amendment Bill. Although he believed most vehemently that "this sort of legislation ought not to appear on the Statute Book of any State", the question of disobedience did not occur to him, but resignation as a Marriage Officer might have done, for he wrote,

> I am a marriage officer, and as long as I remain one I shall of course try to carry out the instructions of the Department as to how to obey the law. But I do think, the more the law is studied the more ill-advised it seems; and I also think that marriage officers are placed in a position which is well-nigh intolerable. 166

That there was no mass resignation of Marriage Officers

163. WOOD, C.T., unpublished journal loaned to the author, pp. 375-6.
164. The Vineyard, June 1949, Bishop's letter.
165. Cape Town Diocesan News, April 1950, pp. 3-4.
166. Ibid., p. 4.

was due probably to the fact that it was not all clergy who ministered among the Coloured community where the difficulties were greatest. That would have been a dramatic protest if it had been made, but most clergy were jealous of their pastoral relationship with young couples who came to them to be married. If the clergy lacked the legal right to solemnize marriages they might progressively cease to have any involvement. On the other hand, if the clergy only concerned themselves with the church rites, leaving the legal requirements to the magistrates, the consciences of many clergymen would have been salved. It was no answer to do as did one priest in the Diocese of St. John's, who simply boycotted everything to do with the registration of marriages in Pretoria by refusing to complete the forms he had been given as a Marriage Officer. The legal and other consequences for those he "married", but whose marriages he did not register, were such that for years afterwards a later incumbent found himself "marrying" many couples again in order to comply with the legal requirements.[167]

The problems associated with the Prohibition of Mixed Marriages Act and its offspring the Population Registration Act for the Coloured people and for Marriage Officers were foreseen by church leaders and by many opposition speakers. But all the eloquence and far-sightedness of bishops and some politicians in trying to resist this legislation was as nothing, nor could words convey the extent of the tragedy that was to engulf the Coloured community as these new laws were applied.

The Revd. G.A. ffrench-Beytagh (later Dean of Johannesburg) was appointed to St. Alban's Mission in Ferreirastown, Johannesburg, in 1952, a job which covered all the "Coloured" churches in the Johannesburg area. He told me how police and inspectors would come round questioning Coloured families about their classification and registration.

> There was an awful split in families, where some people were classified as white and some were classified as Coloured. At that time, you were instructed as a Marriage Officer not to go into people's background, but "Who do you associate

167. Related to me by the Ven. John Weaver, who was priest-in-charge of Clydesdale Mission, Umzimkulu, from 1966 to 1980.

> with ?" In one family they were classified as white because they associated with whites, and then a brother or sister was classified as Coloured. They soon gave that up and went back to birth certificates.
>
> But I had this awful thing, when for two or three years I was Priest-in-Charge of Coloureds, suddenly seeing all the photographs whipped away - white patches on the wall. They love their family photographs of weddings, christenings and so on. But they reveal that they are mixing a little darker. The police and inspectors used to come round questioning these Coloured families, and it was an absolutely tragic time. This was when I started to get really angry about the whole situation. 168

ffrench-Beytagh described their predicament as a "fantastic lottery".

> Some were lucky, and I still have personal friends whom I know to be Coloured but who now carry a white identity card. A slight difference in pigmentation and a lot of luck at the right time has made them one of the privileged 3,7 million while their slightly darker or unluckier friends and relatives are stuck for life in the Coloured ghetto. 169

The deterioration of race relations in Coloured communities in the Cape as a direct result of the undisguised racialism enshrined in the Prohibition of Mixed Marriages Act and the speeches made in support of its object of racial purity, was made the subject of a resolution to the Prime Minister, Dr. D.F. Malan, by the Wynberg Ring of the N.G. Sendingkerk in September 1949. The Wynberg Ring comprised four white and five Coloured ministers, and the resolution was formulated at the four-day annual gathering of the Ring, and released to the Press. The Ring recorded its

> .... regret at the deterioration in the race relations of Europeans and Coloureds as a result of the unBiblical and unChristian application of the policy of compulsory apartheid, which is causing discrimination against the Coloured people 170

The nine ministers concluded by expressing gratitude to their church members "for their calmness in all these distressing circumstances". 171

Alan Paton told this true story to demonstrate what the consequences of this legislation have been:

168. FFRENCH-BEYTAGH, Canon G.A., Interview, London, 8.8.1975; cf. FFRENCH-BEYTAGH, G.A., Encountering Darkness, London: Collins 1973, pp. 62-66.
169. FFRENCH-BEYTAGH, op. cit., p. 65.
170. Cape Times, 24.9.1949, "Church breach on Apartheid. D.R. Mission call to Malan".
171. Ibid.

> Let me tell you one of the most terrible stories I know about what apartheid is like. A white man, with a wife and three children, was visited by two Government inspectors who ask to speak to him privately. He takes them into the sitting room and closes the door. They tell him that they have received information that he is a Coloured man. They have investigated and find that the allegation is true. Therefore he can no longer hold his administrative post in the railways, and he can no longer live in that particular suburb.
>
> When they have gone his wife comes to him, full of anxiety. He tells her that he will now be classified as Coloured. What their marriage was like I do not know, but in that moment it is destroyed. She is outraged, not by the evil law but by what he has done to her. She packs at once and takes her three children with her, away from the Coloured man who wronged them. But she has forgotten one thing - her children are now Coloured too. 172

Despite all the opposition, the warnings of churchmen, the visible increase of inter-race tensions and the obvious difficulties in applying this legislation made no difference to the dogged determination of the Government to press on with their programme. Almost five years later, Dr. D.F. Malan defended the logic by which he opposed mixed marriages in an open letter to the Revd. John Piersma of the Christian Reformed Church in the United States. He did so in terms of the maintenance of Afrikaner identity, which in turn required "religious sanction" because that identity was essential "to convert the heathen to Christianity without obliterating his national identity".[173] He explained that the traditional fear of the Afrikaner of "equalitarianism" between black and white derived from his aversion to miscegenation.

> The Afrikaner has always believed very firmly that if he is to be true to his primary calling of bringing Christianity to the heathen, he must preserve his racial identity intact. The Church is therefore entirely opposed to intermarriage between Black and White and is committed to withstand everything that is calculated to facilitate it. 174

There is no evidence that the prohibition of mixed marriages was wanted by anyone other than the National Party and the white

172. Christianity and Crisis, Vol 34, No. 16, September 30, 1974, p. 206, "Church and State in South Africa" by Alan Paton.

173. Pretoria News, 1.4.1954, Dr. Malan's Open Letter to the Revd. John Piersma of the Christian Reformed Church, Grand Rapids, U.S.A.

174. Ibid.

Dutch Reformed Churches. The idea that the provisions of the Act be extended to include Africans, Indians and Coloureds did not arise from any pressure in the black community. Bishop Alpheus Zulu recalled that the extension of the prohibition to include marriages between Africans and Indians was not an important issue for Africans.

> We in the church were not worried about any intermixing between Indians and Africans. My own wife being Coloured I would have known if there had been any pressure within the African community. 175

What the debate on the Prohibition of Mixed Marriages Bill did reveal was the Nationalists' future intentions. "This is one of the laws that clears the path for apartheid" declared Mr H.S. Erasmus (Nationalist, Boshof-Hoopstad), ".... Once National registration has been effected virtually all the objections of hon. members will fall away".[176] The "National registration" was achieved by the Population Registration Act of 1950. We have already noted how the speech of Mr Kahn (Natives' Representative, Cape Western) evoked the threat of legislation to prohibit him from "expounding the ideology he is preaching" from Mr de V. Visser (Nationalist, Kempton Park).[177] This legislation was the Suppression of Communism Act, 1950, and is discussed in the next chapter. The arguments for residential segregation gave notice of another enactment (the Group Areas Act, 1950), whilst the Minister of Justice also announced the Government's intention of introducing an amending Bill to the Immorality Act of 1927 (the Immorality Amendment Act, 1950).[178] These proposed measures, together with the threatened removal of African and Coloured franchise rights, gave a forbidding picture of what lay ahead for most South Africans in 1950. To the Nationalists it seemed that they had, with the passage of the Prohibition of Mixed Marriages Act, crossed the Jordan, and were poised to conquer the promised land for the Afrikaner and apartheid. And South Africa was to discover the truth of an inspired interjection by Mr S.J. Marais Steyn (U.P., Alberton), during the Minister's summing-up speech in

175. ZULU, the Right Revd. A.H., Interview, Edendale, 23.2.1981.
176. House of Assembly Debates, 6409-6410/49, 24.5.1949, Mr Erasmus.
177. Ibid., 6423/49, 24.5.1949, Mr de V. Visser.
178. Ibid., 6164/49, 19.5.1949, Minister of the Interior.

the second reading debate of the Mixed Marriages Bill. "Your cure", said Marais Steyn, "is worse than the evil".[179]

THE SOUTH AFRICAN CITIZENSHIP BILL.

Where the effect of the long and acrimonious debate on the Prohibition of Mixed Marriages Bill took its toll on race relations and evoked the most bitter sense of resentment amongst the so-called Coloured people of South Africa, a second bill which also passed through all its stages as the 1949 parliamentary session drew to a close, and which caused even fiercer controversy, was the South African Citizenship Bill. From the Government benches came the accusation that those who wished to retain their British citizenship and also be South African citizens were "jingoes". The United Party retaliated by accusing the Government of introducing the measure for their own party-political advantage.

Neither charge lacked foundation. At the time all citizens of the British Empire and Commonwealth were ipso facto British citizens. Whilst the privilege of British citizenship conceived in terms reminiscent of the Roman Empire of St. Paul's day held clear advantages for every holder of a British passport, a policy of unfettered freedom of movement within the Empire and the Commonwealth held certain dangers. The most feared was widespread immigration from the sub-continent of India, something which was beginning to occur on an increasing scale in Africa, and a trend as yet in its infancy of West Indian immigration to Britain. Emigration within the Commonwealth was taking place on an unprecedented scale in the immediate post-war years. A Royal Commission on population in Britain in 1949 did nothing to stop the flow by observing that it was in the long-term interests of both Britain and the Commonwealth as a whole to maintain the flow of emigrants from Great Britain to other parts of the Commonwealth at as high a rate as possible. Countries like Australia, Canada, New Zealand and South Africa were unable to regulate the flow of immigrants and found it incompatible with their status as independent "Dominions"

179. Ibid., 6496/49, 25.5.1949, Mr S.J. Marais Steyn.

within the Commonwealth. Thus as Dr. T.E. Dönges pointed out in introducing the second reading debate, following the 1946 Prime Ministers' Conference all other Commonwealth countries had introduced legislation to provide for their own citizenship.[180]

On the other hand the South African Citizenship Bill contained some sinister features which opponents of the Nationalist Government seriously mistrusted. Whilst all who were presently resident in South Africa and had lived there for two years would automatically be citizens by registration, the main provision of the Bill was to require from all new immigrants a five year period to acquire citizenship by registration and six by naturalization.[181] Suspicion that the move was therefore designed to withhold citizenship, and therefore the vote, from large numbers of immigrants from Britain and other Commonwealth countries who were assumed to be supporters of Field Marshal Smuts, was widespread. However unfounded such suspicions may or may not have been, the United Party had genuine grounds for concern regarding the powers which would be conferred by the Bill to deprive a person of his citizenship. They were especially concerned about Clause 10, which provided that the Minister of the Interior should make provision for applicants for naturalization "to receive instruction in the responsibilities of South African citizenship".[182] Here, it was suspected, was a convenient means for the indoctrination of immigrants to ensure they were Government supporters. Dr. Dönges explained that South African citizenship could be lost in three ways, firstly by "denunciation", where the individual renounced his own citizenship; secondly by long residence outside the Union, interpreted as seven years or more, and thirdly through "deprivation", which would be subject to appeal to a judicial tribunal. Unlike Canada or the United Kingdom, voting rights would be linked to citizenship. Nor would the citizenship of another Commonwealth country be an automatic qualification for South African citizenship. Immigrants from Australia, New Zealand, Canada and the United Kingdom would henceforth have to be naturalized like any other alien.[183]

180. Ibid., 7574/49, 10.6.1949, The Minister of the Interior.
181. Ibid., 7618/49, 10.6.1949, Dr. J.H. Steyn (N.P. Potchefstroom).
182. Ibid., 7600/49, 10.6.1949, Mr J.G.N. Strauss (U.P. Germiston District).
183. Ibid., 7583/49, 10.6.1949, The Minister of the Interior.

The United Party forced an all-night debate during the second reading, which resulted in a marathon thirty-three hour session that began at 2.15 p.m. on Tuesday 14th June and concluded at 11.51 p.m. on Wednesday 15th June. The Prime Minister retaliated by using his majority to force Guillotine procedure for the remaining stages of the Bill. Dr. Malan's resolution severely curtailed the time for debate to four hours for the committee stage, three each for the report stage and the third reading. Debate on the Prime Minister's guillotine resolution was greeted with a storm of protest from the Opposition, Mr J.G.N. Strauss describing it as "a shabby disregard by the Prime Minister for the rights of parliament". However, after fruitlessly expending a further eight hours of parliamentary time, the guillotine resolution was passed, and by the end of June the Bill became law.[184]

The tragedy of it all may not have been the provisions of the Bill itself, but the emotive reactions it evoked in angry exchanges across the floor of the house. Old animosities going back to the Anglo-Boer War were re-awakened and there were times during the debate when those of British descent were made to feel like uitlanders in President Kruger's old Transvaal Republic. To Field Marshal Smuts it seemed as though his life's work of reconciling English and Afrikaner within a Union of South Africa had been squandered. He took no part in the debate and it was Mr Strauss who replied for the opposition.

PERMITS FOR MISSIONARIES TO ENTER "NATIVE" AREAS.

On the same day that controversy over the Citizenship Bill had produced unprecedented levels of hostility, which developed into the most heated and angry exchanges between the Government and the Opposition as a result of the Prime Minister's guillotine resolution, a brief report under the headline "Missionary permits - Circular causes anxiety" appeared on an inside page of the Cape Argus.[185] This referred to a circular sent to all religious bodies by the Department of the Interior, stipulating that in

184. Ibid., 8435/49, 17.6.1949, Mr Strauss.
185. Cape Argus, 17.6.1949, "Missionary Permits - Circular causes anxiety".

future missionaries would be given permits to enter Native areas for two years at a time, and this would be renewable on application. Father Trevor Huddleston, Provincial Superior of the Community of the Resurrection whose Order would be directly affected by such a regulation was quoted as saying,

> I am greatly concerned over the implications of this move and would welcome a statement as to its exact meaning. My reading of it is that the Government intend to implement a statement in the Nationalist party manifesto issued before the general election that activities of churches of which they might not approve should be checked. I have never had a permit and do not know whether, as a Union national, I would be required to have one. Is it possible that if any missionary minister of religion does anything of which the Government do not approve, or says anything, then his permit is likely to be cancelled or not renewed ? 186

The legal position at the time was that in terms of the Native Trust and Land Act of 1936 there was a general prohibition against anyone "other than a native" residing or "carrying on any profession, business, trade or calling" in any "Native" area. This prohibition also applied to land "held by any religious denomination or society". The position however had been modified by Government Notice No. 1467 of 1940 exempting "any minister, evangelist or teacher" who is a British citizen or Union national. The Secretary for Native Affairs might, however, at any time withdraw the exemption. Missionaries who were not British subjects or Union nationals did, however, have to obtain permits.[187] During the war the United Party Government had, for security reasons, been compelled to exercise special caution with regard to the entry of missionaries from the continent of Europe.

Apart from some minor difficulties experienced in 1943, which had been quickly dealt with by the intervention of Senator Edgar Brookes at the time, no Church or mission seems to have experienced any particular problems in this regard until 1949, when the Church of Sweden Mission was refused a permit for one of its missionaries, and others began to experience inordinate delays. The Revd. Stanley Pitts, Secretary of the Christian Council, told Senator Edgar Brookes about the experience of one Swedish missionary who

186. Ibid.

187. Wits. Archive, CCSA Papers, AC 623/6, Correspondence with Government Departments 1943-1950. Letter Secretary for Native Affairs to Hon. Secretary Christian Council of South Africa, 20.9.1943.

did not receive a permit.

> As to the Swedish missionary about whom I spoke to you in January - they did not ask him his views on the South African Government, of course, but what were his views on the relation of black and white. He replied that he believed they were equal in the sight of God, and incurred the wrath of the official at our legation - and no permit. Even at that interview - and each of its kind - an undertaking had to be given to take no part in "politics". 188

Senator Brookes had noted in particular Mr Pitts' observation that "everything seems to turn on the good faith of the Minister" with regard to the "two year probation plan for the admission of missionaries".

> I am afraid that I have no confidence at all in the good faith of the Minister concerned [Dr. Dönges]. I think that he will use his power without scruple with regard to any missionary whom he feels to be politically undesirable. 189

In another letter to the Secretary of the Christian Council, the Revd. E. Lynn Cragg replied on behalf of the Methodist Church, asking in particular if the new regulation applied to British subjects.

> If so, a temporary permit for two years, renewable at the discretion of the Minister may mean that as in the case of Senator Ballinger, a minister after living many years in the country may still be held to be here only under a temporary permit, and be debarred from citizen rights. Is this another ruse to prevent British citizens from being citizens of South Africa ? Might it not also mean that a South African woman marrying a minister who had come under such a temporary permit, might find herself in the position of Mrs Ballinger, without citizen rights in her own country. 190

A lengthy negotiation with the Department of the Interior ensued, in which an assurance was soon received on 14th June, in the absence of the Secretary for the Interior who was on sick leave, that the new regulation regarding the admission of missionaries would not affect British subjects. On 20th November a delegation from the Christian Council, consisting of Ds. J. Reynecke, the Revd. M.P. Junod, and Archdeacon R.P.Y. Rouse, interviewed the Minister of the Interior Dr. Dönges in Pretoria, and achieved what could be described as a significant "diplomatic

188. CCSA Papers loc. cit., letter Revd. S.G. Pitts to Senator E.H. Brookes 14.5.1949.
189. CCSA Papers loc. cit., letter Senator E.H. Brookes to Revd. S.G. Pitts 27.5.1949.
190. CCSA Papers loc. cit., letter Revd. E. Lynn Cragg, Wesley Hall, Fort Hare, to Revd. S.G. Pitts, Hon. Sec, Christian Council, Strand, Cape., 6.6.1949.

victory". Not only was it confirmed that the new regulation would as in the past not apply to British or South African citizens, but also as a result of the interview, the regulation announced in June had been withdrawn. In order to ease the problem for non-British Missionary Societies the Department of the Interior had agreed that the three who had comprised the Christian Council's deputation should with their approval

> .... act as liaison officers with the Department of the Interior on behalf of the Missionary Societies concerned, and that for this purpose they shall be accorded ready access to senior officials of the Department with whom they may take up specific cases of missionaries awaiting entry to South Africa. 191

Archdeacon Rouse mentioned in particular his gratitude to Ds. Reynecke "for his help in arranging the interview and for his guidance at the time of the meeting with the Minister", and how they were "well received and the Minister found very co-operative".[192] In the event all but the General Superintendent of the Hermannsburger Mission (German Lutheran) in Natal, who preferred to keep matters in his own hands, accepted the scheme. It took several months for the matter to be finally concluded satisfactorily. On 1st August 1950 after a hastener from the C.C.S.A., a letter from the Secretary of the Interior informed the Christian Council that the Secretary of the Interior had approved the scheme for the admission of non-British missionaries. The C.C.S.A.'s reply, however, showed that the Department had still to appoint a senior official for liaison with the committee for the scheme to be operative.[193] What these exchanges did illustrate was that in 1949 the Government was still susceptible to sustained pressure. It is possible that in matters relating directly to the churches, judging by the tribute paid to him by the Revd. Arthur Blaxall on his death in 1959, the Prime Minister, Dr. D.F. Malan, was able to exercise a moderating influence over the more headstrong members of his cabinet,[194] and that in 1949 certain sympathetic officials were still in a

191. CCSA Papers, loc. cit., Circular dated 30.1.1950 from Stanley G. Pitts, Secretary of the Christian Council of South Africa to all non-British Missionary Societies at work in South Africa.

192. CCSA Papers loc. cit., letter Archdeacon Rouse to the Revd. S.G. Pitts 21.11.1949.

193. CCSA Papers Loc. cit., letter Secretary for the Interior to Secretary of the CCSA, 1.8.1950, and letter CCSA Secretary to Secretary for the Interior 4.12.1950.

194. Christian Council Quarterly, April 1959. Dr Blaxall referred to the three occasions they had met personally, and recalled in particular an hour-long conversation with Dr. Malan in Pretoria in 1952. "His manner of conversation convinced me that he was seeking in his mind for a Christian answer to many of the things which divided us."

position to withstand the hard-line Nationalists whom the Government were gradually promoting to senior positions in the civil service.

THE ROSETTENVILLE CONFERENCE, JULY 1949.

"THE CHRISTIAN CITIZEN IN A MULTI-RACIAL SOCIETY".

It was the abortive attempt to arrange an interview with the Prime Minister in January that led the Christian Council to arrange this conference in July 1949, in order to "make a deeper study of the issues involved".[195] The conference itself was designed to demonstrate to all that it was not apartheid but eendrag that was the real need for South Africa.[196] In his closing address, the Revd. Arthur Blaxall made the point that "the root of much that is evil in our national life is lack of respect for the fundamental humanity which is in all men, White or Black".[197]

Seven years before, the Christian Council had called a similar conference at Fort Hare on Christian Reconstruction in 1942. Then there had been a spirit of optimism abroad. This meeting at Rosettenville in 1949, however, had been summoned out of a growing sense of apprehension for the visible deterioration in race relations since the Nationalists came to power. In January 1949 the Durban riots had claimed many lives. The enforcing of apartheid on trains in 1948 had resulted in some ugly incidents as angry blacks deliberately defied the new regulations.[198] It had been said that "aparthate" had begun on the trains.[199] These tensions were further exacerbated by the acrimonious debates of the parliamentary session just ended.

In his closing address to the Rosettenville Conference in

195. CCSA, The Christian Citizen in a Multi-Racial Society, Report of the Rosettenville Conference July 1949, Johannesburg: CCSA 1949. Conference Statement by E.W. Grant, President and Stanley Pitts Secretary, 13.7.1949.
196. Ibid., p. 8. "Eendrag", it was explained, meant "unity through teamwork".
197. Ibid., p. 99, Closing Address by the Revd. Arthur Blaxall.
198. Die Burger, quoted in Monthly Press Digest, Johannesburg: SAIRR, August 1948.
199. Daily News (Natal), quoted in Monthly Press Digest, loc. cit.

July Dr. Blaxall re-emphasized the fears which had been expressed about the deterioration of race relations.

> Among all sections of the community, there are spreading evils which threaten to poison the most precious qualities of human relationships. Mistrust, fear, suspicion, jealousy, even deep and bitter hatred, threaten 200

The Secretary of the Christian Council, the Revd. Stanley Pitts, in his introduction to the Report of the Conference, reminded his readers that "Rosettenville 1949 was born of growing apprehension in a setting of mounting racial tension."[201] By contrast, the members of the conference from all over South Africa, Basutoland and Southern Rhodesia, the accredited representatives of twenty-five churches, missions and other organizations, had been "deeply conscious of the love and fellowship" they had shared at the College of the Resurrection and St. Peter at Rosettenville for three days.[202]

The noted Swiss anthropologist and missionary, the Revd. H.P. Junod, devoted his paper to refuting the arguments of Dr. Eiselen in the University of Pretoria's Tydskrif vir Geesteswetenskape (April 1949) in his article Gedagtes oor Apartheid. Dr. Eiselen's answer to the charge that "Bantu nationalism will become a real menace to White South Africa" once independent Bantustans had been created was to reply:

> Anti-white feeling is already upon us: in the kitchen, in the factory-rooms, and on the farms; and by further adaptation without equality, and presumably with equality, this feeling born of frustration, disappointment jealousy and bitterness, constantly increases. The lot which has befallen the Indians in Durban can very easily befall us too.[203]

No-one, it seemed, denied that there was racial friction in South Africa. The new government, however, blamed the lack of separation between the races, where their opponents blamed the racialism of the new government for what was happening.

In the course of his paper, the Methodist historian from Grahamstown, Dr. Leslie Hewson, who was later to be a member of the Methodist delegation to the Cottesloe Consultation in 1960,

200. Rosettenville Conference Report, op. cit., Closing Address, p. 101.
201. Ibid., Introduction, p. 5.
202. Ibid., Conference Statement, p. 7.
203. Ibid., p. 30, the Revd. H.P. Junod citing Dr. Eiselen in Tydskrif vir Geesteswetenskape, April 1949, in translation.

and editor of the Cottesloe Conference Report, advocated "eendrag" not apartheid, referring to the way in which he had heard Dr. Edgar Brookes conclude a debate on segregation at Pretoria University twenty years before.

> He quoted a very ungallant saying of an ancient Roman to the effect that it was irritating to live with women, but impossible to live without them. This he applied to our racial problem. It is irritating to live with each other, but it is impossible to live without each other. 204

Who was right ? It was the conviction of all the members of the Rosettenville Conference, "men and women, sprung from a great variety of national traditions, speaking in our homes many languages"(205) who had lived together, thought together and prayed together for three days, that their experience could be "the experience of all in South Africa".

> It is our profound belief that our experience here in Rosettenville can be the experience of all in South Africa; that mutual respect and frank exchange of views, unfettered fellowship and brotherly love, can prove stronger than the forces of mistrust, isolation and fear, which infect the life of our nation. 206

Amongst the many moving speeches delivered during the course of the Rosettenville Conference in July 1949 there was one by Chief Albert Luthuli of particular merit, which is of special interest to this study of Christian resistance to apartheid.[207]

Within three years Luthuli was to rise to the position of supreme political leadership of the African people. On 30th May 1951 he was elected Provincial President in Natal of the African National Congress and on 16th December 1952 President General.[208] Nurtured in the Congregational tradition of the American Board Mission at Groutville near Stanger in Natal, and at Adams College, in 1936, the year in which the Christian Council had been founded, Luthuli had made a decision to leave the teaching profession and his lectureship at Adams in order to serve his people as an elected chief of the Umvoti Mission Reserve.[209] His association with the

204. Ibid., p. 63, "The Historical Background" by the Revd. Leslie Hewson, M.A.
205. Ibid., Conference Statement, p. 8. 206. Ibid.
207. Ibid., pp. 70-75, "The Christian and Political Issues" by Chief A. Luthuli.
208. KARIS & CARTER, Vol II, op. cit., Chronology, pp. 514-515.
209. LUTHULI, A., Let my People go, London: Collins/Fontana 1962, p. 50.

Christian Council thereafter was early and long. In 1938 he attended the Tambaran Conference of the International Missionary Conference at Madras in South India.[210] In 1946 as a Vice-President of the Christian Council Luthuli launched a Family Life Campaign and put out a "call to youth" signed by South African Christians among whom were two influential friends who were both members of the A.N.C.'s National Executive Committee, Dr. Z.K. Matthews and Dr. R.T. Bokwe.[211] It was also in 1946, the year in which Dr. Dube died, that Luthuli won Dube's seat on the Natives Representative Council in a by-election.[212] In 1948 he undertook an extensive lecture tour of the United States at the invitation of the American Boards of Mission of the North American Missionary Association.[213]

Both as a Christian and a politician he was uniquely qualified to speak on the subject allotted to him,"The Christian and Political Issues". All spoke ably and at length about the deterioration of race relations. Where Arthur Blaxall, the priest, had preached a moving sermon, Dr. H.P. Junod the missionary theologian and anthropologist gave a scholarly paper and Dr. Leslie Hewson, a Church Historian delivered a scintillating lecture. Luthuli's speech was shorter and different from all the others. His was a simple statement of African reactions to current trends in the political debate about apartheid.[214] In the light of more radical African claims to political power that were beginning to emerge in the A.N.C.'s Youth League at the time, and it needs to be remembered that Luthuli's election to lead the A.N.C. in Natal in 1951 and then to become President General in December 1952 owed much to Youth League support,(215) what is remarkable about this speech to the Rosettenville Conference in 1949 is the extraordinary moderation of his plea for African political representation. As will be evident from the ensuing summary of his address, Luthuli's idea concerning African representation, expressed as a plea and not a demand,was modest if not cautious in the extreme. He

210. Ibid., p. 72.
211. South African Outlook, April, October 1946, cf. also WALSHE, P., The Rise of African Nationalism in South Africa 1912-1952, London: Hurst 1970, p. 344.
212. KARIS & CARTER, Vol II, op. cit., p. 93.
213. LUTHULI, op. cit., p. 74.
214. Rosettenville Conference Report, op. cit., pp. 101, 30, 63, 70.
215. LUTHULI, op. cit., pp. 98, 101, 117.

advocated a "loaded" common roll franchise, combined with "parallelism", which he stipulated should be on the "strict basis of separate but equal".[216]

Chief Luthuli began by emphasizing that he did

> .... not propose to discuss the merits and demerits of policies such as assimilation, segregation, trusteeship etc. .... I shall concern myself rather with a critical examination of some common trends which seriously prejudice these policies whatever merits their protagonists claim for them.[217]

The first trend Luthuli saw in South Africa's thinking was the claim to "exclusive ownership of South Africa".[218]

> The air is full of the cry of the majority of White South Africa that this is a White man's country and should be so preserved at all costs. And apparently this must be so to eternity. It would probably be more correct to say to doomsday, for there is an inevitable doom for South Africa if White domination is promoted at the expense of other and larger sections of the community. 219

> The spirit of selfish exclusiveness shows itself again in a tendency to regard civilization as the sole possession and production of White people. Hence the plea that Africans must develop along their own lines .... White South Africa tends to forget its God-given mission to spread civilization not to hoard it. 220

The second trend expressed itself in a "spirit of domination and superiority".

> A recurring note in much thinking on racial questions is that of the assumed right of White to dominate Black. Even the advocates of the policy of Christian Trusteeship, with its emphasis on development, are generally silent on the question of making provision for the granting of common citizenship to those Non-Whites who possess the necessary qualifications. Admirable though it might otherwise be, Trusteeship is thus open to the charge of assuming a perpetual tutelage of the ward, as though all men of colour, by virtue of the fact, required a guardian, while the White man by virtue of his whiteness, was automatically fitted for guardianship. 221

The third trend was the way in which even well-meaning whites counselled "the abandonment of the insistence on full citizenship rights in the name of a sounder strategy".[222] Was it really a

216. Rosettenville Conference Report, op. cit., p. 74.
217-219. Ibid., p. 71. 220-222. Ibid., p. 72.

sounder strategy, in the face of uncompromising white opposition, for the African not to insist on franchise rights ? In the same address to the Rosettenville Conference Luthuli emphasized that this was a matter of principle which had important practical implications in a democracy.

> Such advice overlooks, first, the fact that development must be symmetrical, embracing all human activities, social, economic, political and religious, otherwise full development of the personality is impossible. Secondly, it ignores the practical consideration that in a democratic system the possession of some political power provides the means for facilitating development in other spheres of life. 223

Luthuli cited General Smuts' Rhodes Memorial Lecture at Oxford in 1929, to show that he was not alone in thinking as he did, for Smuts had said on that occasion,

> I do not think there can be .... any doubt that in the supreme legislature of a country with a mixed population all classes and colours should be represented. 224

Luthuli commented:

> Unfortunately, our White rulers are not willing to be guided by this broad vision. We move backward instead of forward, and this in spite of the past handling of franchise rights by Africans at the Cape for years and the political wisdom Africans have shown in the type of Europeans they have elected to represent them under the 1936 Natives' Representation Act. 225

> A fourth trend was the "discounting of co-operation". 226
>
> .... the present advisory bodies, including the Natives' Representative Council, are merely consultative bodies and not instruments for facilitating co-operation. Is it any wonder that this discounting of co-operation by most Whites is fast producing non-co-operationists among Non-Whites ?
>
> .... full co-operation can only exist where all sections of the community are given an opportunity, according to their individual capacity, to share in the legislative as well as the executive and administrative activities of the country. 227

Fifthly, Luthuli pointed out that "the stress on the progress of the mass of backward people" led to the "non-recognition of individual attainment".

> .... This attitude completely ignores the historical fact that, in the providence of God, progress has come through individuals and will in all probability continue to do so. 228

223-226. Ibid., p. 73. 227-228. Ibid., p. 74.

Could Christians agree on a political policy for the Non-Whites ? Luthuli's answer to this question was to opt for Mrs Winifrid Hoernlé's suggestion of a combination of parallelism "on the strict basis of 'separate but equal' [and] based on mutual agreement", with "common citizenship .... on a common electoral roll for all who could meet the stipulated requirements of a loaded franchise".[229] This plea was adopted as one of the conference findings, as follows:

> We consider that in principle adult persons of all races should share in the responsibility of the government of the country. This implies the exercise of the franchise. We recognise that at present many such persons are not ready for this responsibility. We therefore agree to a qualified franchise. 230

Luthuli concluded this important address to the C.C.S.A.'s Rosettenville Conference in July 1949 by referring to the same "progressive democratic course" that was being set in Southern Rhodesia, Northern Rhodesia, Kenya and Tanganyika, repeating at the end, as would a preacher his text, the quotation from J.H. Hofmeyr with which he had begun his speech.

> The outcome of a policy based on faith may be unpredictable in detail but there is more than a reasonable chance of its leading to success and the Christian approach is the approach not of fear but of faith. 231

Die Kerkbode, however, did not agree that eendrag, and not apartheid, was the way forward for South Africa. An editorial on 12th October 1949 implied that the Christian Council had identified itself with "humanistic Christianity" and that the voice "of Communism could be recognised here too".[232] The conference report in fact had contained a specific denial of Marxist Communism in the paper by Archdeacon R.P.Y. Rouse.[233] In response to his protests, the Editor of the Christian Council Quarterly was informed by the Editor of Die Kerkbode:

> Whether the paper misrepresents your Conference or not is

229. Ibid., cf. Race Relations, Vol. XV, No. 3 (1948), p. 90, "Alternatives to Apartheid" by A.W. Hoernlé.
230. Ibid., p. 76, Conference Findings, No. 14.
231. Ibid., pp. 71 and 75.
232. Christian Council Quarterly, December 1949, p. 3, "Strange Criticism".
233. Rosettenville Conference Report, op. cit., pp. 93-94, "The Christian Evangel in relation to industrial and economic questions", by the Ven. R.P.Y. Rouse, Archdeacon of Native Missions, Johannesburg Diocese.

> a matter between you and not for us to say. We hope however that you will ponder the fact that your views on race relations have found so much approval in Communist circles. .... That you are opposing this policy at present with the blessing of Communist elements (with whom we know you do not wish to be identified) is a matter for your Christian conscience. 234

Die Kerkbode, having finally obtained a copy of the full text of the conference report, returned to the attack in January 1950. Professor T.N. Hanekom could not understand the attitude of some of the speakers at the conference, who assumed that the non-whites were suddenly being oppressed from all sides, and with the foreknowledge and approval of his church.

> *Was die sogenaamde apartheid dan nie maar nog altyd die grondgedagte in ons offisiële landbestuur nie ? En is dit dan nie lank reeds ook deur ander buite ons kring - Shepstone, Hoernlé, en nou Chadwick - gepropageer nie ? Dit is waar, apartheid as kerklike belied is deur ons aanvaar en by die totstandkoming van ons Sendingkerk in toepassing gebring met geseënde gevolge vir die gekleurdes ....*
>
> *Die houding van sommige van ons Engelse broeders is nie streng eerlik nie; hulle veroordeel dinge in teorie wat hulle tog self in praktyk beoefen. By baie van hierdie Kerke wat aan die Christenraad behoort, word die beginsel van apartheid in die praktyk toegepas.* 235

As Professor Hanekom observed later in the same article,

> *Hierdie redeneringe bring andermaal aan die lig dat ons eintlik nie met 'n nie-blanke vraagstuk te doen het nie - ons het nog glad nie daarby gekom nie; op die oomblik is ons maar nog altyd met 'n blanke vraagstuk besig - die moeilikheid om mekaar in hierdie saak te verstaan.* 236

The Conference had extended an invitation to "our brethren of the Dutch Reformed Church, at present unhappily not associated with us, a cordial inviation to join us in the practical implementation of these principles."[237] What steps were taken to issue this invitation except by this open statement are not clear from the C.C.S.A. papers. The so-called Native question was indeed a white problem and not a black one, but it divided the white Christian in one church from his white fellow-Christian in another church, as well as one white Christian from another white Christian within the same church.

234. Christian Council Quarterly, loc. cit.
235. Die Kerkbode, 11.1.1950, Editorial, p. 34, "Die Christenraad en die Rasseprobleem".
236. Ibid., p. 35.
237. Rosettenville Conference Report, op. cit., p. 8.

EPISCOPAL SYNOD, OCTOBER 1949.

In the C.P.S.A., by custom, pronouncements on socio-political issues were left to the Archbishop, and individual Bishops in the dioceses tended to choose whether or not to speak up as well. 1949 saw the awakening of a concern throughout the Church of the Province for the expression of a clear witness in matters affecting the political life of the nation. This was due to the circumstances of the hour and also to the example of the Bishops, who, under Archbishop Clayton's firm leadership issued a statement of Episcopal Synod in October 1949 that seems to have stimulated a greater awareness amongst Anglicans of their duty to witness on matters concerning the political life of the nation at every level. The Bishops themselves took up these questions with greater clarity and vigour in their charges to Diocesan Synods. Even parishioners found their parish clergy addressing them on the subject of religion and politics.

This is the full text of the statement by Episcopal Synod:

> The Bishops of the Church of the Province of South Africa in Synod assembled re-affirm their conviction that no policy for the future of Southern Africa is acceptable which does not encourage the extension to persons of all races, who have an adequate standard of education, of some effective voice in the government of their country; and which does not provide for all its citizens opportunities of making the fullest contribution of which they can become capable to its cultural, economic and industrial welfare.
>
> They are of the opinion that the most effective method of developing the latent possibilities of all races is the granting to them of real responsibility, and that it is only through the co-operation of all sections of the population that any country can fulfil the vocation to which God has called it.
>
> The Synod views with anxiety the deterioration of race relations in the Union, and urges the Government to declare its positive intentions regarding the future position and development of the non-European peoples.
>
> This Synod calls upon all Church people to recognise the truth that all men and women, of whatever race, are made brethren in Christ by baptism, and to face fearlessly the implications of this truth in the life of parish and Diocese.[238]

238. CPSA Archive AB 191, Clayton Papers, Extract from the Minutes of Episcopal Synod (1949). Also published in The Bloemfontein Diocesan Journal, November 1949, and Cape Town Diocesan Magazine, November 1949, Archbishop's Letter.

In both Durban and Pietermaritzburg the annual inter-racial communion service on Sunday 20th November (the Sunday before Advent, traditionally called "Stir-up" Sunday from the opening words of the Collect) was particularly commended in the light of the Bishops' statement and was unusually well attended.[239] Bishop John Hunter, in his charge to the Synod of the Diocese of Kimberley and Kuruman, spoke at some length about apartheid and said that "it is hardly surprising that such a negative policy should have aroused the gravest apprehension and alarm".

> There are few signs of any particular benefits or advantages to be derived by the non-European people through the application of apartheid. 240

Bishop Hunter could see no reason why the "ideal of partnership [should] conflict with the natural desire of the different races to preserve their racial identity." To those who declared the aim of apartheid was "saving White South Africa" he recalled the text "Whosoever will save his life shall lose it."[241] Turning to the practice of his own church, Bishop Hunter continued,

> That Christians of different races should worship God together where circumstances of residence and language make it natural seems an obvious implication of the truth that they are brethren in Christ, and any attempt to maintain separate congregations purely and simply on racial grounds would belie the title of Catholic or Universal which we claim for the Church. But having stated what our official practice in this diocese is, I am bound to add that we who belong to the Church of the Province are by no means free from blame in the matter of racial prejudice, and cannot afford to adopt a self-righteous attitude. Within our congregations and among our members racial feeling exists and this calls for real penitence and humility on our part.[242]

Wilfrid Parker, Bishop of Pretoria, told his diocese,

> History never "happens". It is brought about by the free decisions of men as they decide whether to be courageous or cowardly in the face of tomorrow.
>
> The question "Will Western civilization commit suicide?" is therefore as impossible to answer as is the question "Will Mary Jones commit suicide ?" Maybe she will, but she doesn't need to. Neither do we. 243

239. The Vineyard, November 1949, p. 3. St. Saviour's Cathedral Parish, letter by the Dean, Frank Scogings; p. 16, St. Paul's, Durban, letter by the Acting Vicar, George Oakley.

240. Highway, December 1949, Bishop's Charge to Synod.

241-242. Ibid.

243. The Kingdom, December 1949, p. 5., Bishop's Charge.

In Natal, Bishop Leonard Fisher gave some clear teaching on the church's role in politics.

> The Church is allied to no political party; individual members of the Church have their duties and rights as citizens, and follow their own conscience in deciding to what political group to attach themselves. Our aim as Christians is to bring religion into politics, not politics into religion.
>
> Sometimes the responsibilities of the Church and of the State cover the same ground: they are deeply concerned in the same matters, as, for instance, in education, moral questions and social welfare, Then it is both the right and the duty of the Church to speak its mind, not following the dictates of any party, but in loyalty to what it believes to be the will of God.
>
> I would therefore associate myself with those - and there are many - who condemn the abolition or curtailment of school-feeding for Native children as unnecessary, short-sighted and harsh. With regard to "apartheid" we have the right to ask for more detailed information than has yet been given, as to what it means, what it would involve, and whether it could be applied without injustice to the Native population, and jeopardy to their future development. One of the resolutions before Synod deals with the representation of non-Europeans in Parliament. I will not therefore anticipate what may be said in our discussions. As to what is called "Christian National Education", if it were to be accepted as the norm, it would offend the consciences of numbers of Christian people, and disappoint their hopes of national unity. I merely mention some of the burning questions which exercise our minds. We approach them, not from the angle of any political party, but as members of a Church which in charity towards all, seeks to know and to follow the standards of the Christian Gospel. 244

A parish priest in King William's Town (in the Grahamstown Diocese) made the attempt to address his congregation on the subject of religion and politics, and devoted his pastoral letter to the discussion of the oft-repeated statement "Politics and Religion never mix". He defended the Bishops against those who had accused them of "political bias" and declared

> We shall fail if we think that Christian principles can be labelled according to politics, or that politics can be set above Christian principles. 245

From the assured statements of the Bishops, to the groping attempts of parish clergy to grapple with the new reality of a

244. The Vineyard, October 1949, p. 4. "Bringing Religion into Politics", by the Bishop of Natal.
245. The Newsletter, November 1949, p. 84.

government policy that was contrary to the most deeply held conviction of their church, Anglicans were now aware of the dangers with an urgency as never before. It is possible to point to the clear and timely leadership of all the Bishops, but particularly of Archbishop Clayton in Cape Town, Leonard Fisher in Natal and John Hunter in Kimberley, Wilfrid Parker in Pretoria. It was now clear that it was not only the opposition in Parliament, but the Church too, which had a tough fight on its hands.

1949 came to an end in an atmosphere of uncertainty and tension. Episcopal Synod's blunt condemnation of government policy in October coincided with the endorsement of apartheid by the N.G.K. (Cape) Synod.[246] On 16th December 1949, as Afrikanerdom gathered on a ridge near Pretoria for the official opening of the Voortrekker Memorial, the Annual Conference of the African National Congress, meeting in Bloemfontein, adopted the Youth League's Programme of Action, and declared "the inflexible determination on the part of the African to struggle for National Freedom".[247] Dr. James Moroka was then elected to succeed the more conservative Dr. A.B. Xuma as President General, and Mr Walter Sisulu replaced the Revd. James Calata as Secretary General.

During the second half of 1948 it had been the question "What is the meaning of apartheid ?" that had received attention. After rioting in Durban in January and the enactment of the Prohibition of Mixed Marriages Act and the South African Citizenship Act in May and June it was not a question, but the accusation, "the deterioration of race relation" that became the recurring theme of 1949. 1950 was to be a year of what Alan Paton has called "the fierce laws".[248] If the Prohibition of Mixed Marriages Act cleared the way for apartheid, the legislation of the parliamentary session of 1950 established it. The total conquest of the promised land for apartheid was about to begin in earnest.

246. See above, Chapter Four, pp. 163-167.
247. KARIS & CARTER, Vol II, op. cit., pp. 292, 294, Document 47, Minutes of the Annual Conference of the ANC, 15-19 December 1949.
248. PATON, A. Apartheid and the Archbishop, Cape Town: David Philip 1973, p. 187.

CHAPTER SIX.

THE SUPPRESSION OF LIBERTY: 1950.

THE DURBAN RIOTS AND THEIR CONSEQUENCES.

The preceding chapter has already suggested that the significance of the Durban riots of 1949 for the history of post-war South Africa lies in some of the paradoxical consequences which were to flow from them. Thus in 1950 the Nationalists began implementing their policy of racial separation with determination and urgency, since they were convinced that harmonious race relations depended upon reducing the points of contact, and hence the points of friction, that could arise between the races. For instance Dr. Dönges, when introducing the Group Areas Bill in May 1950, could say "the dangers of residential juxtaposition are not new. The Durban riots last year were a case in point".[1] Mr de Wet Nel, the Nationalist M.P. for Wonderboom who succeeded Dr. H.F. Verwoerd as Minister for Native Affairs in 1958, gave the classic argument for the benefits of segregation during the course of the debate on the Population Registration Bill, when he said,

> One of the main causes is to be found in the fact that those clashes are actually clashes of interests .... Both groups are afraid of each other today. That is one of the main reasons for the deterioration in our relations. 2

This he said to meet the charge by Field Marshal Smuts that it was Nationalist legislation that was responsible for the deterioration in race relations. To those who believed in the ideal of a common society in which all races would share political and other rights on the basis of equal opportunity without regard to race, colour or creed, the deteriorating situation was seen to be the direct result of the preaching of racialism in high places.[3] In the Anglican Church, particularly in Natal, the riots represented a

1. House of Assembly Debates, 7433/50, 29.5.1950, Minister of the Interior, and Natal Mercury, 30.5.1950, "Separate Areas not novel solution, says Dr. Dönges".
2. House of Assembly Debates, 2691/50, 9.3.1950, Mr Nel.
3. KARIS & CARTER, Vol. II, op. cit., Document 46, p. 287. Statement issued by Joint Meeting of African and Indian leaders, 6.2.1949.

challenge to deal with discriminatory practices within its own life. Thus, as stated in the previous chapter, the riots gave new impetus to the acceleration of reforms for the proper representation of African "Missions" in the Natal Diocesan Synod.[4] In the Dutch Reformed Church the evangelization of Indians seemed the most proper response. Thus the first tentative steps to begin a ministry among Indians in Pietermaritzburg in 1947 were followed in 1951 by the appointment of Albert Murugan as that church's first full-time evangelist, although it was not until 1956 that such a ministry was begun in Durban, and foundations laid for what is today the Indian Reformed Church.[5] The Group Areas Act of 1950 made no provision for Indians, except as a sub-division of the Coloured group.[6] It became apparent, therefore, that the government's policy of repatriation was proving unsuccessful, and more gradually Afrikaners saw that the stated theory of the Indians being an unassimilable minority was morally, practically and politically untenable.[7]

THE CONGRESS ALLIANCE.

The most paradoxical result, which was to have profound consequences for a succession of key event during the 1950's, was the stimulus that the tragedy of the Durban riots gave to bring the African and Indian Congresses into a close working partnership. That the fruits of racial rioting of such brutality should result in forging a political alliance between Africans and Indians may seem surprising. The previous chapter has already indicated how the combined stand by the leaders of the African and Indian Congresses in Natal on the morning after rioting broke out issued in the call by Mr A.W.G. Champion and Dr. G.M. Naicker for calm and an end to the violence, which in turn led to the formation of

4. The Vineyard, October 1950. "This involves an important change from communal representation through the Missionary Conference to direct representation on the same principles as parishes."
5. GERDENER, G.B.A., Recent Developments in the South African Mission Field, Cape Town: N.G.K. 1958, p. 136.
6. House of Assembly Debates, 7434/50, 29.5.2950, Minister of the Interior.
7. SINGH, J.N., Interview, Durban, 27.1.1978.

a Joint Council consisting of the combined membership of the National Executive Committees of the two Congresses.[8] It was upon this organizational base that the Defiance Campaign was planned during 1951, incorporating also the (Coloured) Franchise Action Council (Cape), so that Africans, Indians and Coloureds had a national organization capable of mounting a mass campaign of civil disobedience of considerable magnitude.[9]

The movement for non-white political unity before 1949 had been characterized by the rivalry between the A.A.C. and the A.N.C. on the one hand, and communist control of the Non-European Unity Movement on the other. The significant development of 1950 was the way in which the A.N.C. emerged once again as the major political organization for Africans, and the Congress Alliance replaced the Non-European Unity Movement as the focus for political unity of non-whites. The attempt to reconcile the A.A.C. and the A.N.C. by Dr. A.B. Xuma and Professor D.D.T. Jabavu between October 1948 and April 1949 had been prompted by the new government's "callous disregard [for] the fundamental rights of the Africans" and had issued in a "call for African unity" in order to achieve "the unification of the main African political organizations".[10] The apparent failure of these negotiations did, however, result in a number of the most able African leaders transferring their loyalties from the A.A.C. to the A.N.C., since the A.A.C.'s insistence on non-collaboration with all forms of segregated representation had ceased to be an issue once the A.N.C. had adopted the more radical Programme of Action proposed by the A.N.C. Youth League in 1949. In 1950 the significance of the Day of Protest and Mourning called by Dr. James Moroka for the 26th June lay in its assertion of African leadership by the A.N.C., and the demise into irrelevance of the A.A.C. The question of communist influence will be discussed in the next chapter. In 1950, however, it was

8. KARIS & CARTER, Vol II, op. cit., Document 44, p. 285, Joint Statement on the Durban Riots by A.W.G. Champion and Dr. G.M. Naicker, and Document 46, p. 287, Statement issued by Joint Meeting of the African and Indian leaders 6.2.1949.
9. Ibid., Document 86, pp. 458-9, Report of the Joint Planning Council of the A.N.C. and the South African Indian Congress signed by Dr. J.S. Moroka, J.B. Marks, W.M. Sisulu, Dr. Y. Dadoo and Y. Cachalia, 8.1.1951.
10. Ibid., p. 119, and Document 70a, Joint Meeting of the National Executive Committees of the A.N.C and the A.A.C. 17-18 April 1948, p. 385; Document 68, "A Call for African Unity" pp. 368-9; and pp. 241-2.

not the work of the South African Communist Party but the actions of the Nationalist Government which proved to be the most cogent force in promoting non-white unity.

The most powerful factor in forging the alliance between the African and Indian Congresses, and what drove both organizations from moderation to militancy was the succession of racial and repressive measures passed by the South African Government between 1949 and 1951. Hitherto the South African Communist Party had been the prime movers in promoting the cause of non-European unity. Mutual suspicion and rivalry had been a major stumbling block between and within the various black organizations, and among suspicions one was always the suspicion of communists. The passage through parliament of the Population Registration ("Passes") Act, the Group Areas ("Ghetto") Act and the Suppression of Communism ("Gestapo") Act during May and June 1950 provided immediate and powerful reinforcement to the quest for black unity. If the Durban riots gave the A.N.C. and S.A.I.C. the opportunity to unite, this spate of new legislation ensured that there were now good grounds for consolidating their alliance.

The participation of the Coloured people in the Congress Alliance, in turn, was also due to the strong reactions to the Government's actions rather than to communist efforts to cobble together black political unity for their own purposes. In 1943 the Coloureds in the Cape had reacted vehemently to the establishment of a Coloured Affairs Department, which was seen as a further step in the direction of segregation for the Coloured community. Their Anti-C.A.D. organization had then linked with the A.A.C. in a federal body, the Non-European Unity Movement, on the basis of non-collaboration with all forms of segregated representation.[11] In 1951 the Separate Representation of Voters Act, which sought to abolish the Coloured people's Common Roll franchise in the Cape, ensured that to the growing unity between the African and Indian Congresses was added the vehement support of the Coloured people as well.

Dr. H.F. Verwoerd, who succeeded Dr E.G. Jansen as Minister for Native Affairs in October 1950, reinforced the sense of black frustration by enacting the Bantu Authorities Act (1951) which

11. Ibid., p. 72.

formally abolished the Natives Representative Council and substituted a system of "Tribal Authorities" and "Bantu Councils" for Africans.[12] On 29th July 1951, at a joint conference held in Johannesburg of the National Executive Committees of the African National Congress and the South African Indian Congress, representatives of the Franchise Action Council of the Cape were also present. In terms of a resolution adopted by that conference a Joint Planning Council with Dr. J.S. Moroka as Chairman, and comprising J.B. Marks, W.M. Sisulu, Dr. Y.M. Dadoo and Y. Cachalia, began planning "an immediate mass campaign for the repeal of these oppressive laws".[13] It is of some significance therefore that a B.B.C. correspondent, John Hatch, in a Third Programme broadcast entitled "The South African Opposition" in October 1950, fully a year before the planning for the Defiance Campaign actually began, should have regarded the "policy of unified Non-European passive resistance and non-co-operation" as "the most significant opposition to Nationalist policy" at the time.[14] Writing some fifteen years later, Professor Leo Kuper, who was the Professor of Sociology at the University of Natal (Durban) at the time, observed how,

> in direct contravention of its goals, apartheid is effecting a measure of non-white unification which might otherwise have been delayed for decades. 15

John Marks and Dr. Yusuf Dadoo, who had worked together in the Johannesburg District of the South African Communist Party, now found themselves members of a joint planning council whose object was to prepare for a mass campaign of civil disobedience which had the full backing of the leading political organizations of

12. House of Assembly Debates 9807/51, 18.6.1951, Minister of Native Affairs, cf. Wits. Archive, Rheinallt-Jones papers, C28/20. Letter of congratulation from J.D.R. Jones to Senator H.F. Verwoerd. The letter concludes with the plea, "I am glad that you have expressed your wish to secure the co-operation of the Native people, and I hope you will be successful. But consultation with them before decisions concerning them are taken is a fundamental requirement. I have over the years begged former Ministers of Native Affairs and officials to observe this rule, but it has been more honoured in the breach than in the observance. I hope you will initiate a new tradition in this respect". At the same time Senator Edgar Brookes told Dr. Verwoerd "I want to congratulate you on your appointment and hope you have a long term as Minister of Native Affairs: because it has been my experience that each Minister of Native Affairs has been worse than the last". (BROOKES, David, Interview, Pietermaritzburg, 8.8.1982.)
13. KARIS & CARTER, Vol II, op. cit., p. 459, Document 86. Report of the Joint Planning Council of the A.N.C. and the South African Indian Congress, 8.11.1951.
14. Wits. Archive, Ballinger papers, A 410 E1.21, "The South African Opposition" by John Hatch, recorded Friday 13.10.1950, SWG 13923 Glasgow. Transmission Saturday 14.10.1950, 9.30-9.50 p.m., Third, Glasgow.
15. KUPER, L., An African Bourgeoisie, Yale: Yale University Press 1965, p. 50.

the African, Indian and Coloured people of South Africa. If this was the goal of the South African Communist Party, they had never before achieved such unanimity of purpose in the Non-European Unity Movement, which from this time went into decline. Though never entirely immune from the inter-racial rivalries and ideological conflicts which had characterized both the A.A.C. and N.E.U.M., the leaders of the Congress Alliance after 1949, with their common hostility towards the Government's apartheid measures to unite them, forged a more vigorous, united and entirely non-racial organization that eclipsed all its rivals in providing a focus for the political aspirations of most non-European South Africans.

THE PARLIAMENTARY OPPOSITION IN 1950.

The radio talk for the B.B.C. Third Programme in October 1950, cited earlier, in which John Hatch perceptively referred to the significance of the newly unified non-European resistance to Nationalist policy, was also severely critical of the United Party. It was, he thought, a party "divided within itself" and "unlikely in its present form to offer any determined or virile opposition to the present Government". Mr Hatch had met Mr J.G.N. Strauss on the day he had been elected Leader of the Opposition, on 15th June, and observed that his election was "by no means unanimous". Mr Strauss had been preferred to Dr. Colin Steyn only "as the man the General wished to succeed him".[16] While John Hatch was busy observing the United Party at close quarters in Cape Town, the Dean of Johannesburg, William Palmer, spoke at the Annual General Meeting of the South African Church Institute in London. It was clear that Dean Palmer had little confidence in the United Party either, for he told his audience that

> An account of the fundamental differences over racial policy between the two sides of the South African parliament would be misleading if it failed to emphasize that, in principle, Nationalists and United Party members share much common ground. Both seek to safeguard the purity and the ascendency of the white race 17

The Times' own correspondent in South Africa, however, was more optimistic about the prospects of Mr J.G.N. Strauss succeeding

16. Wits. Archive, loc. cit., John Hatch radio talk.
17. Church Times, 23.6.1950.

to the leadership of the United Party.

> The choice [of leader] for the United Party, after the death of Mr Hofmeyr, is widely expected to fall on Mr Strauss, who has the confidence of his great chief [Smuts]. Mr Strauss, aged 50, and looking ten years younger, is an able lawyer with considerable ministerial experience and a quiet manner that leads some observers to underestimate the qualities he might reveal as Prime Minister. The party is fortunate to have a small team of promising young men of the weight of Sir de Villiers Graaf, Mr Harry Oppenheimer and Mr Marais Steyn. 18

There were those who were deeply concerned by the ambivalence of the United Party's opposition to apartheid, and saw the election of a new leader as an opportunity for re-shaping party policy. In a paper circulated to his colleagues later in 1950, Colonel R.D. Pilkington Jordan, M.P. for Rondebosch, advocated that the United Party should adopt a new "Programme of Action for Freedom" and abandon its "semi-reactionary policy".

> The present policy of the United Party is in fact little more than a pale reflection of Nationalist policy. To continue to pit against the reactionary policy of the Nationalists the semi-reactionary policy of the United Party is to court final disaster, both for the United Party and for the country. 19

The record of the parliamentary debates of 1950, however, when compared with the previous year, shows the United Party putting up a more spirited and principled opposition to the spate of Nationalist legislation which came before parliament. As if to belie their critics and confound their opponents, these measures which, it was claimed, would prepare the way for apartheid and combat communism, met fierce and determined opposition.

THE ANGLICAN OPPOSITION IN 1950.

By comparison, the record of Anglican responses in Diocesan magazines to the legislation of the 1950 parliamentary session is sparse and was limited to comment on the serious threat to civil

18. The Times, 1.6.1950.
19. Wits. Archive, Ballinger papers A 410 E1.30, "Some notes criticisms and suggestions on United Party policy by Colonel R.D. Pilkington Jordan". Mimeo 9 pp., undated. p. 3.

liberty posed by the Suppression of Communism Act. The relative absence of Anglican criticism of the Government's major apartheid measures, the Immorality Amendment Bill, the Population Registration Bill and the Group Areas Bill requires some explanation other than the surmise that Anglican church leaders were unconcerned about these measures.

The statements of Episcopal Synod in each year since 1948 had emphasized that the Church of the Province disapproved of apartheid strongly. When Dr. D.F. Malan refused to see a delegation of the Christian Council in January 1949 one of the reasons advanced by the Prime Minister for this refusal was that "the views your proposed deputation obviously holds are already sufficiently and capably represented in the field of party-political discussion".[20] It seems likely therefore that Anglican bishops in 1950, mindful of the "capable opposition" being expressed in Parliament by all the opposition parties including the United Party, were content to leave it to members of Parliament and the Senate who were Anglican to represent their views for them. In this regard Senator Edgar Brookes and Mrs Margaret Ballinger could therefore be regarded as bringing a specifically Anglican witness to bear in the course of the parliamentary debates of 1950. A second explanation is that Anglican bishops were more careful in what they chose to say because of the manner in which the Prime Minister had himself countered their challenge to apartheid at a National Party Congress at Bloemfontein in October 1949 when he had said,

> Let me ask the English Churches either to withdraw their protests against the Government's policy of apartheid, or to apply their philosophy in practice by experimenting with mixed congregations. We know they will not be prepared to do the latter. 21

A third and perhaps the most likely explanation for the absence of a properly co-ordinated Anglican response to the Government was a practical one. In 1950, Episcopal Synod met early in April at a time when the most controversial measures had still to come before Parliament in May and June. In April the bishops addressed a comprehensive letter to the Prime Minister, dealing

20. See above, Chapter 3, p. 152.
21. S.P.G. Report, 1949, p. 17.

with three main issues; passes for African women, migrant labour and the Service Contract Registration System. The Bishops warned that "any new legislation requiring native women to carry what they will regard as passes will be bitterly resented" and that "the progressive industrialization of the country makes inevitable the urbanization of large numbers of natives" with the result that "any increase in the volume of that migratory labour, which has already proved so destructive of native family life, would be too high a price to pay for the industrialization of South Africa".[22] The third request was that the Service Contract Registration System should not be extended to women, and to this plea the Prime Minister replied that the Minister of Native Affairs in responding to a deputation representing the Native Advisory Boards Congress had said that he had decided that the Natives (Urban Areas) Consolidation Act of 1945 would not therefore be amended, and that "in arriving at this decision the Minister of Native Affairs had in mind very much the same considerations that were stressed in the communication from the Bishops".[23] The tone of the Prime Minister's reply had been so disarmingly gracious that it is possible that the Bishops were prevented from responding more radically for fear of alienating Dr. Malan.

In order that the implications of the National Party Government's legislation of 1950 may be fully understood, as well as to demonstrate the nature of the opposition these measures met with in Parliament, the succeeding account of the most important measures of the 1950 session is based very much upon the record of the House of Assembly Debates. This is partly because the church did not itself say enough about the measures, with the exception of the Suppression of Communism Act, and also in order to demonstrate the correlation between the United Party's stand on various issues and the energy with which the C.P.S.A. was ready to pursue its own independent witness on any matter. The Anglican stand on a particular issue cannot be properly understood except in relation to both the Government's legislation on the one hand, and the stance of the official opposition in Parliament on the other.

22. CPSA Archive AB 191, Clayton papers, letter from the Archbishop and all Bishops of the C.P.S.A. to the Prime Minister, 11.4.1950.
23. CPSA Archive loc. cit., reply from the Prime Minister 26.4.1950, also published in Church News, May 1950, p. 67.

This does not in least imply that the United Party was the political arm of the Anglican church, in the way in which the Afrikaans churches showed a close symbiosis with the National Party. Rather it will be evident, as this narrative develops, that the C.P.S.A.'s reaction to the Government's policies was to become all the more significant at times when the United Party was inclined to compromise or side with the Government. In 1950, however, the renaissance of the United Party as Mr J.G.N. Strauss took over the leadership from Field Marshal Smuts does something to account for the paucity of the Anglican response to the far-reaching measures taken by the Government.

THE IMMORALITY AMENDMENT BILL (1950).

THe first clashes came at the beginning of March when the Minister of Justice, Mr C.R. Swart, in response to the renewed request of the Dutch Reformed Church in 1949, introduced amending legislation to the Immorality Act of 1927.[24] The original legislation covered "illicit intercourse" only between "Europeans" and "Natives". This Bill extended the prohibition to sexual intercourse between Europeans and all non-Europeans. Mr Swart suggested it was "the logical sequel to the Mixed Marriages Act". It was necessary, he claimed, "to protect the weaker members of our community against themselves [as well as] to protect society against them in respect of the danger of a very large population of half-breeds being created". The penalties were severe, and remained the same as provided for in the previous Act of 1927, that is five years' hard labour without the option of a fine (or four for a female).[25] Mr P.W. Botha (Nationalist, George), considered that the bill should be extended "to cover miscegenation between Coloureds and Natives" as well.[26]

The United Party's argument, put by Dr. Colin Steyn, (Bloemfontein City), was that whilst they were opposed to "miscegenation", as with mixed marriages, extramarital sexual intercourse between

24. House of Assembly Debates, 2164/50, 1.3.1950, Minister of Justice.
25. Ibid., 2167/50, 1.3.1950, Minister of Justice, and 2219/50, 1.3.1950, Col. Jordan.
26. Ibid., 2193/50, 1.3.1950, Mr P.W. Botha, Nationalist, George.

the races was not happening on a large scale, and could not be dealt with effectively by legislation.[27] The chief difficulty was that the line of demarcation was not clear in the case of Coloureds. Mr A.E. Trollip (U.P., Brakpan) tried to show that the definition of a "non-European" was different from the one in the Mixed Marriages Act. According to the Immorality Amendment Bill of 1950 a non-European was

> a person who, in appearance, obviously is or who by general acceptance and repute is a non-European,

whereas the Prohibition of Mixed Marriages Act (1949) had made the criterion appearance and those "he habitually consorts with".[28] Mr C.R. Swart later denied there was any real difference between the two definitions, which, whilst correct, did nothing to remove the difficulty inherent in both definitions.

This debate on the Immorality Amendment Bill happened to coincide with the first prosecution of a priest for solemnising a marriage between a European and a non-European since the enactment of the Prohibition of Mixed Marriages Act the year before. In his defence Father Thomas Gill, a Roman Catholic priest of Woodstock in Cape Town, said he believed he was acting within the law because "if one associated with Europeans and regarded oneself a European one could be classified as such".[29] Commenting on this case in parliament, Mr Trollip pointed out the tragedy of the case of the couple who had been living together as man and wife.

> They have been lawfully married: they have a child or a child is to be born. If this Bill before the House becomes law they are subject to prosecution. 30

The point of Mr Trollip's objection was vividly demonstrated when the Minister of the Interior, Dr. Dönges, at that point interjected, "No, it is illicit intercourse".[31]

Like Mr P.W. Botha, who considered the Bill should be extended to relations between Coloureds and Natives, Mr Stuart, the Natives Representative for the Transkei, undermined the opposition's argument by saying that "Native" women should also be protected from

27. Ibid., 2169/50, 1.3.1950, Dr. C.F. Steyn, U.P. Bloemfontein City.
28. Ibid., 2175/50, 1.3.1950, Mr Trollip.
29. The Natal Mercury, 2.3.1950, p. 11, "Cape Town Priest on Mixed Marriage Charge".
30. House of Assembly Debates, 2176/50, 1.3.1950, Mr Trollip.
31. Ibid., 2176/50, 1.3.1950, Minister of the Interior.

Indian men. "If it is practicable to pass and enforce a Bill prohibiting sexual intercourse outside the marriage vow, then why not do it that way, pass the lot ?"[32]

The United Party made a strong case for the Bill's rejection. Colonel Pilkington Jordan (U.P., Rondebosch) pointed out how under Clause 3 "if a European is charged as a non-European, it is presumed the European is Coloured unless he proves to the contrary" and the extremely heavy penalties prescribed.[33] Mr Bloomberg (U.P., Cape Town Gardens) warned of the danger of "innocent people being put in a most humiliating position as the result of inquiries instituted by the police by reason of their having received anonymous messages."[34]

The Government came under the most withering attack of all from Mrs Margaret Ballinger (Natives Representative, Cape Eastern) who described the Bill as a "contemptible and foolish measure" which was "designed to stoke up fires of racial hatred". She pointed out that it did not attempt to deal with the immorality which the Government was itself encouraging. The Government consistently sustained a system of migrant labour for the African population, which she described as "a system which is absolutely inseparable from prostitution".[35]

> I would like to know whether any other country, which does not boast so much about being Christian, has on its Statute Book a law such as this which says that no Native woman may join her husband in town until he has been in continuous employment for two years in that town. Even then she may only join him if there is room in the location.
>
> There is no other country in the world where people talk so much about their Christian tradition and their Christian obligation and the fact that they are a Christian people. The basis of the Christian faith is the family, and in all the years I have been on this job I have watched the policy of this country consciously smashing the African family, until one of the greatest problems of our social life is the high level of illegitimacy throughout all our non-European populations .... and then we talk about morality.
>
> I think that a society which sets out to preserve its colour where its business is to govern, and leaves the bulk

32. Ibid., 2183/50, 1.3.1950, Mr Stuart.
33. Ibid., 2218/50, 1.3.1950, Col. Jordan.
34. Ibid., 2243/50, 2.3.1950, Mr Bloomberg.
35. Ibid., 2203/50, 1.3.1950, Mrs Ballinger.

> of the community to rot under the social conditions which are the lot of a great part of the Native population of this country, a country that can show a progressive smashing of the marriage bonds amongst the non-Europeans, which is the characteristic of this country, ought in my opinion to be ashamed of itself. 36

Mr Swart made no attempt to reply to Mrs Ballinger except obliquely in his reply to the debate on the Second Reading. He told Mr Bloomberg, "the liberals in the United Party are becoming stronger and stronger". What Mr Bloomberg wanted, he alleged, was that

> .... a Coloured person or a Native should be permitted to stay at the Mount Nelson Hotel if he wants to do so, and that a Native should be permitted to sit here as Speaker if he possesses the necessary competence. 37

Mr Swart reminded Dr. Colin Steyn that he had supported Tielman Roos' legislation as a member of the South African Party in 1927, when members of that party had said that the measure did not go far enough by only prohibiting intercourse between Europeans and Natives, and had wanted to include Coloured people as well.[38] It is important to note how the United Party's earlier compromises with racialism continued to haunt even their best efforts to oppose the principle of apartheid. In spite of an earlier interjection by Dr. Dönges to the contrary, Mr A.E. Trollip was given the assurance that mixed marriages which were declared invalid under the Mixed Marriages Act "ex post facto did not constitute a crime".[39]

Mr Swart also said he saw no essential difference between the definition of a Coloured person in the Prohibition of Mixed Marriages Act and the Immorality Amendment Bill now before Parliament. Nor did he intend to extend the provisions of the Bill to include other races. Sustained opposition from the United Party achieved one important amendment at the committee stage, designed to mitigate potential problems due to any uncertainty in the racial classification of a coloured person. The amendment accepted by Mr Swart was to the effect that if the person so charged

> .... at the time of the commission of the offence had reasonable

36. Ibid., 2204/50, 1.3.1950, Mrs Ballinger.
37. Ibid., 2272/50, 2.3.1950, Minister of Justice.
38. Ibid., 2273/50, 2.3.1950, Minister of Justice.
39. Ibid., 2276/50, 2.3.1950, Minister of Justice.

> cause to believe that the person with whom he or she committed the offence was a European or a non-European if the person so charged is a non-European ....

that person would not be guilty.[40] The onus of proof did still, however, rest with the accused.

THE POPULATION REGISTRATION BILL (1950).

The will of the United Party to resist the Government more consistently became evident from the opening remarks made by Field Marshal Smuts himself when he rose to reply to a speech of 110 minutes from Dr. Dönges which introduced the second reading debate on the Population Registration Bill on 8th March. Having courteously complimented Dr. Dönges on his "anniversary", Smuts then declared that the Bill would be contested "from stage to stage and we will give it a hard passage".[41]

This proved to be no idle threat. For five full parliamentary days of the second reading debate the United Party sustained a consistent attack upon the Bill, both on the grounds of its impracticability as well as its purpose to regiment the population into separated racial groups. United Party speakers did not, however, commit the same error of the year before when, in arguing against the Prohibition of Mixed Marriages Bill because of its impracticability, they had conceded the principle that mixed marriages themselves were wrong. Now the Population Registration Bill was opposed because its underlying principle was a totalitarian one, indistinguishable from the imposition of identity cards upon the Dutch people by the Nazi army of occupation during World War II. The Bill was referred to a Select Committee when it finally passed its second reading on 16th March 1950. The Select Committee was then given only three weeks over the Easter recess in which to formulate its report.[42] The Labour Party's resolution that the Bill be read again in six months, the strongest form of censure short of opposing a Bill at first reading, was supported unequivocally

40. Ibid., 3811/50, 29.3.1950, Major van der Bijl, Minister of Justice.
41. Ibid., 2524/50, 8.3.1950, Field Marshal Smuts.
42. The Natal Mercury, 17.3.1950, p. 10, "Dönges carries 'Pass' Bill in two divisions". cf. House of Assembly Debates 3134/50, 16.3.1950, Minister of the Interior, and 2525/50, 8.3.1950 and 2533/50, 8.3.1950, Field Marshal Smuts.

by the United Party. At the committee stage early in May the Bill was opposed clause by clause, and the debate ended only after a marathon all-night sitting on the 8th-9th May. The Government complained that the Opposition had called for a division 58 times. The Opposition replied that the Government had used the guillotine eleven times.[43] The final act of that long debate, in which Mr Strauss had deputized for his leader during the long all-night sitting, came at noon on 9th May when Mr Kahn tried to change the title of the Bill from "Registration" to "Regimentation". This was a move which the Chairman deemed to be "frivolous", and the debate closed at 12.10 with Mr Kahn protesting that the short title of a Bill was meant to describe it succinctly.[44]

The purpose of the Population Registration Bill, according to the Minister of the Interior, was to compile a National Register in which "all vital statistics will be incorporated in one book". Information such as date of birth, marriage, race, citizenship and finally death would be kept in one place. This "book of life" would also serve to "furnish proof of identity", which, said Dr. Dönges, "has become almost a daily necessity". Such a system would help to control illegal immigrants, in limiting the evasion of taxes, the detection and control of crime, in determining of identity for passport applications and in voting. There would also be advantages for commerce, industry, in banks and the liquor trade where proof of identity or racial classification was necessary.[45] The lack of a system of compulsory registration for births and deaths in rural areas made it necessary to exclude from the provisions of the Bill "Native women and Native children under 18".[46] The Bill might have been worse, for whatever suspicions the opposition might have had about the abuses which such a compulsory system of identification might lead to, public agitation outside parliament had resulted in a provision for compulsory finger-printing being removed from the draft Bill before its first reading.[47]

43. The Natal Mercury, 17.3.1950, p. 10, "'Pass' Bill brings uproar". House of Assembly Debates 5832/50, 8-9.5.1950, Suspension of Automatic Adjournment, the Prime Minister, and 6123/50, 8-9.5.1950, Mr Strauss; 6049/50, 8-9.5.1950, Mr Hayward, the Deputy Chairman.
44. House of Assembly Debates 6123/50, 8-9.5.1950, The Chairman, Mr Kahn.
45. Ibid., 2501-2/50, 8.3.1950, Minister of the Interior.
46. Ibid., 2522/50, 8.3.1950, Mr Kahn, Minister of the Interior.
47. Ibid., 2628/50, 9.3.1950, Dr. Steenkamp (U.P., Drakensberg).

Speakers for the Government did their best to advance the positive virtues of the measure. Mr D.C. de Wet Nel (Nationalist, Wonderboom) said proudly that

> .... just as the Citizenship Bill is a symbol of our nationhood, this population register will eventually develop into the great book of South Africa and the symbol of our pride in our nationhood. 48

He was supported by Mr P.W. Botha (Nationalist, George), who compared the identity card with the certificate of church membership which, he said, showed that it was "no disgrace to possess proof of the fact that one is a citizen of South Africa".[49] In presenting his argument for the benefits of separation in order to counter the deterioration of race relations, Mr de Wet Nel concluded that the Government's policy was necessary because "we do not want to disturb the balance of the relations as laid down by our Creator".[50] He also thought that identity cards would assist the police.[51] Mr J.J. Fouché (Nationalist, Smithfield) claimed that the Bill would reduce the number of border-line cases and reduce the number of people who became a "hybrid race" of "misfits". Far from being an inconvenience, identity cards could have great practical value.[52]

Speakers for the Opposition parties gave the Government no quarter. Field Marshal Smuts' chief concern was for the Coloured people. He predicted how the task of race classification would belong to untrained census enumerators.

> The Coloured people will not know where they are. They will be chivvied about by nondescript enumerators and then they will have to appear before a Director or a board to retain their rights .... The friction will be such that these people will be driven to evasion .... By means of this legislation you create a feeling of injustice .... which must make it impossible to expect a willing obedience to this law. 53

He could see white women asking, "Why should we carry this document when Native women are exempt ?"[54] The Government's rejoinder, however, was to adopt at Third Reading an amendment from the Senate which then included African women, coldly ignoring the objections

48. Ibid., 2699/50, 9.3.1950, Mr. Nel.
49. Ibid., 2795/50, 13.3.1950, Mr Botha.
50-51. Ibid., 2694/50, 9.3.1950, Mr Nel.
52. Ibid., 2602-4/50, 9.3.1950, Mr J.J. Fouché.
53-54. Ibid., 2529/50, 1.3.1950, Field Marshal Smuts.

of Mr Marais Steyn (U.P., Alberton), who reminded Parliament that when the Minister of Native Affairs had previously attempted to introduce passes for African women he had abandoned the idea "because the Native men had objected so violently".[55] The attempt by the Government in 1955 to apply registration to African women led to serious disturbances.[56] It was unfortunate that a cogent argument used by Field Marshal Smuts against the measure had been cynically manipulated by the Government to make a totalitarian piece of legislation more total in its effects.

Colonel R.D. Pilkington Jordan, in seconding his leader, emphasized how the "stigma of carrying passes" was being extended to all, and described as "vicious" the provision which allowed "objections by one person to the classification of another". This was nothing other than "the Nazi practice of delation".[57] Dr. Henry Gluckman accused the Minister of disguising the true intent of the Bill, which was

> .... the first measure in the final ascertaining of the Coloured population of this country who, no doubt by a second measure, would be taken off the common roll and put on a separate roll. 58

Responding to an article by the Prime Minister in Die Burger of 21st February, Mr J.R. Sullivan (U.P., Durban Berea) referred to Dr. D.F. Malan's statement "that national registration is the foundation of the whole plan of apartheid". The experience of the Dutch people, where national registration had been in operation for a long time but where no identity cards were issued today, should serve as a warning.

> They were issued when the Nazis dominated Holland, and these identity cards stand for tyranny and the jackboot .... The Dutch people would resent bitterly the imposition on them of identity cards on the same lines and for the same purposes as it was introduced by the Nazis. 59

That this was not merely an emotive argument was demonstrated by Dr. D.L. Smit (U.P., East London City) who drew attention to the sinister implications of Clause 14 which gave to the police the right to demand the production of an identity card from any citizen.[60]

55. Ibid., 9254/50, 16.6.1950, Mr S.J.M. Steyn.
56. HOOPER, Charles, Brief Authority, London: Collins 1960, and JOSEPH, Helen, If this be Treason, London: André Deutsch 1962, and see below pp. 1034-5, 1084.
57. House of Assembly Debates, 2536 & 2539/50, 8.3.1950, Col. Jordan.
58. Ibid., 2645/50, 9.3.1950, Dr. Gluckman.
59. Ibid., 2707/50, 9.3.1950, Mr Sullivan.
60. Ibid., 2958/50, 15.3.1950, Dr. D.L. Smit.

Mr John Christie (Johannesburg City) Leader of the Labour Party had already drawn attention to the same danger, and warned of the coming police state.

> It would be very easy for the Government with this measure on the statute book to set up a police state .... they are always formed through the setting up of an identification system, a system to identify every person, a system to compel them to register. 61

Dr. Bernard Friedman (U.P., Hillbrow) in making the concluding speech for the official Opposition summed up the implications of this "repressive" measure with particular foresight. Dr. Friedman foresaw how

> the circumstances in which we will have to produce our passes will multiply .... for the first time the white man will share an indignity which the Native has long resented and which the white man will resent even more.
>
> Every piece of repressive legislation has a double edge. Every piece of legislation designed to oppress the non-European recoils on the European. You begin by imposing certain disabilities on non-Europeans; you end up by accepting these disabilities yourself. You set out, Sir, to put the Native in his place; you end up by putting the white man in the place of the Native .... Liberty is the one thing you cannot have unless you share it with others. In the name of apartheid, this Government is turning South Africa into a vast prison house. Some of them may think that they will be the warders, but I assure you, Sir, they will be as much inmates as all the rest; and together they will eat the bread of bitterness. 62

Mr Sam Kahn summed up for the Natives Representatives, warning that the most sinister aspect of the measure was

> a grim pattern of a police state for the complete regimentation of our people .... the violation of the rights of privacy and personality of our citizens....
>
> The full advantage claimed is that it will be a register of persons for police purposes .... This particular function of the Population Registration Bill overshadows even the question of making this Bill a weapon of segregation, an instrument for the more efficient enforcement of apartheid. 63

On 16th March 1950 the Population Registration Bill passed its second reading before being referred to a Select Committee. Dr. Dönges made a speech summing up for the Government, which was described by the Natal Mercury's political correspondent as a

61. Ibid., 2820/50, 13.3.1950, Mr Christie.
62. Ibid., 3012/50, 15.3.1950, Dr. Friedman.
63. Ibid., 3114-5/50, 16.3.1950, Mr Kahn.

"sparkling" reply which "reached oratorical heights seldom achieved in Parliament".[64] The content of the speech shows how adeptly Dr. Dönges identified the contradictions between the actions of the United Party administration when in office, and its stated attitude in opposition to the Government now. He referred to an inter-departmental committee on social security, which in 1944 had recommended a national register, the assignment of a national registration number and an identity card for every person. This committee, in common with the Bill he had introduced, excluded "Native women", whilst "European women" had been included. The Chairman of the committee had been the United Party's Minister for Social Welfare in General Smuts' Cabinet, Mr S.F. Waterson (Claremont), and its proposals had received the approval of the then Prime Minister and Deputy Prime Minister.[65] The United Party's Social Security Bill containing these provisions was dropped "not because it was considered an infringement of liberty" or because it was "impracticable" or "too expensive", but "it died for the simple reason that the Government decided to drop the contributory social security scheme".[66] Dr. Dönges said there was national registration with an identity card in Britain, Israel, France, Italy and Belgium; national registration without an identity card in Holland, Sweden, Denmark and Canada.[67] He claimed that the carrying of identity cards was still in force in Britain and that the British identity card stated:

> Always carry your identity card. You must produce it on demand by a police officer in uniform or a member of His Majesty's Armed Forces in uniform on duty. 68

To opposition protests that these were war regulations, Dr. Dönges quickly replied that they were "still in existence five years after the cessation of hostilities".[69]

STRAUSS SUCCEEDS SMUTS AS LEADER OF THE UNITED PARTY.

The first half of the parliamentary session of 1950 had shown a new temper from both the Government and the Opposition.

64. The Natal Mercury, 17.3.1950, p. 10, "Dönges carries 'Pass' Bill in two divisions".
65. House of Assembly Debates, 3138/50, 16.3.1950, Minister of the Interior.
66. Ibid., 3140/50, 16.3.1950, Minister of the Interior.
67. Ibid., 3145/50, 16.3.1950, Minister of the Interior.
68-69. Ibid., 3142/50, 16.3.1950, Minister of the Interior.

Both Dr. Dönges and Mr C.R. Swart, whilst conceding nothing, presented their own case with a reassuring blandness and political skill which cast doubts upon the charges of sinister intent made by their opponents. The United Party, on the other hand, had begun to adjust to its new role in opposition. That Nationalist legislation raised fundamental questions of law and liberty which called for vigorous opposition was recognized by many in the United Party, including its veteran leader Field Marshal Smuts. His greater concern was still, however, for "race relations" between Afrikaner and English. His call to the nation at the unveiling of the Voortrekker Monument on 16th December 1949 had stressed that whilst the history of the Great Trek contained considerable achievements by the trekkers, it also held many examples of squabbling and bickering which they should not now blindly follow. He who had painstakingly tried to build co-operation and reconciliation between Afrikaner and English saw his life's work being unscrupulously undone by the Nationalists.[70] He had, however, failed to devote the same attention to the fundamental question of African representation.

The Easter recess brought some release, and Smuts looked forward to the exacting programme of engagements to mark the celebration of his eightieth birthday on 21st April. He spoke at Stellenbosch and then travelled to Johannesburg to receive the freedom of that city. The next evening he was due to speak in Pretoria at a birthday banquet, whence he was to fly to Durban and thereafter to Cambridge for a Graduation ceremony. Three days after his birthday he suffered an attack of coronary thrombosis which caused him to cancel his immediate programme. He did, however, continue to attend to his parliamentary duties until 28th May when he suffered a further thrombosis with pneumonia, a crippling illness from which he was not to recover.[71] His death on 11th September 1950 evoked many tributes, but none so poignant as the one from Mr Clement Attlee: "A light has gone out from the world of free men".[72]

70. SMUTS, J.C., Jan Christian Smuts, London: Cassell 1952, p. 522.
71. Ibid., pp. 523-5, and The Natal Mercury, 29.5.1950, "Doctor orders Smuts to rest".
72. SMUTS, op. cit., p. 527.

Field Marshal Smuts was struck down just as the battle in Parliament reached its most crucial stage. He delegated his more arduous parliamentary duties to Mr Strauss, but continued as Leader of the Opposition until the parliamentary caucus of the United Party finally elected the latter as its leader on 15th June as the debate over the second reading of the Suppression of Communism Bill entered its second day. For Mr J.G.N. Strauss, M.P. for Germiston District and a Minister in Smuts' Cabinet for only two years, it was a baptism by fire. The months of May and June saw the Government relentlessly pressing on with the most controversial parts of its legislative programme. On 4th May the committee stage of the Population Registration Bill began, and it finally ended at noon on 9th May only after the opposition led by Mr Strauss had fought the Bill clause by clause throughout the night.[73]

THE UNLAWFUL ORGANIZATIONS BILL.

On 5th May Mr C.R. Swart asked leave to introduce a Bill "to prohibit certain activities detrimental to the interests of the Union, and to make provision for declaring organizations promoting such activities unlawful ...."[74] Amidst vociferous interruptions from the Government benches, Mr Sam Kahn (Natives' Representative, Cape Western) took the unprecedented step of opposing the introduction of the Bill at its first reading, declaring that

> It introduces for the first time in the history of this country the conception that a Government may have power to proscribe the political actions of its opponents .... and the power to prohibit certain periodicals is the first inroad into the freedom of the press. 75

Mr Strauss expressed the United Party's concern by proposing the Bill be referred to a select committee before its second reading. He was not opposed to combatting communism, but this must not be done at the expense of the rule of law and civil liberty. Furthermore, it was a matter for serious protest that the content of the Bill should have been given to the press before copies were

73. See p. 251, reference 48 above.
74. House of Assembly Debates 5767/50, 5.5.1950, Unlawful Organizations Bill, Minister of Justice.
75. Ibid., 5769/50, 5.5.1950, Mr Kahn, Hon. Members, Mr J.H. Conradie, Minister of Justice, Mr Speaker.

available to Members of Parliament.[76] That week-end the Minister of Justice told a public meeting in Krugersdorp on Saturday 6th May that the Communist Party would be banned in terms of the Unlawful Organizations Bill: ".... we must smash its head before it strikes".[77] On Sunday afternoon the Anti-Pass Committee of the Communist Party organized a well-attended mass meeting on the Grand Parade in Cape Town, at which Mr Kahn denounced the Bill which proposed to give the Minister of Justice the power to ban any newspaper and even order the resignation of a Member of Parliament, M.P.C. or City Councillor.[78] A week later there was widespread relief when the second reading debate was interrupted by Mr C.R. Swart's announcement that he would withdraw the Bill and refer it to a select committee before its second reading. The sole purpose of the Bill, he said, though "drafted in comprehensive form" was to "combat communism". Since the official opposition had said it would oppose the present Bill but were in favour of combatting communism, he would refer the Bill to a select committee which was then given only until 31st May in which to prepare its report.[79] The Natal Mercury expressed "genuine satisfaction" since in terms of the Bill

> .... there were fears that on the flimsiest of pretexts it would be possible for a Government .... to stifle legitimate criticism by dubbing any organization, which sought to achieve social reforms or which had the effrontery to oppose Government policy, as being dominated by Communist influence. 80

Throughout May Mr Strauss had become the de facto Leader of the Opposition. He led the United Party's contingent in the crucial select committee on the Unlawful Organizations Bill. It was not until Mr Swart introduced the second reading of the now re-named Suppression of Communism Bill that it became apparent how well Mr Strauss had led the United Party's stand against the Government's proposals. A lawyer himself, he had prepared a draft Bill of his own. Mr Swart described the essential differences between what he chose to call the "Strauss Bill" and his own, the "Swart Bill", on 14th June. The only point of agreement

76. Ibid., 5769/50, 5.5.1950, Mr Strauss.
77. The Natal Mercury, 8.5.1950, p. 9, "Red ban appeal by Swart".
78. The Natal Mercury, 8.5.1950, p. 11, "Kahn attacks proposed legislation".
79. House of Assembly Debates, 6733-35/50, 19.5.1950, Minister of Justice.
80. The Natal Mercury, 20.5.1950, Second Leader.

had been in the name of the Bill. The Swart Bill declared the Communist Party of South Africa an unlawful organization, and gave the Governor General the power to declare any other organization unlawful if it "propagates communism" or "engages in activities which are calculated to promote communism" or if it was "controlled by a communist organization". The "Strauss Bill" insisted that an organization could only be declared unlawful by a court of law.[81] The Minister of Justice said he thought that court proceedings would be too protracted, and this would give the organization time to re-form under another name. He would however propose an amendment, so that it would not be the Minister alone who made the decision. The Minister would appoint a committee consisting of a Senior Magistrate, a legal adviser and someone appointed by the Minister, who would "go into the position and advise the Minister on the facts".[82] The Swart Bill would place restrictions on persons and the names of former office bearers and members would be listed. It would also give the Government the power to instruct any Member of Parliament, Member of a Provincial Council or any public body who was a communist to resign.[83] The Swart Bill also gave the Minister authority to prohibit "any person who fosters communism or who has committed an offence from entering a certain prescribed area or remaining in such an area". Mr Strauss' "Bill" gave individuals thirty days in which to apply to a court against such a prohibition.[84] Mr Swart explained that publications could be prohibited "for the propagation or fostering of communism or if it is issued by an unlawful organization". The "Strauss Bill", however, required a court judgement before this could happen.[85] If the Minister considered that communism would be promoted by holding a meeting, he might prohibit it. The Bill also allowed for the confiscation of property used "for the fostering and the propagation of communism or for the meeting of an unlawful organization".[86] The Minister could, in addition, deport anyone "who is declared to be a communist" and who was not a South African citizen.[87]

81. House of Assembly Debates, 8924-5/50, 14.6.1950, Minister of Justice.
82. Ibid., 8926/50, 14.6.1950, Minister of Justice.
83. Ibid., 8928/50, 14.6.1950, Minister of Justice.
84. Ibid., 8929/50, 14.6.1950, Minister of Justice.
85. Ibid., 8929/50, 14.6.1950, Minister of Justice.
86-87. Ibid., 8930/50, 14.6.1950, Minister of Justice.

Mr Swart said he thought Mr Strauss' proposals would merely drive communism underground.[88] His measure was designed to liquidate the S.A.C.P., for Lenin himself had said:

> "To a Communist the end justifies the means. We have to use any ruse, dodges, tricks, cunning, unlawful methods, concealment and veiling of the truth." How can one combat such things .... if one simply has to carry on and allow every case first to be declared by a court of law for evidence to be taken. 89

THE GROUP AREAS BILL.

Meanwhile, on 28th May, the day after Field Marshal Smuts was struck down by a second coronary thrombosis and Mr Strauss took over as Acting Leader of the Opposition, public attention was diverted from the proceedings of the Select Committee on the Unlawful Organizations Bill by the introduction of another major apartheid measure, the Group Areas Bill. This was not ground on which any new leader of the opposition would have chosen to fight his first battle, for the United Party had already conceded the principle of residential segregation with their Indian legislation in 1946.[90]

The Government tried to give the impression that in substituting the Group Areas Bill for the much criticized Asiatic Land Tenure and Representation Act of 1946 they, unlike the United Party, were not discriminating against the Indians, and that the demarcation of group areas would be "in a fair equitable and just manner", and that there would be no sudden change over.[91] Group Areas would be assigned to "three main groups" explained Dr. Dönges, "the whites, the Coloureds and the Natives". At the same time there would be further sub-division of the Coloured group into "Cape-Malays" "Other Coloured" and "Indian" and of the "Natives" into

88. Ibid., 8930/50, 14.6.1950, Minister of Justice.
89. Ibid., 8932/50, 14.6.1950, Minister of Justice.
90. Ibid., 7453/50, 29.5.1950, Mr Strauss opened the Opposition's reply in the Second Reading of the Group Areas Bill. See also Natal Mercury, 29.5.1950, "Doctor orders Smuts to rest", and above, Chapter One, p. 17.
91. House of Assembly Debates 7433/50, 29.5.1950, Minister of the Interior.

"Zulus", "Xhosas" etc.[92] The Bill however aroused the most vehement protests from Indian leaders. The Transvaal Indian Organization, noting the provisions in the Bill to control not only residence but also trading rights, appealed to Mrs Ballinger, saying that

> .... although it purports to aim at pegging the present position of Indians, [the Bill] in fact goes much further and amounts to an attack on the vested rights of the Indian community.

The once moderate Natal Indian Organization, now led by Mr A.S. Kajee, called the Group Areas Bill "a model of Nazi tyranny" because of the "vast, wide and extraordinary powers" which it "vests in the hands of a single person". Senator Edgar Brookes in his turn observed how Dr. Dönges would become "the uncontrolled supervisor of every land transaction across the colour line in South Africa".[93] Dr. Dönges himself conceded as much in introducing the second reading debate when he explained that

> the immediate effect of the Bill will be to make every part of the country a controlled area .... Then the further part is the gradual proclamation of group areas within the wide controlled area; that is the declaration of certain areas to be group areas, either for occupation or for ownership, or for both 94

In a memorandum to his cabinet colleagues Dr. Dönges described the Bill as "a measure of 'positive' apartheid".

> .... it is a constructive step towards bringing into force the Government's policy of allowing each racial group in South Africa that measure of separateness which is essential not only for its continued existence and development as a distinct entity, but also for the maintenance of racial harmony generally.
>
> .... The Bill undoubtedly envisages the allotment of more land for the exclusive use of non-Europeans in addition to the land already set aside for Native and Coloured occupation.[95]

There was considerable opposition from Anglican leaders when the Government began implementing the Group Areas Act,

92. Wits. Archive, Ballinger papers A 410, B2 14.11, Group Areas 1950-1959. Some notes on the Group Areas Bill by Senator Edgar Brookes.
93. Ibid., and letter and Memorandum by the Transvaal Indian Organization to Mrs Ballinger 5.5.1950, also Speech by Mr A.S. Kajee, President of the Natal Indian Organization at a Protest Meeting, Avalon Theatre, Durban, 30.3.1950.
94. House of Assembly Debates 7434/50, 29.5.1950, Minister of the Interior.
95. Wits. Archive, Ballinger papers loc. cit., Memorandum to Cabinet 20.4.1950.

particularly in the Transvaal in 1956-7, and in the Cape in 1962-3, as well as in the long struggle over the "resettlement" of the people of Sophiatown, Martindale and Newclare in terms of the Resettlement of Natives Bill of 1954. However, in 1950 I found that episcopal comment so concentrated upon the Suppression of Communism Act that criticism of the Group Areas Act either was supplanted by the more urgent concern for civil liberty, or was incorporated in more generalized criticisms of apartheid. For instance, Archbishop Clayton's Charge to Provincial Synod in 1950 stressed that "we are a multi-racial church" and that "Anglicans should be ready to accept the ministrations of every Anglican priest of whatever race he may be".[96] He referred directly to no specific piece of legislation and merely defended the church's right to criticise the government. Perhaps this was because Anglican churchmen, like the United Party, did not really oppose the principle of residential segregation so much. The Congress Movement on the other hand left no doubt whatsoever about their attitude. Like the Asiatic Land Tenure Act of 1946, they called it the "Ghetto Act".[97]

The serious threat to the church posed by the Government's legislation was, however, realized by more perceptive Anglican leaders, as evidenced by this account written for the S.P.G. by the Bishop of Kimberley, John Hunter, soon after the Group Areas Act was gazetted.

> At Richmond (Cape) roughly 200 miles from Kimberley we used to have a Church in the Coloured township which was also attended by Africans living in the location adjacent to that township. Just before I became Bishop seven years ago, the Municipal authorities at Richmond offered to build a new church in the native location in exchange for our building in the Coloured township which they said they required as a hall. This was agreed upon. The church was duly built and there was no difficulty about Coloured people going to it until a short time ago when the authorities suddenly decided to enforce regulations forbidding

96. WOOD, C.T., ed. Where we Stand, Archbishop Clayton's Charges 1948-1957, London/Cape Town: OUP 1960, p. 13. cf. Diocesan Magazines quoted below in Chapter 13; and PATON, Alan, The People Wept .... The Story of the Group Areas Act, Durban: 1957, published by the author.

97. KARIS & CARTER, Vol II, op. cit., p. 445, Document 79, "United Anti-Fascist Rally". Pamphlet announcing a rally in Durban on 28th May 1950 to be addressed by Dr. J.S. Moroka (undated). "Fight Gestapo and Ghetto Bills. They threaten your lives ...."

> Coloured people to enter the native location. Several of our Coloured church members were arrested on their way to or from church and fined. We took the matter up, but, while for the moment the Coloureds are not being interfered with, the question is far from settled. After an appeal to the Minister of Native Affairs an officer was sent to investigate. After consultation with the municipal authorities he triumphantly announced they were ready to compromise by giving us back the hall in the Coloured township as a place of worship for the Coloured members of our church. Were we to accept this, the position would be that our present mission congregation would be split in two, the two sections would be worshipping in buildings little more than 200 yards apart, and the priest would have to duplicate identical services at different times for the different racial groups.
>
> This offer was very properly refused by the priest there who referred the matter to the Bishop. He has once again approached the Secretary for Native Affairs setting out the objections and suggesting that if the authorities cannot see their way clear to allowing Coloured people to enter the location solely for the purposes of attending church, they might be asked to provide yet another building on neutral ground which would be accessible to both Africans and Coloureds. So far there is no indication of what the next move will be, but it is significant that the priest in charge of the work in Richmond was told that he would be wise to accept the proposed compromise since the Group Areas Bill, then still before Parliament, was almost certain to become law and then he would be forced to have separate congregations ....
>
> It will be very difficult if an attempt is made generally to make us provide different churches for different racial groups .... And what about our churches in Kimberley, the Cathedral included, where white and Coloured worship together ?[98]

BLACK RESISTANCE.

The Unlawful Organizations Bill, in its turn, was dubbed the "Gestapo Bill".[99] On Sunday 28th May a mass meeting attended by 20 000 people at "Red Square" in Durban heard Dr. Moroka condemn the Government's apartheid legislation, and in particular these two Bills, and announce that a National Day of Protest would soon

98. S.P.G. Report, 1950, p. 17.

99. KARIS & CARTER, Vol II, loc. cit., p. 445, Document 79: "The Gestapo Bill (The Unlawful Organizations Bill) is designed to silence all opposition to the Nationalists' Apartheid policy. If the Bill becomes law all organizations persons and publications who disagree with the Government will be banned and all who defy the law will be thrown into jail. A Fascist Republic will be set up where all freedom of speech and assembly will be crushed and where police rule will terrorize the people".

be held throughout the country.[100] The meeting had been convened jointly by the A.N.C. (Natal), the Natal Indian Congress, the African People's Organization (for Coloureds), the A.N.C. Youth League, the African Women's Association and the Durban District of the Communist Party, and it merely added fuel to the arguments of those wishing to proscribe the Communist Party. Over the week-end of the 11th June mass protest meetings were held across the country.[101] At these meetings Dr. Moroka's call for the proposed National Day of Protest and Mourning was announced for Monday 26th June. This was timed to coincide with the close of the 1950 parliamentary session but before the legislation, which by then had passed through all its stages in parliament, had been gazetted and became law. Dr. Moroka's call, for what in effect was a one-day general strike, made on 11th June, gave only a further eleven days for organization. In quick succession Dr. G.M. Naicker who had succeeded Dr. Dadoo as President of the South African Indian Congress, Mr S.M. Rahim President of the A.P.O. and Mr Ivan Horvitch, Chairman of the South African Communist Party, echoed Dr.Moroka's appeal.[102] A co-ordinating committee was formed in Johannesburg, based on the A.N.C.'s office there, with Walter Sisulu and Yusuf Cachalia as Joint Secretaries, and Nelson Mandela in overall charge. In order to motivate the protests Dr. Moroka and Oliver Tambo then visited Natal, Walter Sisulu toured the Eastern Cape, Gaur Radebe the Free State and Moses Kotane the Western Cape.[103] Nelson Mandela later wrote

> The committee had only two weeks to prepare, and in the face of intensive and relentless police intimidation .... I am satisfied that as a political strike Monday June 26th was an outstanding success. 104

Some thought that "only moderate support was forthcoming".[105] There was, however, a complete stoppage of work at Port Elizabeth, Uitenhage, Durban, Ladysmith, Evaton and Alexandra Township.

100. Ibid., p. 448, Document 82, "Monday 26th June, National Day of Protest and Mourning". Pamphlet issued by the Natal Co-ordinating Committee (undated). "People's leaders at Durban Protest Meeting of 20 000 people on 28th May 1950".
101. Ibid., p. 444, Document 79, and The Natal Mercury 12.6.1950, "Natal meetings back Protest Day".
102. Ibid., p. 455, Document 85, Draft Report of the National Executive Committee of the A.N.C. submitted to the Annual Conference 15-17 December 1950.
103. Ibid., p. 451, Document 84, Report on the National Day of Protest June 26 1950, issued by the Secretary General of the A.N.C. and initialled by Nelson Mandela, July 1950.
104. Ibid., p. 452.
105. HORRELL, M., Action Reaction and Counter-Reaction, Johannesburg: SAIRR 1971, p. 21.

Partial stoppages took place in Johannesburg and on the Witwatersrand, as well as in Dannhauser, Bloemfontein, Grahamstown, Cape Town and other centres.[106] However, the fact that a general strike nearly took place on 26th June 1950 was later discounted in official statements.

THE SUPPRESSION OF COMMUNISM BILL.

Notwithstanding Mr C.R. Swart's statement to the House of Assembly before the Unlawful Organizations Bill was referred to a Select Committee on 19th May, that the sole purpose of the Bill was to combat communism, the definition of "communism" in the Suppression of Communism Act remained wide.[107] Apart from "Marxian socialism" the definition included

> any doctrine or scheme which aims at bringing about any political, industrial, social or economic change within the Union by the promotion of disturbance or disorder, by unlawful acts or omissions or by the threat of such acts or omissions or by means which include the promotion of disturbance or disorder or such acts or omissions or threats.[108]

As Mr J.G.N. Strauss pointed out, it was not that the penalties were so "drastic", but that they were to be imposed by "administrative action" without any recourse to the courts, that was the objection.[109] Clause 7 3(3) provided that an authorized officer

(a) without previous notice at any time may enter upon any premises whatsoever and make investigation and enquiry as he deems necessary

(b) require from any person on the production then and there or at a time and place fixed by the authorized officer, of any document or of any copy of any periodical or other publication which is on the premises. [110]

In terms of the Act, the Minister of Justice on his sole authority and without recourse to any court, could declare an organization unlawful, appoint a "liquidator" who would draw up a list of all members, who under Section 1 (iii) could be named Communist. As Mr Kahn observed, the Minister could then

106. KARIS & CARTER, Vol II, op. cit., p. 455, Document 85.
107. House of Assembly Debates, 8935/50, 14.6.1950, Mr Strauss.
108. Ibid., 8979/50, 14.6.1950, Mr Davidoff.
109. Ibid., 8943/50, 14.6.1950, Mr Strauss.
110. Ibid., 8945/50, 14.6.1950, Mr Strauss.

> take such people and if they are employed in the public service he can dismiss them; if judges he can remove them from the bench, and if they are members of Parliament he can expel them from Parliament. 111

In terms of the Suppression of Communism Act Mr Sam Kahn's membership of the House of Assembly as the Natives' Representative for Cape Western was later terminated, on 26th May 1952, as was that of Mr Fred Carneson as a member of the Cape Provincial Council and a City Councillor.[112]

Mr Kahn also pointed out that even

> the churches can be condemned in South Africa for propagating Communism if they oppose and attack the Government's policy of apartheid and demand Christian equality and brotherly love for all South African citizens. 113

The Bill in addition provided for the deportation of anyone "who is declared to be communist" and who was not a South African citizen.[114]

> The Minister might just as well delete his definition and substitute the words"any person who holds views of which the Minister disapproves is a communist"

said Dr. Bernard Friedman, the United Party M.P. for Hillbrow.[115] Mr Swart himself had made it clear that the Minister could prohibit "any person who fosters Communism or who has committed an offence from entering a certain prescribed area or remaining in such an area".[116] He could prohibit publications, ban meetings and banish people. There would be no appeal to any court. Neither an individual nor an organization could claim even that it had the onus on it to prove its own innocence. Mr Swart emphasized that it would be the Minister, advised by a Magistrate and an officer appointed by him, who would make all the decisions.[117]

To prevent a totalitarianism of the Left, the Government, said Dr. Friedman, was setting up "a totalitarianism every bit as tyrannical as the totalitarianism it sought to prevent".[118]

111. Ibid., 9102/50, 15.6.1950, Mr Kahn.
112. Ibid., 1952, p. vii, Members of the House of Assembly. "Kahn, S., Membership terminated as from 26th May 1952 in terms of the Suppression of Communism Act".
113. Ibid., 9102/50, 15.6.1950, Mr Kahn.
114. Ibid., 8930/50, 14.6.1950, Mr Swart.
115. Ibid., 9025/50, 14.6.1950, Dr. Friedman.
116. Ibid., 8929/50, 14.6.1950, Minister of Justice.
117. Ibid., 8926/50, 14.6.1950, Minister of Justice.
118. Ibid., 9024/50, 14.6.1950, Dr. Friedman.

Dr. Friedman then predicted what would happen when the Bill became law.

> The Government will feel itself increasingly insecure; it will see a threat in every criticism and treason in every protest; it will suspect a plot wherever two or three are gathered together; conspiracy will lurk in every corner. Their Gestapo will suspect trouble everywhere; they will suspect michief in the most unlikely spot precisely because it is the most unlikely. They will listen behind every closed door, they will peer through every keyhole. Their Gestapo can never be sufficiently ubiquitous. In order to do their job they will enlist the services of the lowest of the low as their agents and stooges. They will make use of the spy and the common informer, of the provocateur and the blackmailer .... The Government will create the very evil it is trying to prevent. With every turn of the screw the spirit of insurrection and resistance will grow and ultimately the Government will forge the weapons of its own destruction. 119

In spite of the United Party's determined stand, ably led in this instance by Mr Strauss, the Suppression of Communism Bill passed through all its stages on 19th June, after Dr. D.F.Malan had again invoked guillotine procedure on 13th June, which allotted only fifteen hours for the second reading and ten for the committee stage.[120] This was done in spite of the most serious questioning of the measure by the legal profession. The side-bar association of the Johannesburg Bar Council adopted a unanimous resolution on 12th June stating that

> No man should be punished or otherwise made to suffer by the State, except for a distinct breach of the law proved in the ordinary legal manner before the courts of the land, is a principle upon which all freedom is founded .... The Johannesburg Bar feels bound to express its view that the Bill seriously, and in a far-reaching manner, tampers with this principle. 121

On 14th June the Civil Rights League in Cape Town issued a strong statement calling for "unequivocal opposition" to the Suppression of Communism Bill because it "excluded the rule of law and denied vital democratic principles of freedom of speech assembly and organization".[122] On 20th June the South African Communist Party declared itself dissolved in anticipation of the Bill being enacted.[123] On 1st July Senator Edgar Brookes contributed an article to The Forum under the title "In the Police State", and told fellow liberals

119. Ibid., 9028/50, 14.6.1950, Dr. Friedman.
120. Ibid., 8842/50, 13.6.1950, The Prime Minister and Mr Strauss.
121. The Natal Mercury, 13.6.1950, "Anti-Red Bill opposed by Attorneys".
122. The Natal Mercury, 14.6.1950, "Civil Rights League attacks Red Bill".
123. KARIS & CARTER Vol II, op. cit., p. 513, Chronology 1950.

that "the liberties of South Africa depend in a very special way on us who are now called upon to witness clearly and faithfully for what we believe in a dark day". He warned against looking for martyrdom, quoting the half-truth in Bernard Shaw's gibe "Martyrdom is the only way in which a man can become famous without ability", but concluded,

> The main point is not that we should be indiscreet for the sake of indiscretion, but that we should articulate the faith that is in us without fear. 124

"THE DANGER OF COMMUNISM".

National Party strategists had chosen their moment well to introduce a measure to suppress communism. World opinion had been outraged when, with the "rape of Czechoslovakia" in the spring of 1948, Russia had succeeded in establishing communist governments in every country in Eastern Europe.[125] On 1st October 1949 the Chinese People's Republic had been proclaimed in Peking.[126] The Soviet Government had in 1945 set up a puppet government in North Korea, following what Mr Harold MacMillan was to describe as "the pattern of subversion and infiltration which they operated so successfully elsewhere".[127] The latter part of 1949 and early 1950 saw an escalation in the number of border clashes backed by Chinese communists, until on 25th June 1950 the Korean war began.[128]

In South Africa we have already seen how the Mineworkers' Strike of 1946 was perceived to be the work of communist agitators.[129] Recalling the attempts to disrupt the National Party Congress in Johannesburg in 1945 Mr C.R. Swart now charged that the Springbok Legion was the "military branch of the Communist Party".[130] For nearly two years South Africa had witnessed the spectacle of two

124. The Forum, 1.7.1950, "In the Police State" by Edgar H. Brookes.
125. MACMILLAN, H. Tides of Fortune 1945-55, Autobiography Vol III, London: MacMillan 1969, p. 130.
126. HAN Suyin, The Morning Deluge, Mao Tse Tung and the Chinese Revolution 1893-1953, London: Jonathan Cape 1972, p. 542.
127. MACMILLAN, op. cit., p. 139.
128. Ibid., pp. 325-6.
129. See above, Chapter One, pp. 46, 48, 49.
130. House of Assembly Debates, 8922/50, 14.6.1950, Minister of Justice, and see above Chapter One pp. 58-63, especially p. 61 ff.

trials and two preparatory examinations, after all the documents of the Communist Party Headquarters had been seized by the police at the time of the Mineworkers' Strike. However, as Mr Kahn was to point out in the course of the debate on the Suppression of Communism Bill, on both occasions there had been insufficient evidence against the Communist Party to frame an indictment.[131] The fear of communism was assiduously fostered by the N.G.K.'s Anti-Kom Commission, under the leadership of Dr. D.J. (Koot) Vorster. An Editorial in Die Kerkbode on 21st June fully endorsed the rhetorical question of Mr Swart, "Is daar enige regdenkende mens wat sal ontken dat Suid-Afrika self in gevaar is ?"

> *Ons staan voor die werklikheid dat die kommunisme besig is om sy krag te monster en dat hy oor die hele wêreld optree.*[132]

Now, in introducing the second reading debate on the Suppression of Communism Bill in parliament on 14th June 1950, Mr Swart claimed that a document found at the Pretoria Branch of the Communist Party stated

> .... If the leaders of national movements and trade unions can accept our proposal for a united front for a general strike, the Nationalist Government can fall tomorrow. 133

To the Government the strikes on the Witwatersrand on 1st May 1950 provided unambiguous evidence of the results of overt communist agitation. On 26th March a body called the Defend Free Speech Convention, consisting of the A.N.C. (Transvaal), the Transvaal Indian Congress, the A.P.O. and the Johannesburg District of the Communist Party had called for the 1st May to be observed as "Freedom Day". On the afternoon of 1st May police had opened fire on "strikers", killing nineteen and injuring thirty, in Alexandra, Orlando and Sophiatown.[134] Now, in the face of Government legislation in parliament to proscribe the Communist Party, there had been nationwide protests organized by the same grouping of organizations that had planned the May Day "riots". The attempt to achieve a general strike on Monday 26th June had nearly succeeded. To the Government, therefore, it seemed that their action in bringing forward legislation to proscribe the South African Communist Party had saved the country from the brink of revolution. Meanwhile

131. House of Assembly Debates, 9097/50, 15.6.1950, Mr Kahn.
132. Die Kerkbode, 21.6.1950, "Teen die Kommunisme !"
133. House of Assembly Debates, 8914/50, 14.6.1950, Minister of Justice.
134. KARIS & CARTER, Vol II, op. cit., pp. 454-5, Document 85.

white fears of a black uprising led by communist agitators had been subtly used to justify the sacrifice of civil liberties on an unprecedented scale. What the Government, however, refused to acknowledge was that it was their own actions, in placing such divisive and repressive legislation on the statute book, which had provoked the very situation which their Unlawful Organizations Bill had been designed to pre-empt.

At the same time Dr. Moroka's ill-advised acquiescence in the call to workers on the Witwatersrand to observe May Day as "Freedom Day" had provoked severe criticism within the A.N.C. On the one hand Professor Z.K. Matthews, Cape Provincial President of the A.N.C. described those killed as the "unknown soldiers who died for African liberation";

> The people who stayed away from work did so not because they were influenced by the so-called agitators or by appeals in pamphlets. They stayed away because they had a deep-seated grievance against oppression. 135

The African journalist Jordan Ngubane, however, who at the time edited his own independent weekly Inkundla ya Bantu in Natal, considered that "The May Day demonstrations were intended to be part of a world campaign engineered by the Communists to help advance the cause of Communism, and not of the oppressed African".[136] Another member of the African National Congress to show his concern about the activitites of communist Congress members, in particular Moses Kotane, was an Anglican priest, the Revd. J.J. Skomolo, who wrote privately to Professor Z.K. Matthews from St. Peter's Mission in Basutoland about the way in which

> through the May Day strikes our people lost lives, properties and jobs and have had no redress .... the Engine and the brains of Congress cannot be the communist influence. 137

In spite of all the bitter controversy surrounding the passage of their measures to enforce apartheid and the Suppression of Communism Act which abrogated the rule of law and the principle of freedom

135. The Forum, 24.6.1950, "Day of Protest and Mourning, aftermath of May Day deaths" by Jordan K. Ngubane.
136. Inkundla ya Bantu, 20.5.1950, "Post-Mortem on a Tragedy", editorial on the events of 1st May 1950 by Jordan K. Ngubane.
137. KARIS & CARTER Vol II, op. cit., pp 447-8, Document 81, letter from the Revd. J.J. Skomolo to Professor Z.K. Matthews, 16.6.1950.

for all before the courts, it seemed to their supporters to be no less than the Government's just desserts when the National Party won all six seats in the South West African elections on 30th August.[138] Inspan described the acceptance by parliament of the Group Areas and the Suppression of Communism Acts as the first rays of a new dawn:

> *Die Kommuniste staan die uitwissing van alle kleurgrense voor en bepleit absolute gelykstelling tussen blank en nie-blank, ook op die politieke terrein met insluiting van stemreg. Dit kan in die praktyk slegs op een ding uitloop: die baasskap van die swartman .... Die Höerhand het in die gang van menslike gebeure ingegryp en wel in belang van die redding van die Boernasie.* 139

Even Archbishop Clayton was to express his concern about the spread of communism when he addressed his own diocesan synod in Cape Town in 1951. "Christianity today", he warned, "is faced with a strong confident and enthusiastic rival".

> Communism is a rival to Christianity for it is based on presuppositions which are incompatible with the Christian faith. And there are many people who are afraid of the spread of Communism in this country. 140

ANGLICAN CONCERN FOR THE SUPPRESSION OF LIBERTY.

On being elected Bishop of Johannesburg, Ambrose Reeves was particularly conscious of his English origins. It has already been noted that Bishop Reeves told his wife, "I won't open my mouth for two years. I really must learn the situation".[141] On arrival he had given first priority to the planning of an evangelistic campaign in the Diocese of Johannesburg over the three-year period between 1951 and 1953, appointing as full-time Secretary of the campaign the Revd. G.A. ffrench-Beytagh.[142] It is significant that it was the Suppression of Communism Bill that caused Bishop Reeves to break that vow. In a sermon preached at evensong at

138. Wits Archive, A 410 Ballinger papers, E 1.21, "The South African Opposition" by John Hatch, B.B.C. Third Programme, 14.10.1950, op. cit.
139. Inspan, July 1950, "Die eerste strale van 'n nuwe dageraad".
140. WOOD, C.T., ed. Where we Stand, Archbishop Clayton's Charges 1948-57, London: OUP 1960, p. 21.
141. REEVES, The Right Revd. A., Interview, Shoreham-on-Sea, 2.4.1975. See above, Chapter 2, p. 125.
142. PEART-BINNS, J.S., Ambrose Reeves, London: Victor Gollancz 1973, p. 72.

St. Peter's Brakpan on Sunday 11th June, Reeves added his voice to the chorus of protest that rang around the country over the week-end before the second reading debate began on June 14th. What he said was widely reported.[143]

Bishop Reeves told me,

> I don't think I'd have acted unless it had been for the Suppression of Communism Act .... There I was on ground I knew. I could see by the definition of "communism" that I and anybody like me - I was thinking of the fate of the devout Christian, who could be caught up with that Act, so I decided to speak out. [144]

On 15th June, when Mr Sam Kahn was speaking in the House of Assembly, saying that "even the churches can be condemned in South Africa for propagating Communism if they oppose and attack the Government's policy of apartheid.... ", the record of the debate shows that Reeves' sermon had found its mark, for that was the reason for an ominous interjection "Even the Bishop of Johannesburg".[145]

The first half of Bishop Reeves' sermon, published in full in the July edition of The Watchman, showed why "there can be no compromise between Christianity and communism in its contemporary form".[146] Reeves judged the atheism of communism to be far less significant than "its idolatry", "for communists worship a God who is the unqualified ally of one group in society against everyone else". One of Marxism's two "perversions" was that it knew only a conflict between righteous and unrighteous "the former being poor and the latter being privileged". The second perversion was that "Marxism expects the complete realisation of the kingdom of righteousness within the history of this world" and "Communists overlook .... the possibility of doing and being evil".[147] Reeves acknowledged that

> Marxism bears witness to some truths to which men need to hearken, but my point is that at its heart it is a deep perversion of two basic truths of the Christian faith, namely, that all men are sinners and stand in desperate need of redemption, and the perfection of the Kingdom of God lies

143. The Natal Mercury, 12.6.1950, p. 9, "Bishop joins criticism of anti-red Bill".
144. REEVES, A. Interview, op. cit.
145. House of Assembly Debates, 9102/50, 15.6.1950, Mr Kahn, an Hon Member.
146. The Watchman, July 1950, "Communism", a sermon preached by the Right Revd. the Bishop of Johannesburg at St. Peter's Church Brakpan at evensong on Sunday 11th June. cf. The Natal Mercury, loc. cit.
147. The Watchman, loc. cit., pp. 8-9.

> at the end of history. Because this is so Christians can never come to terms with the fanaticism of this new political religion .... its falseness is spiritual and not social. [148]

Reeves then went on to deal with the means of opposing communism. "It must be obvious that communism cannot be banished from our midst by an Act of Parliament". Driving communism underground would merely give its advocates "fresh powerful arguments". Reeves found the most disquieting feature of the Bill in the fact that it took "the punishment of communists outside the normal processes of law [which] puts it into the hands of political authority without allowing any redress in the ordinary courts of the land".

> For centuries now it has been demonstrated that the only guarantee of freedom is the rule of law and the free access to the courts of all citizens whatever their offence may be. Certainly it is the function of political power to preserve the being and vitality of a nation, but it is erroneous for political leaders to conclude that their power of preserving society is either uncontrolled or unlimited. On the contrary, political power must always be subordinated to the demand of justice, and that only can be secured if the punishment of offenders is in the hands of a judiciary which is not in the hands of political power itself.
>
> .... even if those responsible for this bill will not listen it is our solemn duty to warn them that while for a time such legislation may appear to be successful, in the long run the effects of it will be very different from that which they expect. [149]

Reeves concluded by using an argument which was to be used also by Mr J.G.N. Strauss. To Bishop Reeves "the best way in which the State can combat communism is by striving to promote justice in society",[150] whilst Mr Strauss said he believed that communism flourished in "bad social and economic conditions" and that was the point at which its evils should be tackled, by removing those conditions, and not by tampering with freedom of speech, freedom of religion and the freedom of the press.[151] Reeves thought that the responsibility for combatting communism rested with the church and not with the state, since "vital communism can only be overcome by vital Christianity".[152] Thus he turned his focus back to evangelism. In the face of advancing communism the question

148-150. Ibid., p. 9.
151. House of Assembly Debates, 8935/50, 14.6.1950, Mr Strauss.
152. The Watchman, loc. cit., p. 10.

was "to be or not to be a Christian" and corporately "to be or not to be the Church".[153]

Archbishop Clayton, too, was quick to respond to "the proposals that are before Parliament" in his monthly letter to the diocese of Cape Town on 21st June 1950. He defended the right of the church, which "knows no party politics" to make pronouncements. The Church must obey God and not men.

> .... with regard to the proposals that are before Parliament I believe that there is a real risk of grave injustice being done. So very much is left to administrative action. Personal freedom seems to me to rest upon the right of the individual to appeal to a court against the decisions of a Department of State, and therefore the limitation of the power that can be exercised administratively. And lastly, few things are more important than the right of criticism. Any suggestion that criticism of the Government that is in office, whatever that Government may be, is unpatriotic and almost treasonable is quite deplorable. 154

On 25th June the North Koreans launched a strong attack across the 38th Parallel which led to United Nations military intervention, with fourteen nations, including South Africa, sending a military contingent, and no less than forty-eight states giving some kind of support, armed, economic or medical.[155] On 19th July Clayton again wrote to his diocese and warned,

> What has happened in Korea will probably make many people think that the Act for the Prevention of Communism which is now part of the law of this country is wise and justifiable. Personally I greatly doubt it. It seems to me that Communism, so far as it exists in this country, is a consequence of the bad conditions in which so many people are living, and still more of the sense of frustration and hopelessness which is inevitably engendered by the declared policy of the section of the population which has all the political power, that they must see to it that for ever the greater part of the population must be debarred from any share in that power. Such a policy can only be maintained by force. 156

> The only way to fight Communism effectively in this country is to provide at once better conditions of living, and to have a long-term policy which can substitute hope for the sense of frustration which is in the minds of so many. 157

153. Ibid.
154. Cape Town Diocesan Magazine, 21.6.1950, p. 1., Archbishop's Letter.
155. MACMILLAN, H., op. cit., p. 139.
156. Cape Town Diocesan Magazine, 19.7.1950, p. 1., Archbishop's Letter.
157. Ibid., p. 2.

On 16th August Clayton supported the Government's action in sending a unit of the South African Air Force to resist communist aggression in Korea. He repeated his warning of a month before:

> But successful resistance to the aggression in Korea will not abolish Communism. Wherever there is injustice, wherever people are deprived of a reasonable chance of progress, wherever there is class prejudice, or racial prejudice, wherever there is grinding poverty, there the ground is prepared for sowing the seeds of Communism. Communism is the refuge of the unhappy and the despairing. It may well be that it is a remedy worse than the disease. I think it is for it is based on the denial of God and it involves the negation of freedom. But those who are despairing do not think of that. You can fight aggression with aeroplanes and bombs. You can only fight Communism by providing a better alternative. And the weapons of your warfare must be to do justice, to love mercy, and to walk humbly with your God. And if we want, as we do want, to fight against Communism, we must continue, in season and out of season, to protest against injustice and to do what we can to see that all who live in this land have a better chance of progress than most of them think they have today. They must be given a stake in their own country, a sense of responsibility for its development, and an assurance of equitable treatment. Fellowship rather than domination must be our ideal. If that should come about we should hear little about the danger of Communism in our land. 158

During the Committee Stage of the Suppression of Communism Bill, Fr. Trevor Huddleston with three other members of the Personal Liberties Defence Committee of Johannesburg attempted, through Mrs Ballinger, to ask the House of Assembly that a petition might be brought to the Bar of the House by a retired judge of the Supreme Court, Mr Justice Saul Solomon.[159] A month later, writing at the request of the Editor of The Watchman on "Freedom", Father Huddleston wrote bitterly:

> .... Today the European is reaping the fruits of his own carelessness in respect of the liberties of others. Freedom is in fact indivisible, whether we like it or not. The denial of this freedom to others inevitably means the denial of freedom to ourselves. 160

> .... So we in South Africa are moving into the twilight of liberty - unresisting for the most part - because long since we have ceased really to care for freedom at all. Perhaps it is just as well. Perhaps when the darkness engulfs us

158. Cape Town Diocesan Magazine, 16.8.1950, pp. 1-2, Archbishop's Letter.
159. The Natal Mercury, 20.6.1950, p. 11. "Assembly asked to hear ex-judge on anti-reds Bill".
160. The Watchman, August 1950, p. 10, "Freedom" by the Revd. Trevor Huddleston C.R.

> all, we shall remember and be prepared to fight for those in our land upon whom this darkness has fallen long ago without our caring. 161

Christians who might have felt secure because the Minister of Justice had given the assurance that the measure was designed only for combatting communism were reminded by opposition speakers that this assurance was worthless. Well in advance of the debate in parliament the Bishop of George (Gwyer) had agreed with Mrs Ballinger's adjective for the Unlawful Organizations Bill: "terrifying", and commented:

> Charges of "Communism" are flung about so wildly that it would appear that any person or Society (including a Chruch) should he or it protest against this or that policy of the Government of the Day may easily come under its ban. 162

In his charge to the George Diocesan Missionary Conference, Bishop Gwyer referred to the very moving and large prayer meeting held by the Coloured community on 18th June 1950. The Bishop explained

> Its purpose was not to stir up agitation against the Government but to put the whole position and fears of the Coloured people with faith into the hands of Almighty God. 163

The greater part of the charge was about freedom in South Africa, and the contribution made by Christian missions to the non-European. Christianity, said the Bishop, "claims that each individual is a child of God, a part of that human race of which God Himself took flesh and so is really of infinite value in God's sight". Thus

> .... anything that hinders or thwarts the development of a person's personality, as it is meant to develop, is definitely unjust. 164

Bishop Gwyer identified the battle being waged in South Africa as being one for "individual freedom", and said "that battle centres on the non-European to a predominant degree". The Christian was concerned not "merely to see that a man gets his rights" but

> If by this unfair legislation any of God's children are deprived of the means to employ their talents to the full, then the Christian must do all in his power to prevent such

161. Ibid., p. 11.
162. George Diocesan Magazine, 31.5.1950, p. 1., Bishop's Letter.
163. George Diocesan Magazine, July 1950, p. 6., Full text of Bishop's Charge to George Diocesan Missionary Conference.
164. Ibid., p. 5.

> legislation or answer to the God by whom he will be judged. So the Christian Missionary is bound to stand up for the rights and liberties of the oppressed and with all humility I would maintain that generally speaking the witness of the Christian Churches has been consistent and courageous. 165

Those who criticized a measure to suppress communism ran the risk of being accused of having pro-communist sympathies themselves. This, however, was not a danger for any Anglican bishop whose anti-communist attitudes were already well known. For instance a year earlier, the Bishop of Grahamstown, Archibald Cullen, had written to his diocese strongly condemning Marxian Communism which, he reminded his readers, the Lambeth bishops had repudiated because of "the cruelties, injustice and lying propaganda which are inherent in it".[166] Cullen warned those "misguided folk" (Archbishop Clayton later referred to communists as "muddle-headed"[167]) for whom "Communism appears as a protest against social injustice", that it was also "the Church's own vocation to feel and express concern for the depressed [sic] and downtrodden".[168]

Bishop Cullen's most pertinent criticism of Marxian Communism was on the grounds that "the most corrupting influence in political thought today" was "the insidious growth of the view that power is its own justification".[169] This criticism about the totalitarianism of Marxian communism in 1949 could equally have been levelled at the dictatorial powers assumed by the Nationalist Government with the enactment of the Suppression of Communism Act a year later. In 1951 Archbishop Clayton emphasized the ideological conflict between Christianity and Communism in his charge to the Cape Town Diocesan Synod. "A Christian can hardly believe that it is God's will that the world, or any country in the world, should find its way to Utopia through a class war which issues in the liquidation of one's opponents".[170]

> .... I can imagine no more certain method of forwarding

165. Ibid.
166. The Newsletter, July 1949.
167. WOOD, C.T., ed. Where we Stand... op. cit., p. 22, Charge to Diocesan Synod 1951.
168. The Newsletter, July 1949.
169. Ibid.
170. WOOD, ed., op. cit., p. 22.

> the growth of support for Communism, underground and secret support, than the withholding from individuals of the rights which safeguard their freedom. And one of those rights is access to the courts of law before being found guilty of an offence against the law. One of the objections to Communism - not the only one - is the denial by the Communist state of a fair trial for an accused individual. Such action as has been taken seems to me to cut the ground from under the feet of those who desire to oppose Communism. It produces the kind of sense of insecurity in which Communism is likely to grow. 171

THE SUPPRESSION OF "COMMUNISM": SOME SIDE-EFFECTS.

The first effect of the Suppression of Communism Act was the way in which it threw together "any who tried to bring about a social, political or economic change in the country under the definition of 'Communist'".[172] A glaring example of the application of this Act to non-communists is to be seen in the case of Potlako Kitchener Leballo. As an enthusiastic colleague of Anton Lembede in the A.N.C. Youth League, he was certainly a person whose influence the authorities had good reason to fear. However, he was no communist. Indeed so strong were his anti-communist sentiments that it was he who in 1954 led the "Africanist" breakaway as Chairman of the Orlando Youth League, and it was from this circle that the Pan African Congress was founded five years later, for the very reason that they considered that the alliance of the Indian and African Congresses with the Congress of Democrats had compromised the cause of African nationalism, and placed the movement under the control of the crypto-communists of the S.A.C.O.D.[173] After 1960 Leballo, from exile in Basutoland, led the P.A.C.'s armed resistance to the South African Government through the guerilla organization Poqo. There can be little doubt that Leballo's "naming" in terms of the Suppression of Communism Act in 1952 was an act which embittered him deeply. Writing from the S.S.M.'s priory at Modderpoort in May 1952, the Revd. Cyprian Thorpe commented on the absurdity of naming Leballo a communist.

171. Ibid., p. 21.

172. BENSON, M., The Struggle for a Birthright, London: Penguin 1966, p. 135. (Revised edition of The African Patriots, London: Faber 1963).

173. KARIS, CARTER & GERHART, From Protest to Challenge, A documentary History of African Politics in South Africa, Vol. III, "Challenge and Violence 1953-1964", Stanford, California, Hoover Institution Press 1977, pp. 17-19.

> One of our teachers at Ladybrand United School, Kitchener Leballo, has been named by the liquidator. He has never been a member of the C.P., but was an official for some time of the Pretoria branch of the Af. Nat. Cong. Youth League but holds no office in it now. He served throughout the war, was twice taken prisoner - the last time at Tobruk; he was demobilised with the rank of Sergeant and has "very good" in the conduct report in his record of service. He has probably agitated now and then but I don't believe he was ever a supporter of the Communists. He said at one time he opposed Marks' election as president of the A.N.C. because Marks was a communist. .... at present [he is] a good churchman and a good teacher. I think we ought to kick up a fuss about all the chaps who are not communists. 174

Secondly, the Government, by its identification of the call for racial equality as "communistic" was rightly accused of making communism seem attractive to blacks. Dr. James Moroka, who at his trial in December 1952, with other leaders of the Defiance Campaign, under the Suppression of Communism Act, went out of his way to prove that he was not a communist, had made the following statement in the course of his Presidential address to the Annual Conference of the African National Congress at Bloemfontein on 15th December 1951:

> From the Government of South Africa we ask for nothing that is revolutionary. If what we ask for is communistic, then communism is humane and Christian; it is a consummation devoutly to be wished. 175

It is of special significance that Nelson Mandela, in his plea from the dock at the Rivonia Trial in 1964, explained why "there are many Africans who, today, tend to equate freedom with Communism".

> They are supported in this belief by a legislature which brands all exponents of democratic government and African freedom as Communists and bans many of them (who are not Communist) under the Suppression of Communism Act. Although I have never been a member of the Communist Party, I myself have been named under that pernicious Act because of the role I played in the Defiance Campaign. I have also been banned and imprisoned under that Act. 176

Thirdly, the overwhelming effect of all the Government's

174. Borthwick Institute, York, Duncan papers DU5. Letter the Revd. Cyprian Thorpe to Duncan, 29.5.1952.

175. KARIS & CARTER, Vol. II, op. cit., p. 473, Document 87b, Presidential Address by Dr. J.S. Moroka, A.N.C. Annual Conference, 15.12.1951.

176. KARIS, CARTER & GERHART, Vol. III, op. cit., p. 789, Document 75, Statement during the Rivonia Trial by Nelson Mandela, 20.4.1964.

efforts to divide the races, and having done so to further sub-divide the Africans into further ethnic sub-divisions according to tribal origins, was to strengthen the political forces working for black solidarity, and achieve the unintended effect of consolidating the Congress Alliance. Protesting against the abolition of the Natives' Representative Council, and its substitution by the Bantu Authorities Act of 1951 in the same address, Dr. Moroka observed:

> The Bill has come to divide Africans, We are being divided by a Government which has made much noise about its intentions to bring about unity and racial harmony. It is this government which is throwing partitions between ethnic groups of the Bantu population. 177

Fourthly, when in 1951 amending legislation was passed making the provisions of the Suppression of Communism Act retroactive, a most dangerous principle was introduced. Bishop Reeves returned to this subject on many occasions. In a sermon preached in the Cathedral of St. John the Divine, New York, in September 1954, Reeves said,

> No doubt some Communists have been dealt with under this Act. But, as we should expect, this Act has been used against non-European leaders who are severe critics of the Government, and some of the trusted trade union leaders who, while they may have flirted with communism in their youth, could not be called communists by any stretch of the imagination. Indeed, the Act has been applied against individuals who years ago were expelled from the Communist Party. 178

Reeves was here probably referring to Mr Solly Sachs, the "vigorous and beloved leader of the Garment Workers' Union", who had been expelled from the Communist Party in 1930. A meeting on the steps of the Johannesburg City Hall addressed by him on 24th May 1952, although under a ban and ordered to resign from the Union, resulted in a riot after Sachs was arrested. Sixty-six were hospitalised, most of them women.[179]

Fifthly, the most frightening effect of all was the denial of freedom for everyone. Apart from self-professed communists

177. KARIS & CARTER, Vol. II, op. cit., p. 473, Document 87b.

178. CPSA Archive, AB 388, Reeves papers "Minneapolis and Evanston", see also REEVES, R.A., Justice in South Africa, London: Africa Bureau 1955, address at a meeting arranged by the Africa Institute and Christian Action at the Central Hall, Westminster, 21.2.1955.

179. CARTER, G., The Politics of Inequality, op. cit., p. 71, citing the Sunday Times; Wits. Archive, CCSA Papers, Minutes of the General Purposes Committee, 28.5.1952.

who had openly been members of the Communist Party, the first to feel the rigour of these measures were trade unionists and leaders of the black political movements. As the story unfolds of state actions against churchmen who in no sense could be regarded as communists, successive Ministers of Justice tried to give the impression of avoiding the use of the Suppression of Communism Act against prominent churchmen. The law, for instance, under which Chief Luthuli was banished to Groutville was said by the Deputy Minister of Bantu Administration in 1959 to be the Native Administration Act No. 38 of 1927, Section 5.[180] In the case of the deportation of Bishop Reeves in September 1960, it was not the Suppression of Communism Act (which had provided for the deportation of anyone "who is declared to be a communist and who is not a South African citizen") which was used.[181] The Minister of the Interior, Mr J.F. Naudé, stated that Bishop Reeves' deportation was in terms of Article 22 (3) of the Immigration Regulation Act of 1913 as amended by Act 52 of 1956, by which the Minister may, if he considers it to be in the public interest, by warrant under his hand, order the removal from the Union of any person who is not a South African citizen.[182] Father Huddleston's words in his article in The Watchman of August 1950 were no exaggeration:

> In the past two years legislation has been passed which effectively destroys the personal liberties of every citizen in this country.
>
> The Citizenship Act; the Mixed Marriages Act; the Population Registration Act - and finally the Group Areas Act and the Suppression of Communism Act - have together given the State such supreme control over the lives of men and women that the only freedom left is the freedom of the serf.
>
> These acts taken together, give the Minister or the Government complete and absolute discretion to deprive a man of his citizenship, to forbid him the right to hold his own opinions: to enforce silence in the expression of those opinions: to deport or banish him if he is deemed likely to hold those opinions - in short to do everything which the most totalitarian or tyrannical despotism is capable of doing. 183

180. Wits. Archive, CCSA papers, Mimeo 2 pp., extract from House of Assembly Debates 10.4.1959. Reply to question by Mr Stanford M.P. asking the Minister to furnish a list of "Bantu persons, including chiefs and headmen, on whom restriction orders were served between January 1948 and December 1958, and under what laws they were detained".
181. House of Assembly Debates, 9102/50, 15.6.1950, Mr Kahn.
182. PEART-BINNS, op. cit., p. 242.
183. The Watchman, August 1950, p. 10, "Freedom".

Sixthly, the Suppression of Communism Act represented a breach in the rule of law by which it was possible for the State to act against a person for merely holding an opinion without regard to whether those opinions resulted in any actual actions that threatened the security of the State.[184] Those who opposed apartheid soon saw how easily the Government could defeat any effective opposition to their ideology on the pretext of crushing communism. By giving such wide powers of banning and arrest to the Minister of Justice, who was henceforth able to proscribe both organizations, individuals and publications by an administrative fiat of his own, without recourse to the courts, the Nationalist Government not only demonstrated their contempt for the rule of law, but also justified the sacrifice of everyone's liberty in the belief that the self-preservation of Afrikanerdom required that apartheid be implemented with urgency and vigour. The National Party placed the self-interest of Afrikaners and their own ideology of apartheid before the basic human rights and liberty of all, and with the enactment of the Suppression of Communism Act displayed how they, like Lenin, believed that the supposedly good ends that were to be achieved by implementing their ideology, justified almost any means in the pursuit of their ultimate goal of compulsorily separating the races.[185]

Opposition to the Government's apartheid measures seemed only to provoke even more implacable resistance to anything that sought to divert them from their chosen course. This could be seen during the course of those stormy debates in Parliament in May and June 1950. When the opposition said it would contest each of these Bills stage by stage and clause by clause, the Government responded with the guillotine. As the Population Registration Bill was fought clause by clause through the Committee stage, and division after division was called, one of the few amendments to be accepted by Dr. Dönges was to a clause which made the failure to notify a change of address to Pretoria a statutory offence for which imprisonment was the penalty. The Minister conceded that instead a fine not exceeding £50 would be the maximum penalty, which, if not paid, could carry as an alternative a term

184. House of Assembly Debates, 8969/50, 14.6.1950, Mr Christie.
185. Ibid., 8932/50, 14.6.1950, Minister of Justice.

of imprisonment.[186] Precisely because of the Government's implacability, one of the unplanned consequences of the United Party's opposition to what its opponents called the "Passes" Bill, was that the Senate amended the Bill to include African women in the provisions of the measure, and later attempts to apply registration to African women were to lead to serious disturbances in Zeerust and other centres.[187]

Both Dr. T.E. Dönges and Mr C.R. Swart stubbornly refused to be deflected from their chosen course. In response to the most vociferous opposition, it was not the most objectionable feature of the Suppression of Communism Bill that was changed, its dangerously wide definition of "a communist". One minor concession made in deference to the principle of parliamentary sovereignty, was that the deposition of a Member of Parliament who was named a communist by the Minister of Justice could only be decided by a Select Committee, of the Senate in the case of a Senator, or of the House of Assembly in the case of a Member of Parliament or of a Provincial Council. Although the ruling party would inevitably hold a majority in such a Select Committee and do the Minister's bidding, the amendment did at least give a measure of parliamentary accountability to what would otherwise be an entirely arbitrary and administrative action by the Minister.[188]

The most startling feature of the 1950 parliamentary session was the Government's unyielding determination to implement apartheid and smash all opposition to their policies. The Opposition's accusation that Nationalist implacability revealed a ruthless disregard for cherished democratic principles and civil liberties, however, requires some explanation other than the charges of neo-nazism which were levelled against them in the course of these heated debates.

What sustained the Prime Minister and his Cabinet in their inflexible determination to press on with their daunting programme of racially discriminatory and repressive legislation between

186. Ibid., 6092/50, 14.6.1950, Minister of the Interior.
187. Ibid., 9254/50, 14.6.1950, Mr S.J.M. Steyn.
188. Ibid., 9467/50, 19.6.1950, Minister of Justice.

March and June 1950, in spite of all the sinister intentions being imputed to them by their political opponents and church leaders from all except the Afrikaans churches, was the knowledge that the policy of apartheid had the approval of the synods of their own churches.[189] It was noted in the previous chapter how Dr. T.E. Dönges, in introducing the Prohibition of Mixed Marriages Bill of 1949, and Mr C.R. Swart the Immorality Amendment Act of 1950, both justified their motive for introducing these two measures by reference to the fact that legislation to curb "miscegenation" (verbastering) had been requested by the Afrikaans churches. The timing of the Bloemfontein Inter-Church Congress on Race Relations for April 1950 is significant. This meeting, already described in Chapter Four, occurred during the parliamentary Easter recess, whilst Select Committees were discussing both the Group Areas and Unlawful Organizations Bills, and the Committee Stage of the Population Registration Bill had yet to take place. The support given for the principle of apartheid and the suppression of communism by the Bloemfontein Congress of the Afrikaans churches bolstered the Government's resolve not to deviate from their predetermined course, and lends credibility to the hypothesis that the Broederbond played a co-ordinating role between the Afrikaans churches and the National Party in the strategic planning of the Government's legislative programme.[190]

ANGLICAN METHODS OF RESISTANCE.

The methods by which Anglican churchmen tried to resist the enactment of this swathe of apartheid and repressive legislation in 1950 are of special interest to this study. As these measures were rushed through Parliament in May and June, church leaders had to respond urgently with what means they had to hand. Thus, Bishop Reeves preached a sermon at Brakpan, and released it to the press on the eve of the Suppression of Communism Bill's second reading. His message was relayed nationwide, and made a considerable impact. Other Bishops used the medium of their

189. See above, Chapter Four.
190. See above, Chapter Two, pp. 86-89, and below, Chapter Eighteen, pp. 1056-8.

Diocesan Magazines, which had a more limited circulation, and would only have been read by the faithful. Amidst the general clamour it was the voice of Bishop Reeves, among churchmen, that was really heard and remembered on this issue.

The pace at which the Suppression of Communism legislation, in particular, passed through all its stages in Parliament made the reactions of Anglican church leaders seem tardy by comparison. The timing of Bishop Reeves' Brakpan sermon on 11th June, and Trevor Huddleston's attempt to bring a petition against the Bill to the Bar of the House of Assembly on 19th June ensured that their protests were made with some chance of influencing the parliamentary debate. Archbishop Clayton's letter to his diocese, which appeared on 21st June, only a week after the second reading began on 14th June, was published a day after the Bill had passed through all its stages in Parliament. The Official Opposition had resisted the measure forcefully, with opposition Members of Parliament who were Anglican Christians, like Mrs Margaret Ballinger and Senator Edgar Brookes in particular, adding their voices to those who saw that the threat to civil liberty was a grave one.

Because many dioceses did not hold a diocesan synod in a year that Provincial Synod met, synod resolutions did not feature as a means of protest in 1950. Archbishop Clayton's Charge to Provincial Synod in November 1950 dealt only generally with the church's right to criticize the Government, and his desire to prevent "uninformed criticism overseas".[191] One resolution proposed by Sir Herbert Stanley opposed the prohibition of mixed marriages. A second resolution, proposed by Bishop Lavis, having endorsed a statement by the 1948 Lambeth Conference on racial discrimination being "contrary to the principles of Christ's religion", specifically condemned the Government's intention to abolish the Coloured people's common roll franchise.[192]

It was not until November 1951 that Archbishop Clayton addressed his Diocesan Synod on the subject of suppressing communism.[193] The constraints of a full agenda at Provincial Synod, which met

191. WOOD, C.T., ed., Where we Stand, op. cit., p. 14.
192. Acts and Resolutions of Provincial Synod, 1950, pp. 52-54.
193. WOOD, ed., op. cit., p. 21.

only at five year intervals, meant that its resolutions gave only a generalized and incomplete critique of government legislation in 1950.

Father Trevor Huddleston's initiative and involvement with a Johannesburg Committee for the Defence of Personal Liberties seemed a more effective method of protest than the ex-Cathedra pronouncements of Bishops. An Anglican priest, working with others of various faiths who shared a strong commitment to freedom, democratic institutions and the rule of law, requested an Anglican Member of Parliament to bear a petition, to be presented at the Bar of the House by a retired judge who was a Jew. It was only individual protests of churchmen which complemented the prompt and well-organized responses of secular groups like the Civil Rights League, the legal profession, and the National Council of Women who organized a petition in Durban. The church's response was puny when compared with the well-attended protest meetings arranged by the African and Indian Congresses over the week-end of 11th June. In Parliament the United Party's opposition had been steadfast and courageous.

No direct action was contemplated, except by the Congress Alliance, which had proclaimed a one-day national stay-at-home on 26th June. The manner in which Anglican resistance to these far-reaching measures was expressed assumed that it was sufficient merely to protest verbally.

The most vocal leaders, like Clayton, Huddleston and Reeves, did however see clearly that the measures being taken could lead to a situation in which the church would be harried and persecuted for their opposition to apartheid. The Bishops, in what they said and wrote, showed themselves to be alert and informed, but on the other hand it was only Bishop Reeves and Father Huddleston who made prompt and effective use of the press as a means of communication. There was much to support Father Huddleston's contention that "We in South Africa are moving into the twilight of liberty - unresisting for the most part ...."[194] This was a criticism which applied largely to the church.

194. The Watchman, August 1950, p. 11.

The United Party opposition in Parliament and the English-language press had, however, acquitted themselves particularly well. The severest test in Parliament came at a time when Field Marshal Smuts lay seriously ill. Mr J.G.N. Strauss acted in his stead with determination and sagacity in leading the opposition without any compromise of principle. If Communism was a threat, he emphasized, the law of Treason was there to deal with subversion, but this would have to be proved in court. The Parliamentary Opposition, however, learned that not even the most persistent resistance in debate could deflect the Government from its pre-determined course. Power, indeed, provided its own justification. The Congress alliance decided that it was actions, and not words alone that would make resistance effective. The church's response was still only verbal. Some remained silent, believing that communism was indeed such an insidious threat that it justified even the surrender of civil liberties to combat it. Others still did not perceive the danger to themselves, since the Minister had said that the measure was to deal only with communists. However, it was realised that the National Party held power by the narrowest of majorities, and that every measure to impose apartheid was stirring up deeper resentment. The hope still existed that even a prejudiced all-white electorate might vote them out of office in 1953, now that the Nationalists had revealed some of their more sinister intentions in practice. Although the cause of freedom had suffered a serious blow, few yet perceived the wound inflicted by the Suppression of Communism Act to be a mortal one. Father Huddleston later pointed out how effective Mr Swart's legislation proved to be:

> The Suppression of Communism Act is peculiarly effective as a deterrent to those White South Africans who, liberal in their sympathies, yet dread the consequences of being identified in any way with Communism. It is effective also in silencing those Africans whose terribly limited freedom can vanish immediately they are involved in a police raid. 195

The most disturbing aspect of the Suppression of Communism Act was the way in which it could be applied to everyone, whether they espoused communism or not, and this was eloquently foreseen by Mr John Christie, Leader of the Labour Party, when he made

195. The Times, 10.12.1956, letter from Trevor Huddleston. Cited by CARTER, G., in The Politics of Inequality, op. cit., p. 73.

perhaps the most telling comment of the second reading debate:

> If the founder of Christianity came to South Africa today and preached the sermon on the mount .... or when he looked at the miserable conditions of the Natives in their shanty towns .... and said, "as you have done to the least of these ye have done unto Me", then he would be declared a communist.[196]

1950 thus saw the emergence and consolidation of certain trends which were to be of significance for the deepening conflict between the proponents and the adversaries of apartheid in the decade ahead. The Government, in spite of its narrow majority in Parliament, having powerful support for its policy from the social, cultural and religious institutions of Afrikanerdom, and in particular the Afrikaans churches, proceeded to implement its legislative programme with an implacable determination which ruthlessly discounted all opposition. The United Party, experiencing a brief renaissance as Mr Strauss took over from Field Marshal Smuts, put up a principled and determined opposition in Parliament supported by the Labour Party and the Natives Representatives. The most cogent opposition to apartheid, however, came from the now united African and Indian Congresses. As a result of the significant response to Dr. Moroka's call for a day of protest and mourning on 26th June 1950, and the considerable numbers who attended the mass meetings called to protest against the Group Areas and Suppression of Communism Bills on the weekend of 11th June, the African National Congress finally not only emerged as the senior partner in the Congress alliance, but reasserted itself as the major political organization for Africans, and eclipsed both the A.A.C. and the N.E.U.M. as the primary focus for black political opposition to apartheid. The outlawing and the disbanding of the South African Communist Party on 20th June 1950, in spite of fears at the time that it would succeed only in driving communism underground, in fact proved to be peculiarly effective in its declared aim of suppressing communists. Grave warnings about the denial of liberty and the rule of law, initiated by the Suppression of Communism Act of 1950, however, proved to be no exaggeration.

Some of these disturbing trends had already begun to be evident as early as May 1950, and Senator Edgar Brookes noted

196. House of Assembly Debates, 8971/50, 14.6.1950, Mr Christie.

some of them in an article for The Forum entitled "Stepping Stones to the Police State".

> In certain circles, people are developing the habit of looking quickly around before giving an opinion .... Things which would have been resisted fiercely a few years ago are now often accepted with a shrug of the shoulders - we tend nowadays to take police raids, riots and loss of life as being almost normal news from the Witwatersrand .... There is a tendency to accuse Members of the House itself of sabotage and incitement and even to threaten their freedom of speech. It is a most frustrating thing when one solemnly and sincerely warns the Government of dangers which we want the nation to avoid, to be accused of inciting those very dangers .... In the end, as a rule, better counsels prevail, and a by no means homogeneous opposition finds unity and puts up a spirited defence against encroachment. 197

By comparison with the united and spirited opposition in Parliament referred to by Dr. Brookes, the Church's reaction was piecemeal and inadequate. It has been suggested already that the most likely explanation for the relative absence of any adequate and co-ordinated response from the C.P.S.A. was not because Anglicans did not strongly disapprove of the actions being taken by the Government. One constraint upon Anglican leaders speaking out might have been due to the feeling that as long as views which the Anglican church might have wished to express were being "capably represented" in Parliament by the Official Opposition, there was no real need for the church to say so much. There is some evidence to support this explanation, because Archbishop Clayton found it necessary to defend the church's right to criticize the Government, both in his diocesan magazine on 21st June 1950, and again in his charge to Provincial Synod in November 1950.[198] The most likely explanation for the absence of a properly co-ordinated church response to Government legislation in 1950 was probably a practical one.

In the first place, the sheer pace at which the Nationalist Government placed its legislation before Parliament was breath-taking. Faced with three major apartheid measures at the same time as another which struck a serious blow at freedom and civil

197. The Forum, 13.5.1950, "Stepping Stones to the Police State" by Edgar Brookes.
198. Cape Town Diocesan Magazine, 21.6.1950, p. 1, Archbishop's letter; WOOD, C.T., ed. Where we Stand, op. cit., p. 14 "The Right to Criticize". See above, Chapter Six, pp. 244-7.

liberty, it was perhaps inevitable that the Bishops who spoke up should have concentrated on the Suppression of Communism Bill, since they had already made their opposition to the principle of apartheid quite clear by their statements in 1948 and 1949. Thus it is hardly surprising that the Suppression of Communism Bill dominated what attention busy bishops were able to give to what some regarded as extra-ecclesiastical concerns. Secondly, the church's inadequate response was in part due to an organizational weakness.

A Cape-Town based Action Committee of the Christian Council, which in 1949 had presented a well-co-ordinated response from its member churches to the Mixed Marriages Bill, was silent in 1950. This was probably due to a change in the Secretaryship of the Council, for in April 1950 the Revd. Arthur Blaxall, who lived at Roodepoort in the Transvaal, had still to take over the position of Secretary vacated by the Revd. Stanley Pitts, who had been based at Strand in the Cape until the end of 1949. The insufficiency of Anglican comment on the Immorality Amendment Bill, the Group Areas Bill and Population Registration Bill was not entirely due to an organizational weakness, but to the timing of the meeting of Episcopal Synod that year in early April. Unlike other years, when the meeting generally took place in Novemeber, this meeting of Episcopal Synod, occurring in the midst of the parliamentary session, should have been uniquely able to deal with any objectionable legislation. In this instance, however, the most controversial legislation, the Group Areas and the Unlawful Organizations Bills, was not introduced until after Episcopal Synod had met. It was not until 1952 that the Christian Council's Action Committee was re-established in Cape Town with Archbishop Clayton as Chairman and the Revd. Basil Brown as its Convenor. Nor did Episcopal Synod appoint its Emergency Committee, consisting of the Archbishop and the Bishops of the four other "urban" dioceses, Johannesburg, Pretoria, Grahamstown and Natal, to deal with urgent issues which might arise between the annual meetings of Episcopal Synod each November, until 1953. In 1950 the timing of Episcopal Synod early in April and Provincial Synod in November came at just the wrong moment for a co-ordinated Anglican

response commensurate with the considerable concern which these totalitarian measures obviously aroused amongst Anglicans. The inescapable conclusion is that in 1950 the C.P.S.A. was simply not geared to opposing apartheid, and was certainly not yet thinking of resistance.

A significant observation made by Archbishop Clayton in the course of his charge to Provincial Synod in November 1950 was to emphasize that the differences between the Dutch Reformed Church and the Anglican Church were theological and not racial, and he attributed their differing approaches to contemporary problems to the D.R.C.'s espousal of Calvinism. Die Kerkbode agreed with Clayton's diagnosis;

> *Ons Calvinistiese grondslag het veel te doen met ons siening oor die vraagstukke van ons tyd.*

The editorial at the same time took the opportunity to point out that "die Engelse Kerk hier nie sy beginsels konsekwent handhaaf nie" and also that "die standpunt van die Engelse Kerk oor ons rasse-verhoudinge bevredig ons nie" concluding with a strong plea to bring an end to "verbastering" (miscegenation).

> *Dit is hoog tyd dat aan hierdie proses paal en perk gestel word en dat die minderbevoorregte nie-blanke beskerm word teen die gewetenlose uitbuiter wat sy sedelike ondergang bewerk.* 199

It will be remembered that it was at this time that Archbishop Clayton had been asked to supply some guidelines for the study Race, What does the Bible say ?, commissioned by the Christian Council after the Rosettenville Conference in 1949. The recognition that there were theological differences which lay at the root of the political divisions between Afrikaner and Anglican Christians was a most important one, and this will be explored in more detail in a later chapter.[200]

One of the most interesting trends to emerge from this survey of the opposition to Nationalist legislation in 1950 was the way in which the church's opposition to the Government seemed to assume greater significance at those times when the Official Opposition

199. WOOD, ed., Where we Stand, op.cit., pp 12-13, and Die Kerkbode, 13.12.1950, "Anglikane en Rasseverhoudinge".

200. See above Chapter Four, pp. 175 ff., and below Chapter Eighteen.

in Parliament was inclined to compromise, as in 1948 and 1949, whilst the church's witness was pursued with less vigour over issues for which the United Party was prepared to offer a sustained, principled and spirited protest and opposition. This was certainly true with regard to the most controversial measures of the 1950 parliamentary session, and was to be the case in the long struggle over the removal of the Coloured people from the common roll franchise in the Cape.[201]

The year 1950 thus saw an acceleration in the Government's legislative programme as important foundations were laid for the implementation of apartheid. The accusation that the National Party's apartheid policy was itself responsible for the deterioration in race relations was ignored as key apartheid measures were enacted despite mounting criticism over their implications for civil liberty. The pretext of suppressing communism provided the Government with a new weapon to proscribe opponents of apartheid even if they were not communist. The United Party, however, now led by Mr Strauss, had responded with vigour and determination in Parliament, and the Congress Alliance had received unsolicited assistance to consolidate the political unity of non-Europeans, whilst church leaders had begun to realise that they must speak up in the defence of liberty. Meanwhile the Afrikaans churches had given their unequivocal support for the application of total apartheid on the lines advocated by Dr. H.F. Verwoerd. In the debate on the Suppression of Communism Bill Dr. Bernard Friedman had predicted that the spirit of insurrection and resistance would grow and that the Government was forging the weapons of its own destruction. The new year, 1951, was to see an intensification of these trends as opponents of apartheid girded themselves for resistance and the Government set about the task of fulfilling its pledge to remove Coloured voters from the common electoral roll and to abolish the Natives' Representative Council. However, considering the seriousness of the threat to liberty in 1950, a question which Anglican churchmen had not yet faced, unlike the leaders of the Congress Alliance, was how far words alone could be a sufficient weapon to withstand the power and the determination of the Nationalist Government.

201. See below, Chapters Seven and Fifteen.

CHAPTER SEVEN

THE PROLEGOMENA TO DEFIANCE.

The purpose of the next three chapters is to deal with the Defiance of Unjust Laws Campaign, 1952. This chapter takes note of the developments of 1951 and the first half of 1952 which led up to the opening of the Defiance Campaign on 26th June 1952. Chapter Eight describes the significant events of the campaign itself and the church's response to what was happening. Chapter Nine goes on to describe and reassess certain achievements and consequences of the Defiance Campaign which became evident during 1953 and concludes with a discussion of some of the differing philosophies of resistance which undergirded the commitment of those who were active participants in the campaign.

It is at this point that the narrative changes from a generally chronological to a thematic treatment of the issues which became the subject of growing conflict between the church and the state. This chapter, therefore, whilst preserving the earlier generally chronological treatment, is designed to describe the further developments which led up to the Defiance Campaign. It is again of interest to compare the differing stages at which various groups stood in their methods of opposing apartheid. In the C.P.S.A. there seems to have been a growing recognition that exercising the right to criticize the government would require an increasingly courageous and prophetic witness that would be costly. The further provocation of Nationalist legislation in 1951, in particular the abolition of the Natives Representative Council and the assault on the Coloured people's common roll franchise, evoked a clearer and more decisive reaction from the government's opponents than in 1950. The United Party led by Mr Strauss employed every means known to parliamentary procedure and the law to challenge the government's right to abolish the Coloured people's

common roll franchise by a simple majority in the House of Assembly. The spontaneous outburst of indignation against the government was exemplified in the genesis and rapid growth of the War Veterans' Torch Commando between April 1951 and its equally sudden demise after the General Election of April 1953. This massive campaign to oppose the Separate Representation of Voters Bill compelled the C.P.S.A. to define its attitude towards political involvement as Anglican Bishops sought the most appropriate means of expressing their objections to the application of the government's apartheid policy. In this context it is interesting that when Mr Alan Paton delivered the Peter Ainslie Memorial Lecture on Christian Unity at Rhodes University, Grahamstown, on 29th August 1951 he could not speak about Christian Unity except in terms of the incompatibility between the Afrikaans-speaking and the English-speaking churches due to apartheid, and the growing conflict in church-state relations. He ended his lecture posing the question of the meaning of Christ's command to render unto Caesar the things that are Caesar's and unto God the things which are God's.[1]

The most significant reaction came from the disfranchised majority. For them direct action was the only fitting reply to the government's declaration of its intention to press on with its apartheid programme regardless of the provisions of the constitution, and despite the most cogent criticisms being voiced over the abrogation of the entrenched clauses of the South Africa Act. Where the United Party and the Torch Commando emphasized that they would use only legal and democratic means to oppose the government, and the church recognized that Christians must be ready to suffer for their faith, the leaders of the African, Indian and Coloured people moved from a stance of protest to resistance. On 29th July 1951 a joint conference held in Johannesburg of the National Executive Committees of the African National Congress and the South African Indian Congress, at which representatives of the Franchise Action Council of the Cape were also present, appointed a Joint Planning Council to plan "an immediate mass campaign for the repeal of these repressive laws".[2]

1. PATON, Alan, Christian Unity, a South African View, Third Peter Ainslie Memorial Lecture. Grahamstown: Rhodes University Press 1951, p. 11.
2. KARIS & CARTER, Vol II, op. cit., p. 459, Document 86, Report of the Joint Planning Council of the A.N.C. and S.A.I.C., 8.11.1951.

The essential prolegomenon to the Defiance Campaign consisted in the government's legislation of the 1950 and 1951 parliamentary sessions. It was in reaction to these "unjust laws" that the Annual Congress of the African National Congress directed Dr. James Moroka to issue an ultimatum to the Prime Minister in January 1952. Unless the government agreed to talks with leaders of the non-European peoples with a view to the immediate repeal of unjust laws they would carry out their threat of a mass campaign of civil disobedience to defy those laws. The Prime Minister made no attempt to be conciliatory and rejected both the ultimatum and the opportunity of talks. Accordingly the Van Riebeeck Tercentenary celebrations were boycotted and the week-end of the 6th April 1952 was deliberately chosen for mass protest meetings in all the major centres of the Union.

The Anglican response towards participating in the Van Riebeeck Festival is of particular interest to this study of Christian resistance because it gave Archbishop Clayton an opportunity to define what he considered a Christian's attitude towards "patriotism" ought to be. Another aspect of the war of words which preceded the opening of the Defiance Campaign was the widespread purge by the Minister of Justice in which many were named in terms of the Suppression of Communism Act. The chapter closes with an assessment of the extent of communist involvement in the African National Congress at the start of the Defiance Campaign. Whilst it is true that there were former members of the S.A.C.P., notably Dr. Yusuf Dadoo and John Marks, who played a leading part in planning the Defiance Campaign, I have found that the decisive leadership of the African National Congress during the Campaign was firmly in the hands of committed Christians. Furthermore, when we come to examine the progress of the campaign itself in the following chapter, it will be seen how important was the role of prayer and the support of African clergy and church women's organizations, especially in the Eastern Cape where the number of volunteers who went to prison was fully two-thirds of the national total.[3]

3. See below, Chapter Eight.

THE COST OF DISCIPLESHIP.

The "fierce laws"[4] of the 1950 parliamentary session, and suggestions that criticism of the Government was in some way unpatriotic because this assisted South Africa's critics overseas, had evoked a strong reaction from Archbishop Clayton in his charge to Provincial Synod in November 1950.

> For my own part I cannot agree that we have no right to express our opinion about these matters and if we think that something is wrong to say so. It is quite true that there has been a great deal of unfair and uninformed criticism from overseas, and sometimes from visitors .... [and] I have done my best to prevent such criticism on the grounds that we have to fight our battles here in South Africa; but if there were to be any attempt to prevent our saying here what we believe to be true, clearly our plea to our overseas friends to leave things to us would have to be withdrawn. The suggestion which has sometimes been made that there is something unpatriotic in criticising anything that is either done or proposed by the Government of the moment is quite intolerable. 5

Archbishop Clayton's charge thus reasserted the church's right to criticize the Government, whilst emphasizing that the C.P.S.A. was "not tied to the strings of any political party". To prove this contention he pointed out that there had also been much to criticize in the situation which the present Government inherited adding that "a good deal of the criticism came from ourselves". The Archbishop also defended the C.P.S.A. against critics who tried to suggest that his church did not live by the multi-racial principles which it professed.

> We are called in one body. We are a multi-racial Church. The very aspect of this Synod shows that we draw men of diverse races into the one Church and give them their voice in its administration and government. It is true that people of different races do not in all parts of the Province normally worship together. For myself I see no reason why they should. But since I have been Archbishop I have visited many parts of the Province and wherever I have gone I found myself worshipping with people of all races at great services which in themselves are a witness to the principles for which we stand. 6

4. PATON, Alan, Apartheid and the Archbishop, Cape Town: David Philip 1973, p. 187.
5. Church News, 20.12.1950, p. 188, The Fifteenth Session of Provincial Synod of the Church of the Province of South Africa; The President's Charge. Also in WOOD, C.T. (ed.), Where we Stand, op. cit., pp. 14–15.
6. WOOD, op. cit., p. 13.

At the beginning of 1951, therefore, it is possible to discern the C.P.S.A. moving from issuing generalized declarations against apartheid, as in 1948, into a realization of the cost of obedience to its principles. Though few fully realized the implications of what lay ahead, it was realized that the church would have to move from a position of mere criticism of the government. A few Anglican leaders began to recognize and accept that in making its witness the church must be prepared to suffer the consequences of so doing. For instance, in a farewell letter to his friend J.D. Rheinallt Jones, Bishop Wilfrid Parker said,

> I am sure that the Anglican Church will always do its part in holding to and acting upon the right ideals in racial matters. No doubt we lose in membership, and arouse bitter opposition, but after all the Church is meant to speak the truth, and not strive to be "popular". I have just heard of this shocking attack on the Bishop of Johannesburg and only hope that the miscreants can be tracked down. 7

In view of this growing recognition that the church must be willing to accept the cost of discipleship in resisting apartheid, the choice of the Dean of Manchester and former Bishop of Singapore, John Leonard Wilson, as the envoy of the S.P.G. to the C.P.S.A. to mark the 250th Anniversary of the Society in May 1951 was particularly appropriate. Church News reported how Bishop Wilson had been among the three thousand civilians interned by the Japanese in Changi Prison after the fall of Singapore. He had been "one of sixty prisoners singled out for detention and torture" of whom "fifteen died from the treatment they received".[8] The Bishop's example of courage and patience certainly served as a reminder to those he met in South Africa who were preparing to embark on a campaign of civil disobedience in which they would willingly serve prison sentences and risk ill-treatment at the hands of warders whose sympathies lay with the government.

The 1950 parliamentary session had shown that the government of Dr. D.F. Malan, whilst ready to make certain minor adjustments in response to the representations of Anglican bishops, had no intention of deviating in any matter of substance from its grand

7. Wits. Archive, Rheinallt Jones papers C1/223, letter from Bishop Parker to Rheinallt Jones, 2.1.1951.
8. Church News, 16.5.1951, "Archbishop welcomes S.P.G. Envoy"; also 18.4.1951, "S.P.G. Envoy to South Africa", with a picture of Bishop Wilson.

design for a society ordered on the principle of racial separation. In spite of serious criticisms from the English-speaking churches, the white political opposition in parliament and more vehement repudiation of the government's policies from African, Indian and Coloured leaders, the 1951 parliamentary session left no doubt that the National Party, backed by the Afrikaans churches and the other institutions of Afrikanerdom, was going ahead with the further implementation of apartheid. The Suppression of Communism Amendment Bill, which made the provisions of the original Bill retroactive, provided an early indication of the government's determination to press on with its programme regardless of opposition.[9] On the other hand, a bill for the prohibition of gatherings and processions introduced by Mr Swart on 21st March was later withdrawn, after vigorous opposition at its first reading from all the opposition parties.[10]

THE COLOURED FRANCHISE.

The legislation, however, which dominated the 1951 session of parliament, was the Separate Representation of Voters Bill. This most controversial measure was designed to give the Coloured people of the Cape four Members of Parliament and one Senator, together with two Coloured Representatives on the Cape Provincial Council, elected by Coloured voters only on a separate voters' roll. A Coloured Council was to replace the old Coloured Advisory Council, comprising three nominated members from the three northern provinces and eight elected members from the four Cape Coloured constituencies, and the government would also appoint a Commissioner for Coloured Affairs.[11] In addition, amending legislation to the South Africa Act was also needed, in order to increase the number of parliamentary seats by four to 154.[12] Since this measure involved a change in the franchise of Coloured voters in the Cape that would deprive them of their place on the common voters' roll, and since the Act of Union had "entrenched" certain clauses safe-

9. House of Assembly Debates, 1008/51, 12.2.1951, First Reading.
10. Ibid, 3429/51, 21.3.1951, Mr Christie, Mrs Ballinger, Mr Lawrence, Mr Lovell. and 6000/51, 7.5.1951, Minister of Justice.
11. Ibid., 5396/51, 25.4.1951, Minister of the Interior.
12. Ibid., 5394/51, 25,4,1951, Minister of the Interior, and 10096 (1R), 10235 (2R), 10249 (C), 10250 (Report) and 10250 (3R) South Africa Act Amendment Bill.

guarding this right, any change could only be effected by a joint sitting of both houses of Parliament sitting together. It is of interest that the National Convention, at its meeting in Durban in October and November 1908, had been chiefly concerned with "equal rights", not as between white and non-white, but for "European" voters and for the two "European" languages. The Cape delegates, however, had achieved the "entrenchment" of their franchise, whereby Coloured and some "Native" voters were included on the common electoral roll, whilst conceding the exclusion of non-Europeans from parliament.[13] Coloured voters in the Cape Province only thus remained on the common electoral roll with "Europeans", and this right could only be changed by a two-thirds majority at a joint sitting of both houses of parliament. The same safeguard was also provided for the status of the two official languages, English and Dutch. In 1936 General Hertzog's "Native Bills" had removed African voters from the common roll in the Cape, but this had been done by a two-thirds majority.

> In 1948 the National Party's election manifesto had declared:
>
> The present unhealthy system which allows Coloureds in the Cape to be registered on the same voters' roll as Europeans and to vote for the same candidate as Europeans will be abolished. [14]

In the early debates about the meaning of apartheid in September 1948, the United Party had been quick to point out that any change to the Coloured people's franchise in the Cape would require a two-thirds majority.[15] Die Burger, on the other hand, claimed that the government had been given a mandate to carry out its policy, arguing that "it is the living who count and not the dead".[16] In order to allay the widespread fears that were being expressed at the time about the rights of the Coloured people, the then Minister of Native Affairs, Dr. E.G. Jansen, issued a statement promising that no change would be made before either another election or a referendum, and this in its turn had given rise to some futile speculation that the Prime Minister would call a snap election.[17]

13. HANCOCK, W.K., Smuts; I, The Sanguine Years 1870-1919, Cambridge: CUP, 1962, p. 263.
14. H.N.P. INFORMATION OFFICE, The National Party's Colour Policy, Cape Town: Nasionale Pers 1948, p. 2.
15. Rand Daily Mail, 7.9.1948.
16. Die Burger, 3.9.1948, quoted in translation from S.A.I.R.R. Press Digest No. 35, 9.10.1948.
17. The Star, 8.9.1948, and Die Transvaaler, 9.9.1948.

Now, in 1951, Dr. D.F. Malan's government made the attempt to carry out their election pledge to abolish the common roll franchise of the Coloured people in the Cape, and to substitute a system of separate representation for the Coloured people very similar to the provisions made for Africans by General Hertzog in 1936. The only significant difference was that they proposed to do this by a simple majority of the House of Assembly alone.

On 8th March 1951, when the Minister of the Interior Dr. T.E. Dönges asked the Speaker's leave to introduce a Bill for the Separate Representation of Voters, he was promptly interrupted by the leader of the opposition, Mr J.G.N. Strauss, who asked on a point of order "whether it is competent for the Minister to move his motion before this House sitting by itself".[18] The Speaker gave his ruling the next day, citing a statement of Mr Acting Chief Justice Stratford with regard to the position of the Union Parliament in relation to the British Parliament, which had ruled that "freedom once conferred cannot be revoked". Hence, according to the ruling of the Speaker, Mr Conradie, this meant that the Statute of Westminster had conferred upon the Union Parliament sovereign rights, He did not, however, feel called upon to decide at that stage whether the proposed Act would impose a disqualification by reason of race or colour and hence a consequent deprivation of rights.[19] This meant that notwithstanding the provisions of the entrenched clauses of the South Africa Act, a debate could proceed on the question of whether the Minister should have leave to introduce such a bill.[20] Accordingly on Monday 16th April Mr Strauss proposed that "this House declines to consider, otherwise than at a joint sitting of both Houses of Parliament, the Bill for separate representation of voters ...."[21] After three days of intensive debate and an all-night sitting, the government's resolution for leave to introduce the Bill was finally passed, and the Separate Representation of Voters Bill, No. 46 1951 received its first reading.[22] The government then passed a guillotine resolution allowing a generous seventeen

18. House of Assembly Debates, 2586/51, 8.3.1951, Mr Strauss.
19. Church News, 18.4.1951, "Sauce for the Gander".
20. House of Assembly Debates, 2722/51, 9.3.1951, The Speaker.
21. Ibid., 4466/51, 16.4.1951, Mr Strauss.
22. Ibid., 5060/51, 19.4.1951.

hours for the second reading, twelve for the committee stage, four for the report and six for the third reading.[23] The Bill passed its second reading on 30th April, the Committee stage on 9th May, and after the inclusion of amendments from the Senate on 11th June it successfully passed all its stages in Parliament and it seemed that the Government had won the day when the measure received the Governor General's assent on 18th June.[24]

However, the United Party had announced its intention of testing the validity of this measure to deprive Coloured voters in the Cape of their common roll franchise in the courts, and accordingly an application was filed with the Cape Provincial Division of the Supreme Court on 29th August 1951 by four Coloured voters. On 25th October the application was dismissed on the grounds that a decision of the Appellate Division in 1937 precluded Coloured voters from questioning the validity of an Act of Parliament. There the matter might have rested had the Judge President of the Cape, Mr Justice J.E. de Villiers, not expressed doubt as to the correctness of the 1937 decision, indicating that only the Appellate Division of the Supreme Court could now consider it.[25] On 20th March 1952 the Chief Justice of the Union, the Hon. A. v.d.S. Centilivres, gave his judgement, with four judges of appeal concurring. They were Mr Justices L. Greenberg, O.D. Schreiner, F.P. van den Heever and O.H. Hoexter. Mr Justice Fagan recused himself as having been one of the judges on the bench in 1937.[26] The full bench consisted of six members, of whom five constituted a quorum. The judges' decision could not have been more emphatic.

> The measure known as Act 46 of 1951 .... [is] invalid null and void and of no legal force and effect in terms of the provisions of Sections 35 and 152 of the South Africa Act 1909 as amended. 27

The Government then introduced the High Court of Parliament Bill, which, as Margaret Ballinger has written, "sought to make of Parliament itself, sitting as a court, the judge of its own actions".[28] On 27th August 1952 Parliament was specially convened, and as

23. Ibid., 5263/51, 24.4.1951.
24. Ibid., 5688/51, 30.4.1951; 6223/51, 9.5.1951; 9094/51, 11.6.1951.
25. BALLINGER, M., From Union to Apartheid, Cape Town: Juta 1969, p. 272.
26. Ibid., p. 273.
27. SAIRR Johannesburg, JAN Hofmeyr Library, Box "Coloured Franchise": "The full text of the judgement delivered by the Chief Justice", p. 21.
28. BALLINGER, op. cit., p. 279.

"The High Court of Parliament" declared the Separate Representation of Voters Act valid. Two days later the Cape Division of the Supreme Court declared invalid the High Court of Parliament Act, and some three months later the Appeal Court confirmed this ruling.[29] That, however, was not the end of the matter, for the Government persisted in its efforts to deprive the Coloured people in the Cape of their common roll franchise. Since this issue was not finally resolved until 1956, it will be taken up again in a later chapter.[30]

THE BANTU AUTHORITIES BILL.

No sooner had the Separate Representation of Voters Bill passed through all its stages on 11th June 1951 than the new Minister of Native Affairs, Dr. H.F. Verwoerd, proceeded immediately to introduce the Bantu Authorities Bill on 12th June. This measure, which had already been passed by the Senate, avoided any change in the parliamentary representation for Africans, but abolished the Natives' Representative Council. In introducing the second reading debate in the House of Assembly on 18th June 1951, Dr. Verwoerd said he did not think it would be "contentious" except for its provision to abolish the Natives' Representative Council.[31] The Bantu Authorities Bill, he said, provided for "Bantu control over Bantu areas", substituting the existing system of government by hereditary chiefs with Bantu Councils and Tribal Authorities. The Bill, however, did "not deal with local government as far as Natives living near our towns and cities are concerned". That would be the subject of another measure later. The system whereby chiefs would no longer be elected, but appointed by the Minister of Native Affairs was justified by the argument that these newly created Bantu Authorities would "require the assistance of Europeans" and "the whole system envisaged a training in government responsibility".[32] The measure therefore left intact the system of parliamentary representation for Africans devised by General Hertzog's Native Bills in 1936, but substituted

29. Ibid., p. 282.
30. See below, Chapter Fifteen.
31. House of Assembly Debates, 9807/51, 18.6.1951, Minister of Native Affairs.
32. Ibid., 9808-9809/51, 18.6.1951, Minister of Native Affairs.

a system of Tribal Authorities and Bantu Councils for rural Africans in place of the Natives' Representative Council. Paradoxically, for the Coloured people however the Government wanted a system of separate representation in parliament exactly similar to that which had been given to Africans in 1936, linked with a Coloured Council which seemed to be no different from the Natives' Representative Council with the exception that not all members of the Coloured Council would be elected. The claim was made that where the United Party had created the Natives' Representative Council merely as an advisory body, it was the Nationalists' intention that both the Tribal Authorities and the Coloured Council would afford in the fulness of time a greater measure of self-government for both Africans and Coloured people in matters affecting their own communities. The promised autonomy under a system of separate representation could not, however, disguise the fact that for both Coloured people and Africans, the Separate Representation of Voters Act and the Bantu Authorities Act meant a diminution of existing rights, and in its place substituted a system which the Africans already found unsatisfactory, and neither wanted.

In replying for the opposition, the former Minister of Native Affairs, Major Piet van der Byl, said that it had always been Field Marshal Smuts' intention to give wider powers to the Natives' Representative Council.[33] The problem with the Bantu Authorities Bill was that "all the emphasis is upon tribal affiliation".[34] Mrs Ballinger questioned how such a return to the tribal system could provide "the framework for a modern industrial twentieth century society".[35] Of the system of local government by appointed chiefs she predicted "Once they have been appointed, the Government is going to dismiss them if they don't like them".[36] Perhaps her most telling comment was reserved for the Government's, and in particular Dr. Verwoerd's, reaction to criticism.

> I know exactly what the effect of my argument is on [the Minister of Native Affairs] .... It has been to make him dig in his toes a bit deeper and to make him more determined to go ahead. 37

33. Ibid., 9824/51, 18.6.1951, Major v.d. Byl.
34. Ibid., 9818/51, 18.6.1951, Major v.d. Byl.
35. Ibid., 9884/51, 18.6.1951, Mrs Ballinger.
36. Ibid.
37. Ibid., 9885/51, 18.6.1951, Mrs Ballinger.

For the Coloured and African people the provocation of these two measures was due as much to the implacability with which they were presented as to the diminution of their rights. The Government, it seemed, was deliberately steering a collision course with all the non-European peoples of South Africa by imposing upon them measure after measure without consultation, and in total disregard for their views. What was even more frustrating for black leaders was the way in which Cabinet Ministers discounted their criticisms by levelling the accusation that opposition to the Government was communist inspired. According to Mr Swart, the need for strengthening the Suppression of Communism legislation of the previous year, by making its provisions retroactive, was self evident. The Franchise Action Committee, he said, "has a very strong communistic bias".

> I need only mention a certain Mr Sam Kahn, Joseph Nkatlo, Fred Carneson, Pauline Podbrey and Yusuf Dadoo. These people played an active part in the Franchise Action Committee. They have an executive at present in which, according to my information, the biggest majority of the members were well-known communists at the time when the Act came into force. 38

It is hardly surprising therefore that the alliance forged between the African and Indian Congresses should now have been extended to include the Coloured people of South Africa as well. Only five weeks after the close of the 1951 parliamentary session a joint conference of the National Executive Committees of the African and Indian Congresses, together with representatives of the Franchise Action Council, met in Johannesburg on 29th July 1951. This conference appointed a planning committee, which in its turn recommended "that the struggle for securing the repeal of unjust laws be defiance of unjust laws based on non-co-operation",(39) and resolved

(1) to declare war on the Pass Laws and Stock Limitation, the Group Areas Act, the Voters' Representation Act, the Suppression of Communism Act and the Bantu Authorities Act.
(2) to embark upon an immediate mass campaign for the repeal of these oppressive laws, and

38. Ibid., 8029/51, 29.5.1951, the Minister of Justice.
39. KARIS & CARTER, Vol II., op. cit., p. 461, Document 86, Report of the Joint Planning Council of the A.N.C. and the S.A.I.C., 8.11.1951.

(3) to establish a Joint Planning Council to co-ordinate the efforts of the National Organizations of the African Indian and Coloured peoples in this mass campaign. 40

The Joint Planning Council met under the chairmanship of Dr. James Moroka, President-General of the African National Congress, whose resolution to boycott the Natives' Representative Council in 1946 had dramatically expressed African frustrations with the reality of separate representation. The four remaining members of this council, nominated by the National Executives of the African and Indian Congresses, were John Marks (Transvaal President of the A.N.C.) and Walter Sisulu (A.N.C. Secretary General) together with Dr. Yusuf Dadoo (President of the Transvaal Indian Congress) and Yusuf Cachalia, Secretary of the S.A.I.C.[41]

The Government's intention to ignore the entrenched clauses of the South Africa Act which protected the common roll franchise of Coloured voters in the Cape Province provoked much hostility. An indication of the deep emotions aroused by this issue was the sudden genesis and establishment of the War Veterans' Defence of the Constitution League, known as the Torch Commando, in April 1951. The planning of the Defiance Campaign took place against the background of this powerful upsurge of feeling against the Government among ex-servicemen. Besides the legislation which provoked this reaction, another important prolegomenon, therefore, to the opening of the Defiance Campaign was the stirring speeches made by ex-servicemen's leaders at rallies arranged by the Torch Commando. Commenting on the mass torchlight procession which converged on Cape Town from all parts of the Union on 28th May 1951, the Editor of Church News called it "a remarkable demonstration of the force of public opinion and the purpose of those who feel strongly about the sanctity of justice and freedom".[42] Before going on to describe the church's reaction to these developments it is necessary, therefore, to note briefly the origins and rise of the Torch Commando, not only because of its importance politically, but also because it forced Anglican church leaders to define anew their principles for the church's

40. Ibid., p. 459. 41. Ibid.
42. Church News, 20.6.1951, p. 86. "Torchlight in Cape Town, Did the papers exaggerate ?"

participation in "politics". Archbishop Clayton's attitude towards the participation of the C.P.S.A. in the campaign against the Separate Representation of Voters Bill provides an interesting insight into his attitude towards Anglican involvement in the Defiance Campaign a year later.

THE TORCH COMMANDO.

This remarkable movement originated with the formation of an ad hoc committee of ex-servicemen in April 1951 in Johannesburg, called the War Veterans' Action Committee, who met to organize protests against the Separate Representation of Voters Bill. The first rallies were organized for Saturday 4th May 1951, in the same week as the Bill's second reading was concluded in the House of Assembly. To the astonishment of the organizers, 6000 turned out in Port Elizabeth and some 15-20 000 in Johannesburg to march eight abreast at sunset in a torch-light procession through the streets to the City Hall.[43] In an interview thirty years later Louis Kane-Berman, National Chairman of the War Veterans' Torch Commando, described how the Johannesburg rally was organized.

> We all knew each other from the war, and we began by posting people on all the street corners in Johannesburg to hand out "route-forms" of the type used in the Army, calling on the public to converge for a protest meeting on the City Hall from four gathering points, north, south east and west of the city. There was a spontaneous reaction .... people came .... carrying 10 000 flaming torches in tin cans. The Afrikaans press called them blikfakkels (= a tin torch). To us they were torches of freedom.[44]

Besides Kane-Berman, the movement was led from Johannesburg by Ralph Parrott and A.G. ("Sailor") Malan, a South African fighter pilot who had won renown for his exploits in the Royal Air Force during the second world war, and it was he who was the principal speaker at the first rally in Johannesburg. Four resolutions were adopted unanimously which protested against the Government's action "in proposing to violate the spirit of the constitution",

43. CARTER, Gwendoline, The Politics of Inequality, London: Thames & Hudson, 2nd Edn. revised 1959, p. 304.
44. Frontline, Vol 2, No. 7, June 1982, "The Torch Commando. The wheel turns full circle .... " Louis Kane-Berman, National Chairman of the War Veterans' Torch Commando, recalls those days in an interview with his son, journalist John Kane-Berman.

pledged "every constitutional step .... to enforce an immediate general election", called upon "all democratic South Africans" to commit themselves to this cause, and decided to transmit these resolutions to the Prime Minister.[45] Why were ex-servicemen particularly concerned ? In the same interview cited above, Louis Kane-Berman explains,

> We had fought for certain fundamental freedoms, which we now thought we saw being undermined in this country. Also ex-servicemen regarded the Coloured people as having made a significant contribution during the war. They fought in the desert and in Italy as volunteers. 46

On 11th May, as the debate in parliament entered the Report stage, the War Veterans' Action Committee issued a manifesto affirming their intention to use "every constitutional means" to oppose "the attack on the Constitution" and "those who want to prostitute the spirit of democratic government in South Africa". They had met to implement "Sailor" Malan's call for a nation-wide organization to plan a "steel commando drive" on Cape Town.[47] A petition to the Government to observe the entrenched clauses was drawn up, and a convoy of vehicles converged on Cape Town from twelve major centres of all four provinces of the Union and South West Africa. The great torch-light procession in Cape Town on 28th May 1951 not only aroused public attention but alarmed the Government. What did "Sailor" Malan mean by a "steel commando drive" upon the Houses of Parliament ? Ex-servicemen controlled all the main Active Citizens' Force units and it was feared in Nationalist circles that there could be a coup d'état. Kane-Berman recalls how "they [the Government] took fright and put machine guns on the roof of the Houses of Parliament because they thought we were planning a coup".

> [That] never entered our minds. Our intention was to act democratically. None of us had been involved in politics and we were not looking for any political power or office. 48

The Natal Mercury's political correspondent described the procession as "awe-inspiring", and interpreted it as a "spontaneous outburst of indignation against a Government which has recorded what can

45. CARTER, op. cit., p. 304.
46. Frontline, Vol 2, No. 7, June 1982, op. cit.
47. Rand Daily Mail, 12.5.1951.
48. Frontline, Vol 2, No. 7, June 1982, op. cit.

only be described as the blackest deed in the Union's history".[49] Their petition was received on the steps of the parliament buildings only by the leaders of the opposition parties, Mr Strauss, Mr Christie and Mrs Ballinger, with the Prime Minister nowhere to be seen. Mr Strauss told them,

> You are now taking part in a resurgence of the democratic spirit which will sweep South Africa. You have lit a torch of freedom at a time when freedom is generally threatened. 50

Unfortunately this dignified and peaceful demonstration was marred when some Coloured ex-servicemen threw their torches at police who had ostentatiously turned their backs on them as they passed. The police then baton-charged the ex-servicemen, and later a general order was given to disperse the crowds. Newspapers published eyewitness reports of even elderly ex-servicemen being wantonly assaulted.[51]

Another eyewitness of this "quite unforgettable and unprecedented .... demonstration of the force of public opinion" described his view of the procession from the steps of the Cathedral as it moved up St. George's Street and along Wale Street.

> .... As far as the eye could see there was one solid mass of men and some women moving forward in steady and purposeful style. The torches flickered and flamed with their golden light, and amongst it all there was a continuous roar of sound. The beating of drums, the blare of bugles the whistle of fifes, the marching songs of ex-servicemen, the Victory sign on hooters, the cheering and clapping of the crowds, all combined to bring the atmosphere to life.
>
> On and on they came. There seemed no end of them. It seemed incredible that so many could have mustered. Banners identified some of the units which were represented and the towns and districts from which men had journeyed to take their place in the procession. An open car in which "Oom Dolf" de la Rey stood, his face revealed by a special light, headed part of the procession, the white bearded features strangely reminiscent of Field-Marshal Smuts. In the next open car one recognised the well-known figure of "Sailor" Malan, standing and making the V sign as he was driven slowly along the street. On and on it continued until all had returned to the Grand Parade, where impressive speeches were made and the huge crowd thronged every inch of space. Then came the move to present the petition at the Houses

49. Natal Mercury, 29.5.1951, p. 9.
50. Ibid., "Torch crowd cries 'We want Malan'".
51. Ibid.

> of Parliament, a strong cordon of police had, rightly, been provided to see that order was preserved. The throng seemed to press in on them. Presently one saw men and women scattering and running with surprising speed in all directions. The order had been given to disperse the crowds, and many a head was cracked as batons were brought into play. No, the newspapers did not exaggerate. 52

The nation-wide organization called for by "Sailor" Malan quickly burgeoned, assisted by ex-servicemen's organizations in numerous towns and villages. When the Torch Commando met for its first National Conference in Johannesburg on 28th June 1951, scarcely two months after the first meetings of the ad hoc committee, there were 85 delegates from 65 centres throughout the country.[53] Louis Kane-Berman was quoted as saying "The time has come when the people of this country must be made to realise that there is no room for compromise: those who are not with us are against us".[54] By early 1952 the movement could number some 250 000 signed-up members. Louis Kane-Berman recalls how

> each paid a minimum subscription of five shillings. Many paid much more. You've got no conception of our impact on the public of South Africa. I alone must have spoken at 150 meetings all over the country in about two years. Money just poured in. Once in East London at a fete, we collected more than £ 10 000 in cash in half an hour. 55

Taking their cue from "Sailor" Malan's opening address to the first National Congress it was resolved that the Torch Commando, now formally named the War Veterans' Torch Commando, should not become a political party nor "an offshoot of a political party", but a "political pressure group".[56] Five broad principles were adopted.

1) To uphold the letter and spirit of the solemn compacts entered upon at the time of Union as moral obligations of trust and honour binding upon Parliament and the people.
2) To secure the repeal of any measures enacted in violation of such obligations.
3) To protect the freedom of the individual in worship, language and speech and to ensure his right of free access to the Courts.

52. Church News, 20.6.1951, op. cit.
53. The Star, 29.6.1951.
54. The Natal Mercury, 29.6.1951.
55. Frontline, June 1982, op. cit.
56. The Star, 29.6.1951.

4) To eliminate all forms of totalitarianism, whether Fascist or Communist.

5. To promote racial harmony in the Union.[57]

For an organization that had as its raison d'être the protection of the Coloured people's common roll franchise, it was tragic that from the outset there was open controversy between those who wished to establish separate non-European branches and others who saw the obvious contradiction of so doing. These disagreements gained the Torch Commando unwanted publicity and gave their opponents opportunity to attack them. Mr Strijdom, for instance, referred to the "colour blind policy" of the Torch Commando, whilst Dr. D.F. Malan accused the movement of being a new incarnation of the Springbok Legion.[58] This he characterized as "a communistic organization in its make up and aim, dubbing all its opponents as Nazis, pretending to be a protector of democracy and making no differentiation on the grounds of colour".[59] Forced onto the defensive, Louis Kane-Berman was quoted as saying that whilst the Torch Commando's colour policy was still under consideration, the "generally accepted principle" was that it would be "similar to that of the army during the war, where the non-Europeans had their own units".[60] Eventually the matter was settled by the representatives of the Coloured ex-servicemen themselves, who told the Torch Commando's Cape Western Branch Action Committee that "the Commando's fight is the white man's fight to re-establish the integrity of his word and in this work the Coloureds obviously have no part".[61]

This episode taught the lesson that the movement could not afford to take an a-political stance, least of all on the all-important question of colour. The most useful role that the Torch Commando could fulfil was to ensure that white political opposition to the Nationalists would be united. Louis Kane-Berman recalled that "there was talk that in the coming election [1953], the United Party would oppose the Labour Party, which it wanted to destroy,

57. CARTER, G. The Politics of Inequality, op. cit., p. 308.
58. The Star, 9.8.1951.
59. Ibid., 4.9.1951.
60. Ibid., 24.9.1951.
61. Ibid., 9.11.1951.

because it wanted its parliamentary seats for itself". Accordingly, in February 1952 Torch leaders went to Cape Town for talks with Mr Strauss and Mr Christie.

> The Labour Party was being very successful in recruiting working class Afrikaners away from the Nationalists. We pleaded with Mr Strauss and Sir de Villiers Graaf not to destroy the Labour Party. They agreed not to oppose it, but only if we entered into a United Front with them and the Labour Party to fight the election. 62

Soon after these meetings "Sailor" Malan issued a statement in which he described the Torch Commando as "a new democratic spark in the political life of South Africa", adding, "but the spark is useless unless it is harnessed to the proper machinery - and that machinery is the constitutional machinery of the present opposition parties in the House of Assembly".[63] It was not, however, until after the judgement of the Appeal Court had been announced that Mr Strauss and "Sailor" Malan issued a joint statement calling for mass meetings to demonstrate "our determination to unhold the constitution". 20 000 met in Pretoria and 15 000 in Johannesburg a month later.[64] Finally, at a rally of 5000 who met in the Cape Town City Hall on 17th April 1952, Mr Strauss announced the "alliance" of the United Party, the Labour Party and the Torch Commando, who together pledged "to uphold the Constitution of our Union and to restore South Africa to her rightful place as an honoured member of western society".[65] "Sailor" Malan and Ralph Parrott were said to be delighted with the outcome, whilst Kane-Berman was more hesitant. Commenting on the United Democratic Front thirty years later Louis Kane-Berman said ruefully,

> We were naïve to have done so. We should have assisted them, but remained independent. The U.P. was always looking over its shoulder at the platteland. It never wanted to fight anything on principle. 66

The so-called United Democratic Front, however, was far from united. Where Torch leaders like Louis Kane-Berman could relate easily to M.P.'s on the liberal wing of the United Party like Dr. Bernard Friedman, and there was a close friendship between

62. Frontline, Vol 2, No. 7, June 1982, op. cit.
63. The Star, 26.2.1952.
64. Rand Daily Mail, 25.3.1952.
65. CARTER, op. cit., pp. 316-317.
66. Frontline, Vol 2, No. 7, June 1982, op. cit.

"Sailor" Malan and Mr Harry Oppenheimer, Torch leaders in Natal were totally at loggerheads with United Party leadership there. These incompatibles are vividly illustrated from this comment in a letter from the Revd. Cyprian Thorpe to Patrick Duncan in May 1952.

> Kane-Berman was on the right track -- co-operation with the African and Indian Congresses; Colin Steyn represents the other lot - rapprochement with the Nats and to hell with the Coloured vote. If only the right leadership can emerge Malan's refusal of the High Court Judgement will prove to be a blessing and not a curse. 67

A by-election in the Transvaal constituency of Wakkerstroom in June 1952 provided the United Democratic Front with its first political test. A sizable contingent of the Torch Commando encamped for a week near Wakkerstroom to help the United Party with canvassing. When the Road Transportation Board refused a permit to transport supplies by road, these were flown in by air. In spite of all the publicity and the fanfare, "Operation Wakkerstroom" was not an unqualified success. The Nationalists won the seat they had first taken from the United Party in an earlier by-election in 1944, and gained 850 more votes than in the general election of 1948.[68] This win in 1952 provided the Nationalists with an important symbolic victory, just as the H.N.P.'s defeat of Smuts' Minister of Agriculture, Mr Collins, in 1944 had provided the first sign of a Malanite revival with support from former Hertzog supporters.[69] One Anglican priest thought the intervention of the Torch Commando at Wakkerstroom was "unwise".

> .... they encamped like a hostile army with rations and parachutes. In any case the Nationalists won a resounding victory. 70

A second and more serious test for the United Democratic Front came as a consequence of a massive Torch Commando rally in Durban on 6th June 1952. Reacting to the Government's announcement of its intention to circumvent the judgement of the Supreme

67. Borthwick Institute, York, Duncan Papers DU 5.95.9. Letter from the Revd. Cyprian Thorpe, from the S.S.M. Priory at Modderpoort, to Patrick Duncan 12.5.1952.
68. CARTER, G., op. cit., p. 319.
69. WALKER, Eric A., A History of South Africa, London: Longmans, new impression with corrections 1968, p. 735.
70. Church News, 21.1.1953, p. 14. "Six letters to an Englishman on the racial situation in South Africa by a well-known South African priest and philosopher".

Court by constituting the "High Court of Parliament" as a body superior to the Appeal Court, 6000 people carrying torches marched in silent protest through the streets of Cape Town on 4th June.[71] The same day United Party M.P.C.'s passed a resolution in the Natal Provincial Council calling for a new National Convention to re-affirm the constitution of the Union. Addressing the unprecedented crowd of 23 000 people who had converged on the Cenotaph from all corners of the city of Durban in torch-light processions, Mr E.G. Ford, chairman of the Coastal Region of the Torch Commando put two leading questions to that huge crowd, and they responded with the most emphatic of answers.

> Will you remain in a Broederbond republic if it is declared on the pretext of the volkswil ?
>
> NO, the crowd replied.
>
> Are you prepared to take the consequences if Natal is forced to stand on her own ?
>
> YES, they shouted.[72]

The occasion was made all the more poignant for the manner in which the organizers had chosen to erect the speakers' podium at the same place on the Post Office steps from which the young Winston Churchill had addressed a cheering crowd fifty years before, on the occasion of his escape from captivity in the closing stages of the Anglo-Boer war.[73]

The suggestion that Natal might secede from the Union gathered momentum, and caused great anxiety in the ranks of the United Party, for without the votes of Natal M.P.'s many rightly perceived that the United Party would lose for ever any chance of ousting the Nationalists. It resulted in a running feud between Torch and United Party leaders in Natal which again underlined the disunity of the so-called United Democratic Front.

A conference was arranged in Pietermaritzburg on 25th August 1952 in an attempt to resolve differences. Attended by all Natal Senators, M.P.'s, M.P.C.'s, representatives of the Coastal and Inland Regions of the Torch Commando, and the Defenders of the Constitution (a body formed by Senator Heaton Nicholls which later

71. Rand Daily Mail, 5.6.1952.
72. The Natal Mercury, 7.6.1952.
73. Personal reminiscence. I attended the meeting as a schoolboy.

provided the nucleus for the Union Federal Party after the 1953 general election), the Natal Conference achieved its immediate objective. Three resolutions were passed unanimously, none of which mentioned the word "secede".[74] Interestingly, the recently elected Bishop of Natal, Thomas George Vernon Inman, who succeeded Leonard Fisher in 1951, was asked to open the conference with prayer. Under the headline "Prayers for Politics", Church News gave its approval, if a little diffidently, for the "precedent .... created recently when the Bishop of Natal, at the request of the promoters, opened a political convention with prayer", and commented,

> Though it is true that prayers always precede parliamentary business, the idea of opening with prayer a meeting devoted to party politics has something of a novelty about it. The old idea that the Church should keep itself apart from politics is giving way to a more realistic approach. It is time we stopped saying that "politics is a dirty game", not because the facts have altogether belied this reputation, but because we ought to realise that politics should neither be dirty nor a game. After all, what more important matter can there be for citizens to make laws which shall govern their conduct ? And what more appropriate proceeding that of asking God's guidance in the matter ? 75

What Church News did not mention was the involvement of an Anglican priest, the Revd. J.B. Chutter, who as Chairman of the Natal Inland Region of the Torch Commando, with his counterpart in Durban, Mr E.G. Ford, engaged in a prolonged public feud with Mr Douglas Mitchell, leader of the United Party in Natal. Ford and Chutter, arguing that the Torch's 40 000 membership was double that of the United Party's membership in Natal, wanted a say in the choice of candidates at the next election. This idea, however, was resisted by Mitchell, so that there was even talk of the Torch Commando entering its own candidates. There were resignations of United Party members from the Torch Commando, whilst James Chutter publicly resigned from the United Party. Chutter's role is an interesting one, and provides an example of a priest actively

74. Natal Witness, 27.8.1952.

75. Church News, 17.9.1952, p. 130, "Prayers for Politics". The prayer said by Bishop Inman was also printed, along with a photograph. It read:
"O Lord God, we desire to place ourselves and what we are about to undertake into Thy hands. Guide direct and prosper this conference, we beseech Thee; and if Thou seest that this undertaking will be for Thy glory and the benefit of Thy people, grant us good success. Make us, and those who act with us to feel, that unless Thy blessing is with us, we cannot succeed, and that except the Lord build the house, their labour is but lost that build it. Enable us to put right before interest; others before self; the things of the spirit before the things of the body; the attainment of noble ends above the enjoyment of present pleasure; principles above reputation; and to put Thee before all else".

engaged in party political controversy whilst continuing his work in the Diocese of Natal as Housemaster and honorary chaplain at Michaelhouse School.[76] Eventually with E.G. Ford he met Mr Strauss and other United Party leaders at a private meeting in Johannesburg on 19th December 1952, when the issue of the "Natal Stand" was discussed. The issue was resolved, at least on the surface, when on 17th January 1953 the Natal Regional Executive of the Torch Commando, after hearing Mr Douglas Mitchell speak on United Party policy for the coming election agreed to support U.P. candidates if they supported the Natal Stand.[77] For his part Mr Mitchell, and Raymond Arde Labour leader in Natal, under pressure from national Torch and United Party leaders, agreed that their candidates would support the covenant which had been adopted at the mass meeting in Durban on 6th June. This covenant, it is of interest to note, made no mention of secession whatsoever. It was merely an undertaking,

> To preserve the sanctity of the engagements entered upon at the time of Union as moral obligations of trust and honour binding upon the Parliament and the people, and to secure the repeal of any measures enacted in violation of such obligations.
>
> To oppose any attempts to violate the Constitution embodied in the South Africa Act, and more particularly to maintain respect for the Entrenched Clauses of that act;
>
> To maintain the rule of law as the basis of our civil liberties. 78

It was Mr Ford's two questions which had given the meeting its secessionist slant. The difficulty, however, had been papered over in time for the election. Later in 1953 Senator Heaton Nicholls led the secessionists in the Torch Commando into the Union Federal Party.

It was at the height of this controversy about the Natal Stand in August 1952 that the national leaders of the Torch Commando

76. S.A. Church Year Book, 1950-1 and 1955. B.B. Burnett, later Archbishop of Cape Town (1974-81) was Chaplain from 1950-54. In 1954 Chutter published a memoir of his experiences as a prisoner of war, Captivity Captive. cf. Crockford's Clerical Directory, 1963-4. The Revd. Canon Angus Mylne, who was a close friend of Chutter's, recalls that his participation in the Torch Commando occasioned no adverse criticism for being involved as a priest in party-political controversy. (Interview, Pietermaritzburg, 6.9.1982).
77. The Natal Mercury, 17.1.1953.
78. CARTER, G.,op. cit., p. 318.

and the United Party in the Cape and the Transvaal explored the possibility of establishing a United National Democratic Party. The plan, however, went no further, and the most that could be achieved in the direction of closer unity was an understanding that the Torch Commando should work as a partner in the United Democratic Front, protecting United Party meetings in predominantly Nationalist areas, canvassing and stimulating interest in the United Party.[79]

The most serious setback to the unity of the United Democratic Front came not from the Torch Commando, but from the decision of the United Party to support the Government's two bills of 1953 designed to prevent a recurrence of the Defiance Campaign.[80] In spite of the efforts of "Sailor" Malan, Louis Kane-Berman and Ralph Parrott to dissuade the leaders of the United Party from their course, the Torch Commando had to accept reluctantly the United Party's advice to refrain from obvious division on the issue, lest the United Democratic Front lose the election. At this meeting with Mr Strauss, Sir de Villiers Graaf and Harry Oppenheimer, as well as with Mr Christie of the Labour Party, Torch leaders argued that the Criminal Laws Amendment Bill could be used against anyone. As will be seen later in Chapter Nine, the Labour Party opposed the Criminal Laws Amendment Bill and the Public Safety Bill, whilst the United Party voted with the Government. Although Gwendoline Carter does not, in this instance, specify her sources, there seems no good reason to disbelieve her statement of the arguments used by United Party leaders to support their decision to vote with the Government.

> .... From their side the United Party [said] .... that the Nationalists were using the legislation as a trap to "show up" the United Party's reluctance to take necessary action to prevent a further Native defiance campaign .... also .... they had received Nationalist guarantees that the measure would not be used against Torchers, or any European political group. Finally overborne by warnings that obvious division on this issue in the United Democratic Front might lose the election, Torch leaders reluctantly allowed themselves to be dissuaded from open opposition to the legislation 81

79. Ibid., p. 325.
80. See below, Chapter Nine, Criminal Laws Amendment Bill and Public Safety Bill.
81. CARTER, G., op. cit., p. 327.

Whether the United Party would have been deflected from this fateful decision to support the Government had it joined with the Torch into a United National Democratic Party is debatable. The Torch Commando, however, never recovered from the shock of this decision and the loss of the election on 15th April 1953. On 12th June 1953, at only its second National Congress, 399 voted for disbanding the Torch Commando and 423 for continuing. The strongest support for continuation came from South West Africa (16-0) and Natal (118-24). The movement could not withstand the setback to its morale reflected in the closeness of the vote in the other provinces, where the Cape voted 154-142 for continuing and the Transvaal 187-126 against.[82] An Anglican observer described the Torch Commando as "shock troops mustered to win a particular election battle".

> The Natal section were interested in the position of the English out here; the Cape section were Liberals concerned for the rights of the non-Europeans. 83

Thus the sudden demise of the Torch Commando may be explained both in terms of its own limited objectives and of its internal divisions. Gwendoline Carter was certainly right in laying stress on the way in which the Torch Commando's "early compromises on Coloured membership inevitably paved the way for its later divisions".[84] Nothing, however, was so damaging to the integrity of the United Democratic Front as the United Party's decision to support the Criminal Laws Amendment Bill and the Public Safety Bill in January 1953. The disbanding of the Torch Commando may therefore be regarded as an act of self-immolation prompted by this shameful compromise, linked with the disappointment of losing the election.

ANGLICAN OPPOSITION TO ALTERING THE COLOURED FRANCHISE.

Anglican reaction to the controversy over the Coloured people's franchise is of particular interest to this study of Christian resistance to apartheid, because it compelled Anglican bishops to define their attitude towards the church's involvement

82. Ibid., p. 329.
83. Church News 21.1.1953, "Six letters to an Englishman on the racial situation in South Africa .... " op. cit.
84. CARTER, G.,op. cit., p. 338.

"in politics". The choice before the C.P.S.A. was not whether to oppose the Government on the issue of the Coloured franchise, but in selecting the most appropriate means by which Anglican opposition might be expressed.

Besides the vigorous public opposition of the United Party, the Labour Party and the Native Representatives in Parliament, and the mass campaign of the Torch Commando, the Civil Rights League was among the first to attempt to initiate a national protest campaign against the Government's stated intentions to remove the Coloured voters from the common roll. This campaign began with a National Conference in Johannesburg on 9th December 1950. The speakers included J.D. Rheinallt Jones, Professor I.D. MacCrone, A.A. Menkin a former President of the Transvaal Chamber of Industries, Mrs Margaret Ballinger M.P. and Fr. George Sidebotham C.R. who a year before had succeeded Fr. Trevor Huddleston as Priest-in-Charge of Sophiatown. The Government's proposals to tamper with the Coloured franchise were described as "the gravest attack yet made on the civil liberties of South African citizens". A call to action was made, "to halt the Government in its headlong descent into totalitarianism and racial strife". The form of action suggested was to join the Civil Rights League and to take the initiative to "arrange a Mass Protest Meeting".[85]

Archbishop Clayton's response to the Civil Rights League's request for support for their campaign reflected his conviction that the church should avoid identifying itself with any one political party. He passed on the letter he had received from the Civil Rights League to all the bishops of the C.P.S.A. on 30th December 1950 with the comment,

> I believe that the Church as such acting corporately should not associate itself with the Campaign. There is no reason at all why individual Church people, whether they be clerical or lay, should not take part in the Campaign and I hope that many of them will do so. 86

85. CIVIL RIGHTS LEAGUE of Cape Town and Johannesburg, Chaos or Co-operation ? The Meaning of the Malan-Havenga proposals to change the political status of the Cape Coloured People. Summaries of speeches made at the Civil Rights League National Conference Johannesburg, 9th December 1950. Cape Town & Johannesburg: Civil Rights League, January 1951, p. 18.

86. CPSA Archives, Clayton Papers AB 191, letter from Archbishop to Bishops 30.12.1950, enclosing Civil Rights League (Witwatersrand) letter of 23.12.1950, Campaign "to defend the constitution and preserve the Franchise".

Provincial Synod on 27th November 1950, in a comprehensive resolution on racial discrimination proposed by Bishop Lavis, specifically condemned the proposed alteration of the Coloured franchise as a "breach of faith".

> (3) Believing that right relations between the different racial elements in the population of this country depend on their mutual trust, and that the proposal to alter the status of Coloured voters appears to many of them to be a breach of faith, this Synod urges that no such alteration should be made without consultation with a wide measure of agreement between those concerned. 87

In February 1951 the Bishop of George, Herbert Gwyer, whose diocese had a majority of Coloured members, told his people,

> There is not a great deal to write about this month. Many of you will, I expect, have received from the Civil Rights League a Form of Petition to the Speaker and Members of Parliament with regard to the Government's intention to remove Coloured voters of the Cape from the Common Roll without obtaining a two-thirds majority of both Houses as provided for in the South Africa Act. I want to let you know that I have signed this petition and hope that my fellow Church folk will do the same. Frankly, it does appear to me to take away rights long enjoyed and rights also which leading S.A. statesmen, and especially General Hertzog, promised would be always safeguarded. 88

The Anglican reaction, however, in 1951 was surprisingly limited, with most Anglican bishops at this stage preferring to leave it to Archbishop Clayton to speak up for them. Writing in Good Hope Clayton reiterated the section of Bishop Lavis' resolution at Provincial Synod cited above, which condemned the Government's proposed alteration of the Coloured franchise, and observed

> The main point which I wish to make is that satisfactory racial relations depend upon confidence and trust; the proposed alteration in the Coloured franchise, an alteration made unilaterally against the wishes of the Coloured people strikes a blow at this sense of trust .... The Coloured people regard this as not only a breach of faith but as a definite diminution in their political influence. 89

Meanwhile, the Executive Committee of the Christian Council also issued a statement on 10th February 1951, saying that it was

87. CPSA Archive AB 1163, Minutes of Provincial Synod 1950, p. 392. Proposal Bishop Lavis, Seconded Mr N.E. Coaker, Monday 27th November. Acts and Resolutions of Provincial Synod pp 52-3, third paragraph of Resolution on Race Relations.
88. George Diocesan Magazine 28.2.1951. Bishop Gwyer retured soon afterwards and was succeeded by John Hunter, the Bishop of Kimberley and Kuruman.
89. Church News, 21.3.1951, repeating the Archbishop's article from Good Hope.

"profoundly apprehensive", believing that the proposed Bill on separate representation for the Coloured people would "inflict damage upon racial concord". They emphasized the consequent

> loss of faith in the pledged word of the white man, entrenched in the Constitution and frequently reiterated in the past by leaders of both major political parties. 90

Archbishop Clayton's advice to his brother bishops of the C.P.S.A. that "The Church acting corporately should not associate itself with the campaign [of the Civil Rights League]" seems to have been followed faithfully. This is evident from a surprising dearth of comment in church publications in 1951. That many leading Anglicans, however, played their part as individuals is evident from a protest by "leading European citizens" in Natal, published on 9th March 1951, the day after Dr. Dönges had sought leave to introduce the Bill in parliament. Amongst the signatories, which also included two retired judges, were the Diocesan Bishop, Leonard Fisher, a retired Bishop, Ferguson-Davie, and the Archdeacon of Durban, T.G.V. Inman.[91]

Having passed through all its stages in parliament, the Bill received the Governor General's assent on 18th June 1951. Thereafter, between the application to test the validity of the Act being filed on 29th August 1951 and the announcement of the Appeal Court's judgement on 20th March 1952, the issue was sub judice. Writing to his diocese in Good Hope on 16th April 1952, Archbishop Clayton returned to the attack, and went further than the judges of the Appeal Court who had declared the Separate Representation of Voters Act to be "invalid, null and void and of no legal force and effect".[92] Discussing the "moral aspect of the constitutional crisis", Clayton roundly condemned the measure as "immoral, reprehensible, illegal and invalid". He then explained why he considered the church should be so concerned.

> What has all this to do with us as a Church ? Clearly the morality of the Act has to do with us. But why are

90. Wits. Archive, CCSA Papers, Resolution of the Executive Committee meeting in Cape Town in January 1951, dated 10.2.1951.
91. Indian Opinion, 9.3.1951, "Coloured Voters' Bill Protest by Leading European Citizens".
92. SAIRR Johannesburg, Jan Hofmeyr Library, Box "Coloured Franchise", The full text of the judgement delivered by the Chief Justice, p. 21.
93. Good Hope, May 1952, the Archbishop's letter. Publication dated 16.4.1952.

> we concerned with the conflict between the Government and the Judiciary ? The answer is that the existence somewhere of such a power as is claimed by the Judiciary is in fact a most powerful barrier against the totalitarian state. And the totalitarian state is the negation of individual liberty. And Christianity which stands for the supreme importance of the individual person as the child of God, is very much concerned with the freedom of that person. 94

Clayton then concluded his letter by defending his right to speak out on the issue.

> I think that moral issues of truthfulness and honour, and also issues that affect the rights and liberties of men, are involved. And therefore I conceive it to be my duty, in writing to my fellow-Churchmen, to say what I think. You will not all think as I do. But with this I hope you will agree; that in such a period of strife as lies before us, we as Christian men must have the courage to speak what we believe to be the truth, but, in doing so, to remember that no more for us than for anyone else does the end justify the means. We must avoid misrepresentation and slander. However hard it may be, we must try to speak the truth in love. 95

In other dioceses, too, Anglican opposition was expressed more forcefully than the year before. The Bishop of Bloemfontein, Cecil Alderson, having commented on the role of the church in politics, condemned the Government's reported intention of circumventing the Supreme Court's decision in the strongest terms.

> It is a good rule that the Church should never ally itself to a political party, and the Church of the Province of South Africa has, in its history, made many pronouncements on matters of state policy which have struck at the programs or practices of all political parties alike. But that does not mean that the Church (or her spokesmen) must keep silent about political matters where grave Christian principles are concerned .... by removing the power of the Court to review the validity of any action of Parliament itself, appears to me to be the writing on the wall for South Africa. I can imagine no act more calculated to break the faith of all the non-Europeans of our Land 96

The Bishop of Natal, Vernon Inman, having quoted Archbishop Clayton, declared, "we have no right to proclaim ourselves impartial or indifferent to issues such as these".[97] Highway, the magazine of the Diocese of Kimberley, contributed an editorial stating that "the decisions of Parliament can never be the final authority",

94. Ibid. 95. Ibid.
96. Bloemfontein Diocesan Journal, 23.4.1952.
97. The Vineyard, May 1952.

and pointed to the martyrs of an earlier era who had refused to "prove their religious obedience to the State by offering incense before the Emperor".[98] Speaking at the Annual General Meeting of the South African Church Institute in London on 20th May 1952, the Dean of Bloemfontein also emphasized that the C.P.S.A. was "attached to no political party", but that "the Church must regard itself as absolutely free to speak out courageously without fear of the consequences. To say this is interfering in politics is to misunderstand the function of the Church".[99]

The interesting development arising out of Archbishop Clayton's advice to his brother bishops in December 1950, declining to involve the church directly in the campaign of the Civil Rights League, was that whilst the initial reaction was for individual church people, both clerical and lay, to take part in the general campaign being waged against the Separate Representation of Voters Act by various organizations (the involvement of the Revd. James Chutter with the Torch Commando provided a vivid illustration of this approach), the tendency in 1952 was for the church to return to making clear its own independent stand on the issue. This was well illustrated when on 24th April 1952 Archbishop Clayton as Chairman of the C.C.S.A.'s Action Committee sent a statement to the Prime Minister as follows:-

> The Christian Council of South Africa,which represents a large body of responsible opinion among both European and Non-European sections of the population, having a growing concern at the exacerbation of race feelings from contentious legislation, and the threatened removal of the testing rights of the Courts, appeals to the Prime Minister the Honourable D.F. Malan, and the Government, not to take any action which may have the effect of nullifying the entrenched clauses of the South Africa Act.
>
> We contend that the South Africa Act, incorporating these clauses, was drafted by a National Convention of responsible South African leaders, with due regard to the divergent opinion of different sections of the population, and that it was passed without major amendment, by the British Parliament. Thus it represented South African rather than British opinion.
>
> We maintain that the Provinces agreed to enter the Union on the understanding that certain rights belonging to different

98. Highway, 30.4.1952.
99. CPSA Archive, AB 707, South African Church Institute Records 1914-1970. Notes of Speech made by the Dean of Bloemfontein at S.A.C.I. Annual General Meeting, May 20th 1952.

> sections of the population were safeguarded by the "Entrenched Clauses", and any action which seeks either to remove or amend these rights without following the statutory procedure cannot but be regarded as a serious breach of faith.
>
> We believe that in addition to the political considerations involved, there are moral and spiritual sanctions which must not be overlooked and which belong to the structure of any nation which is built upon Christian foundations. We protest against any action which will deprive any non-European section of its rights under the Act of Union, against anything that savours of broken pledges, and against anything that will impair the strength of the law and lessen the freedom which is everyone's right.
>
> We further maintain that the Judiciary, more than any other institution in this country, has the full confidence of the non-European. If, now that the Judiciary has given judgement against the Government of the day, it is to be deprived of its testing powers, this is likely to destroy what is left of confidence, on the part of the non-Europeans, in the good faith of the Europeans in this country. 100

In spite of these and other protests, the Government, however, went ahead with its intention to circumvent the Appeal Court judgement and introduced the High Court of Parliament Bill. Major Lewis Byron, a United Party Senator, in the course of the Senate debate in June 1952, drew attention to the title of the Bill, which had been taken directly from the State prayers in the Book of Common Prayer. He said this would give offence to members of the Anglican Church, observing not without humour,

> I do not know what the hon. the Minister's views are on the efficacy of prayer - whether he thinks that by putting in these words he will be earning the daily prayers of hundreds of people all over the country. I think there will be mental reservations when the prayers are said. "We humbly beseech Thee as for this kingdom in general, so especially for the High Court of Parliament - but not Dr. Dönges' variety of it". 101

After all M.P.'s and Senators had been convened to meet in a special joint sitting of Parliament which then declared the Separate Representation of Voters Act valid on 27th August 1952, to be followed two days later by the Cape Division of the Supreme Court giving its judgement that the High Court of Parliament Act itself was invalid, the Prime Minister responded by telling the Cape Congress of the National Party at the end of September that the Government could not afford to allow final victory in the present constitutional

100. Church News, 21.5.1952, Full statement sent to the Prime Minister, April 24, 1952.
101. Church News, 18.6.1952.

crisis to rest with the Courts.

> The will of the people must be supreme, which means that the sovereignty of Parliament, which consists of elected representatives of the people, must be upheld against the authority of appointed judges. 102

The opposition of Anglican leaders to the Separate Representation of Voters Act went no further than the strongest of verbal protests to the Government, and the reassertion of the church's right to declare its concern for the conflict which had been precipitated between Parliament and the Judiciary, as well as for the effect upon race relations of the Government's breach of faith with the Coloured people.

When the author Alan Paton delivered the third Peter Ainslie Memorial Lecture in the City Hall, Grahamstown, on 29th August 1951 on the theme of racial divisions and Christian unity, the sub judice rule prevented him from referring directly to the Separate Representation of Voters Act. However, he observed that a discussion on his subject, Christian Unity, a South African View, must inevitably be a discussion of racial affairs.[103] Where Archbishop Clayton, in the first lecture in 1949, had concentrated on expressing his own hesitations about the ecumenical movement from the ecclesiastical perspective of a "high" Anglican who had opposed the South India Church union, and had concluded by making an appeal for dialogue in private with the Afrikaans churches, Alan Paton spoke directly of the effect of South Africa's racial divisions upon Christian unity.[104] He identified the underlying incompatibility between the English-speaking and the three Afrikaans-speaking churches, and the source of their conflict, in their differing attitudes towards apartheid.

> .... we find on the question of apartheid, the English-speaking Churches and the three Dutch Reformed Churches appear in general to be ranged on opposite sides .... One cannot escape the conclusion that the two sides are looking at the matter from different places. Nor can one justly neglect to state that the present Government, though a secular body, must derive many of its ideas and purposes from the Dutch Reformed

102. BALLINGER,.M., From Union to Apartheid, op.cit., pp 279-282, and The Times, 30.9.1952.
103. Church News, 19.9.1951.
104. Ibid., and CPSA Archive AB 191, Clayton papers, typed docs. "Christian Unity, an Anglican view", the Peter Ainslie Memorial Lecture, Rhodes University, Grahamstown, 12.10.1949. See below, Chapter 18.

> Churches. The Dutch Reformed Churches stand to the present Government in a relationship which has never before existed between any South African Church and any South African Government. Nor should one omit to mention the fear of the English-speaking Churches that the Dutch Reformed Church may become an instrument of State and that there are groups in the D.R.C. who are desirous of establishing a closer and more permanent relationship between the State and the Church. Nor should one omit to state that there are groups within the D.R.C. who believe that a Church while having respect for the temporal authority, should under no circumstances yield one tittle of its independence, as a sovereign body whose head is the Lord. 105

Perhaps the most significant observation made by Mr Paton in the course of this lecture, and for the purposes of this study of Christian resistance to apartheid this is perhaps of greater relevance even than the dignified protests of Archbishop Clayton to the Government about the Separate Representation of Voters Act, was Alan Paton's perception of the looming conflict between church and state. What was the meaning of Christ's command to render unto Caesar the things that are Caesar's, and unto God the things that are God's, he asked, and then said simply,

> It must be considered possible that a Church, in its attempts to achieve the outward and visible expressions of love, might come into conflict with a state morality that disapproves of such attempts. In that case there is nothing to do but humbly to seek the will of God and then do it. 106

This illustrates how, at this early stage of the developing conflict between church and state in South Africa, some Anglican churchmen were beginning to turn over in their minds that the only logical step after protests had failed was going to be resistance to the Government. The recognition that a situation was arising in which Christians would soon be called upon to choose to obey God rather than men, placed some at least on the threshold of a decision to let actions speak rather than words in expressing their opposition to apartheid.

105. PATON, Alan, Christian Unity, a South African View, Peter Ainslie Memorial Lecture, Grahamstown: Rhodes University 1951, pp 4-5.
106. Ibid, p. 11.

PLANNING THE DEFIANCE CAMPAIGN.

> All people irrespective of the national groups they may belong to, and irrespective of the colour of their skins, are entitled to live a full and free life on the basis of fullest equality. Full democratic rights with a direct say in the affairs of the government are the inalienable right of every individual - a right which in South Africa must be realised now if the country is to be saved from social chaos and tyranny and from the evils arising out of the existing denial of franchise rights to vast masses of the population on grounds of race and colour. The struggle which the national organizations of the non-European people are conducting is not directed against any race or national group but against the unjust laws which keep in perpetual subjection and misery vast sections of the population. It is for the transformation or creation of conditions which will restore human dignity, equality and freedom to every South African. 107

This was how the Joint Planning Council, appointed by a joint conference of the A.N.C., the S.A.I.C. and the (Coloured) Franchise Action Council (Cape) in July 1951, described the "fundamental principle" of their "struggle for freedom" when they reported to the National Conference of the A.N.C. at Bloemfontein from 15th to 17th December 1951.

Those who drew up the plan of action under the chairmanship of Dr. James Moroka, the A.N.C. President General, were all seasoned campaigners. John Marks, Transvaal President since 12.11.1950, had been active in the A.N.C. since the A.A.C.'s opposition to the Native Trust and Land Bills in 1935. He was President of the African Mineworkers' Union when 70 000 miners on the Witwatersrand went on strike in August 1946.[108] With Moses Kotane and Dr. Dadoo he was among five communists banned in May 1950 for their part in the Defend Free Speech Convention, and the subsequent May Day work boycott in Johannesburg townships that resulted in 19 killed and 30 injured when police intervened in clashes between returning and boycotting workers.[109]

Walter Sisulu, who in 1949 succeeded the Revd. James Calata to become the A.N.C.'s first full-time Secretary General (supported

107. KARIS & CARTER, Vol II, op. cit., p. 461, Document 86, para 7. Report of the Joint Planning Council of the A.N.C. and the S.A.I.C., 8.11.1951.
108. Ibid., pp. 6, 14, 38, 408. cf. above, Chapter One, pp. 43 ff.
109. Ibid., p. 406.

not by the A.N.C. but by his wife's earnings),had worked with John Marks in the 1946 Mineworkers' strike.[110] It was his Estate Agent's office in Sophiatown which provided the venue for early meetings of the Youth League executive led by Anton Lembede, and Sisulu was in the group of Mda, Mandela, Tambo, Njongwe and Bopape who formulated the Programme of Action that was adopted, with some amendments, at the 1949 conference.[111] This marked the turning-point in the policy of the A.N.C. from a position of protest and negotiation to direct action and challenge.

Dr. Yusuf Dadoo was a self-professed communist, and a member of the Communist Party of South Africa. He had successfully led protests against the pegging of Indian land tenure in 1939, with the result that the Smuts government dropped its proposed legislation.[112] He was President of the Transvaal and of the South African Indian Congresses at the time of the Passive Resistance Campaign of 1946, and at that time went to prison as a passive resister.[113] Having formed the Non-European United Front with Dr. Dube in 1939[(114)] he was tried under the Emergency Regulations in 1940 for incitement.[115] In 1947 he signed the so-called "Doctors' Pact" with Dr. Xuma and Dr. Naicker, which was a joint declaration of co-operation between the A.N.C. and the Natal and Transvaal Indian Congresses.[116] He was chairman of the Anti-Pass Campaign between 1943 and 1945, a movement which was largely instigated by the Communist Party.[117] The reader will recall how Michael Scott's Campaign for Right and Justice broke down on the issue of communists using the movement for their own ends. This was largely Dr. Dadoo's doing.[118] With John Marks, Dr. Dadoo was temporarily banned under the Riotous Assemblies Act following the Defend Free Speech Convention and the May Day disturbances of 1950.[119] In February 1951 he joined with Dr. Moroka (A.N.C.) and S.M. Rahim

110. Ibid., p. 87. Also HOOPER, The Revd. Charles, Interview, Manzini, 15.12.1980.
111. KARIS & CARTER, Vol II, op. cit., pp. 100, 104.
112. Ibid., p. 77. 113. Ibid., p. 114. 114. Ibid., p. 83.
115. Ibid., pp. 108, 126. The N.E.U.M. advocated that non-whites should not take part in the war. For this Dadoo was sent to prison. See Drum, August 1952, p. 36.
116. Ibid., pp. 91-92, Document 39 p. 272, "Joint Declaration of Co-operation", statement by Dr. A.B. Xuma of the A.N.C., Dr. G.M. Naicker of the Natal Indian Congress and Dr. Y.M. Dadoo of the Transvaal Indian Congress, March 9th 1947.
117. Ibid., p. 115.
118. See above, Chapter One, p. 8.
119. KARIS & CARTER, Vol II, op. cit., p. 406.

(A.P.O.) in addressing the (Coloured) Franchise Action Council, and he was present again on 11th March when 15 000 Coloured people marched through the streets of Cape Town in an impressive political strike against the Separate Representation of Voters Bill.[120]

In 1946 Yusuf Cachalia had accompanied Michael Scott to Durban in the same car, along with the Trade Unionist Betty du Toit and Dr. Dadoo.[121] Cachalia first made his mark as a joint secretary with Walter Sisulu of the A.N.C. and S.A.I.C.'s Joint Co-Ordinating Committee in 1950. This Committee worked under Nelson Mandela from the A.N.C. Head Office in Johannesburg to plan the Day of Protest and Mourning called by Dr. Moroka for 26th June 1950.[122] It was the same team, Sisulu and Cachalia, who were the key members of the Defiance Campaign's National Action Committee, with Nelson Mandela as the Volunteer in Chief.[123] Thus the Joint Council that met to plan the Defiance Campaign was experienced and used to working together.

The stay-at-home called for Monday 26th June 1950 had been hastily planned at two weeks' notice to coincide with the end of the parliamentary session.[124] Their plan of action for 1952 was not the rushed affair of 1950. Ample time was left for planning and preparation. The 1952 campaign would

> take the form of committing breaches of certain selected laws and regulations which are undemocratic, unjust, racially discriminatory and repugnant to the natural rights of man. [125]

The laws to be tackled were those "which are most obnoxious" and those which "are capable of being defied".[126] The A.N.C. Conference should immediately send an ultimatum to the Prime Minister demanding the repeal of the Pass Laws, the Group Areas Act, the Separate Representation of Voters Act, the Suppression of Communism Act, the Bantu Authorities Act, and the withdrawal of the policy

120. Ibid., p. 411.
121. SCOTT, M., A Time to Speak, New York: Doubleday 1958, p. 133. See above, Chapter One, p. 25.
122. KARIS & CARTER, Vol II, op. cit., p. 408, Document 84.
123. Ibid., p. 418.
124. HORRELL, M., Action, Reaction and Counter-Reaction, Johannesburg: SAIRR 1971, p. 21, Protests in 1950.
125. KARIS & CARTER, Vol II, op. cit., p. 461, Document 86, Report of the Joint Planning Council of the A.N.C. and the S.A.I.C., 8.11.1952.
126. Ibid., p. 463.

of stock limitation and the so-called "re-habilitation scheme" not later than 29th February 1952.[127] Mass action should begin either on 6th April 1952, the climax of the Van Riebeeck Tercentenary Celebrations, or on 26th June. In the event, concern that there should be adequate time for the training and preparation of volunteers led to 6th April being used only for massed rallies in the major centres. On Sunday 22nd June large-scale meetings were again held to pray for the success of the campaign, and it was not until 26th June that the first acts of defiance took place.[128] The first stage of the struggle was to consist of sending "selected and trained" people into action in the main centres. In the second stage the number of volunteers would be increased as well as the number of centres. The third stage would be mass action on a country-wide basis, extending into the rural areas. Industrial action was a further form of struggle which was to be considered.[129] This was not used until 10th November, when in Port Elizabeth a massive one-day stay-at-home was called, in protest against newly-imposed curfew regulations in that city. This stay-at-home was 96% successful.[130]

Reference has already been made to the overwhelming support given to the campaign in the Eastern Cape, where there were 5717 volunteers out of a total of 8557. The good number of 1911 volunteers from the Transvaal may be attributed to the strong organization and leadership given from the Head Offices of the A.N.C. and the S.A.I.C. located in Johannesburg by Walter Sisulu, Yusuf Cachalia and Nelson Mandela. There was the inspiring example of Walter Sisulu and Nana Sita, who led 42 Africans and ten Indians into the Boksburg Location at the beginning of the campaign.[131] At Bethal Gert Sibande, who with Michael Scott had exposed farm labour abuses in 1944, led a group of volunteers to goal.[132]

In the Western Cape the figure of 423 included resisters

127. Ibid., p. 460. 128. Ibid., p. 418.
129. Ibid., pp. 460 and 462, Document 86, Report of the Joint Planning Council 8.11.1951.
130. S.A.I.R.R. Report by the Director on visits to Port Elizabeth, East London and Kimberley in connection with the riots. RR 9/53, 12.1.1953, para 11.
131. FLASH Bulletin, No. 13, 21.7.1952, Issued by the Joint Action Committee, Transvaal Indianc Congress, African National Congress (Transvaal), Coloured Political Action Committee. See BENSON, M., op. cit., p. 147.
132. BENSON, M., op. cit., p. 147.

from Kimberley and Mafeking. The weaker organization there can be attributed to the ban placed on Moses Kotane in May 1952 when the Government, acting in terms of the Suppression of Communism Act, ordered a number of avowed communists to resign from their organizations and stay away from political gatherings.[133] In the Western Cape the strength of the Communist Party rested among its African members. Kotane was based there, and had been National Secretary of the Communist Party since 1939. Thus the Government's action to proscribe communists seriously weakened the A.N.C.'s organization in the Western Cape. In addition, the greater difficulty of organization among migrant workers there, and the comparatively poor response among the Coloured community towards the concept of passive resistance contributed to Cape Town being one of the centres least affected by the campaign.

In the Orange Free State Dr. Moroka, as President General of the A.N.C., virtually abandoned his busy medical practice in Thaba 'Nchu to travel widely, and the fact that as many as 258 volunteers came from that rural province is a tribute to his tireless work.[134]

The figure of only 246 resisters from Natal requires explanation, when it is remembered that the Passive Resistance Campaign of the Indian Congress in 1946 had resulted in 1139 of 1373 resisters coming from Natal.[135] There was a feeling among Indian Congress leaders against taking the lead, since they perceived themselves to be the junior partners in the Congress Alliance.[136] It would be wrong to suggest because Natal raised fewer resisters than in 1946 that this was due to anti-Indian feeling among Africans after the Durban riots of 1949. As Luthuli commented in his autobiography:

> Who would have predicted, at the time of the Durban riots of 1949 when Africans and Indians were involved in terrible mutual hostility that within three years Africans

133. KARIS & CARTER, Vol II., op. cit., p. 417.
134. BENSON, M., op. cit., p. 140.
135. NAIDOO, H.A. & RUSTOMJEE, S., Five Months of Struggle, a brief account of the Passive Resistance Struggle from 13th June-13th November 1946. Durban: Passive Resistance Council 1946, p. 11.
136. SINGH, J., Interview, Durban, 27.1.1978. See also KUPER, L., Passive Resistance in South Africa, London: Cape 1956, p. 123.

> and Indians in Durban itself would be acting together to demonstrate their repudiation of injustice, cruelty and tyranny ? 137

There is evidence of opposition to the campaign amongst some A.N.C. veterans in Natal.[138] Selby Msimang resigned from the Natal A.N.C. Executive. The Youth League had ensured that A.W.G. Champion was replaced as Provincial President in 1951. Champion resented the Youth League, and he had not even shared with his Natal Executive the information about the Defiance Campaign. Thus it was that Luthuli only became aware that the other provinces had been considering a passive resistance campaign for quite six months when the papers for the 1951 A.N.C. Conference in Bloemfontein reached him. Luthuli recalled, "Our only opportunity [to discuss the proposed campaign] was in the car on the way to Bloemfontein".[139] The Natal Executive had no hesitation in supporting the Defiance Campaign in principle, but pleaded for more time. The smaller numbers in Natal are to be accounted for by the weakened organization at the end of the Champion era, and the fact that Natal and Cape Town did not go into action on 26th June as planned, "postponing defiance until they were ready".[140]

It is doubtful whether the persistent hostility of the Non-European Unity Movement, or the state-sponsored opposition of Mr S.S. Bhengu's Bantu National Congress, started in February 1952 to oppose the Defiance Campaign, had much effect.[141] The most serious opponent of the campaign was R.V. Selope Thema, Editor of Bantu World. He accused the Indians of exploiting the African and considered that the "originators and leaders"

137. LUTHULI, A., Let my People go, London: Fontana 1962, p. 102.
138. KARIS & CARTER, Vol II., op.cit, p. 424.
139. LUTHULI, A., op. cit., p. 102.
140. Ibid., p. 106.
141. The Torch (magazine of the N.E.U.M.), 10.6.1952, Editorial: "There is only deception and self-deception in dealing with 'Malanazis' as though they were 'democrats' and 'Christians' who will suffer pangs of conscience because certain non-white 'leaders' are in gaol .... it is the duty of leadership not to find freedom from responsibility in gaol". It also accused "African quislings and Indian Merchants" of being the driving force behind the passive resistance, saying they had sponsored it in their own interests.
S.S. Bhengu, a herbalist, said that "the Bantu must be guided by the Europeans" because "God has said .... that an uneducated people must be guided by wiser counsellors". S.A.B.R.A. donated £50 to his funds. He was later convicted on charges of theft and forgery. cf. LUTHULI, A., op. cit., p. 120.

of the campaign were Indian and Marxist, and that communists had captured control of the A.N.C.[142] W.M. Tsotsi, in his Presidential Address to the A.A.C. Conference in December 1952, said disparagingly:

> In spite of the attempts of the U.P. press to boost the campaign and create the impression of a landslide, only a few thousand out of a population of ten million Non-Europeans have been persuaded to take part.

Tsotsi expressed "admiration for the physical courage" of the defiers, but condemned the A.N.C. and the S.A.I.C. leaders as criminals for demanding sacrifice without proper organizational and theoretical preparation.[143]

THE A.N.C.'S ULTIMATUM REJECTED.

It was unlikely that the Congress leaders expected anything other than a blunt rejoinder to their letter to Dr. D.F. Malan of 21st January 1952 which set forth their ultimatum. The Prime Minister's reply on the 29th January, though prompt, made no attempt to be conciliatory. The remark, "it is doubtful whether you can claim to speak authoritatively on behalf of the body known to the Government as the African National Congress" was followed by a rebuke for sending the letter to the Prime Minister and not to the Minister of Native Affairs.[144] The A.N.C.'s call for direct representation in Parliament as an inherent right was met with the assertion that

> it is self-contradictory to claim as an inherent right of the Bantu who differ in many ways from the Europeans that they should be regarded as not different, especially when it is borne in mind that these differences are permanent and not man-made. [145]

The laws differentiating between European and Bantu, said Dr. Malan, were "long existing" and the Government "had no intention of repealing them".[146] The Prime Minister's letter then contained an explanation of how these laws had been enacted for the protection of the "Bantu", and

142. African World, May 1952, pp. 11-12, "Non-European Political Moves in South Africa" by R.V. Selope Thema.
143. KARIS & CARTER, Vol II, op. cit., p. 439, footnote 64.
144. UNITED NATIONS UNIT ON APARTHEID, The Defiance Campaign of 1952, No. 1/72, January 1972, p. 8.
145. Ibid., p. 8. 146. Ibid.

> have not been made in order to persecute them but for the purpose of training them in the performance of those duties which must be fully observed by all who wish to claim rights. [147]

The Bantu Authorities Act, it was claimed, had been designed

> to give the Bantu people the opportunity for enlightened administration of their own affairs in accordance with their own heritage and institutions.

Should the Congress

> adhere to [its] expressed intention of embarking on a campaign of defiance and disobedience to the Government, and you should in the implementation thereof incite the Bantu population to defy law and order the Government will make full use of the machinery at its disposal to quell any disturbances and, thereafter, deal adequately with those responsible for inciting subversive activities of any nature whatsoever. [148]

The A.N.C.'s reply, dated 11th February 1952, was given only after a meeting of the National Executive Committee had given careful consideration to the contents of the Prime Minister's abrupt reply to their letter. In their reply to Dr. Malan it was stressed that the campaign would be peaceful. "Any disturbances if they should occur, will not be of our own making".

> .... we would point out that as a defenceless and voteless people we have explored other channels without success. The African people are left with no alternative but to embark on the campaign referred to above .... We regret that the Prime Minister has seen fit to reject our genuine offer of co-operation on the basis of full equality, and express the hope that in the interest of all concerned the Government may yet reconsider its attitude. [150]

A more strongly worded letter to the Prime Minister from the South African Indian Congress stating Indian grievances on 20th February, which supported the A.N.C.'s stand, received no reply.[151]

THE VAN RIEBEECK TERCENTENARY FESTIVAL.

Thus was the scene set for confrontation. The forces of Afrikaner and African nationalism were on a collision course, watched uneasily by the rest of South Africa. The Van Riebeeck

147. Ibid. 148. Ibid., p. 10.
149. Ibid., p. 11., letter from A.N.C. to the Prime Minister, dated 11.2.1952, signed by Dr. J.S. Moroka and W.M. Sisulu.
150. Ibid., p. 12. 151. Ibid., pp. 13-16.

Tercentenary Celebrations, which were planned to reach their climax on 6th April, provided the occasion for the drama to be enacted peacefully. Whilst thousands of "Europeans" converged on Cape Town to give thanks for the landing of Jan van Riebeeck at the Cape on 6th April 1652, the "non-Europeans" boycotted the celebrations and held their own mass meetings as the first major event of the Defiance Campaign. It was estimated by Professor Z.K. Matthews that 100 000 people participated in these meetings at which each made this solemn pledge:

> We, the oppressed people of South Africa, hereby solemnly pledge ourselves to carry on a relentless struggle to repeal the unjust laws as laid down in the plan of action of the African National Congress, supported by the South African Indian Congress, the Coloured People's Organization, and other freedom loving peoples. We shall do all in our power to the utmost limits of endurance and sacrifice, to carry out the Congress Call against unjust laws which subject our people to political servility, economic misery, and social degradation. From this day forward we, as disciplined men and women, dedicate our lives to the struggle for freedom and fundamental rights. 152

A handbill entitled April 6; People's Protest Day, issued by the A.N.C. (Transvaal) and the Transvaal Indian Congress stated that

> .... the Malan Government is using this occasion to celebrate everything in South African history that glorifies the conquest, enslavement and oppression of the Non-European people. .... This Van Riebeeck celebration cannot be a time for rejoicing for the non-Europeans. This is a call to every man and woman to join the struggle for freedom ! 153

In an editorial tinged with concern for the outcome of the Festival, Die Kerkbode appealed to the members of the daughter churches to support the Festival, and praised those who welcomed the mail coaches with a song or an address as they passed through platteland dorps and hamlets on their way to Cape Town.

> *Dit is seker die regte gees, en 'n mens kan wens dat daardie gees by alle nie-blankes gevind mag word. Ongelukkig is dit nie die geval nie en word daar vlugskrifte onder hulle versprei wat hulle aanraai om weg te bly van die "fees van rassehaat en verdrukking".*
>
> *.... In plaas van dankbaarheid hieroor en die vreugde om hierdie deur God beskikte redding feestelik saam te herdenk, is daar nog baie wat onder invloede van kwaadwillige, onkundige*

152. HOUSER, G.M., Nonviolent Revolution in South Africa, New York: Fellowship Publications, Jan 1953, p. 20.
153. KARIS & CARTER, Vol II, op. cit., p. 483.

> *en ondankbare agitators die koms van die blankes as 'n ramp*
> *en die blankes self as indringers wil bestempel !* 154

Archbishop Clayton thought that the refusal to take part in the festival was a mistake, though the fact that a very large number, though not all, had made this decision was "clearly itself the measure of the failure of the last three hundred years of South African history".[155] Already he had criticized the pageant for giving a one-sided view of history, and for what seemed to him to be its "glorification of white domination".[156] Nevertheless, he accepted the Festival Committee's invitation to preach at a Thanksgiving Service at the Festival Stadium on Sunday 30th March 1952. Clayton amply vindicated his decision to take part by what he said. Preaching on the text "Forgive us our trespasses as we forgive them that trespass against us", he pointed to the fact that, although those who came from Europe came as Christians, after 300 years the majority of Africans were still not Christians.

> This failure cannot be laid altogether at the door of the missionaries. Christianity has been judged by the lives and characters of professing Christians; and, so judged, it has not proved attractive. 157

True patriotism would not be found, nor a nation built, until every section of the population "who dwell here shall be proud of it, shall know they have a stake in it".

> I don't think a nation has really come to birth until men are prepared to die for it. If they are prepared to do that it must be theirs, their very own. 158

In another sermon at St. George's Cathedral Clayton showed that he faced his task at the Festival Stadium with mixed feelings. "There is a danger of all this being nothing but words. The dedication of ourselves to God as the beginning of the dedication of our country." It would be better to ask "What is the will of God that we shall pledge ourselves to do ? What is God's purpose for our country ?" Clayton answered his own question by returning to a favourite theme he had spoken of at St. Mary's

154. Die Kerkbode, 19.3.1952, "Ramp of Redding ?"
155. Good Hope, April 1952, Archbishop's Letter.
156. Church News, 21.11.1951, p. 162.
157. CPSA Archive AB 811, Clayton Sermons. A collection of sermons edited by C.T. Wood in typescript (unpublished), under the title "The Critical Years 1949-1957", pp. 63-67, Van Riebeeck Festival Sunday 30th March 1952, Festival Stadium Thanksgiving Service.
158. Ibid.

Oxford in 1948,

> .... If we could solve the problem of fellowship in this land we should be showing the way of peace to the world.... It is to the fulfilment of that task that we are called to dedicate ourselves. That is our vocation as a nation.[159]

One priest who followed his Archbishop's lead and took part in the Festival was the Revd. Michael Harrison M.A., Rector of Clanwilliam, a small village 240 kilometres due north of Cape Town, in which 90% of the population were Afrikaans- speaking. Dr. Malan was their M.P. Fr. Harrison wrote a vivid description of the proceedings on Saturday 22nd March, when the Jan van Riebeeck Festival coach passed through Clanwilliam on its way from Windhoek to Cape Town. He was among the ten chosen represenatatives of the Dutch Reformed and Anglican Churches, educational and missionary work, who, with the Mayor and the Magistrate, were invited to sit in the coach for the procession through the village. At one point there was a short service at which, as Rector of the Anglican Church,

> I gave a short address in English, on the house built on a rock, and the house built on the sand. This was the only English spoken during the whole of the proceedings. The D.R. Predikant thought it fit to add a few words after my address thanking God that we were all Calvinists, and loyal Protestants, stating that when the Portuguese under Diaz had attempted to settle here, the Lord had not allowed them to do so, because they were Catholics !! The speaker also stated that it was the Afrikaner folk who had done everything to build the nation, because their feet were well grounded in Protestantism ....

He concluded,

> We all need to broaden our outlook considerably as both sides must share the blame that, after 300 years, this nation is not more united than it is at present. May God forgive us our own faults and failings, as well as those of others ![160]

What members of the Coloured choir who had obediently turned out to sing for this occasion thought of all this is not known. Nor can the nation-wide effect upon race relations be gauged as this kind of event was repeated across the length and breadth of South Africa. It is unlikely that such demonstrations of Afrikaner exclusivism, notwithstanding the valiant efforts of the organizers

159. Ibid., p. 71, Van Riebeeck Festival Sermon at St. George's Cathedral, Lent IV 1952.

160. Good Hope, April 1952, "Parish News", p. 13.

to include everyone, could have done anything other than re-emphasize the political fact of Afrikaner ascendency, and accentuate the divisions and contradictory perceptions of a nation hopelessly divided against itself. Who could blame Dr. Moroka, already critical of the church, when in his presidential address in December 1951 he expressed African disillusionment with the Christianity of Europeans, for voicing this feeling even more strongly in "Freedom Square", Fordsburg, when he addressed a large meeting with Dr. Dadoo on 6th April ?[161]

WAS THE DEFIANCE CAMPAIGN LED BY CHRISTIANS OR COMMUNISTS ?

An objective assessment of the extent of communist influence in the planning and leadership of the Defiance Campaign is extremely difficult to make. However, this accusation was repeatedly levelled at the African National Congress, and continued to be a part of the rhetoric of Nationalist Cabinet Ministers. The allegation was used at the time as a justification for the Suppression of Communism Act, and later became the subject of the prosecution's case when the entire leadership of the Congress Movement was indicted on charges of high treason in December 1956. It is of some importance for the purposes of this study of Christian resistance to apartheid to distinguish the differing philosophies of resistance which motivated the wide cross-section of black, and some white, South Africans to participate in the Defiance Campaign. It is important too that this assessment of the extent of communist influence be limited to the planning and leadership of the Defiance Campaign, which covers the period 1951-1952. It is not our purpose here to consider this question at any other period. What happened before 1950 is only relevant in so far as it throws light on the personal attitudes of leaders in the A.N.C. and S.A.I.C. who actively took part in the planning and in the leadership of the Defiance Campaign itself.[162] For the same reason, arguments that the Congress Movement was dominated by

161. BENSON, M., op. cit., p. 141.

162. cf. ROUX, Edward, Time Longer than Rope, the Black Man's Struggle for Freedom in South Africa, Second Edition. Madison, U.S.A.: University of Wisconsin Press 1964, who gives a sympathetic perspective of the relationship between the political movements of "non-Europeans" in South Africa and the S.A.C.P.

proto-communists of the Congress of Democrats in the period after 1953, whilst not excluded from this discussion, need to be distinguished as belonging to a later period. Reference is made to the data from both earlier and later periods only in so far as it throws light on the personal commitment of particular leaders in the A.N.C. who played leading parts in the Defiance Campaign.

This chapter thus far has described the war of words which was waged between the Government and its opponents during 1951 and the first half of 1952. This is what is implied by the title "The Prolegomena to Defiance". The theme for this concluding discussion to this chapter is provided by the testimony of M.B. Yengwa, a Lutheran Christian from Mapumulo, and the A.N.C.'s Natal Provincial Secretary, who said during the Treason Trial that "Christian influence in the African National Congress was stronger than the Marxist influence".[163]

Selope Thema of Bantu World offered a simplistic if clear scenario of communist influence in African nationalist organizations. He said the A.A.C. was "dominated by men of the Fourth International whose policy is non-co-operation and non-collaboration with the authorities". "They want to make Africans international-minded before they are even national-minded" he protested. The A.N.C. was "dominated by ex-members of the now defunct Communist Party, who ideologically do not see eye to eye with men of the fourth international." He claimed "The capture of the A.N.C. by ex-communists and Indians has brought about a sharp rift within its ranks which resulted in the formation of a National Minded Bloc". This referred presumably to those who became known as "Africanists".[164]

163. KARIS, T., CARTER, G.M., & GERHART, G.M., From Protest to Challenge, a Documentary History of African Politics in South Africa, 1882-1964, Vol III, "Challenge and Violence 1953-1964". Stanford, California: Hoover Institution Press 1977, p. 610, Document 53. Mr Yengwa was arrested with 12 men and 4 women on 22nd Feb. 1953 and sentenced to 14 days. (FLASH No 69, 23.2.1953, Issued by the A.N.C. Natal and Natal Indian Congress.) A devoted follower of Luthuli, he was banished to Mapumulo in 1954, and was among the defendents at the Treason Trial.
Mr Trengrove: Mr Yengwa, you said yesterday that the Christian influence in the African National Congress was stronger than the Marxist influence. Is that correct ?
Mr Yengwa: Yes, that is my view. I. You had people appointed specially as preachers in your organization ? Y. Chaplains, yes. I. Now, could you mention one or two of them ? Y. I could mention the Revd. Calata; I'd mention the Rev. Sikakane. I. Do you know Rev. Skomolo ? Y. Yes, I've heard of him but I don't remember him very well. I. And Gawe ? Y. Oh, yes, I know the Rev. Gawe.

164. S.A. Outlook, 1 May 1952, pp. 70-72, "African National Organizations" by R.V. Selope Thema.

Dr. Gail Gerhart has characterized the Africanist attack on the Congress Alliance as containing much "inflated rhetoric".[165] More exaggerated still was the attack on the A.N.C. from the A.A.C. and the N.E.U.M. The annual convention of the A.A.C. was timed to coincide with the Annual Conference of the A.N.C. in December 1951, at another venue in the same Batho Location near Bloemfontein. There Dr. G.H. Gool, Vice-President of the N.E.U.M., was reported as saying,

> I would rather put it that the reactionaries are in control of the A.N.C. and only pressure from outside has had the effect on the Youth Leaguers and they have come out with a policy of non-collaboration - on paper. 166

W.M. Tsotsi, the A.A.C. President, spoke at the same meeting of how "Jan van Riebeeck stole the land of those they called Hottentots" and said that "the present day expropriation of non-whites in town and country is in the traditional style of the Herrenvolk these last 300 years".[167] The A.N.C., to both A.A.C. and N.E.U.M., were "quislings". They were those who

> pacify the hostility of the people by making a few violent speeches and even pretend to be in opposition to the Herrenvolk .... they try to hoodwink both sides by launching something spectacular .... If the rulers are still reluctant to raise the price, there is always the THREAT of unity. 168

When the Communist Party of South Africa dissolved itself on 20th June 1950 in anticipation of the Suppression of Communism Bill being enacted, there were about 2500 members, of whom half were African.[169] It was natural that communists of all races

165. GERHART, G.M., Black Power in South Africa, the evolution of an ideology, Berkeley: University of California Press 1978, p. 151.
166. Drum, February 1952, p. 15, "At Bloemfontein Africans choose between Congress and Convention."
167. Ibid.
168. KARIS & CARTER, Vol II, op. cit., p. 498, Document 97, "Declaration to the People of South Africa from the N.E.U.M.", April 1951.
169. Ibid., p. 408. Their estimate is "Approximately 2000 of whom three fourths were African". But cf also African Field Reports 1952-1961 by the American Universities Field Staff, Cape Town: Struik 1961 (limited edition), a letter entitled "Communist Activity in South Africa" by E.S. Munger dated 8.6.1958, pp. 680-2. Munger said the membership of the S.A.C.P. on dissolution in 1950 was "approximately" : Africans: 1200; Europeans: 900; Asians: 250; Coloureds: 150, i.e. a total of 2500. He analysed a list of "Named Communists" supplied by the "Liquidator of the Communist Party" (a Chief Magistrate) in 1958, as follows: Africans: 256; Europeans: 255; Coloureds: 67; Asians: 46; Total 604.

should thereafter give increased attention to those other organizations to which they belonged. We have already noted Dr. Dadoo's record of activism in various causes, and that of John Marks, and their collaboration on the Joint Planning Council created by the A.N.C. and S.A.I.C. to plan the Defiance Campaign. Dr. Dadoo was President of the Transvaal and the South African Indian Congresses until he was succeeded by Nana Sita and Dr. Naicker respectively, on being named under the Suppression of Communism Act in May 1952. John Marks had been elected Transvaal President of the A.N.C. on 12th November 1950, and was succeeded by Nelson Mandela in 1952. Thus the case for a significant communist initiative in the planning of the Defiance Campaign is incontrovertible. However, the impotence of so able an organizer as Moses Kotane in the Western Cape illustrates how effective were the Government's anti-communist measures once they were applied with rigour in 1952.

Colonel Buys, the Special Branch expert on communism, in a conversation with Professor Karis on 18th February 1964, said he

> .... recognized that the A.N.C. Youth League was African nationalist at first; he maintained that it became Communist in 1950. Colonel H.J. van den Bergh, head of the Special Branch, in a conversation on February 10, 1964, referred to the membership of Communists on the A.N.C.'s National Executive Committee in 1934 and 1947 and concluded that effective Communist control of the A.N.C. dated back to 1947 or 1950-52.[170]

Professor Feit believed that "by the mid-fifties the Communists had become the preponderant influence within the A.N.C. .... all real decision-making powers were in the hands of Communists".[171] In his study, Feit was concerned that "many men and women of good will seem reluctant to believe the extent of Communist influence on the African opposition in South Africa."[172] Edwin Munger, writing in 1958, whilst asserting emphatically that neither Luthuli nor Z.K. Matthews were communists, added "Luthuli's strong Christian conscience and his keen sense of resentment of the burdens borne by his African people have frequently been manipulated by communists".[173] Of Matthews he said,

While he may have been technically guilty under the Suppression

170. KARIS,CARTER & GERHART, Vol III, op.cit., p. 696, footnote 100.
171. FEIT, E., Urban Revolt in South Africa 1960-1964, Evanston, Illinois: Northwestern University Press 1971, p. 291.
172. Ibid., p. 293.
173. MUNGER, E.S., op. cit., p. 646.

> of Communism Act for working with communists against various forms of racial discrimination, Professor Matthews would scarcely be considered a communist in the United States. 174

Edwin Munger also charged that the African National Congress was"dominated at the national and for the most part at the provincial level by white communists".[175] This judgement, however, referred to the period after the Defiance Campaign when the Congress of Democrats joined with the African and Indian Congresses to organize the Congress of the People in 1955. This will therefore be dealt with in a later chapter. The discussion at this point is limited to a consideration of the extent of communist influence during the Defiance Campaign in 1952.

The charge that communists infiltrated the A.N.C. after their organization was banned cannot, however, be supported, for the involvement of Africans who were communists in the A.N.C. was a long-standing one. It is worth noting what Karis and Carter said in an illuminating footnote to their account of the period 1950-1952:

> The number of known Communists holding office in the A.N.C. was very small before and after 1950. Communists who served on the national executive committee at some time during Dr. Xuma's presidency, before December 1949, were Moses Kotane, J.B. Marks and Edwin Mofutsanyana; under Dr. Moroka, Kotane, Marks and Dan Tloome.
>
> In the Cape Province and especially in Cape Town, where white Communists were prominent and Kotane was based, leading A.N.C. members accepted Communists as members of the A.N.C. but were strongly opposed to them taking office. (This was Calata's view particularly). Kotane, however, was a member of the A.N.C.'s national executive committee; and Professor Matthews, Cape provincial president after June 1949, considered him "more of a Nationalist than a Communist". 176

After due allowance has been made for Congress leaders wishing to underplay the issue of communist influence, it is difficult to gainsay what Professor Z.K. Matthews wrote to an American friend, Dr. George Haynes, early in 1953:

> The campaign was strongest and best organized precisely in those areas where so-called "Communist influence" was weakest. Anybody who knows anything about the Communist Party of South Africa knows or ought to know that its influence was strongest in Cape Town, where its headquarters

174. Ibid., p. 647. 175. Ibid.
176. KARIS & CARTER, Vol II, op. cit., p. 429, footnote 10.

> were situated, in Johannesburg and in Durban. The figures of the Campaign speak for themselves .... Cape Town provided a negligible number. The largest came from the Eastern Cape where the "Communist" influence was practically nil.[177]

It would also be wrong to impute that it was as a result of communist influence that the A.N.C. adopted the Programme of Action in 1949. It is clear that the initiative for this belonged to the Congress Youth League, and, as Karis and Carter have observed, the notes of the committee which drafted the Youth League manifesto recorded "the need for vigilance against Communists and other groups which foster non-African interests".[178] The Programme of Action adopted tactics of direct action: boycotts, strikes and civil disobedience, in the "struggle for national liberation", and was a reaction to the challenge of the National Party's election victory in 1948, just as the planning of the Defiance Campaign itself arose in reaction to the legislation of 1950 and 1951.

A consistent critic of communist influence in the African National Congress was the journalist and President of the Natal branch of the Youth League, Jordan K. Ngubane. He described as a "major blunder" Dr. Moroka's support of the May Day demonstrations in 1950 that resulted in the loss of 19 African lives through police action in townships on the Witwatersrand.[179] The demonstrations, wrote Ngubane, in an editorial in his newspaper Inkundla ya Bantu, "were intended to be part of a world campaign engineered by the Communists to help advance the cause of Communism and not of the oppressed African".[180]

Hence the period of close co-operation with the Congress of Democrats after the Defiance Campaign could be seen as a time when

177. Ibid., pp. 420, 436. Letter from Z.K. Matthews to Dr. George Haynes, 8.6.1953. Matthews was responding to an inquiry about an interview with Max Yergan, a right-wing American Negro, published in U.S. News and World Report. cf. MUNGER, op. cit., pp. 681-2.

178. KARIS & CARTER, Vol II, op. cit., p. 100; JOSEPH, Helen, If this be Treason, London: André Deutsch 1962, Appendix "A", pp. 185-187, full text of the proposal signed by G.I.M. Mzamane and D.W. Bopape.

179. KARIS & CARTER, Vol II, op. cit., p. 441, Document 76, "Post-mortem on a tragedy", editorial on the events of May 1 by Jordan K. Ngubane in Inkundla ya Bantu, 20.5.1950. This African-owned and founded paper ceased publication for financial reasons in 1951.

180. Ibid.

there was communist influence upon the A.N.C. from its partners in the Congress movement.[181] However, during the Defiance Campaign the extent of communist influence within the A.N.C. itself was severely reduced by the naming and restriction of the few communists who were on the National Executive or in leadership positions before the Defiance Campaign got under way. The Government's action in charging all Congress leaders in terms of the Suppression of Communism Act in August and September 1952, whether they were communists or not, accounts for the considerable sense of fellow-feeling engendered among the co-accused. Their sense of betrayal at the trial in November is understandable, when Dr. Moroka engaged his own lawyers, took the witness stand unlike the others, and pleaded mitigation by stressing his anti-communism and his efforts for racial harmony, giving as an instance the number of his patients who were Afrikaners.[182] As Luthuli commented, "the leader of Congress dissociated himself from his fellow-accused".[183] On the other hand, the perception by his fellow-accused of Dr. Moroka's defence plea as a betrayal could also be taken as indicating that Congress leaders were not entirely unsympathetic towards communists, even if they were never ideologically committed to communism.

The most objective assessment that I have found of the complex question of the extent of communist influence in the A.N.C. is to be found in Nelson Mandela's statement at the Rivonia trial in 1964.

> The A.N.C., unlike the Communist Party, admitted Africans only as members. Its chief goal was, and is, for the African people to win unity and full political rights. The Communist Party's main aim, on the other hand, was to remove capitalists and to replace them with a working class Government. The Communist Party sought to emphasize class distinctions whilst the A.N.C. sought to harmonize them. This is a vital distinction.
>
> It is true that there has often been close co-operation between the A.N.C. and the Communist Party. But co-operation is merely proof of a common goal - in this case the removal

181. See below, Chapter Thirteen.

182. KARIS & CARTER, Vol II, op. cit. p. 421.

183. LUTHULI, op. cit., p. 116. "Of the twenty on trial in Johannesburg, twelve were Africans, including Moroka, Sisulu, Marks and Mandela; seven were Indians, including Dadoo, Cachalia and Ahmed Kathrada, president of the Transvaal Indian Youth Congress; and one was Coloured, the Chairman of the Coloured Branch of the Garment Workers' Union. The fifteen on trial in Port Elizabeth included Dr. J.L.Z. Njonjwe, acting provincial president; Joseph Matthews the son of Professor Matthews; and Tsepo Letlaka,who was later actively to oppose the A.N.C.'s multiracial tactics." (KARIS & CARTER, Vol II, op. cit., p. 421).

> of white supremacy - and is not proof of a complete community of interests. 184

Another aspect of this issue which needs noting is that the A.N.C.'s own perception of itself was not as another political party but as an African parliamentary forum. In his presidential address to the A.N.C. (Cape) in July 1948 the Revd. James Calata stressed, "we are not wedded to any political party .... we have to accept the Government that is in power and find a way to co-operate with it in promoting our welfare".[185] Mandela pointed out that those who defended the policy of admitting communists did so

> on the ground that from its inception the A.N.C. was formed and built up, not as a political party with one school of political thought, but as a Parliament of the African people, accommodating people of various political convictions, all united by the common goal of national liberation. 186

The Treason Trial verdict finally proved the bona fides of the Congress leadership. The Judge President of the Transvaal, Mr Justice Rumpff, ruled that they were not engaged in a communist-inspired struggle to overthrow the government as the State alleged. Also established was their fidelity to the principle of non-violence. Nor had members of the Communist Party infiltrated the A.N.C. in 1950, as asserted by the prosecution. The following summary of the Treason Trial verdict by Karis, Carter and Gerhart, gives a fair and concise account of Mr Justice Rumpff's judgement which finally exonerated the remaining Congress leaders who were still on trial in 1961.

> On 29th March [1961], when the defense was in the fourth week of its final argument, with many weeks still to go, Justice Rumpff interrupted to announce a unanimous verdict of not guilty. There was no necessity for the defense to continue, he said. The A.N.C.'s alleged policy of violence was "the cornerstone of the case", and the prosecution's failure to prove this policy "inevitably meant a collapse of the whole case".
>
> "On all the evidence presented to this Court and on our

184. KARIS, CARTER & GERHART, Vol III, op. cit., p. 788, Document 75, Statement during the Rivonia Trial by Nelson Mandela, 20.4.1964.

185. KARIS & CARTER, Vol II, op. cit., p. 282, Document 42, Presidential Address by the Revd. J.A. Calata to A.N.C. (Cape), July 1948.

186. KARIS,CARTER & GERHART, Vol III, op. cit., p. 789, Document 75, Statement during the Rivonia Trial by Nelson Mandela, 20.4.1964.

> findings of fact, it is impossible for this Court to come to the conclusion that the African National Congress had acquired or adopted a policy to overthrow the State by violence i.e. in the sense that the masses had to be prepared or conditioned to commit direct acts of violence against the State."
>
> Nor .... had the prosecution succeeded in proving "a case of contingent retaliation", that is, "that the African National Congress had adopted a plan which revealed a general expectation of violence by the State and intention to use the masses in retaliation".
>
> The court did make certain findings of fact: the A.N.C. and its allies were working "to replace the present form of State"; the Programme of Action "envisaged the use of illegal means" and illegal means were used during the Defiance Campaign; some A.N.C. leaders "made themselves guilty of sporadic speeches of violence which in our opinion amounted to an incitement to violence"; " a strong left-wing tendency manifested itself" in the A.N.C. during the indictment period (this began on 1 October 1952) and the A.N.C. frequently revealed "anti-imperialist, anti-West and pro-Soviet" attitudes.
>
> In the court's view, in opinions issued later, communism was relevant only to the issue of violence, and all three judges agreed that the prosecution had not proved that the A.N.C. as a national organization was Communist or that the Freedom Charter pictured a Communist state. One indication that the A.N.C. had not adopted communism, they pointed out, was that in 1956 Nelson Mandela, for example, "foresaw a non-European bourgeois advance under the Freedom Charter". Nor had the prosecution proved, said the court, that members of the Communist Party after its banning had infiltrated the ranks of the A.N.C. and become executive leaders. The A.N.C. allowed both Communists and anti-Communists freely to become members if they subscribed to the A.N.C.'s policy. The evidence showed that when the Communist Party dissolved itself "a small number of executive leaders of the A.N.C. were already members of the party".
>
> The A.N.C.'s demands were "far reaching" said Justice Bekker, and could not be reconciled with a "mild form of socialism". But the Court was not convinced, said Rumpff, "that the African National Congress had acquired a policy which caused it to cross the dividing line between non-communism and communism in the spectrum of socialist belief." 187

In the South African Indian Congress Dr. Dadoo's influence tended to decline after May 1952. Whilst he was one of those honoured in absentia at the signing of the Freedom Charter at Kliptown in 1955, the ban placed on him as a named communist in 1952 had done its work.[188] He was succeeded in the presidency

187. Ibid., pp. 347-8.

188. HUDDLESTON, The Right Revd. T., Interview, Stepney, 25.6.1975. Luthuli was represented by Dr. Conco, so Fr. Huddleston was the only one of those honoured who was actually present at Kliptown.

of the Transvaal Indian Congress by the veteran Gandhian, Nana Sita, while the national presidency went to Dr. Naicker. Yet, even with Dr. Dadoo at the helm, it could never have been argued of the Indian Congress movement that it was a political organization committed to the doctrines of Marxism. Their leaders, like those of the African National Congress, were a bourgeoisie of able and educated professional men. The S.A.I.C. was a movement in which religious, racial and political differences were subordinated to the imperatives of the common struggle for political rights that had been consistently denied for so long. A feature of the Indian Congress leadership, unlike that of the A.N.C., was that Christians were noticeable by their absence, but both Hindus and Moslems found a common patron in Gandhi, and his philosophy of satyagraha. A classic expression of the true satyagrahi is to be found in Nana Sita's statement at his trial for entering the Boksburg location without a permit on 26th June 1952:

> As a follower of the principles of Satyagraha, and even at this old age, I am duty bound to show my opposition in a way that is without malice, without any semblance of anger or violence. To do anything else would be surrendering my most cherished principles.
>
> May I be permitted to say that the policy of the Government toward the non-European people is oppressive and contrary to the teachings of Christ. It is also contrary to the Universal Declaration of Human Rights. 189

Communists like Dr. Dadoo and John Marks may have helped to radicalize other congress leaders, but never to indoctrinate them. Nothing served to promote more radical forms of resistance more effectively than the Malan Government's programme of legislation between 1949 and 1951. The persistent arguments for apartheid and the rhetoric of white supremacy were accompanied by the Government's incessant invective against all forms of "liberalism" and "communism". Their legislation passed unscathed through an all-powerful and all-white parliament, and provided ample grounds for a more militant black reaction, without any assistance from communists.

The folly of making the false identification of African nationalism with communism was cogently expressed at the time by the African economist, Selby Ngcobo, who in 1953 was a senior

189. FLASH, Bulletin No. 13, 21.7.1952, Issued by the Joint Action Committee, Transvaal Indian Congress, A.N.C.(Transvaal), and Coloured Political Action Committee.

lecturer in economics at Fort Hare. In an address to the University of Cape Town's Summer School on 16th February 1953 he emphasized that the aim of the resistance movement was to bring about round table discussions between "Europeans" and "Natives" on how citizenship rights could be extended.

> The Bantu people were aiming at recognition and not political supremacy. There was no Communism among the Bantu masses. At present they were actuated not by Communism but by nationalism. It may happen in the future that if political and economic recognition is denied to the Bantu, they will turn to Communism. Today the shadow is with us, not the substance. 190

Nothing could illustrate Professor Ngcobo's point more eloquently than the career of Walter Sisulu. Government action against African Nationalists in terms of the Suppression of Communism Act could well have served only to make communism seem more attractive to them. In 1953 Sisulu, with Duma Nokwe, made a five-month tour of European and Iron Curtain countries. This included, in addition to Britain, Holland and Israel, a youth festival in Bucharest, a student congress in Warsaw, Czechoslovakia, the Soviet Union, and five weeks in China. Mary Benson said of Sisulu's experience that

> for the first time in his life he had been consistently treated as a dignified human being instead of as a "native".... He had come to realize that an African nationalist's tendency to assert himself to prove he was not inferior to the white man was in itself an inferiority complex. 191

The influence of this journey on Sisulu is interestingly illustrated in this aside in a letter to Patrick Duncan from the Revd. John Skomolo, an assistant to Cyprian Thorpe at St. Michael's Mission, and at that time Chaplain General of the A.N.C. Commenting on the recent meeting of the Executives of the S.A.C.O.D., the A.N.C., S.A.I.C. and the C.P.O., which established a council to plan the Congress of the People, Skomolo observed,

> I discussed the question of the elections [the Senatorial Elections in which Duncan proposed to stand against Walter Ballinger] with Sisulu and Tambo individually. Tambo, who is a staunch Anglican with no communistic inclinations is fully on our side. Sisulu, who is more Communistic than Christian kept on saying "Why does Mr Duncan not join the C.O.D.?" 192

190. The Star, 17.2.1953, "Bantu'not actuated by Communism'."

191. BENSON, M., op. cit., pp. 161-2, and KARIS, CARTER & GERHART, Vol III, op. cit., p. 15.

192. Borthwick Institute, York, Duncan Papers DU 5.90.7, letter from the Revd. J.J. Skomolo to Patrick Duncan, 2.4.1954.

Sisulu, having been banned from attending gatherings and confined to the Johannesburg area for six months in December 1952, returned from this tour to face another ban, and continuous harassment by the police.[193] However, he continued his work as General Secretary undeterred, travelling at will and somehow one step ahead of the police. Professor Matthews accordingly dubbed him "Mr Walter Scarlet Pimpernel Sisulu, the ubiquitous General Secretary of the A.N.C." in his presidential address to the A.N.C. (Cape) on 26th June 1954.[194] On 23rd July the Minister of Justice placed a more stringent restriction on him by "naming " him under the Suppression of Communism Act, and ordering him to resign as General Secretary of the A.N.C., and to stay away from gatherings for two years.[195] Sisulu told Helen Joseph,

> It is difficult to comprehend what it really means to be forbidden any part in the work to which you have dedicated yourself. To be banned from gatherings is bad, but to be cut off from your life work comes as a spiritual shock. Thereafter there is no middle path. Either a man resigns himself and leaves the political field, as some have done, or he determines to rise above the ban. 196

Sisulu was among those acquitted at the end of the long treason trial, in March 1961. Professor Feit has concluded from the evidence led by Hlapane at the Braam Fischer trial in 1963 that Sisulu had attended a secret conference of the Communist Party in 1962. Feit claimed that "Sisulu was not only a party member but in its highest councils".[197] Sisulu, however, denied Communist Party membership at the Rivonia Trial, when he was sentenced with Mandela and others to life imprisonment. In view of Hlapane's known role as a police informer, Sisulu must at least be given the benefit of the doubt on the issue of whether or not he was a communist. Both Sisulu and Mandela certainly started out as practising Anglicans.

193. KARIS, CARTER & GERHART, Vol III, op. cit., p. 108, Document 2, "No easy walk to freedom", presidential address by Nelson R. Mandela, A.N.C. Transvaal, 21.9.1953.
194. Ibid., p. 128. 195. Ibid., p. 22.
196. JOSEPH, H., If this be Treason, London: André Deutsch 1962, p. 173, Profiles of the Accused.
197. FEIT, E. Urban Revolt in South Africa, op. cit., p. 292.

THE PRE-EMINENCE OF CHRISTIAN LEADERS IN THE A.N.C.

Christians have exercised a pre-eminent influence in the African National Congress throughout its history. Their conferences invariably began and ended with devotions led by the senior chaplain present. As Congress prepared to discuss the Programme of Action, the Revd. I.C. Duma opened the proceedings of the Congress Youth League on December 15th 1949 thus:

1. Let us pray for the guidance of the Holy Spirit.

   Our Heavenly Father, we thank Thee that Thou hast permitted us to meet here in Conference. Pour into our hearts Thine Holy Spirit, so that by Him we may be wisely guided in our deliberations, and through Him we may be bound together in fellowship and brotherly love. May His wisdom be so bestowed upon us that the programme now about to be unfolded to us, may be majestic in form and Christian in spirit. Amen.

2. Let us pray for the leaders of African thought.

   Eternal Father, as we assemble here at the opening of these sessions, we would commend to Thee the leaders of African thought and opinion. Endue them with the Power of the Holy Spirit, so that they may boldly interpret Thy will for this land, and that they may so direct the deliberations of these sessions as to give wise judgements; but above all, that in them, Christ may be manifested. Amen.

3. Let us intercede for our land.

   Father of Mankind, while we are conscious of our shortcomings because we have done those things which we ought not to have done, and left undone those things which we ought to have done; therefore there is no life in us. Hence the chaotic state of our fair land. But with Thee, our Father, as Helper, we would not despair of working for its redemption. Help us, therefore, to make the Supreme Sacrifices towards this end; teach us to unite and to rediscover ourselves as a people; so that the redemption of our fair land may be for the glory of Thine Holy Name. Amen.[198]

Couched in the familiar form and language of the Anglican Book of Common Prayer, these three collects epitomise the spirit in which the African National Congress conducted its affairs.

Without reckoning the Christian affiliations of laymen, it is notable how many senior office-bearers and members of the National Executive have been ordained clergymen. This was particularly true of the years when the Revd. Z. Mahabane (1937-1939) and Dr. A.B. Xuma (1940-49) were Presidents General, and hardly less so

198. KARIS & CARTER, Vol II, op. cit., p. 336, Document 59.

during the presidencies of Dr. James Moroka (1949-1952) and Chief Albert Luthuli (1953-1960).[199] The most notable was the Revd. James Calata, an Anglican priest, who was President of the A.N.C. (Cape) from 1930-1949, and Secretary General from 1936-1949, and thereafter a Chaplain. Calata was also President General of the Interdenominational African Ministers' Federation (IDAM(F)) during the Defiance Campaign, and was created a Canon of Grahamstown (honorary) in 1959. Calata combined a devotion to the ideals of racial reconciliation and a united South Africa in which Africans would attain full citizenship, with a wary caution towards communist infiltration of Congress. For instance, in his presidential address to the A.N.C. (Cape) in 1938 he had said,

> my mind is greatly exercised over the existence of much rivalry in the Cape and the easy way in which communists and other people use the name of the Congress to spread their doctrines among our people. 200

Calata ensured that communists did not hold office in the Cape A.N.C., and this policy seems to have prevailed. Notwithstanding the dedication of Moses Kotane to the Congress cause, he never attained office in the Cape A.N.C. Calata was among the influential cross-section of African leaders who signed the A.N.C.'s Bill of Rights in 1943 in response to the Atlantic Charter. This document came to be known as African Claims. Three other clergymen were among the signatories; Z. Mahabane the former President General, Mpitso Secretary/Organizer of the African Ministers' Association, and Abner Mtimkulu, Acting President of the A.N.C. (Natal).[201] After being succeeded by Z.K. Matthews as Cape President, and by Walter Sisulu as Secretary General in 1949, Calata remained a member of the National Executive, and his support for the A.N.C. never wavered until after 1961 when the policy of non-violence was finally abandoned.[202]

199. The A.N.C. was declared an Unlawful Organization on 8.4.1960. The first A.N.C. Conference since 1959 was held at Lobatsi in Bechuanaland in October 1962. Oliver Tambo has been Acting President since the A.N.C. went into exile, with Luthuli and then Mandela as President-in-absentia.
200. KARIS & CARTER, Vol II, op. cit., p. 133, Document 16, Presidential Address by the Revd. J.A. Calata, Cape A.N.C., 4.7.1938.
201. Ibid., p. 209, Document 29b, "African Claims in South Africa".
202. CLACK, The Revd. Maurice, interview, Bloemfontein, 6.4.1981. Canon Clack served with Calata in the Diocese of Grahamstown from 1955.

Whether Archbishop Clayton fully approved of Calata's involvement in the A.N.C. is uncertain. In December 1952, after the Government had placed a ban on Calata, along with other Congress leaders, Clayton succeeded in getting his ban removed, so that he could go to bona fide services. In a letter to C.T. Wood, then Director of the South African Church Institute in London, Clayton commented, "I do hope Calata will be sensible, but I fear I don't think this very likely."[203]

Canon Cyprian Thorpe, who at the time was Priest-in-Charge of St. Matthew's Mission, recalls attending an A.N.C. Conference when James Calata was Speaker for the session. "For all the world he ran it like a Synod !" Fr. Thorpe recalled. "Those who had learned something of synodical government had a tremendous influence on the conduct of the affairs of the A.N.C."[204] Calata, with another Anglican priest from the Diocese of Grahamstown, the Revd. W.S. Gawe, was among the 156 defendants at the Treason Trial.[205]

Calata, as a member of the National Executive of the A.N.C., a Chaplain and elder-statesman figure, remained very much a part of the A.N.C. until it was banned in 1960. It is of interest to note that Margaret Ballinger depended very much upon Calata's influence and the Congress organization in the Eastern Cape for her election as a Native Representative in 1948.[206] She was opposed by a Nationalist. Mrs Ballinger later received a very touching invitation from the Secretary of Calata's Church Council at St. James's Mission, Cradock, to a "Congratulatory Social Evening Function" on 11th April 1959, on the occasion of Calata's appointment as an honorary Canon of Grahamstown. The letter added, "The Rev. Gentleman has expressed his wish that You be sent an invitation".[207] He served that parish for over 35 years, and continued to live there in retirement until his death in 1983.

203. CPSA Archive, AB 707, SACI papers, letter from Clayton to Wood, 2.1.1953.
204. THORPE, The Revd. Cyprian, interview, Ecton, Northampton, 15.7.1975. cf. KARIS, CARTER & GERHART, Vol III, op. cit., p. 70.
205. LUTHULI, A., op. cit., p. 147.
206. Wits. Archive, Ballinger papers A 410.
207. Ibid., letter from Mr Cindi to Mrs Ballinger, 20.3.1959.

The infusion of leaders from the Youth League in 1949, which marked the A.N.C.'s move from a policy of protest to direct action, was no less strongly influenced by committed Christians. Walter Sisulu, who succeeded Calata as Secretary General, was a member of Father Huddleston's congregation at Orlando, and his wife a faithful member of the Mothers' Union.[208] Trevor Huddleston took particular pride in his friendship with Oliver Tambo, of whom he said,

> What changed Oliver - he intended to be a priest at one time but was never ordained - was quite simply that he saw no results from constitutional change. 209

In a farewell letter to Alan Paton written on 29th December 1955 ("the festival of that turbulent priest St. Thomas à Beckett"), and on the eve of his departure from South Africa, Huddleston wrote of his last round of services and said,

> Christmas was a great joy. I sang Midnight Mass at St. Benedict's and in the congregation (of his own desire) was Oliver Tambo. 210

Oliver Tambo had established a legal practice with Nelson Mandela, and was among a group of "St. Peter's Old Boys" who received their education in Sophiatown at the hands of the Community of the Resurrection. Karis and Carter have observed how among this group, apart from Walter Sisulu, who had to leave school at sixteen, were

> graduates of the Anglican secondary school of St Peter's in Johannesburg [who] had specially close ties with each other and constituted a kind of old boys' association. Others were graduates of teacher training schools at Lovedale or Healdtown or of Adams College .... many had graduated - or been expelled from Fort Hare. 211

Indeed of Oliver Tambo, Trevor Huddleston has written,

> It would be hard to find a more devoted churchman than Oliver Tambo. It was for this reason that when I heard that he had been banned in terms of the Suppression of Communism Act I took up my pen and wrote for the London Observer an article, "The Church sleeps on". 212

Both Nelson Mandela and his wife Winnie are confirmed Anglicans.

208. HUDDLESTON, The Right Revd. T., Interview, Stepney, 25.6.1975.
209. Ibid., and HUDDLESTON, T., Naught for your Comfort, London: Fontana Collins 1956, p. 104-108.
210. Wits. Archive, Paton Papers AD 1169 A 1-8, letter from Huddleston to Paton, from the Priory, Rosettenville, 29.12.1955.
211. KARIS & CARTER, Vol II , op. cit., p. 98.
212. HUDDLESTON, Naught for your Comfort, op. cit., p. 107.

Bishop Reeves told me how both Tambo and Mandela found in him a confidant and Father-in-God in Johannesburg before the shooting at Sharpeville in 1960, and in England after the Bishop's deportation.[213] Another glimpse of Nelson Mandela is provided by the Revd. Arthur Blaxall, whom Mandela had asked to see when he was awaiting trial after his capture in 1963.

> I was allowed to see him, so I am probably the last padre to meet with him - although I know he has long since ceased to practice formal religion he allowed me to offer a prayer before we parted, and I think he appreciated it. He and our friends on R[obben] I[sland] are outstanding men 214

During the period of Dr. James Moroka's presidency of the A.N.C. from 1949-1952, the initiative for choosing leaders belonged to the Congress Youth League. In the Cape, always a bastion of Christian influence, Z.K. Matthews succeeded the Revd. James Calata as Cape President in 1949. In Natal it was Youth League influence that led to the replacement of A.W.G. Champion by Chief Luthuli in 1951. Champion was not a keen supporter of the Programme of Action, and was hostile to the proposed Defiance Campaign, although his leadership, with Dr. Naicker, at the time of the Durban riots in 1949, had served to consolidate the alliance between the African and Indian Congresses.[215] In the Transvaal, where the election of John Marks led many to imagine that the A.N.C. had fallen under communist control, this was one example where the Youth League's choice of a more radical leader was not a professing Christian. The Christian foundations of the Youth League itself are clearly evidenced by the prayer of the Revd. I.C. Duma cited above.[216]

Dr. James Moroka, born 1891, mission-educated and Edinburgh trained, was Medical Officer of the Moroka Mission Hospital founded by his father at Thaba 'Nchu. There he built up a "prodigious and lucrative multiracial practice" since qualifying in 1918.[217] He was also a genteman-farmer and landowner of some means, with a number of fruit and cattle farms managed by his wife. He had

213. REEVES, The Right Revd. Ambrose, interview, Shoreham-on-Sea, 2.4.1975.
214. Borthwick Institute, York, Duncan Papers DU 5, letter from the Revd. Arthur Blaxall in London to Patrick Duncan in Algeria, 9.6.1964.
215. KARIS & CARTER, Vol II, op. cit., p p. 285-6, Document 44; p. 287, Document 46.
216. See above, p. 350.
217. Drum, April 1952. pp. 7-10, "Dr. James Moroka, President of Congress", by Dr. S.M. Molema.

been drawn into politics in 1935 as Treasurer of the A.A.C. Elected to the N.R.C. in 1942, it was during the Mineworkers' strike in August 1946 that Dr. Moroka proposed the resolution which led to a unanimous decision to adjourn the Council sine die.[218] Moroka's election in 1949 thus served the Youth League's purpose by producing a President General who was ready to be more radical than the distinguished, though conservative, Dr. Xuma. Moroka, coming as he did from the ranks of the A.A.C., also held out some hope to those who had worked so hard to heal the rift between the A.A.C. and the A.N.C. earlier that year. Dr. S.M. Molema, the A.N.C.'s Treasurer General in 1949, described him as no "orator or weaver of magic words and haunting phrases either in speech or writing" but "coldly analytic" and "distressingly realistic", and a man who "practices what he preaches".[219] Drum described Moroka's presidential address in 1951 as "moderate but firm".[220] A photograph taken at that crucial meeting in the Batho Location, Bloemfontein, of the A.N.C. Annual Conference in December 1951, when the decision was made to go ahead with the Defiance Campaign, shows Dr. Moroka flanked by no less than two clergymen on the platform.[221] However, of Dr. Moroka's personal convictions little is certain. From the concluding remarks of his presidential address of 1951, when he made an appeal for the establishment of a "national church", certain deductions are possible. He was sharply critical of the churches in general, and is remembered in the Orange Free State as a somewhat disillusioned Methodist layman.

> It is in the sanctuary of your home that you come nearest to your God. It is in the field of your nation - the African nation - that you come nearer to your God than in the foreign

218. Ibid., p. 9. cf. KARIS & CARTER, Vol II, op. cit., p. 94: "This Council, having since its inception brought to the notice of the Government the reactionary policy of the Union Native policy of segregation in all its ramifications, deprecates the Government's post-war continuation of a policy of Fascism which is the antithesis and negation of the letter and spirit of the Atlantic Charter and the United Nations Charter. The Council, therefore, in protest against this breach of faith towards the African people in particular and the cause of world freedom in general, resolves to adjourn this session, and calls upon the Government forthwith to abolish all discriminatory legislation affecting Non-Europeans in this country".
219. Drum, April 1952, op. cit., p. 10.
220. Drum, February 1952, pp. 14-16, "At Bloemfontein Africans choose between Congress and Convention".
221. Ibid., and MOHIBIDU, The Revd. Andrew, Interview, Pietermaritzburg 24.1.1983.

> atmosphere of European churches. If because the Anglican Church, the Methodist Church, the Dutch Reformed Church and the numerous other national churches which have their origin from the Roman Catholic Church have strayed from the path of the true God of Christ because they are national, then the sooner they stopped misleading us the better. In those churches there is often the stigma and the sting of inferiority attaching to us. We are eternally led to the light. We never seem able to walk to the light. Our African ministers don't seem to grow spiritually to show white congregations the light. 222

On the other hand, there could be no possible doubt that both Z.K. Matthews and Albert Luthuli, Congress's two most prominent leaders in the period 1951-1960, were professing Christians. As Peter Walshe wrote,

> As a result of the earlier impact of Christianity and this continuing if attenuated influence, many congressmen retained a strong inclination to moralise on the basis of Christian ethics .... while this mode of expression was most pronounced in the attitude of the older generation of politicians like Xuma, Calata, Z.K. Matthews, Moroka and the late-comer Luthuli, Christianity also influenced some of the younger radicals of the C.Y.L. 223

Z.K. Matthews' political career was a long and distinguished one. Born in 1902, he was a young lecturer in law and African government at Fort Hare when he, with the ecomonist Selby Ngcobo, acted as Clerks-draftsmen for the inaugural meeting of the A.A.C. from 15-18 December 1935. By the time he succeeded Calata to the Cape Presidency in 1949, Matthews had been at the centre of affairs in the A.A.C., the A.N.C. and the Natives' Representative Council for fourteen years. Occupying a position near the centre of the African political spectrum, he was chosen as Chairman of the Atlantic Charter Committee which drafted the document African Claims.[224] As President of the African Teachers' Federation, Matthews was among the strong delegation from the A.N.C. which in March 1942 met Hofmeyr (then Deputy Prime Minister) and several other United Party Cabinet Ministers to consider the land policy, "Native representation", social welfare, military service, education

222. KARIS & CARTER Vol II, op. cit., p. 471, Document 87b, Presidential Address by Dr. J.S. Moroka, A.N.C. Annual Conference, 15-17 December 1951.
223. WALSHE, P., The Rise of African Nationalism in South Africa, The African National Congress 1912-1952, London: Hurst 1970, p. 345.
224. KARIS & CARTER Vol II, op. cit., pp.85, 212-3.

and the pass laws.[225] Matthews' energies seem to have shifted from the A.A.C. to the A.N.C. in 1941.[226] Elected a member of the Natives' Representative Council in 1942, he succeeded Dr. Dube on his death in 1946 as chairman of the caucus.[227] Thus it was to him that Hofmeyr turned after the Mineworkers' strike and N.R.C. boycott in 1946.[228] It was Matthews, too, who was the chief spokesman of the six congressmen who met Smuts on 8th-9th May 1947.[229] He was a key figure in Dr. Xuma's unsuccessful attempt in 1948 and early 1949 to reconcile the A.A.C. and the A.N.C.[230] Matthews was the A.N.C.'s natural choice when a situation called for a Chairman with firmness, fairness and tact. He possessed the self-discipline of a scholar which enabled him always to see all sides of a difficult issue, and make firm but moderate judgements. Yet he could also be moved to rightous anger. Addressing a large audience at New Brighton on 14th May 1950, when local African hostility towards the police was intense because of the wanton loss of life through police intervention in the May Day strikes on the Witwatersrand, Matthews made what Karis and Carter describe as a "bitter speech".[231] His theme on that occasion was much the same as that for his speech at the Van Riebeeck Day rally in 1952, when he was the main speaker in Port Elizabeth: "Only African people themselves will ever rid themselves of political subjugation".[232]

In the Defiance Campaign there seems to have been a deliberate policy for particular leaders not to court arrest.[233] Matthews' choice was made for him by an invitation to be the Henry Luce Visiting Professor of World Christianity at the Union Theological Seminary in New York.[234] He was thus able to act as an ambassador

225. Ibid., p. 189, Document 26, Report of a deputation from the A.N.C. to the Deputy Prime Minister and others, 4.3.1942, by Dr. A.B. Xuma.
226. Ibid., p. 110.
227. Ibid., pp. 93-98, cf. PATON, A., Hofmeyr, (abridged edn.), Oxford: OUP 1965, p. 341.
228. PATON, Hofmeyr, loc. cit., cf. WILSON, ed., Freedom for my People, the Autobiography of Z.K. Matthews, London & Cape Town: Collings & Philip, 1981, p. 152.
229. WILSON, ed. op. cit., p. 155, and KARIS & CARTER, Vol II, op. cit., pp. 233-257, Document 32, Report of Interview by some N.R.C. members with Prime Minister Jan C. Smuts.
230. KARIS & CARTER, Vol II, op. cit., pp. 119, 368-388, Documents 68, 69, 70 a-c.
231. Ibid., p. 407. 232. Ibid., p. 417.
233. LUTHULI, op. cit., p. 18: "I was a Staff Officer. I did not let myself defy any law. My job was to remain in the background, to keep up the pressure, and organize".
234. KARIS & CARTER, Vol II, op. cit., p. 417, and see p. 435 footnote 40 for a list of Matthews' published writings whilst in the United States.

at large for the A.N.C. in the United States. On his return to South Africa in May 1953 it was Matthews' well-stocked mind which gave Congress a clear goal for the future, after what many were regarding as the failure of defiance. In his presidential address to the Cape A.N.C. on 15th August 1953, Matthews proposed that there should be a "Congress of the People" that would draw up a "Freedom Charter" for the "democratic South Africa of the future".[235] Beset increasingly by bans, the A.N.C. was forced to hold its Annual Conference in 1954 at Groutville. Matthews was appointed Deputy President at an all-night meeting in Luthuli's home on 24th November 1954.[236]

An example of Matthews' moderation was his hesitation over the Transvaal leadership's proposal of a schools' boycott in protest against Bantu Education.[237] Because of this division of opinion, only scattered boycotts took place on 12th April 1955.[238] On 1st December 1955 Matthews was appointed Acting Principal of Fort Hare University.[239] On 5th December 1956 he was among the 156 arrested and indicted for treason ! Although he was discharged at an early stage in the Treason Trial, Professor Matthews was the concluding witness for the defence in October 1960. Before his testimony to the consistent policy of non-violence in the A.N.C., the prosecution's case collapsed. It was not until 29th March 1961, however, that Mr Justice Rumpff interrupted the summing-up by the defence to announce a unanimous verdict of not guilty.[240]

Matthews' authority stemmed from his reputation as a scholar of ability and integrity, and his unwavering loyalty to his church. Born of Christian parents who worshipped at the Congregational Church in the Kimberley Location, Z.K. Matthews was confirmed as an Anglican at the age of 16.[241] Educated at a United Mission

235. KARIS, CARTER & GERHART, Vol III, op. cit., pp. 11, 99, Document 1, Presidential address by Professor Z.K. Matthews, A.N.C. (Cape), 15.8.1953.
236. Ibid., p. 22.
237. Ibid., pp. 31-32. See also below, Chapter Twelve.
238. Ibid., p. 33.
239. Ibid., pp. 70, 95, footnote 220, letter Z.K. Matthews to Luthuli, 9.12.1955.
240. Ibid., pp. 275, 347, and 618-626.
241. WILSON, M. ed. Freedom for My People, the Autobiography of Z.K. Matthews, op. cit., p. 16.

School there run by the Methodists and Congregationalists, he won a scholarship to Lovedale at the age of 15. He was the first to graduate from the University College of Fort Hare in 1923. There he came under the influence of the saintly Bishop William Smyth,the first Warden of the Anglican Hostel of Beda Hall, with whom he formed a lasting friendship.[242] In 1932 he won the Phelpes Stokes scholarship to Yale University, where he submitted an M.A. thesis in 1934 on "Bantu Law and Western Civilization in South Africa: a study in the clash of cultures" before going on to London University for a further year of post-graduate study under the Polish anthropologist Professor Bronislaw Malinowski. During the summer vacation he accompanied Bishop Smyth on an extensive European tour. He recalled,

> Every day was packed with visits to places of interest. At 7 a.m. each morning we joined the Bishop at Mass. This took me back to old days at Beda Hall when, as students, we tried to keep up with the Bishop in his daily office of Communion. All of us in this party were Anglicans, accustomed to rising early for Mass. 243

After a break of eleven years during which time he served as the first African headmaster of Adams High School in Natal, Matthews returned to Fort Hare in 1936 as a Lecturer in Social Anthropology, and Native Law and Administration. In 1945 he succeeded Professor D.D.T. Jabavu as Professor of African Studies, and had as a lecturer on his staff the noted social anthropologist Monica Wilson.[244]

In 1953 Matthews served on a preparatory commission on Inter-Group Relations in preparation for the World Council of Churches' Evanston Assembly. Under the chairmanship of the American Roswell Barnes, Matthews' co-workers were Alan Paton and Professor Ben Marais.[245] Professor Matthews, Dr. Monica Wilson, Dr. Edgar Brookes and Alan Paton were chosen by Archbishop de Blank to be among only ten Anglican delegates to the Cottesloe Consultation in December 1960.[246] The Cottesloe Report prepared by Dr. Leslie Hewson described Professor Matthews as

> Lay delegate to Synod Diocese of Grahamstown; member of the Diocesan Board of Education, Grahamstown. Professor

242. Ibid., pp. 73-80. 243. Ibid., p. 100. 244. Ibid., p. 115.
245. VISSER 'tHOOFT, W.A., Memoirs, London: SCM 1973, p. 282.
246. Cottesloe Consultation Report, Johannesburg: CCSA 1961, p. 93, Appendix IV, Attendance, (b) Church of the Province of South Africa.

Emeritus of the University College of Fort Hare. At present attorney-at-law, Alice. 247

After the declaration of a Republic in 1961 Matthews became Africa Secretary for the World Council of Churches.[248] Meanwhile, in 1959, he had, at the age of 57 and with three of his five children still at school, resigned as Principal of Fort Hare upon the enactment of the Extension of University Education Act.[249] Matthews' paper at the Mindolo Consultation in 1964 on "The Road from Non-Violence to Violence" provides a fitting epitaph to the patient non-violent struggle of the 1950's, and is a lucid example of a Christian's practical struggle to sustain a policy of non-violence in the face of increasing repression. It illustrates how even the most moderate and responsible Christians could finally be driven to approve the use of violence for political ends, but only as a last resort. By 1964 even Matthews had decided that all other means of peaceful change had been exhausted.[250]

Chief Albert Luthuli's election as Provincial President of the African National Congress in Natal on 30th May 1951, and as President General in December 1952, were promoted by the Natal Youth League, which had as its President Jordan Ngubane, and M.B. Yengwa as its Secretary.[251] The choice of Luthuli as leader is an indication of a general desire amongst the younger members of Congress to reassert the movement's historic Christian foundations. If there was one leader whose Christian credentials were beyond question, it was Albert Luthuli. He once said "I am in Congress precisely because I am a Christian".[252] Nurtured in the Congregational tradition of the American Board Mission at Groutville near Stanger in Natal, and at Adams College, Luthuli's decision to leave the teaching profession in 1936 in order to serve his people as an elected Chief of the Umvoti Mission Reserve

247. Ibid.
248. VISSER 'tHOOFT, op. cit., p. 291.
249. KARIS, CARTER & GERHART, Vol III, op. cit., p. 290. cf. WILSON, M. ed., op. cit., p. 197.
250. VISSER 'tHOOFT, op. cit., p. 292. cf. Department of Church and Society, World Council of Churches, Some addresses at an Ecumenical Consultation on Christian practice and desirable action in social change and race relations in Southern Africa, held at Mindolo Ecumenical Foundation, Kitwe, Northern Rhodesia, 25.5.1964-2.6.1954. Mimeo 52 pp., pp. 14-21.
251. KARIS & CARTER, Vol II, op. cit., p. 432, footnote 31.
252. LUTHULI, A., op. cit., frontispiece.

was conceived by him in terms of Christian vocation.[253] At Adams, Luthuli had come under the influence of Dr. Edgar Brookes, the Principal, and C.W. Atkins, head of the Training College. Of Atkins, Luthuli wrote,

> This man typifies for me the side of Adams which I found most valuable and enduring. He placed his emphasis on loving God and on service of the society in which one finds oneself, and he had no hesitation in involving us deeply in the affairs of the African communities which lay within reach of Adams .... It became clear to me that the Christian faith was no private affair without relevance to society. It was, rather, belief which equipped us in a unique way to meet the challenge of our society. 254

Luthuli was one of the delegates of the Christian Council to the Madras Conference of the International Missionary Council in 1938.[255] Of this visit to India Luthuli wrote:

> For the first time in my life I saw the result of the command: "Go ye into all the world and preach the Gospel" .... Christianity was alive and active, grappling with its problems and facing its challenges. We do not see much of that in South Africa .... I came home an incisive critic of South African Christianity. I still am one. It does not diminish my loyalty. 256

Although Luthuli made no mention of the content of the Conference in his book, the Declaration of the Madras Conference of 1938 holds immense significance for the Defiance Campaign of 1952. It could account for the way in which Luthuli seems to have had no hesitation in accepting the principle of the Defiance Campaign when he suddenly became aware of what was being contemplated, just before the A.N.C.'s National Conference in Bloemfontein in December 1951. He had no prior opportunity to discuss this matter with the Natal Executive. They made a decision in the car on the way to Bloemfontein to support the campaign in principle, but to plead for more time, to enable Natal and the Cape to prepare properly.[257] The declaration of the Madras Conference had stated, and this was endorsed by Archbishop Temple's Malvern Conference of 1941:

> It is not enough to say that if we change the individual we will of necessity change the social order. That is a half truth. For the social order is not entirely made up of individuals now living. It is made up of inherited attitudes which have come down from generation to generation through customs, laws, institutions, and these exist in

253. Ibid., p. 50. 254. Ibid., p. 39. 255. Ibid., p. 72.
256. Ibid., p. 73. 257. Ibid., p. 101.

> large measure independently of individuals now living. Change these individuals and you do not necessarily change the social order unless you organize these changed individuals into collective action in a wide-scale attack upon these corporate evils. 258

Like Matthews', Luthuli's political career began in 1936, with his move to Groutville. In 1943 he was invited to, but did not attend, the meeting which drew up African Claims.[259] However, it was not until 1946 that Luthuli rose rapidly to prominence on replacing Dr. Dube on the Natives' Representative Council.[260] As a Vice-President of the Christian Council Luthuli had in the same year launched a Family Life Campaign, along with among others Dr. Z.K. Matthews and R.R.T. Bokwe.[261] He undertook an extensive lecture tour of the United States in 1948 on behalf of the American Boards of Mission of the North American Missionary Association.[262] Luthuli's contribution to the Christian Council's Rosettenville Conference in 1949 has been referred to in an earlier chapter.[263]

At the moment when the Defiance Campaign was gathering a good momentum Luthuli was sent for by the Secretary for Native Administration in Pretoria. He was given what amounted to an ultimatum to choose between his membership of the A.N.C. and being a Chief. Luthuli's response was that he saw no conflict between the Defiance Campaign and his place as a Chief, and he added ruefully, "perhaps that is because I failed to see my position in Groutville as a favour bestowed upon me by the Native Affairs Department".[264] On being deprived of his Chieftainship on 12th November 1952, Luthuli issued a significant statement, "The Road

258. CPSA Archive A8 397, Diocese of Johannesburg: Commission on the Church and the Nation. Printed item: The Archbishop of York's Conference, Malvern. "The Life of the Church and the Order of Society together with Foundations of Peace", compiled by the Archbishop of York as Chairman, 10.1.1941. IV 13, "We fully endorse the declarations of the Madras Conference ...." (My italics).

259. KARIS & CARTER, Vol II, op. cit., p. 68.

260. Ibid., p. 93.

261. South African Outlook, April, October, 1946. See WALSHE, op. cit., p. 344, for Walshe's assertion of Christian influence in the A.N.C.

262. LUTHULI, op. cit., p. 74.

263. CCSA, The Christian Citizen in a Multi-Racial Society, Rhoodepoort: CCSA 1949, pp. 70-75, "The Christian and Political Issues" by Albert Luthuli. See above, Chapter Five, pp. 229-232.

264. LUTHULI, op. cit., p. 111. For Luthuli's engaging description of this interview with Dr. Eiselen, see pp. 109-112.

to Freedom is via the Cross".[265] This is a key document for this study of Christian resistance in South Africa. At the moment when church leaders were cautiously feeling their way towards an expression of Christian opinion about the morality of the Defiance Campaign, Luthuli's statement gave unambiguously the reasons why he, as a professing Christian, could participate in the Defiance Campaign:

> Laws and conditions that tend to debase human personality - a God-given force - be they brought about by the State or other individuals, must be relentlessly opposed in the spirit of defiance shown by St. Peter when he said to the rulers of his day "Shall we obey God or man ?" .... I have embraced the non-violent Passive Resistance technique in fighting for freedom because I am convinced that it is the only non-revolutionary, legitimate and humane way that could be used by people denied, as we are, effective constitutional means to further aspirations. 266

Thus did Luthuli provide a clearly Christian ethic, based on the concept of the legitimacy of the laws in question, to support the morality of such avowedly "illegal actions", deliberately taken.[267] He then accepted the consequences, committing all to God. "The wisdom or foolishness of this decision I place in the hands of the Almighty".[268] There is no seeking of martyrdom for its own sake, only a sober counting of the cost of discipleship.

> What the future has in store I do not know. It might be ridicule, imprisonment, concentration camp, flogging, banishment and even death. I can only pray to the Almighty to strengthen my resolve so that none of these grim possibilities may deter me from striving, for the sake of the good name of our beloved country, the Union of South Africa, to make it a true democracy and a true union in form and spirit of all the communities of this land.
>
> My only concern at times is that of the welfare of my family but I try even in this regard, in a spirit of trust and surrender to God's will as I see it to say: "God will provide". 269

The evocative testimony of the title for his autobiography, Let my People go, introduces the exodus theme that has become the common denominator of contemporary Latin American liberation

265. KARIS & CARTER, Vol II, op. cit., pp. 488-9, Document 95, "The Road to Freedom is via the Cross", statement by Chief A.J. Luthuli, issued after the announcement on 12th November 1952 of his dismissal as Chief (not dated). See below, Appendix "C".
266. Ibid., p. 489.
267. THIELICKE, H., Theological Ethics II, London: Adam & Charles Black 1969, p. 332.
268. KARIS & CARTER Vol II, op. cit., pp. 488-9, loc. cit.
269. Ibid.

theology. This is matched by the strong allusion to the suffering of the Cross in this statement made during the Defiance Campaign, and it is this that gave to Luthuli's thought a quality that had the effect of consecrating the whole Defiance Campaign into a Christian cause. Luthuli's statement is a good example of what the jargon of liberation theology from Latin America has chosen to describe as "critical reflection on praxis". The process at work in raising the awarenesss of the population to their state of oppression was termed by Paulo Freire "conscientization".[270] Luthuli's career illustrates this process and makes it clear that he, like Bonhoeffer before him, had calmly counted the cost of discipleship. His statement ended thus:

> It is inevitable that in working for Freedom some individuals and some families must take the lead and suffer: the Road to Freedom is Via the Cross. 271

The place of prayer for many volunteers in the meetings, in court, when awaiting arrest, and Luthuli's statement in November 1952, gave to the Defiance Campaign a peculiarly Christian thrust. This had the effect of transforming the essentially Gandhian concept of satyagraha, founded upon the Hindu precept of bramacharya (= purity)[272] into one of Christian resistance. This was to be passive, non-violent resistance to "unjust laws" imposed by what the voteless justifiably considered to be an illegitimate political authority; an exclusively white parliament.

This discussion makes it plain that there was always a definite predominance of Christians over communists in the leadership of the A.N.C., and particularly at the time of the Defiance Campaign. This verifies M.B. Yengwa's testimony at the Treason Trial that "Christian influence in the African National Congress was stronger than the marxist influence". Dr. Gerhart has rightly stressed the non-racial principle based on Christian morality which was the "touchstone of all political issues" for men of religious upbringing like Luthuli, Z.K. Matthews and James Calata.[273]

270. cf. e.g. GUTIERREZ, G., A Theology of Liberation, London: SCM, 1974, p. 6.; FREIRE, P. Pedagogy of the Oppressed, Harmondsworth Middlesex: Penguin 1972, p. 81, "Conscientization is the deepening of the attitude of awareness characteristic of all emergence".

271. KARIS & CARTER Vol II, op. cit., pp. 488-9.

272. GANDHI, M.K., An Autobiography or the story of my experiments with Truth, Ahmedabad: Navajivan 1927 (reprinted 1949, London & Pheonix). Part III, 7, 8, pp. 171-176.

273. GERHART, G.M., Black Power in South Africa, op. cit., p. 99.

If futher testimony is needed upon this issue let it come from the pen of Patrick Duncan, who later became a most strident critic of communist influence upon the A.N.C. from the Congress of Democrats. Upon receipt of a telegram of congratulations from David Astor, Editor of the Observer, after his march into Germiston location at the head of a mixed batch of volunteers in December 1952, Duncan wrote in unqualified praise of A.N.C. and S.A.I.C. leaders of the Defiance Campaign.

> After meeting the men at the head of the A.N.C. and S.A.I.C. I am even more confident than before about the future of South Africa. They are young, tough, intelligent, racially unprejudiced and unhating, and honest. Quite a change from some white politicians. 274

Duncan, even in the excitement of the moment could never have said this, had he the slightest suspicion that any of his new friends were communists. Whilst it is clear that leading communists like Dr. Yusuf Dadoo and John Marks played an important part in planning the Defiance Campaign, it would be difficult even for the most prejudiced opponent of the A.N.C. to contradict the conclusion that the politics of African nationalism during the Defiance Campaign were firmly grounded in Christian morality, because of the predominance of Christian leaders in the ranks of the A.N.C. at that time.

274. Borthwick Institute, York, Duncan Papers DU 5, David Astor. Letter Duncan to Astor 13.12.1952. This was Duncan's reply to a telegram of congratulation to him and Freda Troup after their march into Germiston as the first white volunteers of the Defiance Campaign.

CHAPTER EIGHT.

THE CHURCHES' RESPONSE TO DEFIANCE.

The main object of this chapter is to consider the attitude of the Anglican Church towards the Defiance Campaign of 1952. A simple narrative of the Defiance Campaign, however, is superfluous because this has already been well documented by other writers, albeit not from the church's perspective. One omission from Leo Kuper's excellent standard work published in 1956 was a comparative regional analysis of the organization and leadership of the Defiance Campaign, in order to account for the overwhelmingly greater number of resisters in the Eastern Cape, to which reference has been made in the preceding chapter.[1] However, this omission was made good by David Carter in a seminar paper for London University in 1970.[2] Mary Benson attributed the strength of the A.N.C. in the Eastern Cape to the leadership and organizational ability of Dr. James Njongwe, A.N.C. President in Port Elizabeth, and Robert Matji, Secretary of the New Brighton Branch, and to the formation of the Congress Youth Branch there in 1947.[3] But this does not adequately explain why the Defiance Campaign assumed the character of a mass movement only in the Eastern Cape, where 5719 out of the total of 8557 volunteers went to gaol in the six months beginning 26th June 1952.[4]

1. KUPER, L. Passive Resistance in South Africa, London: Jonathan Cape 1956.
2. Collected Seminar Papers on the Societies of Southern Africa in the 19th and 20th Centuries, University of London, Institute of Commonwealth Studies, Vol. II October 1970-June 1971, No. 12, pp. 76-93, "The Defiance Campaign, a comparative analysis of the organization leadership and participation in the Eastern Cape and the Transvaal" by David Carter.
3. BENSON, Mary, The Struggle for a Birthright, London: Penguin 1966, pp. 134 and 135. (Revised editon of The African Patriots, London: Faber 1963).
4. KUPER, op. cit., pp. 123-4, cites the following statistics from the Secretarial Report to the South African Indian Congress, 9-11 July 1954.

Eastern Cape:	5719	June:	146
Western Cape, Mafeking		July:	1504
and Kimberley:	423	August:	2015
Transvaal:	1911	September:	2588
Natal:	246	October:	2354
O.F.S.:	258	Nov-Dec:	280
	8557		

In a booklet published by Indian Opinion in 1953 Julius Lewin sought the reason for the particular success of the campaign in the Eastern Cape, and observed how

> Resistance in this area was marked by notable religious fervour - it was often preceded by prayer - and it was supported by African clergy and by African trade unions. Secondly, the people in these parts had lost more than others since 1936 through the operation of the land and franchise laws that deprived them and their children of old-established rights. [5]

Professor Kuper, too, noted the "link between the church and the resisters", which was shown in the many prayer meetings, and the role of prayer in the campaign, particularly in the Eastern Cape.[6] For instance, the wife of the Anglican priest, James Calata, led a batch of resisters in defying curfew regulations by holding a prayer meeting on a street corner in Cradock. David Carter has correctly recognized the importance of spontaneity in the spread of resistance in the Eastern Cape[7] as well as the role of women[8] and the significance of Christian leadership.[9] The importance to the Defiance Campaign of the leadership and participation of Christians, affirmed by Leo Kuper and David Carter, is not an aspect that received attention from Mary Benson, nor sufficient emphasis from the co-authors Gwendoline Carter and Thomas Karis, although both Gail Gerhart and Peter Walshe rightly stress the role of Christian morality as the touchstone for political decision-making in the A.N.C.[10] The statement issued by the Director of the Institute of Race Relations, Mr Quintin Whyte, on 25th August 1952 should thus be noted particularly. "It is significant", he said, "that the African Churches are supporting the movement and ministers and congregations are praying for its success".[11]

5. Jan Hofmeyr Library, SAIRR, Box 43 Passive Resistance, "The Rise of Congress in South Africa" by Julius Lewin, 16pp. Booklet published by Indian Opinion at Phoenix, Natal, reprinted from The Political Quarterly, London. p. 12.
6. KUPER, op. cit., p. 146.
7. Collected Seminar Papers, D. Carter article op. cit., pp. 82, 90.
8. Ibid., p. 81, footnote 17: "Out of a sample group in the Eastern Cape of 2529 resisters, 1067 were females (1462 males). Of 488 Transvaal resisters 173 were female (315 male)".
9. Ibid., pp. 79, 83, p. 91 footnotes 50-52.
10. KUPER, op. cit., p. 146; Collected Seminar Papers, D. Carter article op. cit., pp. 89-90; BENSON op. cit.; GERHART, Gail M., Black Power in South Africa Berkeley: University of California Press 1978, p. 99; and WALSHE, Peter, The Rise of African Nationalism in South Africa, London: Hurst 1970, p. 344.
11. S.A.I.R.R. Jan Hofmeyr Library, S.A.I.R.R. Press Bulletin RR 133/52, The Defiance of "Unjust Laws" Campaign. Statement by Quintin Whyte, Director of the South African Institute of Race Relations. Box 43, Passive Resistance.

The chapter also deals with the tactics and counter-measures employed by the Government and the Police, and the reaction of leading liberals to the situation. The particular example of Patrick Duncan who, with Manilal Gandhi, led a mixed group of resisters into Germiston Location on 8th December 1952, receives special attention, as well as the riots in Port Elizabeth, Johannesburg, Kimberley and East London between 19th October and 9th November. Although no direct responsibility for the rioting that flared up in these centres could be attributed to the Congress leaders, or to the behaviour of the resisters, whose discipline in non-violence remained unbroken throughout the campaign, it is necessary to discuss the rioting in this context. The Defiance Campaign was called off early in 1953. As Chief Luthuli observed,

> Its back had been broken well before this, by the skill with which the riots were handled and used by the authorities.[12]

The distinctive contribution that this study of the Defiance Campaign attempts to make is to document and assess the response of Anglican church leaders at the time towards what was happening, and so discern their attitude towards the issue of Christian resistance to apartheid raised by this mass campaign of satyagraha that had been launched by the leaders of the African and Indian Congresses.

POLICE AND GOVERNMENT COUNTER-MEASURES TO DEFIANCE.

The initial response of the Government to the threat of defiance was to impose with renewed rigour the provisions of the Suppression of Communism Act. In May some 500 people were named as "communists" in terms of this legislation, including Moses Kotane (A.N.C. Executive), D.W. Bopape (A.N.C. (Transvaal)'s Provincial Secretary), J.N. Ngwevela (A.N.C. (Western Cape) Provincial Chairman), Dr. Yusuf Dadoo (President, S.A.I.C.). Sam Kahn M.P., Natives' Representative, Cape Western, and Fred Carneson M.P.C. were deprived of their seats in Parliament and the Cape Provincial Council respectively. Michael Harmel of the Transvaal Peace Council, Solly Sachs of the Garment Workers' Union

12. LUTHULI, A., Let my people go, London: Fontana 1952, p. 117.

and Potlakho Leballo were also among those who were banned. In addition the newspaper The Guardian was banned, but reappeared again as The Clarion. In terms of the Suppression of Communism Act those "named" were ordered to resign from their organizations and stay away from political meetings. Many deliberately defied their bans by speaking at meetings in June and were arrested, to be tried and sentenced on 15th-16th July, which effectively prevented them from taking any further part in the campaign.[13]

Whilst many of those "named" as communists in 1952 had made no secret of their active membership of the S.A.C.P. right up to the time it was disbanded in June 1950, reference has already been made to some others who were banned in terms of the Suppression of Communism Act who had either never been communists, like P.K. Leballo, or Solly Sachs who had been expelled from the Communist Party in 1930. At the protest meeting outside the Johannesburg City Hall on Saturday 24th May 1952, at which Solly Sachs was arrested for defying his ban, large numbers of the protesters were members of Sachs' Garment Workers' Union, and hence a majority of the 66 injured were women.[14] Implicit in the violent manner in which the police intervened to disperse protesters was the message that the Government would meet the threat of defiance by all means at its disposal. The incident, however, aroused widespread public indignation not only because of police brutality to women, but also because of the manifest injustice of the retroactive provisions of the Suppression of Communism Act as amended in 1951. The extent of public concern about this incident is reflected in a resolution of the General Purposes Committee of the Christian Council, meeting a few days later, which was sent to the Prime Minister, the Minister of Justice, "the heads of the local police" and the press.

> This meeting hears with profound regret that during the disturbances in front of the City Hall on Saturday 24th May, several of its clerical members witnessed rough behaviour of the police which seemed to be out of all proportion to the danger to which they were exposed .... The meeting also requests the authorities to see that young policemen are

13. BENSON, M., op. cit., p. 146, and KARIS & CARTER Vol II, op. cit., p. 417.
14. See above, Chapter 6, pp. 279-281.

> trained to restrain violence without injury to peaceable citizens. [15]

Thus the first salvoes of the Defiance Campaign were exchanged fully a month before the campaign was officially due to open. Satyagraha had scored its first victory, for those who defied the bans imposed on 20th May 1952 provoked counter-violence from the authorities, which in turn evoked much public sympathy for their cause because of the innocent suffering of women protesters who were injured by the police, and the manifest injustices of the law for the suppression of communism.

From the start of the Defiance Campaign on 26th June 1952, the non-violent character of the volunteers at first ensured that the police showed restraint,taking care to use only the due processes of law and the courts to deal with the situation.[16] Sunday 22nd June was declared as Volunteers Day, and large mass meetings took place in New Brighton (Port Elizabeth), in Durban (addressed by Luthuli, Naicker and Mandela) and in Johannesburg.[17] Disciplined "batches" of volunteers then went into action on 26th June. Nana Sita and Walter Sisulu led forty Africans and ten Indians into a Boksburg location without permits, and were arrested and later sentenced to seven days.[18] At New Brighton volunteers, led by Raymond Mhlaba, A.N.C. organizer and trade unionist, entered the "Europeans only" entrance at the railway station. Mhlaba was sentenced to 30 days, the others to 15.[19] At Bethal Gert Sibanda led a group of volunteers to gaol.[20] In Durban J.N. Singh led a group to the "Europeans only" waiting room at Berea Road Station twice before being arrested. Dr. Conco, Chairman of the A.N.C. (Natal), "Paraded the streets for two nights soliciting arrest" but was ignored by the police, finally being arrested when he and others entered the Railway Booking Hall and Cloakroom reserved for Europeans at the central station. When sentencing

15. Wits. Archive, CCSA Papers, Minutes of the General Purposes Committee, 28.5.1952.
16. HOUSER, G.M., Non-Violent Revolution in South Africa, New York: Fellowship Publications, January 1953, p. 25.
17. KARIS & CARTER, Vol II, op. cit., p. 418.
18. FLASH, 21.7.1952, Bulletin no 13, issued by the Joint Action Committee Transvaal Indian Congress, African National Congress (Transvaal) and Coloured Political Action Committee. SAIRR Johannesburg, Jan Hofmeyr Library, Box 43, Passive Resistance. cf. BENSON, M., op. cit., pp. 147-8.

19-20. BENSON, M., op. cit., p. 147.

him, the Magistrate refused to let Dr. Conco read his statement.[21]

On 5th August, when 1653 arrests had already been made since the campaign began, the Rand Daily Mail described how "20 Natives and an Indian marched into the city's main station through a European entrance singing the African national anthem". The account of this incident is typical of the peaceable manner in which batches of resisters made their protests.

> Last night, soon after 10 p.m., the resisters alighted from a truck and two cars at Pretoria station. A large crowd of Europeans watched them as they marched twice round the vestibule before they were stopped by a railway policeman. The Natives were asked by a police sergeant to move to their own section or leave the station through the non-European entrance. They refused, but followed the sergeant when he asked them to accompany him to the station charge office. 22

Early in August, however, the Minister of Justice, Mr C.R. Swart, warned that more rigorous measures would be devised to deal with civil disobedience.

> The full force of the law as it existed would be employed against passive resisters but if action in the courts proved ineffective the Government would not hesitate to introduce "the necessary legislation" to deal with the situation. 23

The political correspondent of the Rand Daily Mail pointed to the dilemma for the authorities:

> The main difficulty facing the Government is that the passive resistance movement is concentrating on technical offences for which no heavy penalties are provided. The offences for example are sitting on "apartheid" seats; entering the European gates at railway stations; entering European restaurants on railway property; ignoring pass laws and the curfew regulations; and defying prohibitions on attending meetings. The penalty is usually £ 1 or so, or a week in gaol; and the passive resisters always choose gaol, which carries no stigma under the circumstances. 24

The Nationalist Press had been urging the Government to take more drastic action, and it was said "in Nationalist circles" that the "legislation foreshadowed by Mr Swart would aim at providing corporal punishment for passive resistance offenders" and that "the incitement to acts of passive resistance might be made

21. KUPER, L., Passive Resistance in South Africa, op. cit., p. 127.
22. Rand Daily Mail, 5.8.1952, "Campaign opens in Pretoria".
23. Ibid., "Govt. may make new laws to meet 'Defiance' says Swart".
24. Ibid.

a serious statutory offence carrying heavy penalties".[25] Chief Albert Luthuli thought that "the Defiance Campaign was far too orderly and successful for the Government's liking, and it was growing".[26] Furthermore,

> The challenge of non-violence was more than they could meet. It robbed them of the initiative. On the other hand, violence by Africans would restore the initiative to them - they would be able to bring out the guns and other techniques of intimidation and present themselves as restorers of order. 27

George Houser, Secretary of the International Missionary Council in New York, and a member of the Fellowship of Reconciliation, considered that it was the Minister of Justice himself who had "opened the way for increased violence", when Mr Swart had said,

> If any policemen go slightly beyond the limits of their powers .... they should not be condemned in view of their difficult tasks .... While it is possible that innocent people had been struck by police batons [it was] just too bad if such people got hurt. 28

Tactically and strategically the eventuality that at all costs had to be avoided by the campaign's leaders was violence. It was the discipline and consistent non-violence of the resisters that was proving so disconcerting for the authorities. The creed of the satyagrahi as expressed by Nana Sita was that opposition had to be expressed "without malice, without any semblance of anger or violence", but there were many who wondered how the African people, and particularly the Zulu people, could adapt to this creed.[29] Manilal Gandhi, son of the Mahatma, and editor of the journal his father had founded, Indian Opinion, had written anxiously to Arthur Blaxall on 10th February 1952:

> I am not very happy at the way the African National Congress is going. Any hasty or thoughtless step will do irreparable harm to their people as well as to the cause. Who can convince them that salvation lies only in adhering implicitly to Truth and Non-Violence, for which their people are not sufficiently organized. God help them and us is my fervent prayer. 30

25. Ibid.
26. LUTHULI, op. cit., p. 115.
27. Ibid.
28. HOUSER, G.M., op. cit., p. 25.
29. FLASH, 21.7.1952, Bulletin 13. SAIRR, Johannesburg, Jan Hofmeyr Library loc. cit.
30. Wits. Archive, CCSA Papers, Letter Manilal Gandhi to Blaxall 10.2.1952.

Blaxall immediately wrote to Dr. Moroka, saying that whilst he believed that "ultimately a non-violent resistance movement is the only thing that will secure liberation" he felt that "the ground" was "insufficiently prepared so that there is a danger of a damp squib that will actually set everything back and retard progress".[31] But it seems that Manilal Gandhi's prayer was answered. Not only did the Congress Alliance decide on the 26th June instead of 6th April for the start of the campaign, but also, by the middle of October, the discipline of the resisters still remained unbroken, and more and more were being added to their number. From an estimated membership of 7000 at the beginning of the campaign, the total paid-up membership reported in December 1953 was 28 900. The actual number of A.N.C. supporters was very much higher, for Professor Z.K. Matthews estimated that 100 000 attended the nation-wide protest meetings on 6th April 1952 which was observed as a "National Day of Pledge and Prayer" as a "prelude" to the Defiance Campaign.[32]

In spite of the discipline of the volunteers and, initially, of the police in avoiding violence, the eventuality which the leaders of the Defiance Campaign most feared, and which the authorities exploited to the full, came to pass. Serious outbreaks of rioting occurred between 18th October and 10th November amongst unruly elements in the black community. Government spokesmen blamed the leaders of the Defiance Campaign for the rioting, whilst Congress leaders considered that the rioting had been fomented by agents provocateurs in order to break a successful campaign. The latter was the view of Albert Luthuli and Mary Benson,[33] whilst Leo Kuper later demonstrated how the first cause of the rioting in each instance was police violence. In his book Passive Resistance in South Africa, published in 1956, Professor Kuper noted the prediction of an African speaker at one of the many meetings held on Sunday 22nd June to pray for the success of the campaign:

> Tomorrow the police will say "I've shot a kaffir. He threw a stone at me." But that policeman has never been injured. [34]

Four months later these words were to prove tragically accurate.

31. Ibid., letter Blaxall to Moroka, 15.2.1952.
32. KARIS & CARTER, Vol. II, op, cit., pp. 416, 427, 439, 435 and Document 91 p. 482, "April 6: People's Protest Day", Flyer issued by the ANC (Transvaal) and the Transvaal Indian Congress.
33. BENSON, M., op. cit., p. 153, and LUTHULI, A., op. cit., p. 115.
34. KUPER, L., Passive Resistance in South Africa, op. cit., p. 127.

THE RIOTS.

It was at the height of a successful campaign that rioting broke out on 18th October in the Port Elizabeth township of New Brighton. Seven were killed and twenty-seven injured, and initial press reports gave great prominence to the deaths of four "Europeans" killed when a cinema was set on fire. The only injury to the police was caused by a stone striking the shin of one policeman. Damage to property, however, was considerable.

The incident originated in the attempt by a railway policeman to arrest two Africans suspected of stealing a drum of paint, at 3.45 on Saturday afternoon. The men resisted arrest and onlookers at New Brighton Station, seeing them being roughly handled, came to their aid. In all the constable then fired twenty-one shots. Angered by the action of the railway policeman, the crowd, said in press reports to number 3000, began stoning the newly completed railway station. When police reinforcements arrived they fired into the rioting crowd, who according to the Rand Daily Mail "attacked both the police and the station more fiercely". Later that evening rioting started in and around the Rio Cinema, described as "the Union's largest and most modern Bantu cinema". The manager and his wife Mr and Mrs Brandt, the projectionists Mr Leppan and Mr Bernhardt, together with Mr Leppan's teenage son Brian, left the cinema by the fire escape but were set upon by the crowd. All were killed except Mrs Brandt and Brian Leppan who were hauled clear by "a Native Minister who hid them in a Native house and later carried him to safety in a blanket".[35]

A.N.C. leaders in New Brighton immediately issued a statement dissociating the A.N.C. from the riots and condemning the unwarranted use of arms and useless destruction of property.[36] The next day the Minister of Justice issued instructions to the police to act sternly against rioters, blaming the Defiance Campaign for what had happened. Mr Swart told a press conference

35. Rand Daily Mail, 20.10.1952, p. 1. "11 Killed, 27 Hurt in Native Riots at P.E.". cf. KUPER, op. cit., p. 133; LUTHULI, op. cit., p. 113; BENSON, op. cit., p. 150.
36. Rand Daily Mail, 20.10.1952, "We had no part in riots says A.N.C.".

in Port Elizabeth,

> We are satisfied that what has happened at New Brighton is one of the direct results of the defiance campaign, and the dangerous game being played by a number of leaders of the African National Congress and the South African Indian Congress. I warn them that the police have been instructed to take immediate and stern measures against those who seem to imagine that they can do with impunity what has been done in the New Brighton location. The public is assured that the Government will not hesitate to take the necessary steps, even if it demands new legislation, to ensure that law and order shall be maintained, and that the laws of the land are obeyed. 37

Dr. James Njongwe, Acting Chairman of the A.N.C. in the Eastern Cape, countered Mr Swart's statement by pointing out that rioting would not have started if the railway police had not fired at and seriously wounded one of the Africans who was being arrested at the station.[38] At the same time the Cape and Natal branches of the A.N.C. and the Natal Indian Congress called on the Government to appoint a judicial commission of enquiry into the riots at New Brighton.[39] There followed a boycott of buses and trains, whilst New Brighton was patrolled with heavily armed police, who also carried out a "beer raid" the following weekend.[40]

White opinion, especially in the Eastern Cape, had been thoroughly alarmed by these developments, and there were genuine fears of a break-down of law and order generally. On 29th October the City Council of Port Elizabeth formally asked the Minister of Native Affairs to impose a 9 p.m. to 5 a.m. curfew in the Port Elizabeth municipal area. The Town Clerk of Cape Town and Secretary of the Cape Municipal Association, Mr Mervyn Williams, claimed that he had "definite proof" that both in the Eastern Cape and the Western Cape "there were agitators at work who were prepared to precipitate riots as they had done in New Brighton".[41] Earlier the Mayor of Port Elizabeth, Mr C.F. McArthur, had asked the Evening Post to cease publishing interviews with African leaders about the riots, and started a Mayor's Fund for the dependants of persons

37. Rand Daily Mail, 22.10.1952, "Police told to act sternly against rioters - New Brighton affair a direct result of Defiance Campaign".
38. Rand Daily Mail, 23.10.1952, p. 1, "Did police shoot native at station ?"
39. Ibid., "Natives want enquiry".
40. Rand Daily Mail, 28.10.1952, "Police still patrol New Brighton".
41. Rand Daily Mail, 30.10.1952, p. 7, "Definite proof of agitators at work - Town Clerk".

killed in the New Brighton riots.[42]

Playing on the fears of whites, Government spokesmen made full use of their opportunity to undermine the Defiance Campaign. Addressing a National Party meeting at Harrismith in the O.F.S., the Minister of Economic Affairs, Mr Eric Louw said,

> It is not much use Dr. Moroka, certain Anglican churchmen and sections of the United Party press now to express disapproval of what happened in Port Elizabeth. For months past the African National Congress, with the assistance of Indians and Communists, has been inciting the Natives to break the laws of the land. But that is not all. Also abroad, this law-breaking campaign has been encouraged by a section of the Press, and the statements of certain politicians, Liberals and Anglican churchmen. Most serious of all has been the encouragement which has come from the United Nations, and also from Nehru and the Indian leaders.
>
> For the European population of the Union, the riots and tragic events at Port Elizabeth must serve as a serious warning that there can be no delay in dealing with the Native question. 43

As the news of the riots reached him in hospital at Maseru, Patrick Duncan, who was about to announce his intention to join the Defiance Campaign, sent a telegram to his friend Professor Julius Lewin, "Campaign out of hand. Cannot support it now".[44]

On Monday 3rd November 1952 another incident took place at the Denver Native Hostel in Johannesburg in which three Africans were killed and four injured. One policeman was hit by a stone on the collar bone and most of the hostel's windows were broken. The incident arose from a refusal to pay a rent increase from eleven shillings to one pound per month. The rioting began when one African paid the increase and was attacked by others who objected to the higher rate. He was rescued by municipal police at the hostel and taken to the superintendant's office in the hostel, which was then beseiged. The superintendant telephoned for the police. On arrival the police were stoned, so they took refuge behind some iron gates and fired into the hostel windows, killing three and injuring four. Citing police sources, the Rand Daily

42. Rand Daily Mail, 25.10.1952, p. 5. "Call for ban on interviews ignored".
43. Ibid., "Louw blames A.N.C., Anglican clergy".
44. Borthwick Institute, York, Duncan Papers DU5, letter Patrick Duncan to Julius Lewin, 20.10.1952.

Mail reported:

> In an effort to force their way through to rescue the European Superintendent Mr Craig and his men the police opened fire. 45

Major J. Taillard, District Commandant of Police in Johannesburg, then arrived. By then thousands of Africans were gathered both inside and outside the hostel. He ordered them to disperse and the Rand Daily Mail described how "Major Taillard himself led residents of the hostel back into the premises while the onlookers left the area quietly".[46]

Four days later, when three inhabitants of the Denver Hostel appeared in the Jeppe Magistrate's Court on charges of public violence, defence counsel put a somewhat different interpretation on the incident to the official version reported by the Hostel Superintendent and the police to the Rand Daily Mail. Advocate N.E. Coaker, Q.C., appearing on behalf of Issac Mathludi, Walter Mofonyane and Victor Thongeni pointed out that when the police arrived the disturbances were over.

> They had [then] "sniped" at the Natives .... Of the three men who had been killed by police bullets, one was on the top floor of the three storey building, another was in the kitchen on the ground floor, and the third was on the middle balcony. The wounded men had been in the kitchen, on the first floor balcony and on the top floor balcony respectively.[47]

Also on 3rd November 1952 at Kimberley's Green Point Location, armed police intervened to disperse a crowd of Africans who had gathered outside a municipal beerhall. There were no casualties. The incident arose after an emergency meeting between the police and the Kimberley City Council to discuss what action should be taken against "agitators" in the location where several incidents were reported during the weekend. The municipal authorities closed the beerhall.[48]

45. Rand Daily Mail, 4.11.1952, p.1, "Three Natives shot dead, four hurt in Denver riot - Police stoned in fracas over higher hostel rents". cf. KUPER op. cit., p. 135, LUTHULI op. cit., p. 113; BENSON op. cit., p. 152.
46. Ibid.
47. Rand Daily Mail, 7.11.1952, p. 6, "Denver riot. Q.C. alleges unnecessary shooting". Advocate Coaker seconded Bishop Lavis' resolution on racial discrimination at Provincial Synod in 1950, and played an active part in Bishop Reeves' Johannesburg Citizens' Housing Committee. See above Ch. 6, p. 286, Ch. 7 and below, Ch. 13.
48. Rand Daily Mail, 4.11.1952, p. 1, "Armed police quell riot at Kimberley".

For the following week-end the authorities took special precautionary measures in the Eastern Cape. On Saturday 8th November it was announced that "strong police reinforcements have been drafted to the Eastern Cape to meet the threat of a general strike called by the A.N.C. for Monday 10th November and that a 9 p.m. to 5 a.m. curfew would be imposed for the first time together with a ban on all public meetings".[49] On Friday 7th November the A.N.C. reaffirmed its intention to carry out the strike as planned, emphasizing that it would be non-violent.[50]

The General Strike in Port Elizabeth on Monday 11th November in protest against the curfew was 96% successful, and as Mr Quintin Whyte observed after visits to all the areas where rioting had taken place, this one-day protest strike "brought to Port Elizabeth industrialists the realization that the African community had a power of organization which they could not afford to ignore".[51] The effect of this carefully managed and well-organized non-violent industrial action was, however, totally eclipsed by reports of further rioting over the preceding weekend from Kimberley and East London.

On Monday 10th November white South Africa awoke to the news of serious rioting over the week-end in the East Bank Location at East London and at No. 2 Location, Kimberley. At Port Elizabeth, according to press reports, the week-end had been "tense but quiet". The Revd. W.D. Tshumi, a minister of the African Methodist Church in New Brighton, spoke of the general sense of confusion in the township since "hundreds of Natives knew nothing of the curfew regulations because the ban on meetings had made it impossible to tell them."[52] The success of the stay-at-home in the light of this statement is all the more remarkable, and provides an eloquent testimony to the effectiveness of the Congress organization. The report on an inside page about the peaceful strike, could not however compete with front page news of a Roman Catholic church

49. Rand Daily Mail, 8.11.1952, "More police drafted to Eastern Cape - State takes action in strike threat: Meetings banned".
50. Ibid., p. 1., Stop Press: "Congress decision on P.E. Strike".
51. SAIRR Jan Hofmeyr Library, Box 43A, 326:323.2 (687), Report by the Director on visits to Port Elizabeth, East London and Kimberley in connection with the riots, RR 9/53, 12.1.1953, p. 2. cf. Chapter Seven p. 330.
54. Rand Daily Mail, 10.11.1952, p. 1, "Three Europeans, 8 Natives killed in East London. Nun burnt to death in her car, many Natives injured."

being burnt out in East London's West Bank Location, to add to the firing of the St. Peter Claver Mission in the East Bank Location the day before.[53]

Thirteen were killed and 78 injured in Kimberley. Eleven died and 27 were injured in East London. The front page of the Rand Daily Mail carried photographs of the burnt-out shell of the Municipal offices at the No. 2 Location in Kimberley, as well as the Municipal Beer Hall with the charred wreck of a municipal van in front of it.

The most shocking news of all came from East London, where among the "three Europeans and at least eight Natives" who had died was a nun. Sister Aidan, a doctor of the Dominican Order from the Mater Dei Hospital at East London, had been doing her rounds in the township, and had died in the burnt-out wreck of her car. The second European killed was also a doctor, named Cahoon, who like Sister Aidan had been doing his rounds. The third was an insurance agent, Mr A. Forsyth. It was clear even from the initial reports that all other injuries had been inflicted by police bullets or police batons. To account for a bullet wound sustained by one policeman, which later court proceedings showed was due to a ricochet, Major A.L. Prinsloo, District Commandant of Police in East London, alleged that "some of the Natives were armed and shots were fired on both sides". The injured Africans treated at the Frere Hospital were stated to be suffering "from gunshot wounds and lacerations and other wounds which appeared to be the result of blows. Of 27 only four were women".[54]

From Kimberley it was reported that the trouble started at 2 p.m. on Saturday afternoon, "when a certain hooligan section in the beerhall started creating a disturbance". Police then entered the area "with rifles, sten guns and tear gas grenades" and were stoned. They then "cleared the streets with baton charges bullets and tear gas". "About 30 Natives were detained for further

53. Rand Daily Mail, 11.11.1952, p. 1, "Church burnt out in East London's other location"; p. 7, "One day strike of Natives at P.E. ends quietly, 90% absent: work on buildings stopped".
54. Rand Daily Mail 10.11.1952 loc cit, cf. KUPER op cit., pp. 137-9.

investigations on Sunday" in addition to fifteen who had already been arrested on Saturday.[55]

The initial press reports conveyed the impression that the police had intervened to quell an unexplained break-down of law and order in the townships of East London and Kimberley. The extent of the damage to property, and the number of casualties, seemed to imply that the rioting had been extremely serious, and that the police action to restore order had been fully justified by the circumstances. These initial reports, based on police sources, however said nothing about the origin of these disturbances. As with the rioting at New Brighton and the Denver Hostel, it was only afterwards that the facts emerged to explain what it was that had sparked off the rioting in the first place.

At Kimberley, two young Africans threw their mugs in the air in the municipal beerhall, shouted the Congress cry "Afrika !" and stamped on their mugs. They were ordered out. All followed, and a crowd gathered and stoned the building. The police came. The building was fired.[56] Dr. Arthur Letele, a Congress leader who tended the injured, was among those arrested and charged with incitement to public violence, and under the Suppression of Communism Act. The first charge failed and was dropped, but on the second he was later sentenced to nine months, suspended for two years.[57] Those who were arrested and charged with Dr. Letele on 9th November, the Revd. A. Schume, Mr S.P. Sesedi and Mr S. Phakedi, were later descibed by Highway, the magazine of the Anglican diocese, as "prominent Churchmen".[58]

At East London, permission had been granted on 7th November for an open-air prayer meeting in a stadium at the East Bank Location when a ban on public meetings was in force. 1500 people attended. The police, however, decided that the meeting was not religious, and ordered it to disperse.[59] The police account stated that

55. Rand Daily Mail, 10.11.1952, p. 9, "Rioters cause £50,000 damage at Kimberley: All meetings banned: 45 Natives arrested".
56. KUPER, op. cit, p. 136.
57. BENSON, op. cit., p. 152.
58. Highway, December 1952; p. 7.
59. The Rand Daily Mail, 8.11.1952; 11.11.1952.

two baton charges were ordered. Two shots were heard in the crowd and then stoning began. The police fired. A police patrol then found a burning motor car and the body of Sister Aidan, who was evidently on her way to tend the injured.[60] Commenting on her tragic death, the Bishop of Zululand, Eric Trapp, wrote that

> one of the grave dangers of the present situation, and the tragedy is that African people who are feeling so bitter and frustrated tend to look upon all Europeans as enemies. 61

One eyewitness blamed the police, saying that it was a bona fide prayer meeting. When the preacher was reading about the oppression of the Israelites, a police officer in charge of two lorry-loads of armed police had ordered the crowd to disperse within five minutes. In less than two minutes, while people were walking away, the police officer was said to have ordered a second charge, then shots were fired and a man killed. The police thereupon climbed into their lorries and drove up and down the location firing at people and into houses. Another eyewitness told Professor Kuper, "Nobody had attacked the police - it would have been suicide to do so". There were reported to be bullet holes all over the location, many far from the scene of the disturbances.[62]

The immediate reaction of politicians and community leaders to what the English language press had dubbed "the riots crisis" provides a revealing commentary upon South African society at that time. The Minister of Justice refused to order an official enquiry on the grounds that it would provide a platform for "agitators".[63] He told a private meeting of the East London City Council "The only way to stop outbreaks of violence by Natives was to act strictly".[64] Public meetings were banned in six magisterial districts of the Cape in terms of the Riotous Assemblies Act: Port Elizabeth, East London, King Williamstown, Peddie, Uitenhage and Kimberley. The Mayor of East London, Mr R.T. Fox, reiterated what Mr Swart had said, referring to people in the Eastern Cape as being "panic stricken", and to their need for reassurance that law and order would be maintained. Mrs Ballinger was reported

60. KUPER, op. cit., pp. 136-9.
61. S.P.G. Reports, 1951-2, p. 37, "More unrest in 1952".
62. KUPER, op. cit., p. 139. cf. also CAMPBELL, A., The Heart of Africa, London: Longmans 1954, Chapter IV.
63. LUTHULI, op. cit., p. 115.
64. Rand Daily Mail, 12.11.1952, p. 1, "Must act strictly to check violence says Swart".

as saying in Kimberley that in view of the reluctance of the Minister of Justice to order an enquiry, she would try to see the Prime Minister.[65] With the majority of Congress leaders on trial, either in Port Elizabeth or Johannesburg at the time, Dr. A.B. Xuma broke a three-year silence since stepping down as President General of the A.N.C., and called on the Prime Minister to break "the colour deadlock" by "contact and consultation", and roundly condemned the manner in which the Minister of Justice and the police had reacted to the situation.

> The order of the Minister of Justice, that the police should shoot whenever they deemed it necessary was both explosive and provocative and had been obeyed with a promptitude that was little short of recklessness. 66

The United Party responded by calling for "immediate open consultations with moderate native leaders" as well as "an immediate judicial enquiry to establish the basic causes and handling of the riots". Mr Strauss also urged the Government to start "a long-term process of re-establishing good relations between the different sections of the people".[67] At the United Nations eighteen counties sponsored a resolution calling for a commission to examine the international implications of the racial situation in South Africa.[68] South Africa's resolution that the United Nations were not competent to appoint such a commission since such a step constituted an interference in her domestic affairs was rejected by 45 votes to six in the Political Committee, who then passed a further resolution by 35 votes to eight with 16 abstentions, appointing a three-member commission. When the General Assembly endorsed this resolution of the Political Committee, the South African Government responded by refusing all co-operation, and disdainfully rejected the proceedings of the United Nations.[69] There was, however, some comfort for the South African Government in the fact that Britain and France, who held a power of veto in the Security Council, had been among the six nations who voted for the South African resolution that such a step constituted an interference in her domestic

65. Ibid.
66. Rand Daily Mail, 12.11.1952, p. 9, "Xuma calls on Malan to confer with Natives".
67. Ibid., 14.11.1952, p. 1, "Strauss outlines U.P. Plan to deal with riots crisis".
68. Ibid., p. 9, "18 Nations call for enquiry into S.A. Racialism - U.N. Resolution invites Union to co-operate".
69. Rand Daily Mail, 21.11.1952.

affairs.

Whereas the United Party blamed the Government for the breakdown in the machinery for consultation and expressed "concern for the serious deterioration in race relations", Dr. D.F. Malan, however, seemed unperturbed.[70] After the announcement of the Appeal Court's judgement declaring the High Court of Parliament Act invalid on 13th November, the Prime Minister announced that there would be a General Election in April 1953 in which "the electorate would be asked to give the Government a mandate to place the sovereignty of Parliament beyond doubt".[71] A day later at Odendaalsrus in the Free State Goldfields, far from the scene of the rioting, he drew a parallel between the recent disturbances in South Africa and Mau Mau atrocities in Kenya. Furthermore, he pointed out in the same speech that "the agitation for a judicial inquiry was part of the old story of putting the blame on the police every time there was a disturbance". The United Party, he said, blamed the Government for the riots because of the breakdown in the machinery of consultation, but, Dr. Malan observed, that machinery had been broken down by the Africans themselves when the United Party was in power.

> The disturbances in the Union are a direct result of the Defiance Campaign .... behind the disturbances are Communist activities [and] the appeal by Pandit Nehru to Indians in the Union to embark on a passive resistance campaign and to enlist the support of the Natives 72

With regard to the United Nations Dr. Malan reminded his audience that France had stated that she would not tolerate any interference in her domestic affairs. The Mau Mau slur, for all its absurdity, was a shrewd political tactic, for there is nothing like a witch-hunt to divert attention. The shock of Sister Aidan's murder in East London had evoked widespread white speculation about the black man's so-called "reversion to barbarism", an idea that was being vividly amplified at the time by blood-curdling descriptions from Kenya of Mau Mau atrocities. Some even began looking for an organizational link between the Mau Mau movement in Kenya and

70. Rand Daily Mail, 12.11.1952, p. 11, "U.P. urges for Non-Europeans: Negotiations, Justice, Housing".
71. Rand Daily Mail, 15.11.1952, p.1.
72. Ibid., p. 1, "Riots follow the Mau Mau pattern says Premier".

the African National Congress. On his return from a visit to Kenya twelve days later Father Trevor Huddleston, asked to comment on the Prime Minister's extraordinary allegation, told the Rand Daily Mail,

> The underlying causes of unrest in the whole of Africa are the deep-seated desire of Africans for advancement and their resentment at repression and frustration .... The Mau Mau movement has no connection at all with the passive resistance campaign in my view. The Mau Mau is a revolting secret society, based on black magic and superstition .... it is definitely anti-European and violently anti-Christian. The Resistance movement in the Union is not anti-European but an urban protest against oppressive legislation. In spite of the burning of some location churches in the frenzy of mobs which ran amock, it is not anti-Christian .... I find it most depressing that the African people are losing heart in Liberal Europeans whom they feel, do not represent European opinion. 73

Unwittingly, even Trevor Huddleston had associated the riots with the resistance movement, in his attempt to dissociate Congress from the calumny of being linked with the Mau Mau.

Another Anglican priest, writing about the riots for Church News, commented,

> The Government declare that the Passive Resistance Movement is responsible for these outbursts. The African Congress leaders retort that it is the policy of the Government and the provocative attitude of the police which are the real cause.
>
> .... The disturbances at New Brighton (Port Elizabeth) were caused (apparently) by the arrest of a prisoner at the station (what actually happened is in dispute). Yesterday's troubles in East London were caused by the police breaking up a meeting banned by the Government. One may hold that the police were right or one may hold that, as the police seem now to fire almost at sight, the maddened crowds are driven to wild reprisals. But in neither case does the Passive Resistance Movement seem to be involved....
>
> .... It does not follow that if stopped tomorrow [i.e. the Defiance Campaign] the state of tension in big cities would be much relieved. Indeed it might be said that it is useful as guiding into peaceful channels feelings which otherwise might express themselves violently. Secondly, it might be said that, if it is now called off, it can never be resumed. 74

73. Rand Daily Mail, 27.11.1952, p. 11, "Frustration is cause of Race Troubles in Africa - Father Huddleston".

74. Church News, 18.2.1953, p. 22, "Six letters to an Englishman on the racial situation in South Africa written by a well-known South African priest and philosopher".

The Government's refusal to appoint an enquiry into the causes of the riots suggested not just that the police were responsible, but that they had deliberately instigated the riots in New Brighton and Kimberley in order to discredit the Defiance Campaign. This was the view of Congress leaders. Chief Luthuli's autobiography asserts "the infiltration of agents provocateurs in both Port Elizabeth and Kimberley is well attested", and this view was supported by Mary Benson.[75] Professor Kuper also made a similar inference in his book Passive Resistance in South Africa (1956), which the Government was quick to place on the banned list.[76]

Where then does the truth lie, between these contradictory claims ? On 12th January 1953 the Director of the Institute of Race Relations, Quintin Whyte, observed that

> In both Port Elizabeth and Kimberley, Europeans stated that strangers had come into the neighbourhood previously to the riots. The implication is that strangers to the cities might have been deliberate immediate causes, "not our own Natives". 77

On the other hand, Highway, the magazine of the Diocese of Kimberley said that

> Responsible Africans in Kimberley are absolutely certain that no outside element had a part in the riots. Europeans assert that Indians and Africans from other towns were seen here immediately before the outbreak. 78

W.B. Ngakane, who made an investigation into the case-histories of African juveniles involved in the East London riots, blamed tsotsi elements, and suggested that the Government had handed leadership of the African to hooligans by its suppression of responsible African leaders.[79] Professor Kuper blamed the police.

> I find it difficult to understand how the police themselves escaped with so few injuries if the threat to life was dangerous enough to justify the drastic measures they used. 80

However, it needs to be remembered that even among whites who were sympathetic to the Congress Movement and the aims of its campaign, there was at that time a genuine anxiety about the "danger"

75. LUTHULI, op. cit., p. 115, and BENSON, op. cit., p. 153.
76. KUPER, op. cit. This book was banned in the year it was published, 1956.
77. SAIRR Jan Hofmeyr Library, Johannesburg, RR9/53, 12.1.1953, cf. KUPER, op. cit., p. 138.
78. Highway, December 1952, p. 7.
79. SAIRR Jan Hofmeyr Library Johannesburg, RR41/53, 21.4.1953.
80. KUPER, op. cit., p. 140.

and the "tension", and many feared that violence could occur at any time. The Director of the Institute of Race Relations, who carried out an on-the-spot investigation into the causes of the riots soon after they occurred, said ambivalently,

> It cannot be doubted that the immediate causes were sparks which set light to inflammable material and an inflammable situation. In all three cities the tsotsi or lawless elements, the passive resistance movement and European measures and attitudes were mentioned as creating the situation which made the riots possible. 81

Out of 91 cases of those charged as a result of the riots, 48 (52,7%) were juveniles whose ages ranged between 14 and 21.[82] But, as Mr Whyte concluded,

> In all three cities the African National Congress leaders had spoken passionately of the wrongs suffered by the African people and this, locally as well as nationally, has generated an emotional atmosphere. To suggest that the African National Congress leaders deliberately engendered and encouraged the riots would be in contradication not only to the idea of the campaign but also to the attitude of leaders .... Africans lay full responsibility on the shoulders of the government and an indirect responsibility on all "Europeans". It is considered that speeches by European political leaders, both government and opposition, have had some share in creating the state of tension which made the riots possible. 83

In the absence of an enquiry, or further evidence, there is not much that may usefully be added to the contemporary assessments of the riots. It needs, however, to be noted that such spontaneous outbreaks of black anger express,perhaps as eloquently as did the disciplined self-sacrifice of the resisters, the deep-seated frustrations of African township life. A 90% rent increase for hostel dwellers; authoritarian measures in a beerhall; police brutality against a suspect; the arbitrary baton-charging of a prayer meeting; such were the common irritants to the life that whites had mapped out for blacks. The institutionalized violence of apartheid laws implemented by a predominantly Afrikaner police force, thus became a symbol of white oppression, and was hated by the African community.

81. SAIRR Jan Hofmeyr Library Johannesburg, RR9/53, 12.1.1953/MK 326:323.2 (687), Report by the Director on Visits to Port Elizabeth, East London and Kimberley in connection with the riots.
82. The Forum, October 1953, p. 58, "African youth in the race riots" by Q. Whyte.
83. SAIRR Jan Hofmeyr Library, Report by the Director .... in connection with the riots, loc. cit.

THE GOVERNMENT'S RESPONSE TO DEFIANCE.

Among the options before the Government for dealing with this situation there are three which could be mentioned. Firstly, if Dr. D.F. Malan could have accepted that the object of the Campaign was to bring both sides to the conference table, he might have forestalled the opening of the Defiance Campaign by the offer of consultations. The terms of his reply to Dr. Moroka's letter in February meant that the Prime Minister, and presumably his cabinet, had rejected this option out of hand.

A second possibility would have been simply to let the campaign take its course, and to allow the courts to do their work peacefully and quietly. Meeting non-violence with non-violence could well have been the most effective method of dealing with the situation, for it is unlikely that such a campaign could have been sustained indefinitely. An element of this strategy was to be seen in the way in which Dr. Conco and his group of volunteers were simply ignored by the South African Police. It was almost with relief that they found the Railway Police at Durban Central Station were willing to oblige and arrest them. Another example of this tactic was provided by a Magistrate in Vereeniging, Mr E.J.M. Durr, who discharged a group of fifteen Africans charged with entering the Sharpe Native Township without permits, on the grounds that he could not believe that they had done this of their own accord, but that they had been "used as pawns".[84] More typical, however, was the response of Magistrates in Port Elizabeth. On 16th August 96 Africans appeared in six batches. Two of the batches comprised 30 women. Mr R. Bax, who tried the first batch, ordered four of them to receive four strokes each. In the second batch he also ordered four to receive four strokes each. "From Monday I intend increasing the sentence" he was reported to have said.[85]

To do nothing and to play for time, however, was not an option that an Afrikaner Nationalist could contemplate with equanimity. In the General Election of 1948 had not Dr. D.F. Malan

84. South Africa House, London, an information sheet dated 9.10.1952, by the Director of Information, p. 4. Jan Hofmeyr Library, SAIRR, Box 43 Passive Resistance.
85. Indian Opinion, 22.8.1952, p. 308.

won many votes by portraying General Smuts and the United Party, particularly in regard to their "Native policy", as a party of inaction and procrastination ? "Dis die party van niksdoen en laatmaarloop", Dr. D.F. Malan had declared in his final appeal to the country before polling began.[86] It was, moreover, a much-favoured debating point amongst National Party speakers in the House of Assembly to quote against the United Party one of General Smuts' much-used military metaphors, "let the situation develop". It needs to be remembered that for Dr. D.F. Malan to have agreed to come to the conference table would have implied a willingness on his part to abandon cherished policies that Nationalist Afrikaner-dom had waited so long to implement. Thus the question remained, what would Dr. Malan have been able to concede, even if talks had taken place ?

Congress leaders probably knew that the most likely response from the Government would be the entirely predictable one of kragdadigheid. They also knew that it was absolutely vital that their discipline of non-violence be maintained. These outbreaks of rioting, once linked to the Defiance Campaign, were all the Government needed to break the campaign. The mere threat of more stringent legislation against incitement was insufficient to deter defiance. Now, however, the Government had the excuse to act. The Minister of Justice obtained the Governor General's consent for issuing a proclamation in the Government Gazette which decreed that

> Any person who at any time uses language, or behaves in a manner calculated to cause Natives to resist or contravene any law, or obstructs its administration, is guilty of an offence, and liable on conviction, to a fine not exceeding £300 or, failing payment, to imprisonment for a maximum of three years. 87

At the beginning of the parliamentary session in January 1953 the Public Safety Bill and the Criminal Laws Amendment Bill increased these penalties to £500 and five years' hard labour, adding also the additional penalty of corporal punishment. It was one thing to spend a few weeks in gaol for deliberately defying some minor apartheid law. It was quite another to risk these new and swingeing

86. Die Burger, 24.5.1948, "Groot beslissing vir Suid Afrika - Dr. D.F. Malan se oproep in verband met verkiesing".
87. KUPER, op. cit., p. 193. Proclamation dated 28.11.1952.

penalties for incitement. The riots, and then this legislation, effectively put a stop to any repetition or any further planned campaign of civil disobedience.

Alan Paton must have sensed that the Government's most probable response would be to meet non-violence with violence. Writing as the Van Riebeeck Festival came to its climax, and the Congress Alliance prepared to stage its nationwide mass meetings on 6th April, he warned that "we must not and dare not assume .... that the use of authority and force is a solution of anything but the most superficial kind".[88] Of those who, among the white population, would welcome the clash "as a result of which they reckon the protesters will learn a lesson" Paton said,

> One is forced to conclude not that they do not, not that they will not but that they cannot see. But they are not therefore blameless: they cannot see because they will not look. 89

If an impartial enquiry had investigated the riots at the New Brighton station, the Denver Men's Hostel, the Kimberley beerhall and at the East Bank Station in East London, it is likely that both the Government and the police would have been seriously embarrassed. Mr Swart's persistent refusal to order such an enquiry suggests that the allegation by Congress leaders that agents provocateurs instigated the disturbances at New Brighton and Kimberley is as least as plausible, and on the available evidence deserved more serious consideration, than the Prime Minister's claim that the Defiance Campaign was to blame. Whether an impartial enquiry would have revealed further evidence which proved beyond doubt that the suspect arrested at New Brighton Station, and the two men who raised their beer mugs in the beerhall at Kimberley, were part of a police conspiracy to provoke a riot or not, there can be no doubt on the evidence of their own account of what took place at East London that the kragdadigheid of the Minister of Justice and the indiscriminate use of firearms by the police provoked a peaceable crowd. Ultimately the responsibility must be laid at the Government's door, for it was their policy of apartheid and the

88. The Forum, April 1952, p. 4, "Force won't solve S.A. Problems" by Alan Paton.
89. Ibid., p. 3.

encouragement that was given to the police to over-react in situations which called for conciliation and patience, which meant that a predominantly Afrikaner police force was perceived by Africans as the gauleiters of an oppressive and unjust system of institutionalized racialism. A careful estimate of all the available evidence, whilst it stops short of proof, makes it difficult not to have most sympathy for the view expressed by Michael Scott's secretary, Mary Benson, who wrote that the Government's persistent refusal to order an enquiry

> strengthened the growing belief that agents provocateurs had set the Port Elizabeth and Kimberley riots off to provide a pretext for suppressing the passive resistance and to alienate sympathy for the Defiance Campaign. 90

The all-important fact at the time, however, was that white opinion generally held that without the Defiance Campaign the riots would not have occurred, and this gave to the Government an undeserved advantage in fighting the next general election.

MRS BALLINGER'S LIBERAL "MANIFESTO".

Meanwhile, by September 1952, Mrs Margaret Ballinger had also perceived the "particularly dangerous situation" in which the great mass of non-European people were behind the passive resistance campaign, whilst "the whole European population would appear not merely to be against it, but to have no sympathy with the legitimate grievances which lie behind it".[91]

> While no responsible citizen would wish to condone law-breaking, I think it behoves all such citizens to consider to what extent they are themselves, as policy-makers, responsible for the conditions that lead a whole community to this sort of protest. 92

Mrs Ballinger's statement found signatories from a wide cross-section of "liberal" leaders of all the professions, who included amongst others Alan Paton, Edgar Brookes, the Chief Rabbi Rabinowitz, the Methodist leader Dr. J.B. Webb, Bishop Reeves and Father Huddleston.[93] Archbishop Clayton, however, declined to sign,

90. BENSON, The Struggle for a Birthright, op. cit., p. 153.
91. CPSA Archive, Clayton papers AB 191, letter Ballinger to Clayton 15.9.1952.
92. Ibid., and see also Wits. Archive, Ballinger papers A 410 B2.14.18, "Passive resistance".
93. The Forum, October 1952.

because he thought he saw in the last paragraph of the statement overtones which, he told Mrs Ballinger, seemed to "suggest some sort of new party". Clayton also thought that because he was Archbishop it would be "widely understood as a Church Manifesto". He commented that the Bishops would be meeting in November, and that "we ought to put out something then".[94] The final paragraph of Mrs Ballinger's draft statement had invited

> all South Africans who are in active sympathy with this statement to send their names and addresses to us .... so that we can get in touch with them if future events should make a common course of action desirable. 95

This, however, was omitted from the published statement.

Archbishop Clayton had in fact correctly divined the probable outcome of this initiative. Alan Paton, writing from Anerley in Natal, asked Mrs Ballinger, "Surely we must start a Party after the '53 election whoever wins". He mentioned groups in both Pietermaritzburg and Durban who were ready for this. He also wondered whether the party should be confined to voters or be open to all races.[96] Julius Lewin wrote jubilantly from Cape Town to report that the "manifesto" had received front-page coverage in the Cape Times and the Argus, and that "A.D. Viney says in London it heartened the Stock Exchange !"[97] Further invitations were sent to the signatories to meet in Johannesburg and Cape Town on 28th October, and serious planning began for the inauguration of what was to become the Liberal Party of South Africa.

Mrs Ballinger's manifesto called for a

> .... revival of the liberal tradition ....[of] the Cape Colony .... [which] was based on a firm principle namely, equal rights for all civilized people and equal opportunities for all men and women to become civilized. 98

It concluded by appealing for all concerned

> .... to express themselves with restraint at this disturbing time and to refrain from doing or saying anything that might aggravate the present unhappy situation. 99

94. Wits. Archive, Ballinger papers, also CPSA Archive AB 191 Clayton Papers, letter from Clayton to Ballinger, 26.9.1952.
95. Wits. Archive, Ballinger papers A 410 B2.14.18, "Passive Resistance".
96. Wits. archive, Ballinger papers letter from Paton to Ballinger 22.9.1952.
97. Ballinger papers loc. cit., letter from Lewin to Ballinger dated "Sunday" (Sept.1952)
98. The Forum, October 1952, cf. KARIS & CARTER Vol II, op. cit., p. 437.
99. Ibid.

The step which J.H. Hofmeyr had hesitated to take so often, and which for his many admirers and friends had seemed, as a possibility, to die with him upon his premature death in 1948, had at last been taken. One of the achievements which the Congress Alliance could claim for the Defiance Campaign was that it precipitated a new initiative in South African politics, which led to the inuguration of the Liberal Party after the 1953 election.[100]

Mrs Ballinger's initiative might have had no more significance than any other letter from a group of concerned citizens published in the correspondence columns of the English language newspapers, had the ground not been prepared for her by others. In Johannesburg a group of active members of the United Party, led by Julius Lewin, dissatisfied by the "pathetic performance of the parliamentary party when faced with the Native Laws Amendment Bill" of 1952 circulated a newsletter called Agenda in March 1952, with the object of "making the United Party more effective".[101] In Pietermaritzburg, a group of liberals among whom was a young lawyer, Simon Roberts, drafted a letter to the Editors of South Africa's English language newspapers in August 1952 with the object of testing the "growing strength of liberal opinion".[102] In September, however, they were persuaded by Bishop Inman to postpone the publicatio of their letter until after the election.[103] In the mean time they decided "to hive off into more groups .... [which] ought to have the effect of getting together more liberal people". Simon Roberts was "impressed" that Bishop Inman had attended their meeting, since, as he put it, "we might well have been a group of conspirators not meet company for a prelate".[104] In October the Pietermaritzburg group enthusiastically supported Mrs Ballinger's statement. Simon Roberts' comments are of particular interest as an indicator of a general sense of disquiet about the United Party at the time. After attending a meeting addressed by Bailey Bekker and Douglas Mitchell he was even more convinced that "things in

100. LUTHULI, op. cit., p. 125.
101. Borthwick Institute, York, Duncan papers DU5.61.10A & B, Agenda, No 1., March 1952; Agenda, No 2, 17th March 1952.
102. Bothwick Institute, York, Duncan papers DU 6.171, letter from Patrick Duncan to Simon Roberts, 28.8.1952: "I was most interested and impressed to see the copy of your memorandum".
103. Wits. Archive, Ballinger papers A 410, letter Paton to Ballinger, 22.9.1952.
104. Duncan Papers loc. cit., DU 6.172, letter S. Roberts to Duncan 4.9.1952.

the Union as a whole are moving now towards the formation of a liberal party". Roberts described Bailey Bekker and Douglas Mitchell as being "dominated by the 'mind the Platteland' complex". He saw no sign of a change of policy in the United Party, and wondered "whether not more people are dropping off the front of the bus in disgust, than are joining half-heartedly at the back".[105] In Durban, Alan Paton was at the centre of another group who thought on similar lines.[106]

The decision to found the Liberal Party was finally made on 9th May 1953 at a meeting in Cape Town of these different groups who by then had formed themselves into an informal South African Liberal Association at Alan Paton's suggestion. Mrs Ballinger was elected President and Leo Marquard and Alan Paton Vice Presidents, with Dr. Oscar Wollheim as National Chairman and Leslie Rubin as Vice Chairman.[107] Anglican opinion was divided about the move to form a new party. The Editor of Highway, the magazine of the diocese of Kimberley and Kuruman, thought that "the advent of the Liberal Party in South African politics is to be welcomed" on the grounds that "it shows a christian approach to politics which has not hitherto been obviously evident in the political arena", and forecast that "such a party will eventually play a great part in South African politics". Church News, on the other hand, doubted "whether the institution of a separate party was wise" and suggested that it would be better "if individual Afrikaans-speaking and United Party politicians were to be become more individually liberal".[108] In spite of the enthusiasm with which his friends Simon Roberts and Julius Lewin greeted the founding of the Liberal Party, Patrick Duncan was at first sceptical about the need for a new party. In a pamphlet he wrote in May 1953, Duncan advised his friends to "Vote U.P.", and he did not become a member of the Liberal Party until 1955. He then served as the party's first National Organizer between 1956 and 1958, after which he founded and edited the liberal weekly Contact in Cape Town until 1961.[109]

105. Ibid., DU 6.173, letter S. Roberts to Patrick Duncan 21.10.1952.
106. Wits. Archive, Ballinger Papers A 410, letter Paton to Ballinger, 22.9.1952.
107. PATON, A., The Long View (Ed. E. Callan), London: Pall Mall 1968, p. 28.
108. Highway, August 1953, p. 3, and Church News, July 1953, front page, "Launching the Liberals".
109. Borthwick Institute, York, Duncan papers DU 9, The Road through the Wilderness, Johannesburg: Hygrade Printers May 1953, and DRIVER, C.J., Patrick Duncan, South

PATRICK DUNCAN.

Patrick Duncan's importance for this study of Christian resistance to apartheid is an an Anglican resister in the Defiance Campaign. Son of the Governor General of South Africa, the late Sir Patrick Duncan, he was confirmed as an adult at the age of 24 and at the time when he led a mixed group of resisters into Germiston Location with Manilal Gandhi on 8th December 1952 he was Diocesan Registrar to the Bishop of Lesotho. Besides Michael Scott and Fr. W.H. Satchell, Patrick Duncan was the only white Anglican to go to gaol as a resister, and therefore an account of his career and his reasons for becoming a satyagrahi needs to have a central place in any account of the C.P.S.A.'s resistance to apartheid. Also, since his biographer, C.J. Driver, has wrongly cast doubt upon the sincerity of Duncan's Christian commitment and his confirmation as an Anglican, it is necessary to re-establish Duncan's credentials as a member of the C.P.S.A. in order to justify the close attention he receives in this and the ensuing chapters.

Ever since the Nationalists came to power in 1948 Duncan had been considering the choice between a political career in South Africa and his work with the British Colonial Service in Basutoland. In August 1949 Senator Edgar Brookes had suggested that he should offer himself to General Smuts as a parliamentary candidate. His reply was significant:

> I see no hope of a reversal of the constant trend to oppression which South Africa has shown .... since 1853 .... No hope, that is in parliament based on a white franchise. But there is no ground at all for despair if once we can get a non-racial franchise .... But to get it ! Could not civil disobedience, pass burning, strikes and passive resistance do it ? 110

As a District Officer in Basutoland which provided migrant mineworkers for the Witwatersrand, he was always close to African political opinion, so it is interesting that he should have adopted this view in advance of the adoption by the A.N.C. Conference in December 1949 of the Youth League Programme of Action. Patrick Duncan dated his own conversion to such methods to his reading of

110. Borthwick Institute, York, Duncan Papers DU 5.13.8, letter Duncan to Edgar Brookes, 2.8.1949, cf. DRIVER, op. cit., p. 63.

M.K. Gandhi's Satyagraha in South Africa shortly after the Nationalists' election victory in 1948. Later he recalled:

> Suddenly I realised there would never be any constitutional way out of the cul-de-sac in which this Nationalist victory had led our country, and that there was only two choices, violence or non-violence. I realised with utter clarity that the greatest service anyone could render to his country would be to increase the awareness of South Africa's peoples in Gandhian methods. 111

As Cyprian Thorpe was to observe in a moving obituary he wrote for Christian Outlook in 1967, "the closer he got to such people the more inflamed became his passion for social justice".[112]

By 1952 Patrick Duncan, at 33, was emerging from the shadow of his father's distinguished reputation, and had established a promising career in the Colonial Service in Basutoland. He was fluent in Sesotho and an authority on Basutho law. Educated at Bishops, Winchester and Balliol, he had served as private secretary to the British High Commissioner, Sir Evelyn Baring, for the Royal Visit of 1947. It was in this period that he met his wife Cynthia, daughter of Sir Patrick Ashley Cooper, and they had married in the chapel at Bishops on 25th April 1947, the day after the Royal Visit ended. The Prime Minister, Field Marshal Smuts, proposed the toast at their reception, and Duncan returned to Basutoland to be District Officer at Teyateyaneng.[113]

In 1949 it was arranged for Duncan to take advantage of a scheme whereby young Colonial Officers were sent to Oxford, Cambridge or London for two terms to study some subject of their choice. He elected to study Marxism under Harold Laski at the London School of Economics, and stayed with his father-in-law in the Ashley Coopers' flat in London. There he met Michael Scott, and Mary Benson who was soon to become his secretary at the

111. Duncan papers loc. cit., DU 9.1, Autobiographical fragment, Chapter 3, p. 4. cf. DRIVER, op. cit., p. 69.

112. THORPE, The Revd. H.F.C., Face where the Danger lies, an obituary written upon the death of Patrick Duncan in June 1967, mimeo 3 pp, original given to the writer by the author. The article was published in an abbreviated form in Christian Outlook.

113. DRIVER, op. cit., pp. 51, 54, 57.

Africa Bureau. He also met Patrick Gordon Walker, Mr Attlee's Under-Secretary for Commonwealth Affairs, and members of the Fabian Colonial Bureau, the Anti-Slavery Society and a Quaker Committee on Slavery with whom he shared his fears, and those of Michael Scott, that an anschluss was imminent whereby the South African Government would incorporate the High Commission Territories of Bechuanaland, Swaziland and Basutoland into the Union. It was not a fanciful idea, because Dr. D.F. Malan had raised the question at the Commonwealth Prime Ministers' Conference in 1949.[114]

Duncan's biographer rightly stresses the significant influence of Harold Laski on Patrick Duncan's thought about the problems of Southern Africa. After a tutorial at which they had discussed South Africa's problems and possible solutions Laski had said, "white men of good will ought to stand up with their opposite numbers among the blacks and dare Malan to do his worst ...." Duncan recalled that he had agreed but added, "without power - without a party behind them - these men of good will would not be able to do much more than just stand up".[115] Laski's remark and his own reply carefully remembered in a memoir he wrote a month after Laski's unexpected death in March 1950 partly explain Duncan's decisions, both to join the Defiance Campaign and the Liberal Party, as well as providing a pertinent comment on his subsequent career.

In June 1950 he began a new appointment as Judicial Commissioner in Maseru, and though without formal legal training was also asked by John Maund, the first Bishop of the newly-created Diocese of Basutoland, to be his Diocesan Registrar. He sought the advice of Julius Lewin, Professor of African Law at the University of the Witwatersrand, and began to accumulate judgements and cases for what later became his book Sotho Laws and Customs, published by the Oxford University Press in 1960. It is interesting that he chose as his Principal Assessor Chief Leabua Jonathan, who since 1970 has been Prime Minister of independent Lesotho.[116] Duncan

114. Ibid., pp. 75-6.
115. Borthwick Institute York, Duncan Papers DU 5.59.10, Patrick Duncan's Memoir of Laski, April 1950. cf. DRIVER, op. cit., p. 74.
116. DRIVER, op. cit., p. 79.

looked back on his eighteen months as Judicial Commissioner as his best time in the Colonial Service. The journeys on horseback or by light aircraft into the outlying areas of Basutoland to hear cases were filled with interest and adventure, yet as he was to confess in his autobiography, "I was devoured with interest in the South African situation".[117] He was reading everything he could find about Gandhi, and talked endlessly to his Basutho friends about satyagraha. In 1951 he met Manilal Gandhi for the first time, and in August of that year made a "secret" visit to England.

The overt purpose of Duncan's visit to England seems to have been to inform Lord Hailey at the Colonial Office how unhappy the High Commission Territories were about the threat from South Africa to their independence. Covertly, it seems likely that Duncan was privy to Congress plans to launch a passive resistance campaign and that he went to London as an emissary of the African National Congress. In London, he saw Victor Gollancz about his publishing a cheap edition of Gandhi's Satyagraha in South Africa. He also saw Krishna Menon, the Indian High Commissioner in London, who "immediately understood what I was at" but dissuaded him from his "original plan".[118] Nine months later he explained to a friend that the purpose of his visit to England had been to collect money for a national fund for the Basutho, firstly to educate them, and secondly to defend them in the event of an anschluss.[119] Duncan's biographer admits, however, that the "exact details of the plan remain a mystery".[120]

Events in South Africa were moving towards a climax and Duncan found, from his eyrie in the mountains of Basutoland, that he felt removed from the scene of the action. Under his old pseudonym, "Melanchthon", since he was forbidden by the protocol of the Colonial Service from public participation in politics, he published a pamphlet for the Van Riebeeck Tercentenary on 6th

117. Borthwick Institute, York, Duncan Papers DU 9.1., Autobiography Chapter 3, p.40.
118. DRIVER, op. cit., p. 79.
119. Borthwick Institute, York, Duncan Papers DU 5.86.13, letter P. Duncan to Hans Schmoller, 29.6.1952.
120. DRIVER, op. cit., p. 80.

April 1952, Three Centuries of Wrong. Echoing the title of an earlier pamphlet by General Smuts on the oppression of the Afrikaner, Duncan appealed for an urgent change of heart in white South Africa.

> In South Africa we have a simple choice: early and safe or late with hate. If we relegate our problems to our children, we shall face a fresh Boer War that will poison relations between White South Africans and non-White South Africans not for two generations,but finally .... That is why today, Van Riebeeck Day 1952, is the point of no return for our country. 121

A month later he made the decision from which there was no return. He gave the Resident Commissioner in Maseru six months' notice of his resignation from the Colonial Service, and despatched a printed circular letter to his friends on 14th May 1952 explaining his reasons for so doing. His eleven years in the Colonial Service, he assured them, had been happy ones and his present job "the most interesting imaginable". However he felt himself to be a South African and he saw the High Court of Parliament Act as the substitution of a tyranny for the rule of law. "All who wish to resist must do so now". He had bought a small farm on the Orange Free State side of the Caledon River near Maseru, and a book business. He said that he was leaving the Colonial Service "so that I can go into politics", but that he did not wish to be involved in an all-white parliament, nor did he flatter himself that any constituency would want him. "My politics", he said, "will be extra-parliamentary, acts not forbidden by the constitution, and, so far as lies in my power, they will be just."[122]

He referred to his father, Sir Patrick Duncan, who had been Governor General of South Africa from 1936 until his death in 1943, and earlier Minister of the Interior and Education and later of Mines between 1920 and 1924 in the Coalition between the South African Party of Generals Botha and Smuts and his father's Union Party. Sir Patrick had first come to South Africa in 1901 as one of Alfred Milner's "kindergarten" of able young administrators

121. Borthwick Institute York, Duncan Papers, Three Centuries of Wrong by "Melanchthon", 6th April 1952, no place of publication given.

122. CPSA Archive, Clayton Papers AB 191, letter Patrick Duncan to Archbishop Clayton 25.8.1952, enclosing printed letter announcing Duncan's resignation from the Colonial Service, dated 14.5.1952. Also in Duncan Papers loc. cit., DU 8.53.9.

committed to work for reconciliation and reconstruction under the British Crown after the Second Anglo-Boer War. The Duncan family's close ties of friendship and loyalty with General Smuts were therefore an important symbol of Anglo-Boer reconciliation.

Now eight years after his father's death Duncan saw that the only way to dissolve white supremacy without the concomitant enmity engendered by the use of "weapons of hatred and violence" of "our ruling politicians" was by using Gandhi's methods, "not the methods of liberation through violence". He pointed to the achievement of Gandhi in India where there had been "a transfer of power on a gigantic scale" which was "peaceful .... beyond anything similar in history", and how "today the best relations exist between" the British and Indian people. He made no direct reference to the Defiance Campaign, nor to his own intention to offer himself as a volunteer. The letter ended,

> I am doing this in the firm belief that my father would have approved. In this I may be wrong; in a South Africa so different from the South Africa that he and the Kindergarten planned he might not have approved all that I shall do. I promise you merely that I shall never do anything that he would be ashamed of. I believe however he would have approved because his gifts of sanity and tolerance which did so much to heal earlier wounds surely point to the method I have described. We shall need all your support and understanding. 123

Duncan himself ascribed this decision to "another of my sudden visions". He recorded in his autobiography:

> The trouble was that Gandhi was a saint, and I was far from it. Surely the path that seemed good for South Africa was too high for me. This puzzled me for many months. Then I had another of my sudden "visions" .... Suddenly the idea came to me: "Surely God can use even a bent tool". It seemed to me that what was wanted was for God to have some sort of tool with which to demolish the bad house. No doubt he would have preferred a straight one. But it was possible that there were no straight ones. In that case he might be glad to have an imperfect one.
>
> .... That led up to the final experience and this time it was at the desk in our old house in Maseru where I had a south-facing study. I was looking out towards Qoaling (the mountain), when the certitude stole on me that my destiny was to give everything I could, everything I have, all my time, and all my strength, to the one cause: ending the

123. Ibid.

colour bar.

> .... Only one thing remained to be done. I had read much about South African history, and knew that the crisis, which was now certain, would be dangerous. To get involved might mean discomfort or death. It would not be possible to turn back once I had launched out. Was I prepared to face everything ? In the end I decided that I was ready. 124.

That final irrevocable step was not taken until he had first consulted his mother-in-law Lady Kathleen Ashley Cooper, since it had been a joint decision that he had taken with his wife Cynthia. "It is lovely to know that you are happy about our decision" he told her,and explained that there were two factors that "finally over-ruled all others". Firstly, "South Africa is rushing into big trouble and it is a case of all hands to the pumps". Secondly, "I feel I was meant to do what we have decided".[125] He had also confided to Manilal Gandhi,

> This is a short letter to tell you that I have decided to leave the Basutoland civil service and go into the Union with the aim of helping to introduce your father's methods into our politics. .... As I have resigned letters from you cannot embarrass my chief, the High Commissioner, any longer. 126

To this Gandhi replied:

> I am delighted to know that you have freed yourself from your semi-enslavement .... unless they [South Africans] become sane and realise the presence of God and dedicate themselves to Him they will be nearing their doom. We can only help by way of prayer and a change in our own lives. 127

The despatch of his circular letter on 14th May also coincided with a visit to Johannesburg, when he met for the first time Trevor Huddleston at the Priory at Rosettenville. He described this as "a wonderful experience". Huddleston could not recall what they discussed on that occasion, though Duncan in his letter of thanks immediately after the visit told Huddleston that "it was most cheering to hear about your plans for the Black Spots", and made arrangements for him to receive a copy of Gandhi's Satyagraha in South Africa with the comment,

124. Borthwick Institute, York, Duncan Papers DU 9.1., unpublished autobiography, Chapter 3, pp. 41-43.
125. Duncan papers loc. cit., DU 6, letter Duncan to Lady Kathleen Ashley Cooper, 8.5.1952.
126. Duncan papers loc. cit., DU 5, letter Duncan to Manilal Gandhi, 29.4.1952.
127. Ibid., DU 5, letter Manilal Gandhi to Duncan, 5.5.1952.

> Our culture suffers through our inability to practice what we preach and Gandhi, I firmly believe, shows the ordinary lay westerner the way to overcome it. 128

Eighteen months later he was to tell Arthur Blaxall that "Satyagraha is Christianity in action".[129] It is also clear from his friendships with Anglican clergymen, Michael Scott, Trevor Huddleston, Arthur Blaxall and Cyprian Thorpe that he saw an essential coincidence between his political attitudes and theirs which was manifestly the fruit of their Christian belief. Accordingly it is impossible to see Patrick Duncan's decision to join the Defiance Campaign except in terms of his faith in Gandhi and as an Anglican Christian whose total commitment to an essentially political cause was in like manner motivated by a strong sense of divine guidance.

In tracing the course of Patrick Duncan's spiritual journey to the point where he offered himself as a volunteer in the closing stages of the Defiance Campaign, the most striking feature of C.J. Driver's account is the way in which Duncan attributed his decisions to this succession of visionary experiences which convinced him that God wanted him to surrender his all to dissolve the colour bar. Whilst it is certainly true that Duncan had no grasp of theology (he read Philosophy, Politics and Economics at Oxford), enquiries amongst Anglican clergy who knew him, together with a reappraisal of his extensive correspondence in particular with Anglican clergymen, Cyprian Thorpe, Trevor Huddleston and Arthur Blaxall, confirm that his biographer has done him an injustice in stating that his confirmation was a mere formality, and secondly by describing him not as a Christian but as a pantheist.[130] Who does not find God in the beauty of nature, especially when it is as beautiful as the mountains of the Basuto ?

Could it be said that Patrick Duncan embraced Christianity without Christ, or, as his biographer put it, that he believed

128. Ibid., DU 5.45.1., letter Duncan to Trevor Huddleston, 24.5.1952.
129. Ibid., DU 5 Arthur Blaxall 22, letter Duncan to Blaxall, 28.1.1954.
130. DRIVER, op. cit., pp. 106-110, especially 106-7. e.g., p. 107: "Anti-religious at school and university, he had been confirmed as an Anglican when he went to Basutoland yet not out of any passionate conviction, but rather as a recognition of a particular social role: Basutoland was a deeply religious country .... Colonial Officers went to church, not necessarily because they were Christian, but because Colonial Officers went to church".

in a Divine Will which belonged to "some kind of God, not necessarily a Christian God" ?[131] In his review of C.J. Driver's biography of Patrick Duncan, Alan Paton recalled,

> When I first met him thirty years ago, he believed that he was indeed a creature, and by that I mean that he believed that he was made by a Creator. He then held the belief that he, like Francis of Assisi before him, could be used as an instrument by the Lord of the Creation. 132

Patrick Duncan's correspondence with Manilal Gandhi and Arthur Blaxall exceeds by far all others in their extent and intimacy. If indeed Driver's assessment of Duncan as a theist who believed in prayer "not necessarily as a communication with God, but as a communication with oneself", is not wholly fair to Duncan, whatever truth there may be in the assertion is probably due to an interesting syncretism of Gandhian ideas about meditation and vicarious suffering which combined with what Driver has rightly called Duncan's attraction to "a peculiarly Anglican version of Christianity". Driver has, I believe, captured what was best and most enduring in Patrick Duncan's commitment to the Christian faith by recognizing that

> Of the men he most admired for their political courage, three were Anglican clergymen - Michael Scott, Trevor Huddleston and Arthur Blaxall .... He saw the role of these friends, both within the Anglican Church and on behalf of a non-racial South Africa, as a kind of quintessential Christianity; since their political attitudes were the result of their christian belief, he tended to see a necessary coincidence between the two. 133

The priest who prepared Patrick Duncan for confirmation had no hesitation in vouching for his commitment as an Anglican Christian between 1941 and 1946. Canon F. Findley recalled

> It was in 1940 or 41 that he was confirmed at All Saints' Ficksburg O.F.S. by the then Bishop of Bloemfontein, Arthur Henry Howe Browne. Patrick was at that time in Leribe and was passed on to me by a priest by the name of Andrew Ford .... probably .... because he must have known that I had an adult confirmation class on the go and that Patrick would fit in .... He did join the class and received the usual sort of instruction with the others. But always afterwards he came over to the Rectory where discussions and arguments went on and on. I would certainly not say that he was half hearted in his preparation and desire for confirmation. He came without fail; he certainly attended the Eucharist week by week and

131. Ibid.
132. Reality, November 1981, p. 18, "Driver's Patrick Duncan" by Alan Paton.
133. DRIVER, op. cit., p. 108.

> the fact that he wanted to come and talk further always surely means he took the whole thing seriously.... What was unusual to me as a very young priest (about 28 or 29 at the time) was that here at last was a confirmation candidate who was articulate and was not content just to sit and receive the usual instructions without question or argument or discussion - but discussion, I think, would be a better word than argument. 134

Archbishop Trevor Huddleston, who could not recall the detail of their conversation when he and Patrick Duncan first met at Rosettenville, does however "remember very well indeed the impact he made on me".

> Certainly I think Patrick was incapable of superficial responses to religion and therefore his Anglicanism was not a mere formality, that would have been totally out of character. 135

Another Anglican priest who knew him well, and with whom he sustained a particular friendship right up to the time of his death in 1967, was Canon Cyprian Thorpe. Thorpe knew Duncan from 1949 onwards, and they were close friends who saw each other frequently between 1950 and 1957. In April 1954, Duncan enlisted the services of Fr. Thorpe's Assistant Priest at St. Michael's Mission, John Skomolo, in the first instance to start a non-racial Christian Social/Democratic Party. After the visit to South Africa in July 1954 of Canon John Collins the object changed to a "Democratic Christian Action Movement", and then from 1956 when Duncan became the Liberal Party's National Organizer, he persuaded Skomolo to help by organizing and recruiting African members for the Liberal Party in the Eastern Cape.[136] Fr. Thorpe, therefore, more than most of Duncan's many friends, is specially qualified to comment upon the sincerity of his religious convictions at the time of his decision to join the Defiance Campaign, and its immediate aftermath. Canon Thorpe recalled,

> In his pamphlet written for the 1952 Van Riebeeck Tercentenary P.D. says, "The gospel did not say that we should do unto other whites all things whatsoever we would that men should do unto us" - evidence that there was some

134. FINDLEY, Canon F., letter to the author from Cape Town, 13.8.1982.
135. HUDDLESTON, The Most Rev. Trevor, C.R., letter to the author from Mauritius, 25.8.1982.
136. Borthwick Institute, York, Duncan papers DU 5.90.9-12, letters John Skomolo to Duncan 29.4.1954 and 18.5.1954; DU 5. Arthur Blaxall. 37, letter Duncan to Blaxall 25.5.1954; DU 5.90.38, letter John Skomolo to Duncan 29.4.1956.

> Christian motivation for what he was doing at the time. Like you, I wouldn't put too much weight on Mrs Cassidy's opinion which is far too facile. Nor did he entirely lapse as a worshipper after 1954 because he joined in and received Holy Communion when he stayed with me at Herschel in 1957. And although you say he died an agnostic, at the time of his death he was working for the Christian Committee for service in Algeria and was made its Public Relations Officer responsible for keeping in touch with the churches just before he died.
>
> There was always this streak of agnosticism - ? honest scepticism - , about him but in the hours and days we spent together from 1949 onwards my impression was that having recovered from the full realisation of what his mother's Christian Scientism had cost him there was an increasing acceptance of the Christian faith. Even so I would say that his joining in the defiance campaign owed more to Gandhi's philosophy and methods than to his Christian convictions though of course the two were not separated in Gandhi's thinking let alone in Patrick's.
>
> .... I don't think you can say that his decision to join the defiance campaign "owed a good deal to his sense of vocation as an Anglican layman" but I do believe that he was convinced that a non violent struggle for justice was a proper Christian response to the situation in S.A. When he lost faith in that maybe his Christian conviction went with it but I thought that at the time of his death he was coming back to believing. 137

It is interesting that Canon Thorpe made particular mention of his mother's Christian Science views as an important but negative factor in the development of his religious ideas. This aspect seems to have made a particular impression upon Canon Findley also, at the time of his preparation for confirmation at the age of 24.

> His relationship with his mother was a strange one and left its mark on him, I think. There was a certain bitterness in him (covered with a wry smile which I can still see) that he was not allowed to have medical attention to his knee which he believed could easily have been put right. I seem to remember that the cause of the knee trouble was a bad knock when playing cricket .... His bitterness arose because he was turned down in turn by the army and even by various volunteer things like fire fighters. He had a deep hatred for all the Nazis stood for and badly wanted to do all he could to fight them. In the event he was allowed to do nothing. 138

137. THORPE, The Revd. Canon F.C., letter to the author from Petersfield, Hampshire, 26.2.1982. In a further letter on 30.5.1982, having read Driver's biography he said, "I think that Driver, on the whole, is not far wide of the mark in his assessment of P.D.'s religious ideas". cf. DRIVER, op. cit., p. 107: "Mrs Cassidy herself a devout Christian, remembers Duncan as much more a pantheist than a Christian in his early days in Basutoland. He worshipped the God in in Nature, not the God beyond it".

138. FINDLEY, The Revd. Canon F., letter to the author from Cape Town 13.8.1982.

Patrick Duncan's commitment as an Anglican Christian seems also to have made an impression upon Michael Scott's secretary Mary Benson, who wrote to him in June 1953 from Pretoria where she was nursing her mother, saying how much she had hoped to have a talk "about more personal things as you and I were both brought up C.S. and I too am becoming an Anglican".[139] At the time of his resignation in 1952, Duncan had been Registrar of the Diocese of Basutoland since 1950, and was very much involved in the life of the church. It is inconceivable that Bishop John Maund would have chosen a nominal Anglican for this position, even if later there were other reasons for replacing him as Diocesan Registrar in 1955. Before finally making the decision to offer himself as a volunteer in the Defiance Campaign, it is significant that Duncan took great care to consult the two clergymen whom he considered to be most qualified to advise him on the question of a Christian's participation in civil disobedience, Trevor Huddleston and Archbishop Clayton. Clayton seems to have had no doubt about Patrick Duncan's commitment as a Christian in 1952, for the letter written in response to an appeal for advice told him encouragingly,

> I do congratulate you on your courage and I do rejoice that from the Anglican Church should emerge people like yourself who have principles based on Christian presuppositions, and who are prepared to make sacrifices for them. 140

This letter from Archbishop Clayton, and what Trevor Huddleston believed about the rightness of resistance to a Government that had become a tyranny, gave Patrick Duncan the religious legitimation he sought for his intended action. That he took trouble to obtain this advice was an indication that his church membership and his personal commitment as an Anglican Christian meant a lot to him in 1952.

The faith which meant everything to Patrick Duncan in 1952, however, went through various vicissitudes. His days at school and university (Ronald Currey's Ridge Preparatory School in Johannesburg; Bishops; Winchester and then Balliol College Oxford) were

139. Borthwick Institute, York, Duncan papers DU 5.9.10,11, Duncan to Mary Benson 23.6.1953 and letter Mary Benson to Duncan 22.6.1953.

140. CPSA Archive, Clayton Papers AB 191, letter Clayton to Duncan 22.10.1952, also Duncan papers loc. cit., DU 6 Archbishop Clayton 22-24, letters Duncan to Clayton 25.8.1952 and 29.10.1952.

dominated by his mother's strongly held Christian Science views. His confirmation, therefore, as an adult soon after his arrival in Basutoland, represented a certain liberation for him. This process of liberation from the rigour of Christian Scientism was, however, incomplete until his mother, after months of pain, finally consented to be examined and operated on in hospital for terminal cancer in August 1947. She died in April 1948.[141] Between 1948 and 1952 there seems to have been a flowering of faith and commitment. It was then that Duncan encountered those sudden visionary experiences, and worked so happily as Bishop Maund's registrar. Reaction to Duncan's participation in the Defiance Campaign in Maseru later caused many of his former friends to shun him, and in August 1955 Bishop Maund replaced him as Registrar.[142] This experience, coupled with the recall of Father Huddleston in December 1955, precipitated in Duncan a strong sense of disillusionment with the institutional church.[143] In his time as National Organizer of the Liberal Party between 1956 and 1958, based at Riverside Farm near Maseru, and then in his years in Cape Town as Editor of Contact until going into exile in 1961, Duncan seems to have been sustained by his friendships with Arthur Blaxall and Cyprian Thorpe. In Algiers, he worked firstly as an organizer for the P.A.C. and then, when they dropped him, for the Comité Chrêtien de Service en Algerié.[144] He was still working on the final draft for his book Man and the Earth, which was later published for the Conservation Society in 1974, right up to two days before his death from leukaemia in June 1967. The book is an eloquent and often bitter outpouring of his anger for man's misuse of the universe. In it his biographer has observed that he questioned the Incarnation by saying "That God became man [is] so extraordinary that the onus of proof is unavailable and must surely remain unavailable".[145]

141. DRIVER, op. cit., p. 61.
142. Borthwick Institute, York, Duncan Papers DU 6 Bishop Maund 61, letter Duncan to Bishop Maund, 5.8.1955, and the Bishop's reply 10.8.1955.
143. Duncan Papers, loc. cit., DU 5 Arthur Blaxall 65, letter Duncan to Blaxall 10.5.1955; DU 6 Canon Collins, letter Duncan to Collins 4.11.1955, "He is the greatest single bridge between black and white and we cannot spare him"; DU 5 Manilal Gandhi 70, letter Duncan to Manilal Gandhi, 1.11.1955, "Isn't the news about Huddleston's departure sad ? I am sure it has been wangled by someone - probably the Archbishop of Canterbury".
144. DRIVER, op. cit., pp. 250, 258.
145. Ibid., pp. 263 ff, 267.

Yet in a letter to Cyprian Thorpe written only twelve days before he died, Patrick Duncan mentioned that the confirmation of his son Alex had enabled him to "find his way out of the maze", and that "it is the greatest joy to shape ideas and to write .... I aim for stark simplicity and clarity".[146] In his obituary Thorpe said of this last letter, written from Algiers on 17th May 1967,

> A letter written just before his death indicated that after a troubled five years he had found serenity in the love of his family and the sands of the Sahara. [147]

Though Patrick Duncan was a man of sudden enthusiasms and puzzling contradictions, there was nevertheless a logical consistency to his life which had many enduring qualities. He possessed an all-or-nothing approach to everything he did. The faith which meant everything to him in 1952 had begun to crumble by the time of his death in 1967. He believed first in satyagraha, and then was convinced that it was the embodiment of Christianity in action. The renunciation of his faith in non-violence in 1961, when he was already disillusioned by the failure of the institutional church to support him, and then his rejection by Patrick Leballo and the P.A.C., to whom he had committed his all by accepting their creed of violent revolution, seems to have resulted in his losing faith in "Man". However, of the friends who had known him in South Africa, he continued to trust and to write to two Anglican priests, Arthur Blaxall and Cyprian Thorpe.

Meanwhile, between May and November 1952, firstly as the Government's countermeasures in naming some five hundred people in terms of the Suppression of Communism Act took effect, and then as acts of civil disobedience multiplied and the Defiance Campaign gathered momentum, Patrick Duncan found that the printed letter giving the reasons for his resignation from the Colonial Service met with the most encouraging response from his friends. Throughout this period he maintained an intense correspondence with Manilal Gandhi. Between May and December no less than twenty-five letters passed between them. The procedure was not unlike his course of preparation for confirmation with Fr. Findley ten years before,

146. Private papers of the Revd. Canon H.F.C. Thorpe, Petersfield, Hampshire; letter from Duncan to Thorpe, 17.5.1967.

147. THORPE, Face where the Danger lies, op. cit.

only now the preparation was for satyagraha and perforce it had to be by correspondence. Both teacher and pupil engaged in earnest debate and discussion. All the time Gandhi was trying to restrain him, to persuade him not to rush, suggesting reasons why he should not volunteer. For his part, Duncan typically tried to overwhelm his friend by the force of his arguments. Where Manilal Gandhi counselled caution and patience, and presented such an unhurried attitude towards Duncan's desire to become a volunteer that his strictures could have been mistaken for mere passivity, Patrick Duncan by contrast burned with enthusiasm for satyagraha as the only means of countering Marxism and saving South Africa from the racial totalitarianism of the Nationalists. His hyperactive temperament contrasted so completely with that of Manilal Gandhi, for although each was the eldest son of a famous father, and they shared the same non-racial ideals, they could not have been more unlike in character and disposition.

Throughout 1952 Manilal Gandhi maintained an anxious critique of what he considered deficiencies of leadership in the African and Indian Congresses, and their inadequate preparation of resisters. Gandhi had undertaken a much-publicized fast at the time of the Van Riebeeck Festival, and this won Duncan's admiration. At the time Patrick Duncan was busy preparing the letter announcing his resignation, and he wrote again to Manilal Gandhi only a week after he had told him about his resignation, telling him,

> I am glad you have recovered from your testing fast. I admire you, as do many others, for your courage and steadfastness, and I have absolute faith that in the end your ideas will conquer. 148

Patrick Duncan first met Manilal Gandhi some time in 1951, and clearly this was an important turning point for him, for after their march into Germiston Location on 8th December Patrick was asked to furnish his curriculum vitae for an article in Indian Opinion. The only important event of 1951 mentioned, he portrayed thus: "1951: Met Manilal Gandhi and began political education in M.K.G's books".[149]

148. Borthwick Institute, York, Duncan papers DU 5 Manilal Gandhi 2, letter Duncan to Manilal Gandhi, 11.5.1952.
149. Ibid., letter Duncan to Manilal Gandhi, 28.12.1952.

Something must have gone wrong with his earlier attempt to get Victor Gollancz to publish M.K. Gandhi's Satyagraha in South Africa, for he took up again the question of publishing a cheap edition of this book which had made such an impression upon him when he first read it in 1948. He told Manilal Gandhi,

> The situation which your father had to deal with is in many ways similar to to-day's and that epic account of it will suggest to many the value of your father's philosophy, many who would be impervious to lectures and propaganda. 150

However, it took them fully six months to agree to print it in South Africa with the permission of the publishers, the Navajivan Trust, in order to avoid the risk of the books being impounded by Customs if imported from India. In September Duncan prepared an abridged version while in a Durban nursing home. He approached Bennett Khaketla to do a translation into Sotho, and a Zulu translation was also planned.[151] The Defiance Campaign was therefore virtually over before they were ready to proceed with their plan, and in the end it was the 1950 revised edition which continued to be printed and supplied by the Navajivan Trust at Ahmedabad. This meant that the only new publication of Gandhi's work at the time of the Defiance Campaign was Selected Writings of Mahatma Gandhi, with an introduction by Roland Duncan, published in London by Faber and Faber in 1951, and by the Beacon Press in the United States.

Patrick Duncan consciously tried to fashion his life-style on the principles of Gandhian teaching, and decided he would cultivate a cherry orchard once they moved to Riverside Farm. The news received a characteristic response from his friend Manilal Gandhi,

> How delighted I shall be to help you dig in your garden ! God only knows whether that day is near or to go to prison or a concentration camp under the present regime is near. The latter seems more probable. 152

He told Manilal Gandhi how much he appreciated reading Indian

150. Ibid., letter Duncan to Manilal Gandhi, 11.5.1952.

151. DRIVER, op. cit., pp. 100, 116, and Duncan papers loc. cit., DU 5.45.9, letter Duncan to Trevor Huddleston, 19.9.1952. A copy of M.K. Gandhi's autobiography and Satyagraha in South Africa was given by Manilal Gandhi to Jean Hill of Durban in 1954; this was a Revised Edition of 1950, printed in India on newsprint by the Navajivan Trust, Ahmedabad.

152. Duncan papers,loc. cit., DU 5, letter M. Gandhi to Duncan, 4.6.1952.

Opinion. He also shared his idea of starting an "All people's party" that would provide a political home for non-racialists of all races. Manilal Gandhi approved of the idea in principle but wisely referred Duncan to Christopher Gell, whom he knew to be amongst those involved in discussions to form a new party. By early October Duncan had decided to go ahead in spite of all the obstacles that his guru laid in his path. He had prepared a statement declaring his support for the Defiance Campaign. However, the riots at New Brighton intervened on 18th October, and Duncan hastily sent a telegram to Julius Lewin on 20th October cancelling the statement.[153] Manilal Gandhi told him firmly:

> About your statement: I do admire your burning enthusiasm but I feel it requires a break. I would strongly advise you not to hurry and not to throw in your lot with the two Congresses. You can do much more useful work behind the scene. You have a great deal to do among the Europeans themselves to change their mental attitude .... Father had European friends who did very useful work in this way .... By taking a rash step you will only jeopardise your potentialities. The time of course will come when you will have to go all out. There is however no need to rush yet. 154

Whilst Patrick Duncan readily agreed to postpone his declaration of support for the Defiance Campaign he was not willing to concede that he should desist altogether. He argued cogently for the importance of "broadening the racial basis of the campaign" and added, "your father's friends were precluded from offering satyagraha by the nature of the law they were opposing - it was specifically anti-Indian." Manilal Gandhi, however, persisted. He said he considered that Michael Scott had been of far more use "by working outside [prison] .... in exposing the atrocities of the farmers in the Bethal District". Scott's arrest in the 1946 Passive Resistance Campaign, he said, "was incidental". He did not go out "to court arrest". For much of the time Duncan was in hospital in Maseru, for at the end of August he had injured his lame knee again quite seriously in a car accident. He accomplished their move from Maseru to Riverside Farm on 31st October in an ambulance, still weak and on crutches. Despite his condition, Duncan was as tenacious as ever in finding arguments to

153. Ibid., letter Duncan to Julius Lewin, 20.10.1952. See above, p. 376, Ref. 44.
154. Ibid., letter Manilal Gandhi to Duncan, 24.10.1952.

refute Manilal Gandhi's persistent objections to his participation in the Defiance Campaign.

> Is there not a danger in having emancipation through non-violence, all the actors being Indians and Africans ? .... Surely following his doctrine of sacrifice what is needed today in S.A. is a small group of Europeans who are prepared to sacrifice in the same way as the resisters .... S.A. is full of very fine Liberals who can do all that you speak of in your letter. The most serious thing today is the growing gap between non-white and white. 155

On 19th November Duncan asked Manilal Gandhi to speak to Chief Luthuli, saying that he wanted "to participate as soon as possible .... [and] would one of his Indian batches accept me ?"[156] Manilal Gandhi still would not agree. Duncan had asked Anthony Sampson, Editor of Drum magazine in Johannesburg, to make arrangements for him, and three weeks after moving to Riverside Farm he received a telegram from Yusuf Cachalia informing him that the 8th December had been settled as the date for his participation in the campaign. A week later on 28th November the Star carried the first announcement of Duncan's joining the campaign.[157] The news received massive publicity in South Africa and overseas. Manilal Gandhi, the skilled tutor, had in fact applied the techniques of satyagraha in lovingly and patiently resisting Duncan's stated desire to join the campaign, until finally he had provoked him into striking out on his own. In the process the pupil had been able to experience at first hand the qualities of a dedicated satyagrahi. It was clearly of importance to the campaign that of the volunteers in the Defiance Campaign Patrick Duncan should have been most thoroughly prepared.

At the same time as his friend Manilal Gandhi was discreetly putting obstacles in his way, Patrick Duncan received numerous letters of congratulation from his many distinguished and other friends. Senator Edgar Brookes wrote to him from hospital in Pietermaritzburg:

> I have been very moved by reading your letter of the 13th

155. Ibid., letter Duncan to Manilal Gandhi, 29.10.1952.
156. Ibid., letter Duncan to Manilal Gandhi, 19.11.1952.
157. The Star, 28.11.1952, "Sir Patrick Duncan's son joins Defiance body", cf. The Times, 29.11.1952, and The Observer, 29.11.1952.

> May, and feel very grateful for the spirit that underlies . it. I am sure that you will never regret the courageous decision which you and your wife have made although it means the loss of much material security and the abandonment of a pleasant and useful career. 158

J.D. Rheinallt-Jones, now retired from his position as Director of the South African Institute of Race Relations, wrote from Switzerland, telling Duncan how he received the circular letter "with a thrill .... It is a most encouraging thing to find someone who dares all risks to help at such a time".[159] This clearly meant a great deal to Duncan, for he replied that he was "greatly moved" that someone "with your unrivalled experience and wisdom should believe that our action is right".[160] Patrick Cullinan, a friend from Duncan's days at the British High Commission in Cape Town and now at Magdalen College Oxford, was most effusive in his praise and told him,

> The most impressive thing, for me, is your determination to remain independent of Politics - to follow Gandhi, and not, thank God, Smuts ....No, it is only people like you who can save South Africa. 161

Duncan's correspondence with Patrick Cullinan is of particular interest to this study of Christian resistance to apartheid, because in a long letter from Maseru on 7th October he set out his "ideas and aims in politics". On four closely typed foolscap pages Patrick Duncan described his concept of satyagraha. His most striking emphasis was the way he described satyagraha as "the Sermon [on the Mount] actualized", and referred to an article in The Friend that day which noted how "meetings of the African National Congress in the Free State since the beginning of the defiance campaign have been marked by religious fervour ...."[162]

The letter to Patrick Cullinan on 7th October also indicated that Duncan had decided to join the campaign, and that the only outstanding decision was the timing. His resignation was to be with effect from the end of October. The only other constraint was the effect that any move he made might have on the fortunes of the United Party, because "no one would want to be a stumbling

158. Borthwick Institute, York, Duncan papers DU 5.13.12, letter Senator Edgar Brookes to Duncan 28.5.1952. Brookes resigned from the Senate in December 1952.
159. Ibid., DU 6, letter J.D. Rheinallt Jones to Duncan, 22.6.1952.
160. Wits. Archives, Rheinallt Jones papers, letter Rheinallt Jones to Duncan, 21.7.1952.
161. Borthwick Institute, York, Duncan papers DU 6, letter Patrick Cullinan to Duncan postmarked 30.7.1952.
162. The Friend, 7.10.1952, "Religious fervour marks A.N.C. Meetings".

block on its path, however much one may feel that it alone is inadequate".

> On the other hand is the huge fact that no one single non-Communist White has even said he supported this campaign, so far from doing anything to help. You may imagine the damage to the idea of solution being a cooperative act by South Africans of all races. I haven't quite come to a decision over this, and it is causing me sleepless nights. I do not overestimate my power to influence events, but within my limitations I must not make a mistake at the beginning of everything ....
>
> I want to try to associate myself with what the Congresses are doing, to suffer what they are suffering, and to try by writing to put their case before S.A. and the world .... [by] suffering with them and sharing their protests with them, I would like to show in my own acts that I believe in Gandhi, and thus add one atom to the right side of the balances to help outweigh Marx.
>
> .... I realise that this plan has great dangers, but then I submit that any view of our future is dangerous, and I do not believe that any other plan holds out rational grounds for hope as this one does. 163

With his keen sense of family, and the fact that he bore the name of his father, who with Smuts had been one of the twin pillars of the South African Party, and Governor General after "fusion" with General Hertzog's Nationalists, Patrick Duncan was still genuinely concerned about the repercussions anything he might do would have upon the United Party. A mutual friend had told him in hospital of the "friendly way" in which De Villiers Graaf had spoken of him and his plans. At that time leader of the United Party in the Cape, Sir de Villiers Graaf was destined to succeed Mr J.G.N. Strauss as Leader of the Opposition four years later. Graaf's father had been a friend of Sir Patrick Duncan. Smuts described him as "son of the old magnate friend of General Botha". De Villiers Graaf had been nominated for the Hottentots Holland constituency in 1943, but had instead been captured at Tobruk. Having lost a crucial by-election there in 1947, he won the seat back for the United Party in 1948. Since that time his star had risen rapidly in the United Party, where he, with Marais Steyn and Harry Oppenheimer was regarded as being among a new breed of young and enlightened politicians.[164] In his exchange of

163. Duncan papers loc. cit., DU 6, letter Duncan to Patrick Cullinan, 7.10.1952.
164. HANCOCK, W.K., Smuts, Vol II, Fields of Force 1919-1950, op. cit., p. 497.

letters with De Villiers Graaf, Duncan gave the assurance that .

> I regard a U.P. victory in 1953 as being of the highest importance .... [and] I would hate to do anything that loses you one vote .... It is therefore very likely that I shall make no move and say nothing until after the election altho' I resign w.e.f. next month. 165

This was on 20th September. However, he also added,

> The only thing that would make me decide to act earlier is a belief that more harm will come from allowing the A.N.C. to believe that no Whites except Communists are on their side. I am wrestling with this decision now. I know Moroka and through many Basuto friends believe I have a fair idea of what Congress is thinking. In my view the greatest political struggle of the next 5 years is between Marx and Gandhi for the soul of the African political movements in S.A. .... I don't believe any purely White leadership can now shift White opinion fast enough to meet the needs of our non-Whites. This is really just about what Colin Steyn said at Bloemfontein. That is why I want to begin practical race cooperation now. 166

Graaf's reply, perhaps predictably, advised him to wait until after the election, and took a similar view to Manilal Gandhi, that he was "perhaps well-suited" to play a role in educating the European, which was the "most important thing at the moment". Graaf also commented on the implications of Duncan's stance for the United Party.

> In view of your antecedents anything you do will obviously be connected with the U.P. and quite apart from the wisdom or otherwise of your proposals, I would suggest that you should wait at least until after the Election. 167

Simultaneously, Duncan also wrote to his friend Julius Lewin, who was deeply critical of the United Party's reaction to the Defiance Campaign. He displayed his well-developed political instinct in telling Lewin,

> Surely to win the next election it would be fatal for the U.P. to do anything but condemn it ? That is the tragedy of S.A., 1952. On conventional politics we have passed a point of no return - a critical temperature. The only hope now is that Gandhian politics may work to melt the hearts on both sides. 168

165. Duncan papers, loc. cit., DU 6, letter Duncan to De Villiers Graaf, 20.9.1952.
166. Ibid.
167. Ibid., letter De Villiers Graaf to Duncan, 27.10.1952.
168. Ibid., DU 5.61.22, letter Duncan to Julius Lewin 21.9.1952.

With regard to the timing of his decision about volunteering, he told Lewin on 20th September, "I have 5-6 weeks left to make up my mind", and that he had seen Manilal Gandhi in Durban. The date at the end of October when his resignation from the Colonial Service took effect, therefore, was to be the deadline for Duncan's decision. His conversation with Manilal Gandhi in Durban, and the riots at New Brighton, caused a total change in his outlook. He sent Lewin a telegram on 20th October cancelling his statement of support for the Congresses, and on 28th October he wrote again to Lewin about his statement and said emphatically,

> .... the P.E. riots are undoubtedly a result of the campaign, and to be expected with the small amount of leadership there has been .... I cannot (a) support the campaign as it now is nor (b) do anything to keep it clean .... As a result I shall do nothing for the present. 169

This view was confirmed by a solicitor in Port Elizabeth, Buller Padgen, who was deeply concerned by the manner in which the New Brighton riots were being handled by the Government and the Port Elizabeth Municipality. Padgen could not understand why the Government had not instituted an enquiry, and the Municipality had "failed to consult the Native Advisory Board which is supposed to sit at New Brighton for consultative purposes".[170] On 19th November Duncan wrote again to Padgen, saying how his stay in hospital for two and a half months had weakened him, and that he had only got out of plaster on 3rd November, adding enigmatically,

> I am glad you approved of my change of plans. I realise how inflamed white opinion is, and if I should participate in the campaign during the next few months I realise that it will make me most unpopular. I may however do so despite it all. 171

In yet another letter to Buller Padgen a week later, after commenting on Mr Strauss' speech which had called upon the Congress Leaders to call off the campaign, and on the Government to negotiate with "moderate" leaders, he announced that he was to join a batch of volunteers on 8th December.

> About Strauss' speech, I told Cynthia that 4 months before a General Election and in his position I'd have done the same.

169. Ibid., letter Duncan to Julius Lewin, 28.10.1952.
170. Ibid., DU 6, letters Buller Padgen to Duncan, 27.10.1952 and 30.10.1952.
171. Ibid., letter Duncan to Buller Padgen, 19.11.1952.

> The exigencies of appealing to our white electorate of 1952 leave very little choice to any responsible leader which Strauss is. I feel it is nonsense (a) to say this election doesn't matter but the next does and (b) to imagine that Liberalism has any polls appeal.
>
> .... After much heart-searching I have decided to join a batch of volunteers in the Defiance Campaign on 8th December in Johannesburg. If I could have waited until after the election I would rather have done so, but all the signs are that the Nats will squash the campaign before the election by internments. I am not sure about it - Malan I feel sure wants to do nothing that may have unforeseen consequences until after the election. But I cannot risk the campaign ending before a simple white (non-Commie) showed practical sympathy with it. In ten years I should be so ashamed. The danger for the future is that the liberation will have been a racial show of the non-whites. 172

What then was it that made Patrick Duncan change back to his original course ? Was it, as he told Buller Padgen, that he saw the campaign coming to an end ? The advice he was receiving from Manilal Gandhi was still against participation. However, other influences were also working on him. Early in October he had received an encouraging letter from Hubert Kidd, his headmaster at Bishop's, who told him

> I do most warmly agree with you in your analysis of our present crisis and I only wish there were more people willing to see things clearly and act determinedly. The clarity of belief and the determination in action seem to belong these days all too often to the despots, whether of the right or of the left. The Liberal way like the Christian way, today lacks the white heat within and like the 18th century, fearing and needing enthusiasm still waits for its Wesleys & Romillys & Shaftesburys. You will both bring to this country something it sorely needs and you will perhaps build round you a hard core of practical liberalism that will survive the night that seems to be falling on us 173

Probably of more importance still were the letters Duncan received from Archbishop Clayton and Arthur Blaxall at the end of October. Patrick Duncan had written to Geoffrey Clayton as long ago as 25th August, saying that he was "desperately in need of guidance and was praying for it". He enclosed a copy of the printed letter he had written in May, and explained why he thought

172. Ibid., letter Duncan to Buller Padgen 27.11.1952.
173. Ibid., DU Hubert Kidd 241, letter from Hubert Kidd, Diocesan College Rondebosch, to Duncan, 3.10.1952.

it important that there be white participation in the campaign. He also asked whether "the church, or some responsible churchman" might "publicly support this courageous campaign".[174] Clayton's reply was long in coming and did not reach Duncan until 29th October, only a day after he had written to Julius Lewin explaining the reasons for cancelling his statement of support for the Defiance Campaign. Clayton's reply, though two months in coming, had the merit of being written after the rioting in Port Elizabeth, and was obviously something which had been pondered over very carefully. Because of the important influence this letter seems to have had on Duncan, and also since it reveals Clayton's thoughts on the morality of Christian participation in a campaign of civil disobedience, it is worth citing here in full.

From the Archbishop of Cape Town,

Bishopscourt
Claremont
Cape, S. Africa.
22nd October 1952.

Patrick Duncan Esquire,
P.O. Box 33
Maseru
Basutoland.

My dear Mr Duncan,

I am very much ashamed of myself for not answering your letter before. I was a good deal puzzled as to what I should say, and being very busy I continually put off the decision involved in writing a reply.

I cannot but admire and approve your action in coming into the Union and taking your part as a South African in the "dust and heat". One cannot contract out of one's country's messes and I don't think that one ought to try to do so. The only thing I regret is that you will be ceasing to do a particular job, and will, I suppose, be concerned with ideas more than with people. I expect I am in a minority here, but I do really believe that, for instance, Alan Paton was of more use when he was running Diep Kloof and helping individual people than he is as an ideological publicist. Similarly, a parish priest is more useful than an archbishop.

I don't see how you can help the civil disobedience campaign very much. In any case, the Port Elizabeth riots have probably smashed it. And I don't see any reason why you should not stay in Basutoland until the end of the year.

174. CPSA Archive, Clayton papers AB 191, and Borthwick Institute York, Duncan papers DU Archbishop Clayton 22,23,24: Letter Duncan to Clayton 25.8.1952. cf. DRIVER, op. cit., p. 108.

I have of course a lot of sympathy for those who practise civil disobedience, but I think they are disobeying the wrong laws. And in any case I think you exaggerate the good they can do and the influence they can have. I have always thought that their action would issue in violence, and that appears to have happened. What is going to be the future I do not know. But my guess is that economic considerations rather than moral ones will in the end cause the breakdown of the present set-up. But before that happens there may be a conflagration.

For myself I am in what seems to be a difficult position, as Chief Bishop in a Church which includes people of all races, and in which it is fairly obvious that a large proportion of our European laymen do not agree with the teaching of the Church on racial matters. Also at Cape Town I am much less in touch with Natives than I was at Johannesburg. Our local problem is the Coloured people, who have hardly entered into the civil disobedience movement at all. In many ways they are more difficult than Natives. They are not in any sense a unity; and they are terribly colour conscious. Only the other day I heard of a congregation in this Diocese consisting exclusively of Coloured people who refused to worship with a newcomer because she was darker of skin than they were. They said she must stand at the back of the church. If they have learnt this from us they have learnt the lesson well. But in this Diocese the Church is more free from colour bar than anywhere else in the Union. Most of our congregations are mixed Coloured and European. It is possible to imagine that apartheid might hold out some promise for Natives if the S.A.B.R.A. policy were to be implemented; although as the Prime Minister has repudiated it that doesn't seem likely in spite of Mr Pirow and the O.B. But it is very difficult to see how Coloured people can "develop on their own lines". They haven't any.

I fear I have gone off at a tangent. I wish I had something to say to you which might be helpful. I do congratulate you on your courage, and I do rejoice that from the Anglican Church should emerge people like yourself who have principles based on Christian presuppositions, and who are prepared to make sacrifices for them. Very probably I shan't myself agree with everything you do. The situation is so puzzling that disagreements as to methods are probably inevitable. Liberalism is of its very nature rather fissiparous. But I shall always remember that you are on the side of the angels.

I hope that if you ever come to Cape Town you will let me know and come to see me.

In the meantime I should like to send you my blessing. May you be guided by the Spirit of wisdom and courage.

Yours very sincerely, + GEOFFREY CAPE TOWN.[175]

175. Ibid., letter Clayton to Duncan, 22.10.1952.

Duncan's biographer described this letter as "gentle but inconclusive".[176]

Patrick Duncan's reply to this letter is significant, for it shows that he took it to mean that he had the Archbishop's blessing for what he was proposing to do. It also reveals how Duncan's convictions as a Christian played an important part in his eventual decision. Because of its importance, this reply is also cited in full.

Box 77, Maseru
Basutoland.

29th October 1952.

My dear Archbishop,

Thank you for your letter of 22 October. I deeply appreciate the way in which you have written, and having your blessing means much to me. I believe that there are times in history when evil on one political side preponderates to such a degree that it is possible by political action to be an instrument of the divine will, and that we are here and now in such a period. For myself I shall try to know what God's will for us is, and I hope that in some small way I may be used as an instrument.

I have no plans, but shall work for the realisation of our greatest immediate needs as a country - peace and stability plus an end to colour discrimination. It is only when these things are realised that a beginning can be made with the building up of a relative prosperous and contented South Africa [sic.]. Our greatest hopes - I think our only hopes - are now in true civil disobedience (and I agree completely with your remarks on the disobedience of the wrong laws), and for the future, if law and order break down, in massive intervention by the United Nations,and the installing of a governor at Pretoria to maintain the peace and allow industrial and educational construction to go ahead. That of course is very much in the future. Forgive the paper. I have been in bed 2 1/4 months after a car accident and cannot reach the right stuff.

I had intended to join the campaign, but after the PE riots and various incidents at Kimberley and Peddie etc it is clear that the present campaign will have to be called off.

Yours very sincerely, PATRICK DUNCAN.[177]

176. DRIVER, op. cit., p. 108.

177. Clayton papers loc. cit., and Duncan papers loc. cit., letter Duncan to Clayton, 29.10.1952.

This shows that Duncan had still not decided on joining the campaign.

Besides this very interesting exchange of letters with Archbishop Clayton, Duncan was also in close touch now with Trevor Huddleston. After their initial meeting at the Priory at Rosettenville in May, they had struck up an immediate friendship, and Duncan had been rewarded soon afterwards by an invitation to address one of Trevor Huddleston's "Shoe Parties". These were multiracial gatherings arranged by the Community of the Resurrection, designed to bring black and white Anglicans into contact. It is significant that Duncan, in the outline he supplied for this address on "Changed Relationships in a Modern World", said he would want to stress that :

> (5) Today, as always, change very desirable in direction of Kingdom of God. With His guidance the minds of men may be helped to see the direction in which Truth is, and their societies pressed by political action to move in the same direction.
>
> (6) Political action not necessarily limited by animal defence/offence mechanism. Effective action can take place in terms of Sermon on Mount. 178

He went on to assert that it was Gandhi's method which would do this and that this method "= a proud vindication of the oppressed's rights by drawing on the oppressed the full suffering postulated by injustice of oppressor. Based truly on recognition of brotherhood in God of oppressor and as well as oppressed, therefore with welfare of both in view when action taken".[179]

Then he also received a letter at this time from Arthur Blaxall, whom he had yet to meet. Manilal Gandhi had shown Blaxall his printed circular written in May, and his response was unambiguous.

> Permit me to say that I regard it as the most heartening thing I have read for a very long time, and it makes me most anxious to meet you. 180

This marked the beginning of a long and enduring friendship, and Blaxall's wholly unexpected letter must have played its part at this critical juncture in tipping the balance in favour of participation. Finally it was the realization that the Defiance Campaign

178. Duncan papers, loc. cit., DU 5.45.5, letter Duncan to Huddleston 27.6.1952.
179. Ibid.
180. Ibid., DU 5 Arthur Blaxall 1, letter Blaxall to Duncan 26.10.1952.

was coming to an end that convinced Patrick Duncan that there could be no more delay. The announcement of his decision to join a batch of volunteers on 8th December evoked another word of encouragement from Blaxall, who spoke of "your courageous decision".[181] From sabbatical leave in England Cyprian Thorpe wrote similarly endorsing his decision:

> Things have moved so fast recently that only drastic and self-sacrificing action can save the white man in Africa from complete loss of face. 182

Duncan's biographer, therefore, having denied the seriousness of his commitment as an Anglican Christian at the time of his decision to join the Defiance Campaign in 1952, seems also to have under-valued the significance of his exchange of letters with Archbishop Clayton in re-affirming his intention to offer himself as a volunteer.[183]

THE ANGLICAN RESPONSE.

Patrick Duncan's decision to offer himself as a resister in the Defiance Campaign coincided with the meeting of Episcopal Synod in November 1952. The Bishops addressed a resolution to the Prime Minister, in the form of a public statement, to be presented in person by the Archbishop, and issued an Advent Pastoral Letter to "the faithful in Christ Jesus". The Synod of Bishops recognized the "duty of the government to restore and maintain law and order" and asked the Prime Minister to "set in motion fresh consultations on the highest level with representatives of the various non-European groups".[184] Their pastoral letter referred to the "strained relations" between the races, and "increasing tension". It renounced "hatred, intolerance, contempt or pride" and was essentially a call for the unity of the family of God. With regard to the political situation in the country the

181. Ibid., letter Blaxall to Duncan, 2.12.1952.
182. Duncan papers loc. cit., DU 5.95.13, letter from Cyprian Thorpe, Matlock, Derbyshire to Duncan, 30.11.1952.
183. DRIVER, op. cit., p. 108, "Clayton's reply was gentle and inconclusive", cf. p. 107, "In short he [Duncan] was an occasional churchgoer rather than a devout churchman".
184. CPSA Archive, Clayton papers AB 191, extract from the Minutes of Episcopal Synod 1952 (undated). See Appendix "C".

letter continued,

> It is not our purpose in this letter to put before you a plan of political or social change. Such changes are bound to come in this land as elsewhere. Shall they come through hatred and violence or through love and understanding service ? It is for us to show by our example that men of different races can work together with mutual respect for the building in this land of a social order more in accordance with the understanding of each other's needs that should be ours because we are members of one Body, in which where one member suffers all the members suffer with it. 185

Both the Bishops' Pastoral Letter and Episcopal Synod's resolution to the Prime Minister are of interest for what they do not say. This does not mean that the call for unity and for consultations was not appropriate, nor that the Bishops erred in saying what they said. There is evidence, however, of a division of opinion between individual Bishops on the question of participation in passive resistance, and certainly the Bishops were not ready corporately to condone deliberate breaches of the law, however unjust they believed certain laws to be. This probably accounts for the fact that some Bishops, including Archbishop Clayton, refrained from making any significant expression of opinion on the issue of civil disobedience itself until after Episcopal Synod had met.

The Archbishop's monthly letter to Good Hope, the magazine of the Diocese of Cape Town, in December 1952, gives Clayton's view of the church's teaching on civil disobedience.[186] Clayton began by acknowledging the obligation on every churchman to be a law-abiding citizen, but added, "yet there are circumstances in which it is a man's duty as a Christian to refuse to obey a particular law". Having said that there was therefore "no obligation on a man as a Christian to obey unjust laws" Clayton then asked "Who is to decide whether a particular law is just or unjust ?" A law which was considered "unjust" did not entitle one to break it.

> We can only do that if our conscience forbids us to obey it, or if a particular law is in our judgement inconsistent with fundamental human rights.

He warned that "a man is not a good judge in his own cause", and thus there was reason to hesitate before deciding to disobey a law "because we think that the law is unjust to us personally".

185. The Vineyard, December 1952, "Advent Pastoral Letter". See Appendix "C".
186. Good Hope, December 1952, Archbishop's Letter "On Civil Disobedience". Also printed in The Newsletter (Diocese of Grahamstown) December 1952, and in The Times (London), early in 1953. See Appendix "C".

St. Peter's injunction that "It is better to suffer for well-doing than for evil doing", Clayton acknowledged, "must not be taken as a general prohibition of all refusal to obey unjust laws". But if a man does decide to disobey a law for conscience's sake, "he must be prepared to take the consequences", and the State can also be expected to punish him.[187]

Clayton did not think that the Church should either tell a man what he should do, or condemn him. "Fundamentally it is for a man's own conscience to decide".

> But I would repeat that a man must not break a law simply because he does not agree with it, but only if it offends the law of justice.

Clayton then went on to cite an example, which indicated that he was not himself ready to defy the law like Patrick Duncan. For Clayton, the law to be disobeyed had to be something more fundamental than for example bus apartheid.

> For instance, if it were laid down that all Europeans had to use one bus, and all non-Europeans another bus, personally I should think that that was a stupid and inconvenient law; but if an adequate number of buses were provided for both Europeans and non-Europeans, I don't think that the law of justice would be infringed, and I should not regard myself as justified in getting into a non-European bus and so breaking the law. [188]

On the other hand, he acknowledged that the situation was complicated by the fact that for Indians and "Native Africans" there were no constitutional means of getting such laws changed. Clayton did not, however, go on to make the inference that for them, therefore, the position was greatly different than for him, who as a white voter did have access to other, constitutional means of effecting change, without recourse to methods of passive resistance. Instead, he went on to express his doubt about the wisdom of the "present civil disobedience movement", though he could not see "how anyone could avoid having some sympathy with it".

> For I find it difficult to believe that, if the movement continues it will be possible to keep it a movement of passive resistance. I think it is extremely likely to lead to violence. Whether it has done so already or not is a question about which one who, like myself, has no inside information, can hardly express an opinion. But if it does, my own view is that it will lead to greater evils than those against

187, 188. Ibid.

> which it is a protest. Yet though I think it is unwise, I should find myself quite unable to condemn a man who was led by his conscience to take part in it. The State must of course condemn him. He must take the consequences. Presumably he will have counted the cost. 189

Nor did Clayton think that the Church should give a lead.

> What I think the Church can do is to state clearly the moral problem and leave men to form their own personal decisions. 190

Thus he thought that the Church had not failed by not telling people what to do. Rather, "the Church has succeeded, because the Church provided an atmosphere in which men could make their decision according to their conscience". What was important was that Christians could differ, yet the fellowship of the church should remain unbroken. Clayton concluded with the assertion that

> of course there is one thing about which we ought all to agree; and that is that laws which are unjust ought not to remain on the Statute Book. 191

Clayton had stopped short of whole-hearted support for the passive resistance movement. To have done that would have risked charges of incitement. Whilst being unready to engage directly in resistance himself, he was not anxious to thwart the Government in its determination to suppress the Defiance Campaign, either. Clayton's view of the function of the State was expressed in a lecture which he gave in Cape Town on 15th October 1952, on "Morality in International Relations".

> The State must provide constant and stable conditions of life, just as God, through the constant law of nature provides stable conditions, which make life and progress possible in the world as a whole. But bearing in mind that limitation, the strongest demand of religion on the state is that the individual must have freedom. 192

Thus it is not difficult to understand why Clayton could say of the Government's response to those who practised civil disobedience that whilst "I should find myself quite unable to condemn a man who was led by his conscience to take part in it [i.e. civil disobedience] ..... the State must, of course condemn him. He must take the consequences".[193]

189-191. Ibid.

192. CPSA Archive, Clayton papers AB 191, "Morality in International Relations", a lecture by G.H. Clayton delivered in Cape Town City Hall Library, 15.10.1952, pp. 7,9.

193. Good Hope, December 1952, loc. cit., and Appendix "C", p. 1124.

But this did not mean that the State was therefore above criticism. In the same lecture Clayton also warned against the totalitarian state, and insisted that "the Christian must regard himself as God's subject before he is subject of the government of his country".

> God is not identified with the State as happens in a theocracy, or in the case of a primitive polytheistic tribe. God is revealed through Jesus Christ. And a Christian must judge the actions of the state in the light of his knowledge of God through Jesus Christ. But the totalitarian state identifies itself with God. It is therefore above criticism. Criticism is treason. More criticism is blasphemy. To that a Christian can never assent. 194

It is clear that Clayton's personal pilgrimage along the road of Christian resistance to laws which he considered both unwise and unjust had not yet reached the point at which he was himself ready to disobey, or counsel others to disobey, the State. If Clayton's charge to the Sacred Synod of the Diocese of Johannesburg in 1946 is compared with what he wrote to the Diocese of Cape Town in 1952, and if we contrast Clayton's hostility towards Michael Scott's participation in the Passive Resistance Campaign in 1946 with his altogether sympathetic attitude towards Patrick Duncan in 1952, there is evidence of a change of heart. Admittedly Clayton's rebuke in Scott's case was earned for leaving his parish without making proper arrangements. Duncan, on the other hand, could have been challenged with the question of his family's welfare, but he was not. It was, however, obvious that Duncan had counted the cost, where Michael Scott seems to have acted on impulse, whilst showing a disregard for his parish responsibilities which Clayton was obliged to censure. When we come to examine Clayton's part in standing up to Strijdom and Verwoerd over the "Church Clause" in 1957, the influence of the Defiance Campaign should be noted, in preparing Clayton for taking the step of defiance himself. Clayton, it must also be acknowledged, was careful to avoid any overt condemnation of Scott for joining the Passive Resisters in Durban. It is notable that we find him in 1952 almost encouraging Patrick Duncan to do so.

194. Clayton papers AB 191, loc. cit., Clayton lecture, p. 9.

Where in 1946 Clayton placed much emphasis upon the Christian's duty of non-resistance, in 1952 he defined the limits of Christ's teaching in this respect much more closely. In the same lecture referred to earlier, Clayton discussed whether there could be morality in international relations on the basis of natural law, and cited the statement by Lord Roseberry that "the Sermon on the Mount does not apply to politics". Clayton said,

> The Sermon on the Mount is a description of the kind of person that a Christian ought to be, and therefore that a Christian politician ought to be. Take the teaching of Christ about non-resistance. That is something intensely personal. It means that a Christian is to rid himself of all personal resentment for a wrong done to him. If someone hits him, he is not to want to hit back. That is so difficult that it is seldom obeyed. But if you are to extend it to state action the most obvious conclusion is that you must not have a police force. A man is to take wrong. If someone takes his coat, he is to give him his cloak also. A man may have a Christian duty to forgive wrongs done to himself, and to take no action to protect himself against them. But the ruler of a state is not concerned with wrongs done to himself, but with wrongs done to those for whom he is responsible. And if he practises non-resistance, he will in effect be turning, not his own cheek but the cheeks of others. 195

Clayton was sceptical about the outcome of Christian non-resistance practised on a massive scale. In his lecture he used this hypothetical example:

> It may be that a state, all of whose citizens were convinced Christians, and all of them ready to accept a literal interpretation of Christ's teaching, could rightly practice non-resistance for religious reasons. And indeed, if you can conceive of a whole nation voluntarily offering itself as a sacrifice, doing corporately what Christ did when He accepted the Cross, it is difficult to foretell what would be the outcome. Probably the whole nation would be wiped out or enslaved; but the ultimate result of such action might be most fruitful for the world as a whole. But no such position exists today. 196

It should be noted that this was said fully a month before Luthuli's famous statement on being deprived of his chieftainship, "The road to freedom is via the Cross", and so it cannot be regarded as a direct response to Luthuli, but it did coincide with his letter to Patrick Duncan. It is difficult to imagine that Clayton's use of this example was not strongly influenced by the Defiance Campaign,

195. Ibid., pp. 12-13. 196. Ibid., p. 13.

or that the issue of what the State would rightly do to deal with passive resistance was ever far from his mind. Clayton also went on to say that

> the teaching of the Sermon on the Mount, if it is to be applied to state action, seems to forbid all use of force, not merely killing. 197

It is of interest that in June Patrick Duncan had identified satyagraha with the Sermon on the Mount in a letter to Trevor Huddleston, and he repeated his conviction in another letter to Patrick Cullinan on 7th October.[198] Whilst resisters might renounce the use of force, Archbishop Clayton did not believe that the state could be denied the use of all force in upholding the law, for he also made it clear that those who chose to disobey the law in obedience to conscience must nevertheless accept the consequences. Thus in the context of his lecture, Clayton's purpose in making the statement cited above was probably to demonstrate the truth of Lord Roseberry's dictum,that the Sermon on the Mount should not therefore be applied to political action or law enforcement.

It must also be accepted that what Archbishop Clayton said in 1952 was conditioned by the views of other Bishops. Archibald Cullen, whose diocese embraced the greater part of the Eastern Cape, and whose clergy were divided on the issue, discouraged his clergy from active participation in the Defiance Campaign. When asked by the Revd. John Skomolo whether he could be given a general licence in order to "follow Michael Scott" Cullen refused. Skomolo told his friend Patrick Duncan, "he is unwilling. This eats into my soul more than anything else". Skomolo wanted to become a full-time field worker "to organize the African masses and drill into their minds the true meaning of democracy (not Africa for the Africans) but human rights and freedom for all".[199] For Cullen believed that

> No passive resistance can remain passive for long in a country like this .... Those who back the passive resistance movement must therefore in the sight of God accept some responsibility

197. Ibid.
198. Borthwick Institute, York, Duncan papers, DU 5.45.5, letter Duncan to Trevor Huddleston 27.6.1952; and DU 6, letter Duncan to Patrick Cullinan, 7.10.1952.
199. Duncan Papers DU 5, undated letter from Skomolo to Duncan.

> for any loss of life or other violence which may result .... I have told my clergy that this is so. 200

In the same letter to the Director of the South African Church Institute on 19th November 1952, Cullen reported that his African clergy were divided.

> Some of them are in it up to their necks, organizing the whole business. Two of my very best will not touch it. Both have been under repeated threats to life. Two attempts have been made to burn down one church, both foiled by his vigilance, although £ 150 damage was done on the second occasion. 201

Cullen considered that the "pronouncements of persons like Canon Collins had the effect of increasing the danger to those who oppose or who are lukewarm in the pursuit of the resistance movement".

> If you were to publicize broadly what I said you might make it extremely difficult for me to control my varied team of clergy. I fear that the majority would deduce from the garbled accounts which would come to us from overseas that I had gone over completely to their adversaries. My own clergy have been circularized by myself and they know that while I should never advise anybody to join in the resistance movement, for reasons which I have told them, I do not hold it to be my business to dragoon them into any particular position so long as they do their pastoral work and do not encourage violence. 202

Whilst Bishop Cullen was on common ground with Archbishop Clayton in regarding the matter as an issue of conscience, and accepting passive resistance as something about which honest Christians could differ, it is nevertheless clear that Cullen's sympathies did not lie with the passive resistance movement. Cullen's attitude seems to be reflected in the views of his Director of Missions in the Diocese of Grahamstown, Archdeacon Hall, who gave this interesting insight in a letter to S.P.G. He commented on the dilemma faced by African clergy who did not support the campaign, but also revealed his own pietistic view of the Church's duty in the current political situation.

> Our priests, especially our Africans, have suffered much and still suffer. Some have felt it right to be publicly identified with the African National Congress and its policy of passive resistance, and have consequently come under the ban of the Minister of Justice. Others have taken the

200. CPSA Archive, SACI papers AB 707, extract of a letter from the Bishop of Grahamstown to the Director of the S.A. Church Institute, 19.11.1952, Mimeo 2pp by SPG.
201, 202. Ibid., p. 1.

> opposite view, and have consequently had to live under threat of violence, arson and death. It is not for me to sit in judgement on either party, for both act according to conscience. I must confess I have great admiration for the latter who maintain that their concern is for the spiritual welfare of their people. Whichever group we may belong to we are all powerfully aware that our non-Europeans suffer terrible disabilities, but so much of this is beyond immediate remedy and is the direct fault of no man but due to the sporadic growth of this country. It is surely the Church's duty to give the eternal verities and to leave the transient political inequalities of an age which is passing to the merciful wisdom of God 203

The explanation of why an Anglican church was burnt down by rioters thus becomes clear. Also illustrated are the tensions which developed in the African community between supporters of the A.N.C. and any who seemed to be non-resisters.

An African priest whose church did not join the Defiance Campaign wrote about his difficulties to S.P.G.:

> We were unfortunately the only church which could and would not join up in the Defiance Campaign. The multifarious leaders of the Campaign, most of whom were irresponsible type of men, took the opportunity to expose our opposition to their fantastic scheme. These men had an advantage over us. They could change their sails to catch the wind from whichever direction it came. So it was useless to argue with them. They asked what are the Christian principles ? Is it our Christian principles that members of a certain racial group be discriminated against ? If not, why will our church not help to remove those crying injustices ? Is our church an instrument of European domination ? If so should Africans support such anti-African churches ?
>
> To the simple-minded, of whom unfortunately, every racial group has an overwhelming majority, these confused questions were indisputable facts. So some of our fold had their faith shaken, while others thought our stand not wise even if right. At the same time we spared no effort to voice out the views of the church. Of course it needed no prophet to see what would be the outcome; and when things turned out exactly as we had foreseen, then favourable opinion shifted to our side. [Our] Church is at the present time most respected by people of all racial groups.
>
> We must finally state that we do not begrudge the African fighting for his political rights, but when his efforts are directed towards the church they are ill-advised, as no racial body is competent to decide what line the Church of God should follow in a given situation. 204

203. S.P.G. Reports, 1951-52, p. 37.
204. S.P.G. Reports, 1953, p. 67.

Bishop Reeves' views were expressed at a Symposium organized for the Civil Rights League in Johannesburg on 20th October 1952 by the advocate Sidney Kentridge. Sharing the platform with Reeves were Margaret Ballinger and Julius Lewin. Lewin had earlier written to Duncan suggesting that Bishop Reeves might be persuaded to "get the Anglicans interested and sympathetic".[205] Reeves' address, however, whilst not unsympathetic towards the objectives of the campaign, raised serious objections to methods which involved "treating laws with contempt". He began by debating how a Christian could decide if a law were just or unjust. His conclusion was unequivocal. "There is no alternative but to state simply and directly that the laws against which the passive resistance movement is directed are unjust". However, Reeves was very much more cautious in discussing the question of whether the Christian was ethically right in disobeying them. He spoke only two days after rioting had erupted in Port Elizabeth.

> We are compelled to go on to enquire if citizens are justified in treating laws with contempt, once they have decided they are unjust. From the ethical standpoint it cannot be concluded that disobedience to unjust laws is automatically justifiable. In many cases, the individual has a duty to obey unjust laws; if, for example, such disobedience is likely to mean the loss of liberty or livelihood for the individual concerned; even more so, if disobedience is likely to provoke civil disturbance .... unjust though such laws are, this does not of itself justify a campaign as dangerous as the present one undoubtedly is; dangerous not so much in its present phase, as in its possible ultimate outcome: dangerous not only for the European but also for the future of the African people; for revolt against the law always exacts a heavy price from all concerned. 206

Realizing that his audience were not all directly concerned as participants in the Campaign, Reeves was also careful to point out there were implications for all,

> It is a grave mistake to conclude that this campaign raises serious moral and ethical issues only for those who are actively concerned. The existence of the campaign is rather a moral judgement - underlining the injustice of that discriminatory legislation that has been passed in recent years. .... It is difficult to believe that the present leaders would reject the chance of genuine consultation. We cannot absolve ourselves from the responsibility, if we fail to ask

205. Borthwick Institute, York, Duncan papers DU 5.61.19, letter Julius Lewin to Duncan, 19.8.1952.

206. Civil Rights League Newsletter, November 1952, "Defiance of Unjust Laws Campaign". CPSA Archive, reeves Papers AB 388, letter of thanks from Kentridge to Reeves, November 1952.

> that such consultation be made possible. All who are concerned with the course of events should occupy themselves not solely with the moral and ethical implications of the passive resistance movement but also with the legislation which is being called into question. 207

By contrast Father Trevor Huddleston took a more positive attitude towards both the aims and the methods of civil disobedience. In October 1952 he proposed a three-point plan for damping "the smouldering fires of racialism" and bringing the Defiance Campaign to an end. Huddleston's plan called for (1) a common roll franchise for African graduates; (2) freehold land tenure; and (3) the abolition of the pass laws.[208] Three months later he told a mass conference of 874 delegates in the Trades Hall in Johannesburg on 15th February 1953 that he identified himself fully with their struggle. In a letter to Patrick Duncan he described the Conference as "quite the best meeting of its kind I have ever been at".[209] Convened by the A.N.C. (Transvaal) and the Transvaal Indian Congress, the massed delegates called for a "militant struggle against the Swart Bills". Huddleston said he considered that the Public Safety Bill and the Criminal Laws Amendment Bill would "make citizenship meaningless". They were "vicious bills" by which "all those absolutely elementary democratic rights such as freedom of speech, the rule of law, the inviolability of person" were placed "at the mercy of the Government of the day".

> It has been, if I am not mistaken, the teaching of the Christian Church, throughout the ages, that when Government degenerates into tyranny its laws cease to be binding upon its subjects. The only point at issue is at what point does tyranny begin. 210

It is not clear whether Huddleston believed that that point had yet been reached, but he did say of the provisions of the "Swart Bills" that "this is a very long step towards tyranny", and urged his hearers to "carry through with all determination your declared aims in this great struggle without allowing the hideous strength of racialism to spoil your efforts". Sharing the platform

207. Ibid.
208. Church News, 15.10.1952, "Alleged ill-treatment of Defiance prisoners".
209. Borthwick Institute, York, Duncan Papers DU 5.45.11, letter Trevor Huddleston to Duncan, 19.2.1952.
210. AFRIKA Bulletin No 2., issued by the A.N.C. (Transvaal) and the Transvaal Indian Congress, ?.3.1953. SAIRR, Johannesburg, Jan Hofmeyr Library, Box 43 Passive Resistance. cf. also The Observer, 22.2.1953,and 15.4.1956 "Profile of Father Trevor Huddleston".

with Fr. Huddleston on this occasion were Oliver Tambo, who analysed the legal implications of the Bills, Nana Sita who believed that "no amount of terrorism can kill the awakened soul of the non-European people", Dan Tloome who outlined the political situation, and Yusuf Cachalia, who called upon the delegates to organize for action. The Conference went on to support a resolution of the National Executive Committees of the A.N.C. and S.A.I.C. for a National Stoppage of Work, and further called upon the people to "intensify the Defiance Campaign".

Huddleston reached his Rubicon four months later, on seeing his friend Yusuf Cachalia arrested by a heavily-armed platoon of South African Police at the meeting in the Odin Cinema in Sophiatown on 28th June 1953 which marked the beginning of the A.N.C.'s campaign against the Western Areas Removal Scheme.[211] At this point it must suffice merely to note the difference between Huddleston's stance and that of his Bishop (Reeves) and of his Archbishop (Clayton).

Other Bishops seem to have followed Archbishop Clayton's lead, and their views were expressed in terms which reflected a generally sympathetic attitude towards the motives of the resisters, whilst warning of the dangers to which the movement might lead. Robert Selby-Taylor, who had been Clayton's choice for Pretoria in 1951[(212)] gave some clear teaching, both on the church's role in politics, and on Christian attitudes towards civil disobedience, in his first synod charge on 23rd November 1952. He defended his right to speak on political and social problems, on the grounds that whilst "politics touch many aspects of man's life and activity, the Christian religion touches every aspect of man's life." He emphasized that the

> ....Church must enter politics not as a Church party as has happened in Europe .... Rather it must encourage its members to work through all parties for better housing, better educational services, and such conditions of life as will enable its citizens to make their highest contributions to the welfare of the State. 213

211. HUDDLESTON, T. Naught for your Comfort, London: Collins 1956, pp. 56-7, cf. KARIS, CARTER & GERHART, Vol III, op. cit., p. 10, and BENSON, M., op. cit., p. 116. See below Chapter 13.
212. SELBY-TAYLOR, The Most Revd. R., interview, Kalk Bay, 24.4.1976.
213. The Kingdom, December 1952, pp. 6-7.

He also gave clear encouragement to Anglicans, who, he thought, "had remained too aloof from political issues" to "get down into the political arena".

> Every citizen has his duty towards God but every Churchman has also the duty of taking his part in the government of the country in which he lives. No one can rightly fulfil either of these duties, unless he is taking a full share in both. 214

In discussing the passive resistance movement, Bishop Selby-Taylor showed his empathy with its motives at the outset by saying that

> [The] large section of the community which has no political rights has chosen the only way open to it of expressing its views about laws which it considers to be unjust, and it has done so by intentionally breaking some of those laws. 215

He recognized that Christians were "probably divided" as to whether it was right in any circumstances to set out to disobey the laws of the State". However, although it was possible to argue that "the State is divinely sanctioned" and that Jesus refused to break the law when tempted to do so by the Jews, Selby-Taylor believed there were occasions "when the laws of the State become so onerous that a Christian is compelled to obey the voice of God expressed through his own conscience". Like Clayton, he also said it was nevertheless "the State's duty to ensure the laws are kept, and it must punish those who break the laws whatever may be their motives". He found it difficult to condemn those who took part in the civil disobedience movement, but also warned that

> it will be impossible for them to prevent the control of the Movement passing to less responsible hands, and once that happens the result will be violence and bloodshed and a great deal of suffering to innocent people. I am not in a position to know whether the recent rioting has had anything to do with the Civil Disobedience Movement, but the effect of that rioting should be an awful warning to the leaders of every section of the community. 216

The Bishop of Bloemfontein, C.W. Alderson, in expressing his condemnation of the Government's action in trying the circumvent the Supreme Court's verdict on the "Coloured Voters' Act" before the Campaign, continued

> I can imagine no act more calculated to break faith with all the non-Europeans of our Land (already shaken to its foundations) .... I am distressed that a former minister of religion should have allowed such a course to be considered, and I hope

214-216. Ibid.

> that all Churchmen will realise that this time it is not a mere political squabble, but a matter of the whole future of themselves and their children and everybody else's; and they will support any legitimate means of defeating so gravely dangerous a course of action. 217

Writing again to his Diocese in February 1953, Bishop Alderson reiterated the injunction made in his synod charge to pray for "our secular authorities", for "only if we pray for them have we the right to criticize them". He thought that no Government could "tolerate the wilful breach of its laws or incitement to break them", but asserted that it was

> .... elementary Christian moral teaching that Christians may not wilfully break laws or incite others to break them, unless they are convinced in conscience that they are plainly contrary to Christian doctrine or morals, as were some in the Roman Empire: and then they must take the consequences as the law must take its course.
>
> The laws of governments must be obeyed at all costs except disobedience to the plainest demands of conscience; but the right to change laws by criticism and political action must remain. 218

In the Diocese of Kimberley it was left to Archdeacon Walter Wade, who in 1970 was to become a Suffragan Bishop of Cape Town, to contribute a sensitive and sympathetic article on "The Resistance Movement" to his diocesan magazine. He commented on how many of those who risked arrest and imprisonment were "staunch church members". So much was this so that "services in jail have improved by the leaven which the presence of the 'resisters' has added". Fr. Wade, referring to the way in which it was "our Lord who first 'successfully' used suffering for the obtaining of those things which are true and eternal" saw that "His [Christ's] movement was interpreted by the authorities of his day as resistance against the laws of the Roman Empire, and ... against the religious customs and claims of the nation to which He belonged". Fr. Wade interpreted the resistance movement in South Africa as "part of the awakening national consciousness amongst Africans" and observed that "for the first time in the history of Africa the initiative has passed out of the hands of the white man".[219]

The Bishop of St. John's, Henry Evans, saw the Defiance Campaign

217. Bloemfontein Diocesan Journal, April 1952, p. 3. [My italics].
218. Ibid., February 1953, p. 3.
219. Highway, November 1952, pp. 4-5.

as a challenge to the church to set its own house in order, and concluded that it was thus right

> to go ahead with the policy already inaugurated in this Diocese of entrusting more parishes to the care of African priests-in-charge. 220

The newly-elected Bishop of Natal, Vernon Inman, was content to allow Episcopal Synod's Advent Pastoral Letter to speak to his diocese.[221]

It is noteworthy that even these carefully measured statements evoked an accusation from the Minister of Labour, Mr Schoeman, at a National Party meeting at Maitland in the Cape on 19th February 1953, that the Anglican Bishops of Johannesburg. Natal and Bloemfontein were openly supporting the Defiance Campaign.[222]

A summary of the C.P.S.A.'s attitude towards the Defiance Campaign would thus be that whilst it supported the condemnation of the laws against which the campaign was directed (with the exception of Stock Limitation regulations), it did not as a church support the campaign as such, although being entirely sympathetic to its motives. It was a matter for the individual conscience to decide whether circumstances were such to justify active or passive disobedience to unjust laws. There were many who believed that civil disobedience could lead to greater evils than those which it was aimed at, and who stood aloof. There were others who felt they had no other form of protest open to them than to take part, by deliberately disobeying certain laws and suffering patiently the punishment prescribed by the courts. The Church did not exclude either from its fellowship, and desired above all else consultation between the voteless black leaders and their white rulers.

OTHER CHURCHES.

The other English-speaking member churches of the Christian Council of South Africa all held their annual assemblies in September

220. St. John's Chronicle, August 1952, pp. 5-6, "Bishop's Charge".
221. The Vineyard, December 1952.
222. The Friend, 20.2.1953.

or October 1952, at a time when the campaign was gathering momentum, and before any outbreak of rioting had occurred. The Annual Assembly of the Baptist Union, meeting in October, appealed to the Government to meet with non-European leaders to discuss constructive measures for the future, and to make specific recommendations in regard to housing, education, labour challenges and the wastage of manpower.[223] The Annual Assembly of the Congregational Union, also meeting in October, called upon the Government to call a national convention representative of all sections, protested against the increasing delegation of power to Cabinet Ministers, and affirmed that African people must be regarded as an integral part of the South African social structure.[224]

The General Assembly of the Presbyterian Church, meeting in September, expressed deep sympathy and understanding with the African people and strongly condemned legislation which was unjust and repressive. However, the Assembly also said that it could not approve, and deeply regretted the emergence of the "Defiance of Unjust Laws Campaign".[225] This negative Presbyterian view was also reflected in Dr. Shepherd's Principal's Report for 1952 at Lovedale. Dr. Shepherd, who was also Moderator of the Presbyterian Church, thought that the campaign had "greatly exacerbated feeling among the non-Europeans" and that "Lovedale should not be made a centre for political activity".

> Whatever our sympathies with political aims, the day-to-day work of the Institution does not include their furtherance. The building of our students in Christian character and knowledge is our paramount business .... the attainment of political goals will avail little for any people if they are not inwardly equipped to bear the responsibilities of the modern world. 226

It is also of interest that when the General Assembly next met in August 1953, it found it necessary to rephrase what it had said about the Defiance Campaign the year before, in order to harmonize it with the statement issued by the Christian Council's Executive Committee earlier in 1953. The Christian Council's resolution of May 1953, which was endorsed by the Presbyterian General Assembly,

223. Baptist Union Handbook, 1952, pp. 94-5.
224. Congregational Year Book, 1952/3, p. 38.
225. Proceedings of the Fifty-First General Assembly of the Presbyterian Church of South Africa, p. 39.
226. Daily Despatch, 6.8.1952.

expressed "profound sympathy" with non-European Christians, and said,

> It understands and sympathizes with the motives which have led many to associate themselves with the Civil Disobedience Movement. But it feels bound to point out that obedience to the law is a Christian duty, and that disobedience is only justified when such obedience involves disobedience to the dictates of conscience. 227

Significantly, with its large black membership the Annual Conference of the Methodist Church went further than any other church in supporting the principle of resistance to apartheid by saying,

> The non-European peoples of this country are suffering under legislation which discriminates against them as racial groups .... having been denied opportunity for making effective representations respecting the probable results of such legislation, they are reduced to three alternatives. These are:- (1) Active resistance (2) Passive Resistance and (3) Submission, which may lead, they fear, to final subjugation. 228

The inference therefore is clear that the Methodist Church regarded passive resistance as fully justified in the circumstances. Conference was in session when riots erupted in New Brighton, thus also recorded was its "strong and unqualified disapproval of any resort to violence" by "any section of the population" and support for the Christian Council's call for a National Convention.

The tardy response of the churches is vividly illustrated by the way in which the issue was handled by the Christian Council. We have already noted that the Secretary, Dr. Blaxall, expressed his sympathy with the principle of such a campaign in a confidential letter to Dr. Moroka as early as February 1952, although he shared Manilal Gandhi's concern that the ground was not sufficiently prepared, and that no premature moves be made.[229] On 10th March Blaxall had written to the Secretary of the Christian Council's Action Committee in Cape Town, Basil Brown, saying,

> You are no doubt familiar with the fact that the African National Congress talks of organizing a passive resistance demonstration against segregation laws on 6th April. The Institute of Race Relations will almost certainly make a

227. Christian Council Quarterly, May 1953, cf. The Star, 18.8.1953, "Presbyterian Church view of Defiance".

228. Minutes of the Seventieth Annual Conference of the Methodist Church of South Africa begun in Durban on Wednesday 15th October 1952, Cape Town: Methodist Publishing House and Book Depot 1952, pp. 161-3, Special Resolutions.

229. Wits. Archive, CCSA Papers, letter Manilal Gandhi to Blaxall 10.2.1952, and

> statement on the matter and I have been asked whether the Christian Council will do likewise. 230

When the Action Committee met on 26th March in Cape Town, under the Chairmanship of Archbishop Clayton, the minutes of the meeting record that "Mr Blaxall's memorandum was read and it was agreed that no action be taken and no statement issued".[231]

Albert Luthuli gave a revealing account of what took place when the question of a C.C.S.A. statement on the Defiance Campaign was again discussed by the Executive of the C.C.S.A. in January 1953, when Luthuli was present.

> We met under the chairmanship of the Archbishop of Cape Town, and the Defiance Campaign came before us because the Presbyterians had sent in a letter seeking advice about it.
>
> The first reaction of the Christian Council was that since it is a body which does no more than seek to co-operate, a statement would be out of place. The suggestion was that the matter should be referred back to member churches.
>
> With others I took a strong contrary view. The issue was real and present. By the time there was an answer from member churches, the whole thing might be out of date. I believed it to be the duty of the Church as a whole, to give moral guidance at once while the issue was alive and while some Christians were in real confusion about the principles involved.
>
> The Christian Council thought again, and we appointed a sub-committee to draft a statement .... It was a sound and useful statement and it did save the Christian Council from the charge of evasion. 232

The Cape Times considered the statement to be a "courageous appeal" and said that the Christian Council had given a "challenging lead" by "urging consultation between the Government and accredited representatives of the non-Europeans in order to try and understand the causes of the present racial tension", and by insisting that "Christian principles [were] placed before political expediency or partisanship".[233] In spite of this paeon of praise from the Editor

230. CCSA papers, loc. cit., letter Blaxall to Basil Brown, 10.3.1952.
231. Ibid., Minutes of Action Committee in Revd. E.W. Grant's office, Church Street, Cape Town on Wednesday March 26th 1952 at 10.30 a.m. "Present: His Grace the Archbishop of Cape Town (in the Chair), Mrs D. Wark, Dr. Gordon Mears, Revs. E.W. Grant, W.H. Doke, V.E. Miller, B.H.M. Brown. Apologies: Revs. J. Watson and Paterson Whyte."
232. LUTHULI, A., Let my People go, op. cit., pp 123-4.
233. Cape Times, 26.1.1953, "Church's Lead".

of the Cape Times, the Christian Council's statement had come a year too late. The time to call for consultations was when Dr. D.F. Malan had replied so abruptly to Dr. James Moroka in January 1952. For all that, the need for such consultation was no less urgent. In the atmosphere of "panic" prevailing in the white community following the riots in Port Elizabeth and East London only three months before, the Christian Council's sane reasonableness contrasted so completely with the reactionary attitudes of both the Government and the United Party that the statement may, however, not have been without value, in restoring some sense of proportion to the views of the majority of white South Africans who had been so thoroughly alarmed by the mob violence which resulted in the horrifying murder of Sister Aidan.

THE MARCH INTO GERMISTON LOCATION: 8th DECEMBER 1952.

On the afternoon of 8th December 1952 a mixed group, consisting of three white men, four white women, thirteen Indian men and six Indian women, ten African men and two African women, entered Germiston location without permits. At their head was Patrick Duncan on his crutches, to which he had tied the Congress colours of green, yellow and black. Before they set out there had been a small lunch party at Julius Lewin's home in Parkwood for the Duncans, at which Alan and Dorothy Paton and Manilal Gandhi "who happened to be in Johannesburg" were also present. After lunch at Duncan's urging Gandhi decided to join the other defiers. Others in the group included Betty du Toit, the trade unionist who had travelled to Durban in the same car with Michael Scott in 1946, and Freda Troup, the author of a book about Scott. Amongst the Africans were the writer Alfred Hutchinson and Peter Molotsi. The other whites included Selma Stemelmann, a social worker, Percy Cohen a dentist, and two students Margaret Holt and Sydney Shall from the University of the Witwatersrand. Of the Africans, many were students from the University of Fort Hare at the end of their academic year.[234]

234. Compiled from: KUPER, op. cit., p.144; DRIVER, op. cit., p. 95; and The Star 26.1.1953, "Incidents in Reef location described - Patrick Duncan and other alleged resisters in court", cf. The Daily News 29.1.1952, "Thirty remanded".

Duncan went "at a great pace" on his crutches, pursued by a procession of thirty eight resisters and fourteen journalists including some representing the overseas press. They marched round the location singing Congress songs, watched by the press corps and the people of the township. Duncan then called for something to stand on, and made a short speech in both English and Sotho, calling for equality, non-violence and action in a spirit of peace and love. He then ended with the Congress salute and their cry "Mayibuye Afrika !" The police still showed no signs of arresting them, so Duncan began leading them back to the entrance of the location. Cyril Dunn, the Observer's Johannesburg correspondent recalled how at this juncture Betty du Toit turned impatiently to a police-man and said "Aren't you ever going to arrest us ?" He replied obligingly, "O.K., go and get in that car". Those arrested were then held for forty-eight hours at the Germiston police station. The journalists, too, were taken there "as a warning", but were not, however, detained.[235]

As the news echoed around the world that the son of a former Governor General of South Africa had been arrested as a resister, in company with the son of Mahatma Gandhi, there was a mixed reaction. The Lewins, who had accompanied Duncan back to Riverside Farm before Christmas, and joined with Patrick and Cynthia in "Maseru's giddy social round", wrote encouragingly about "Maseru's reaction" to his "crossing the Rubicon".

> Don't worry about the frowns of former friends or colleagues .... for every old colleague who turns chilly, you will presently find two new ones of a very different calibre who see your conduct in its true perspective. 236

Two such new friends were the Revd. Arthur Blaxall Secretary of the Christian Council of South Africa, and the Principal of Adams College near Amanzimtoti in Natal, G.C. (Jack) Grant. One old friend, Patrick Cullinan, wrote to say "I admire you more than any other living man I know".[237] David Astor, Editor of the Observer, sent a cable to Patrick Duncan and Freda Troup which said "Very proud

235. DRIVER, op. cit., p. 97, citing letter from Cyril Dunn to Tom Lodge, 24.2.1976.
236. Borthwick Institute, York, Duncan papers DU 5.9.30, letter Lewin to Duncan 26.12.1952.
237. Ibid., DU 5 Arthur Blaxall. Letters Blaxall to Duncan 26.10.1952, 2.12.1952 etc., and 5.36.1, G.C. Grant, letters from Grant to Duncan 3.2.1953 etc.; DU 6, letter Cullinan to Duncan, 14.12.1952.

to know you. Many people everywhere are watching what happens".[238] Duncan replied, "our 'satyagraha' has naturally dismayed numbers of our friends, and messages like yours count for much in the other balance".[239] Thirty years later Alan Paton strongly re-affirmed the view expressed at the time by Christopher Gell and Julius Lewin that Duncan's defiance in Germiston was the "finest moment in his political career".[240] For overnight he had become the patron and hero of over 8500 others who had already gone to prison as resisters, and numerous other rank and file members of the African and Indian Congresses who realized that he faced the severer penalties for incitement prescribed by the Governor General's proclamation of 28th November.

On 26th January 1953 Patrick Duncan and Manilal Gandhi appeared in the Germiston Regional Court with all the white resisters of their batch. They were charged with "inciting Natives to resist, break or obstruct the administration of any law" in terms of the new proclamation of 28th November 1952, which carried the penalty of three years or £ 300 for incitement.[241] The other thirty resisters were remanded separately in another court, and charged with entering a location without a permit, or failing to have proper passes.[242] Argument by Dr. George Lowen, Defence Counsel for Duncan, Du Toit and Gandhi, that the proclamation had created an entirely new offence of incitement contrary to the common law, and was thus beyond the scope of the Governor General's power, was rejected by the Magistrate. "In regard to affairs which related to Natives", the Governor General, according to Crown Counsel Mr C.E. van Rhyn, had "virtually unlimited power to legislate".[243] All were accordingly convicted.

Patrick Duncan was sentenced to £ 100 or 100 days, Gandhi to £ 50 or 50 days. Du Toit, Troup, Stamelmann and Cohen were sentenced to £ 50 or 50 days, with half the sentence suspended for three years.[244]

238. Ibid., DU 5 Telegram from David Astor to Duncan, 9.12.1952.
239. Ibid., letter Duncan to David Astor, 13.12.1952.
240. Reality, November 1981, p. 18, "Driver's Patrick Duncan: a review by Alan Paton"; cf. DRIVER, op. cit., p. 100.
241. The Star, 26.1.1953 loc. cit., and Daily News, 29.1.1953, loc. cit., cf. DRIVER, op. cit., p. 95.
242. Ibid.
243. The Star, 2.2.1953, "Validity of regulations not in doubt, Crown Counsel says".
244. The Star, 4.2.1953.

In evidence Patrick Duncan gave his reasons for joining the campaign. He said it was the duty of every citizen to fight injustice in South Africa, whether he was personally affected or not, since liberty was indivisible. "I wish to show that there are at least some white people who are prepared to co-operate on a basis of equality with the two congresses".[245] Betty du Toit said

> We are proud that there are young South Africans associated with us in this demonstration to show the South African population that they loathe and abhor racial oppression. [246]

A SHORT CRITIQUE OF THE ANGLICAN RESPONSE.

In evaluating the response of Anglicans to the Defiance Campaign, firstly it is difficult not to sympathise with Chief Luthuli's view that "the charge of evasion .... is not unfounded".[247] Church leaders received early warning from Dr. Blaxall that the campaign was being planned, in March 1952. No South African could have been unaware of the Government's intentions after the publicity given to the exchange of letters with the Prime Minister in January, still less after the mass meetings of 6th April 1952. Yet it took two months for Archbishop Clayton to reply to Patrick Duncan's letter asking for advice, and we do not find any significant Anglican statement emerging until after the first riots in Port Elizabeth in mid-October. Archbishop Clayton's opinion, that this left individuals free to obey their consciences, hardly excuses the delay. For fully five months large numbers of faithful Christians were left without clear guidance on a critical moral issue.

That Episcopal Synod met only annually in November prevented the bishops from formulating an agreed stance earlier in the campaign. That this weakness was acknowledged later is reflected in the appointment of an Emergency Committee by Episcopal Synod at its next meeting, in November 1953. Significantly, it was this committee, consisting of four senior Bishops, who later met with Archbishop Clayton in March 1957 to discuss the C.P.S.A.'s response

245. Pretoria News, 4.2.1953, "Duncan on why he joined the 'Defiers'".
246. The Star, 4.2.1953, "Defiance incident on Rand, 8 Convicted".
247. LUTHULI, op. cit., p. 124.

to Clause 29(c) of the Native Laws Amendment Bill.[248]

It is interesting, however, to note that, once church statements began to emerge, it was Archbishop Clayton's lead that was followed by his fellow Anglican Bishops, and by the Christian Council.

Secondly, it is also necessary to take cognisance of the confused atmosphere in which such statements had to be made. Wild charges of "Communist" and "incitement" were being flung about by Government spokesmen without discrimination. For instance, Mr Schoeman said that the Bishops of Bloemfontein, Natal and Johannesburg had supported the Defiance Campaign, and were therefore inciting "Natives" to break the law. Thereafter each subsequent episcopal denial contributed to a further weakening of the church's position. Dr. Blaxall commented ruefully about this in a letter to Patrick Duncan:

> What saddens me is that when certain bishops were attacked by Schoeman they rushed to self-defence, taking every effort to prove that they did not support the campaign. When I read the bishop of Bloemfontein's "so far as I know not a single priest or layman in my diocese has been a resister" I felt like writing to ask if he knows that your farm is territorially in his diocese.
>
> It is all so weak and pathetic ....[249]

The morality of law-breaking presented considerable problems for sincere law-abiding churchgoing Christians. The severe penalties for incitement contained in the Governor General's Proclamation of 28th November 1952, and in the Criminal Laws Amendment Bill of January 1953, underlined the real dangers that attached to making public statements on the subject. The strictures of Chief Luthuli and Dr. Blaxall may now seem unduly harsh, for in spite of the criticisms of "evasion" and "tardiness", those Bishops who spoke up, however cautiously, deserve praise for their courage since the mood of abject fear which swept the country in the wake of the riots rendered anything that was said on the subject open to misrepresentation.

248. CPSA Archive AB 981, Native Laws Amendment Bill, Records illustrating the Church's attitude to the Bill. Letter Clayton to Seven Bishops, 6.3.1957.
249. Borthwick Institute, York. Duncan papers DU 5 Arthur Blaxall (9), letter Blaxall to Duncan 2.3.1953.

Thirdly, it is evident that because church leaders at the time were without exception white, although some bishops will have had close pastoral contact with their African clergy, episcopal statements were made by those who were spectators and not participants in the struggle. The commitment to civil disobedience of Dr. Blaxall, Fr. Huddleston and Patrick Duncan stands out in marked contrast to the views of their bishops, and is to be accounted for by their closer contacts with the Congress movement. Unlike the bishops they therefore had a more ready and immediate sympathy and understanding for both the goals and methods of the campaign.

Fourthly, although there is no record of any Anglican clergy having participated as resisters, the significant lead given in the Defiance Campaign by African clergy, often at great personal sacrifice, is one of the most impressive features of the campaign, particularly in the Eastern Cape. Particular mention can be made here of two such men who were Anglican priests. James Calata of Cradock in his capacity as President General of I.D.A.M.(F.), by his close personal identificaiton with the A.N.C.'s decision to proceed with a mass campaign of satyagraha, in the absence of any clear episcopal guidance until the campaign was nearly over, gave an important religious sanction to the resisters, as did the wide use of prayer for the campaign's success in many African churches. Another indefatigable leader was John Skomolo, who expended his entire life savings during the campaign.[250]

Fifthly, it should be noted how most bishops waited before making their pronouncements on passive resistance until after Episcopal Synod met in November 1952, by which time rioting had already occurred. By the expression of fears about the dangers of such a campaign leading to violence, some bishops, far from encouraging the continuation of civil disobedience, greatly assisted the Government in bringing the Defiance Campaign to an end.

250. Borthwick Institute, York, Duncan papers DU 5.90.5, letter from the Revd. John Skomolo to Duncan, 27.2.1954: "The National Executive Committee owes me £634 which was the money I spent in my area during the Defiance Campaign. The affair was costly. The Boers were ruthless. £285 of this money was made up of loans from friends. £349 was all my life's savings now leaving me a pauper. Right through all my congress fighting of 16 years, I do not remember being refund my personal expenses. A lot of money flowed into the country for defiers. Nothing came to my assistance. I am angry with the Executive".

Sixthly, although there were many African church members who joined the resisters and went to goal, the church's official response was expressed in episcopal statements. The question did not arise that direct action or passive resistance might be a method that the church itself must employ to defeat laws with which it disagreed. Such protests from the church, as we shall see, were more forceful, though the means of expression remained verbal. Whereas Clayton did succeed in seeing the Prime Minister as Metropolitan in December 1952, he was refused an interview as President of the Christian Council on the issue of the Government's legislation in February 1953.[251]

Seventhly, the most memorable feature of the manner in which Anglicans responded to the challenge of the Defiance Campaign was the dramatic way in which Patrick Duncan marched into Germiston Location at the head of a mixed group of resisters on 8th December 1952. The announcement of his intention to do so on 28th November coincided with the appearance in the Government Gazette of the Governor General's proclamation prescribing severer penalties for incitement. Within ten days of this proclamation being gazetted in the name of the Governor General of South Africa, the world witnessed the spectacle of the son of a respected former Governor General of the Union, accompanied by the son of the revered pioneer of satyagraha in South Africa, Manilal Gandhi, risking imprisonment for up to three years in open defiance of apartheid laws widely perceived to be unjust and without precedent in any other civilized country, laws which had received the consent of a somewhat less respected Governor General appointed by a minority Afrikaner Nationalist Government of Dr. D.F. Malan. Duncan's participation in the campaign had been most skillfully timed. Not only did it follow hard on the heels of the debates at the United Nations on

251. Wits. Archive, CCSA Papers, Minutes of Special Meeting of the Christian Council Action Committee, Cape Town, 2 p.m. 16.2.1953:
"It was decided to ask the Archbishop in his capacity as President of the Christian Council, to write to the Prime Minister asking him to receive a deputation from the Council to put forward the Christian viewpoint with regard to the Bills". The statement published on 19.2.1953 said:
".... we have sought an interview with the Prime Minister in which it was our intention to make certain representations about the Bills, but the Prime Minister was not able to grant us an interview. We therefore consider it our duty to make public our objections to these bills". (Cape Times 21.2.1953).

sending a commission of enquiry to South Africa, and the Governor General's proclamation on 28th November, but it coincided with the reading of a Pastoral Letter in all Anglican pulpits on Advent Sunday, and the publication of Episcopal Synod's resolution to the Prime Minister. In addition, Archbishop Clayton's letter to Good Hope had said that he would be "quite unable to condemn a man who was led by his conscience" to take part in the campaign, and Albert Luthuli had just issued his statement "The road to Freedom is via the Cross". Duncan, as his biographer has rightly emphasized, "caught the popular imagination of Africans" by leading the defiers into Germiston Location on his crutches.

> He is remembered by ordinary Africans in South Africa now for that rather than anything else: in the imagination of the older generation of black South Africans he is not Duncan the Governor-General's son, nor Duncan the Liberal, nor Duncan of Contact, nor Duncan the white P.A.C. member, but Duncan who joined the Defiance Campaign on crutches. 252

The friends who had known him as "mad Pat" may have mistaken Duncan's spontaneity for recklessness, since what is most impressive about Duncan's commitment to satyagraha was the way in which he finally acted only after the most thorough consideration of all the implications. Far from being the impulsive, unpremeditated action of an eccentric, Duncan at every stage consulted widely, carefully weighing the opinions of his friends and advisers, and only after a process of anxious deliberation made his decision, announced it publicly, and then acted.

In the first place, his commitment to the principles of satyagraha was inextricably linked with that succession of visionary experiences in which he perceived that it was God's will that he should surrender his career in the Colonial Service in order to enter politics using the methods of non-violent resistance. He had first to be sure that the methods of satyagraha were compatible with Christianity. Hence the importance of his friendship with Father Huddleston, and the letter written in August seeking Archbishop Clayton's advice. His identification of satyagraha as "the Sermon on the Mount in action" gives an indication of how important

252. DRIVER, op. cit., p. 100, citing conversations between Tom Lodge and former Congress members in South Africa and Lesotho in May and June 1976.

it was for Duncan to have religious legitimation for his decisions. In the period between announcing his resignation from the Colonial Service and the march into Germiston Location he gave the most thorough consideration to the timing of his debut as a satyagrahi. Then, in the aftermath of the trial beginning in February 1953 there was another long wait, in which he thought long and hard about their appeal. Finally it was Manilal Gandhi's example which led him in his turn to withdraw his appeal and go to prison.[253]

Throughout these periods of waiting, first to go into action as a resister in December 1952, and then to go to goal in November 1953, Duncan was sustained by the advice of the friends he most admired and identified with in the struggle for justice in South Africa. His correspondence and close contact with Manilal Gandhi, Julius Lewin, Trevor Huddleston and Arthur Blaxall sustained him. Manilal Gandhi was his tutor in satyagraha. In 1952 the pupil acted in spite of his master. In 1953 it was Manilal Gandhi's example which gave Duncan the courage to withdraw his appeal and go to goal. It was one thing to be forewarned that his decision to join the Defiance Campaign would involve suffering and sacrifice. To suffer financial anxiety, the hostility of former colleagues and friends in Maseru, the knowledge that the consequences of his decisions had not only to be endured by him, but by his wife and family, was more difficult. Yet, in spite of these considerations, and spending long periods in hospital undergoing painful surgery to his lame knee in both 1952 and 1953, he made light of severe physical discomfort. His most important decisions, resignation from the Colonial Office; the timing of his offer to volunteer as a resister; the question of their appeal; and then the difficult decision to serve only a part of the sentence, were only reached after mature and careful consideration. High on his list of priorities of the criteria which needed to be satisfied before he went into action was always the question of the Christian ethical principles involved. In matters of tactics and timing he used his own well-developed political instincts with discernment and courage. Like a skilled chess player, he first considered each move from every possible angle, made a carefully considered decision and then acted.

253. See below, Chapter 9.

In spite of the difficulties which were to arise later between Patrick Duncan and his bishop, John Maund, over the manner of his replacement as Registrar of the Diocese of Basutoland in 1955, and notwithstanding certain criticisms made above about the inadequacy of Anglican episcopal responses to the Defiance Campaign, it is important to record how Bishop Maund wrote to Patrick Duncan on 16th May 1952, in response to the printed circular letter Patrick had given him two days before. Exemplary suffering in the interests of justice for others is at the heart of Christian teaching on the atonement, and John Maund seems to have been deeply moved by Duncan's letter. Bishop Maund's reply shows that his support for Duncan's decision was unhesitatingly given. The letter, cited below, provides its own moving tribute to Patrick Duncan, whilst also reflecting Bishop John Maund's own sensitive appreciation both of the motives, implications and impact of Duncan's contemplated actions. Patrick Duncan certainly had no grounds for saying in 1952, as he did later with some justification, that the institutional church did not support him. On the day he marched in Germiston Location, Duncan knew that he had the blessing and support both of his bishop and archbishop. Bishop Maund's letter in May 1952 is worth citing in full, for, in contrast with other public statements by Anglican bishops in 1952, it recaptures and symbolises the singular effect which Patrick Duncan was to have upon his church.

From: The Bishop of Basutoland
Telephone 34.

Bishop's House
Masite
P.O. Maseru
Basutoland
May 16th, 1952.

My dear Pat,

I am so glad that you gave me a copy of your letter to your friends. Thank you for it.

If I may say so I found it a very moving letter, although it does not set out to be so.

Faced with such a situation, and your own attitude to it being of such a right-minded nature as it is, I do not think that, in all good conscience, you could have done anything else - so long as you are able to do it.

At least to have refused to do it, when there was a

distinct call for it, would have resulted in a dulling and blunting of moral and spiritual fibre. That it has required an immense amount of courage and self-sacrifice I have no doubt, but it is just that of course which gives to all action and decision its pith and its power. Without that it would be lacking in value. I hope that you will not be discouraged or dis-heartened if at times in the future there might seem to be lack of visible success in that which you set out to undertake. That would be to rate success in the same manner that the world rates it, which is of course a false estimate and a lack of appreciation of values. The value of your venture - and the real criterion of its success - does not lie in any particular issue which may result from it and to which a person may point and say "you see what success was achieved". It lies in the fact that you are doing such a thing at all - whatever its apparent and outward issue may be, or may appear to be from time to time. The value and power of it is contained in the decision which has been made and in the fact of your doing it. It is that which ultimately will have its effect in the world of true and spiritual values to which the eyes of the majority of men are closed.

There may be some success which is visible and tangible. There may be little of this to the outward eye. However it may be the true success is that such an action holds the world to the values which are true - whatever it may say - and lifts it somewhat out of the mire of blinding and sticky mud into which it is allowing itself to sink ever more deeply.

Forgive me for writing all this, but I felt moved to do so.

Needless to say we are delighted that you are not moving far from Basutoland - not really moving away at all, but remain more than ever a part of all that is here.

Yrs ever, + JOHN LESOTHO.[254]

Bishop Maund's response to Patrick Duncan in 1952 perhaps marks the beginning of a process in the C.P.S.A. whereby Archbishop Clayton, together with every other bishop of the Province, finally came to the unanimous conclusion that the response of resistance was the only proper way in which to meet the situation precipitated by the Native Laws Amendment Bill of 1957, which sought to impose apartheid upon the life of the church itself.

254. Borthwick Institute, York, Duncan papers DU 6 The Right Revd. John Maund. Letter from the Bishop of Basutoland to Duncan, 16.5.1952.

CHAPTER NINE.

THE CONSEQUENCES, ACHIEVEMENTS AND PHILOSOPHY OF DEFIANCE.

The year 1952 had ended with the National Party Government and its policy of apartheid under siege. The Governor General's proclamation of 28th November 1952 providing for severe penalties for incitement had immediately been defied by the mixed group of resisters led by Patrick Duncan and Manilal Gandhi, and this had received considerable publicity in South Africa and overseas. Anglican bishops had shown that their sympathies lay with the resisters, even if they were not willing to condone their methods. Signs of the Government's disarray were apparent in reckless accusations of incitement levelled by cabinet ministers against some Anglican bishops and the Leader of the Opposition. An end of term general election would have to be held in April 1953, but not before disagreements between the United Party and its partners in the United Democratic Front, the Labour Party and the Torch Commando, had been reconciled to give the opposition an appearance of greater strength and unity than at any other time since the death of General Smuts. The African National Congress could proudly count the impressive numbers who had gone to gaol in defiance of apartheid laws. South Africa's policies had again been roundly condemned at the United Nations and in London. Inside South Africa, the most worrying aspect of an eventful year had been the riots. Even the sombre prediction made by Professor Arthur Keppel Jones to the Natal Region of the Institute of Race Relations in September 1952, that the Defiance Campaign had created circumstances which favoured a Nationalist victory at the next election[1] contradicted the more confident mood of the United Democratic Front in spite of their recent setback at Wakkerstroom.[2] The Leader of the Opposition's call for talks between the Prime Minister and

1. See below, p. 472.
2. See above, Chapter Seven, p. 313.

black leaders, reiterated by Anglican bishops, had been ignored. It ought not therefore to have been difficult for the Opposition to pin the blame on the Government for the serious crisis that had arisen. The National Party's much vaunted policy of apartheid, it was claimed, would improve race relations by removing points of friction. Instead, it could be demonstrated that separation had made matters worse. When white voters went to the polls in April 1953 no-one needed to look any further than the policy of apartheid to account for the dangerous situation that had arisen in the country due to the Defiance Campaign. In the event although the United and Labour Parties together won 54,2% of the votes, they gained 32 fewer seats than their opponents.

1953 thus proved to be an even more significant turning point for South African politics than 1948. Where the Nationalists had won the general election of 1948 by the narrowest of margins with only 39,9% of the votes, in 1953 they won an increased majority but still only 45,5% of white voter support.[3] The United Party, having purported to be the opponents of the suppression of civil liberty in 1950, now supported two bills presented by the Minister of Justice, Mr C.R. Swart, designed to suppress further resistance to apartheid. After the election the Torch Commando disbanded. The Labour Party dissociated itself from the United Party's support for Mr Swart's bills. Members of the United Party who saw nothing wrong with the principle of separate representation for the Coloured people or compulsory removals from the Western Areas of Johannesburg broke with their party caucus to form the Conservative Party. The founding of the Liberal Party, the Federal Party and the Congress of Democrats in 1953 provided the most telling commentary upon the leadership of Mr J.G.N. Strauss and his party's support for the "Swart Bills". Trevor Huddleston was so shocked that he wrote despairingly to Canon Collins emphasizing that only help from outside South Africa could now save the country, and that they must together go all out for publicity.[4] In June 1953 the Congress movement launched its "Resist Apartheid" campaign against the Western Areas removals and Bantu Education. Simultaneously

3. See above Chapter Two, p. 85, and below, p. 468, reference 73.
4. See below, pl 481.

Trevor Huddleston constituted the Western Areas Protest Committee.[5] Later in the same year, after protracted legal proceedings, first Gandhi and later Duncan, Betty du Toit and Freda Troup withdrew their appeals and went to gaol. The issue of resistance was also further kept in the public eye by the success of two appeal court decisions against sentences passed for offences committed during the Defiance Campaign.[6] Although the Defiance Campaign could look to certain achievements, the political consequences which ensued as a result of the fragmentation of the opposition marked 1953 as a watershed in South Africa's political history which arguably was more significant even than 1948. The re-election of the National Party in 1953 not only gave them a decisive majority in Parliament which has increased steadily ever since, but also there started a process which culminated finally in the demise of the United Party twenty-five years later.

In view of the special significance of political developments during 1953 in the aftermath of the Defiance Campaign, it is the aim of this chapter to assess both the achievements and the consequences of employing methods of civil disobedience to resist apartheid. The chapter then concludes with an analysis of some of the philosophies of resistance which found expression during this most important campaign.

The new year began in an uncertain atmosphere. On 6th January Yusuf Cachalia, Joint Secretary of the A.N.C. and S.A.I.C. Action Committee in Johannesburg, declared that the Defiance Campaign, which had been suspended over the Christmas and New Year holidays, would be "continued and intensified".[7] At a conference of the Labour Party on 9th January, Mr John Christie warned that the Government's response to the Defiance Campaign, to "shoot first" and impose "big stick laws" would bring "dangerous repercussions".[8] By this time all but the provincial leaders of the African National Congress in Natal had been served with restriction orders of one kind or another in punitive countermeasures by

5. Ibid., and Chapter Thirteen, p. 720.
6. See below, pp. 505-6.
7. Cape Times, 7.1.1953, "Defiance to be resumed".
8. The Star, 10.1.1953.

the Government which Professor Kuper has described aptly as "leader culling".[9] At political trials in Johannesburg and Port Elizabeth between August and December 1952 most national leaders of the African and Indian Congresses and all members of the Joint Planning Council had been arrested and charged in terms of the Suppression of Communism Act, found guilty and given suspended sentences of nine months, although the majority were not communists.[10] For example, when Dr. James Moroka had been arrested in his surgery at Thaba 'Nchu in August 1952 on charges in terms of the Suppression of Communism Act, Mr Lucas Phillips, Chairman of the A.N.C. in Cape Town, complained,

> When the Suppression of Communism Act was introduced, the fear was expressed that it would not be confined to Communists..... Dr. Moroka was never a communist yet it has been used against him. 11

Besides applying the full rigour of existing laws against the resistance movement the police resorted to what one writer in the newsletter FLASH described as "gestapo tactics". At the beginning of the new school year on 27th January 1953 a mass meeting was arranged at Nicol Square in Durban to protest against the large shortfall in the number of school places for African and Indian schoolchildren. Although permission had been sought for the meeting from the municipal authorities, this was refused at the last minute. Mr J.N. Singh was quoted as saying "we will test the right of the Mayor to ban our meetings arbitrarily. We want to restore the right of free association and speech". The meeting was dispersed by heavily armed police who arrested the three speakers, Dr. Naicker, Chief Luthuli and Mr Singh, only to withdraw charges later.[12] In another incident Patrick Duncan told Canon Collins of a police raid at a farm church during a service when "all the congregation that had come from other farms" were fined "for not having permits".[13]

The Government's dissatisfaction with existing legislation to deal with the Defiance Campaign had already been made clear by

9. KUPER, op. cit., p. 190.
10. KARIS & CARTER, Vol. II, op. cit., p. 421.
11. Indian Opinion, 22.8.1952.
12. FLASH, No. 67, 30.1.1953, issued by the A.N.C. and S.A.I.C., Durban.
13. Borthwick Institute, York, Duncan Papers DU 6, letter Duncan to Canon L. John Collins, 17.2.1953.

earlier threats by the Minister of Justice that he would seek new powers to deal with incitement. The Governor General's proclamation of 28th November 1952, providing severe penalties for incitement, was designed to meet this particular problem. When Patrick Duncan, Manilal Gandhi and all the white resisters in their group appeared in the Germiston Magistrate's Court on 26th January 1953, they were charged with incitement in terms of this proclamation. Dr. George Lowen, Defence Counsel for Duncan, Gandhi and du Toit, questioned the power of the Governor General to legislate by proclamation, and appealed against their conviction.[14] The Minister of Justice, anticipating this problem, decided to put the issue beyond doubt by seeking similar powers from Parliament to those provided by the Governor General's proclamation.

THE "SWART BILLS" AND THE GENERAL ELECTION OF 1953.

The Government already had considerable powers under existing legislation to employ against African resisters. The Native Administration Act No. 38 of 1927 gave the Governor General the power to order "any tribe, part of a tribe or Native to withdraw from any place to any other place within the Union". Refusal to comply carried a fine of £ 500 or six months, no interdict was permitted pending an appeal, and the Governor General could order "any Native who neglects or refuses to comply with the order to be summarily arrested and removed".[15] This of course did not apply to those who were not "Natives". However, the Suppression of Communism Act gave similar powers of banishment to a particular Magisterial District, even if in theory this measure was only intended for communists.[16] The prohibition of gatherings in terms of the Riotous Assemblies Act applied to all, even if unionwide bans on an individual attending "gatherings" did, however, still leave a leader free to attend committee or private meetings. A "named" communist, however, was required to resign from all organ-

14. See above, Chapter Eight, p. 441.
15. House of Assembly Debates, 28.4.1927, 2910/27 ff, Minister of Native Affairs, (General B.H.M. Hertzog).
16. See above, Chapter Six, p. 267.

izations and forbidden to attend all gatherings except of a bona fide religious, recreational or social nature. The Government's intentions became clear at the opening of the new session of Parliament on 23rd January, in the speech from the throne by the Governor General, Dr. E.G. Jansen. A Bill would be introduced "to make provision for the safety of the public and the maintenance of public order in the Union in case of emergency, and a Bill to amend the Criminal Law".

> There have been several instances of Native riots .... A resistance campaign against the laws of the country was initiated by certain Indian and Native leaders and organizations, and was supported also by Europeans. The Government took the necessary steps to deal with this lawlessness and the resistance campaign is at present under control. The Government however finds it necessary to ask Parliament for certain additional powers which will enable it to deal swiftly and effectively with possible eventualities. 17

The Minister of Justice, Mr C.R. Swart, accordingly introduced two new bills in January 1953, the Public Safety Bill and the Criminal Laws Amendment Bill, designed to suppress the resistance of black people to the Government's apartheid legislation. The English language press dubbed them "the Swart Bills" (literally "the Black Bills") the name providing its own apt comment upon the nature and purpose of the two bills, and symbolizing the general feelings of resentment amongst many black people against their author, Mr Swart. Those who had winced when Mr Swart had introduced the Suppression of Communism Bill in 1950 were no less alarmed by the implications of the two bills he was now placing before Parliament in 1953. Such were the fears of the Leader of the Labour Party, that when Mr Swart sought leave to introduce the Public Safety Bill on 26th January, Mr Christie (Labour, Johannesburg City) opposed the measure on first reading in terms of this resolution:

> That this House, deploring the tendency of enactments introduced by the Government to clothe the Executive with arbitrary and tyrannical powers to make inroads into the personal liberties of the people; believing that existing enactments already contain powers in excess of what is necessary for the maintenance of law and order, even in emergencies, and deprecating the unwarranted panic and hysteria which further

17. The Natal Mercury, 24.1.1953, "Govt plans swift action against resisters".

> like measures serve to create, refuses to give leave to introduce a Bill to give further power to the Executive under the pretext of the requirements of public safety and the maintenance of public safety. 18

To oppose a Bill at its first reading was an exceptional step for any opposition party to take. Parliamentary procedure provided no way of expressing total opposition to a measure with greater vehemence. The Labour Party was supported in their stand by all the Natives' Representatives, who declared their total anathema upon Mr Swart's proposals. "The situation this is designed to meet" said Mrs Ballinger,".... [is] the result of bad policies and continuing bad government".[19] She opposed both measures in toto, and to demonstrate her abhorrance of both measures took no part in debating amendments in the Committee stage.

Mr J.G.N. Strauss, for the United Party, was more cautious, and said that he first wanted to know "what evidence the Government had in their possession and what their justification is for wanting to take still wider powers". He emphasized that the United Party had always been in favour of maintaining law and order, and that

> it was premature to discuss race relations and questions of public safety and public security when we are in darkness as to what information the Government has at its disposal and in ignorance as to the powers asked for. 20

Mr Strauss' criticisms of the Government's handling of the Defiance Campaign had called forth the allegation from his opponents that the Leader of the Opposition was guilty of incitement and supported the objectives of the African and Indian Congresses.[21] With an election due in 1953, Mr Strauss needed to show that he had the making of a future Prime Minister. He acquitted himself well enough in the "No Confidence" debate, and here, it seemed, was a visible demonstration of statesmanship and wisdom from him.

18. House of Assembly Debates, 62/53, 26.1.1953, Mr Christie.
19. Ibid., 1048/53, 12.2.1953, Mrs Ballinger.
20. Ibid., 69,70/53, 26.1.1953, Mr Strauss.
21. Ibid., 1002/53. 11.2.1953. Mr Lawrence, "They talk about incitement. They accuse the Leader of the Opposition, who has never been guilty of such irresponsible conduct, of associating himself with the aims and objects of bodies like the Indian Congress and the African National Congress and law-breakers".

Much the same procedure was repeated when the Criminal Laws Amendment Bill was introduced on 30th January. It was rejected at first reading on behalf of the Natives' Representatives by Mr Brian Bunting, who said, "there is no end to the appetite of the Hon. Minister of Justice for punitive measures restricting the freedom of people".[22] For Mr Bunting this was his maiden speech. A former member of the banned Communist Party, he had been elected as the Natives' Representative for Cape Western after Mr Sam Kahn had been deprived of his seat in the House of Assembly in terms of the Suppression of Communism Act in May 1952.

The Public Safety Bill sought to give two main powers to the Governor General. The first was to declare that a State of Emergency existed in South Africa or South West Africa. The second was to make such regulations as appeared to him to be necessary or expedient to provide for the safety of the public or the maintenance of public order. He would exercise both these powers merely by proclamations in the Government Gazette. He could declare that a state of emergency existed if in his opinion it at any time appeared that:

a) any action or threatened action by any persons or body of persons is of such a nature and of such an extent that the safety of the public, or the maintenance of public order is seriously threatened thereby or

b) "circumstances" have arisen which seriously threaten the safety of the public or the maintenance of public order; and

c) the ordinary law of the land is "inadequate" to enable the Government to ensure the public safety.

The regulations which he may make may suspend in whole or in part any Act of Parliament or any other law, and such Act or law which is in conflict with any such regulation is deemed to be suspended to the extent of such conflict. Moreover different regulations may be made for different areas and for different classes of persons.

The only qualification is that regulations may not be made which

a) impose liability to render compulsory military service, or

b) alter or suspend any law relating to the qualifications, election or tenure of office of Members of Parliament or of the Provincial Council, or to the powers privileges or

22. Ibid, 272/53, 30.1.1953, Mr Bunting.

immunities of these bodies or their members or

c) render unlawful any action lawfully taken under the Industrial Conciliation Act. 23

Section 2 (2) provided that no proclamation should remain in force for more than twelve months. Section 4 stated

> Whenever, owing to special circumstances it is in the opinion of the Minister of Justice urgently necessary to do so, he may .... by notice in the Gazette exercise any of the powers which the Governor General may exercise under the Act. 24

These powers went very much further than those of the British counterpart, omitting some important safeguards. The British Act provided that if parliament were adjourned, a proclamation had to be issued summoning parliament within five days. Mr Swart's measure made no such provision for parliamentary ratification of a state of emergency.[25] The British Act required that any regulations made had to be laid before parliament, and they would automatically lapse after seven days unless a resolution was passed by both houses of parliament for their continuance.[26] Since in South Africa parliament sits for only six months in the year, a period of up to six months could therefore elapse before a Minister who took such powers could be called to account, and even when parliament did meet the Minister was not obliged to submit any new regulations for parliament's approval. Mr Swart said, "according to my measure all steps taken by virtue of the regulations remain valid even if the regulations are rejected by Parliament".[27] Unlike the British Emergency Powers Act of 1920, Mr Swart's Bill could be applied partially to a particular racial group, or be limited to only certain magisterial districts.[28]

Where the Public Safety Act was designed with the riots in mind, the Criminal Laws Amendment Bill was directed specifically at the Defiance Campaign. It increased the maximum penalties which a court might impose on someone who was convicted of an offence which was proved to have been committed by way of a

23. Wits. Archive, Ballinger papers E.1.17, copies by the Civil Rights League (mimeo, 3pp.), Cape Town, of an article in the Cape Times, 2.2.1953 by Gerald Gordon, "Public Safety Bill is Dictatorship".
24. Ibid., p. 3. 25. Ibid., p. 2.
26-28. House of Assembly Debates, 985/53, 11.2.1953, Mr Swart.

protest against a law. The penalties for an individual act of defiance became:

> A fine not exceeding £300 or Imprisonment for not more than three years or a Whipping not exceeding ten strokes; or Both the fine and imprisonment; or both the fine and a whipping; or both imprisonment and a whipping. 29

The penalties for incitement were increased to £500 or five years or fifteen strokes, with the same provision for the combination of both fine and imprisonment as well as whipping and imprisonment. Financial support of a resistance campaign would be punished by the penalties provided for incitement, with the confiscation of any money or article. It also provided for the deportation of anyone who was not a South African citizen convicted in terms of the Bill.[30] Its scope was dangerously wide, and included this "catch-all" definition of "incitement" in Clause 2:

> Any person who (a) in any manner whatsoever advises, encourages, incites, commands, aids or procures any other person or persons in general .... to commit an offence by way of protest against a law or in support of any campaign for the repeal or modification of any law or the variation or limitation of the application or administration of any law, shall be guilty of an offence 31

The chorus of protest from leader writers of the English language press was swift and vociferous when the full extent of these new powers became known. The Friend, in Bloemfontein, called the Public Safety Bill "a threat to the freedom and liberty of every individual" and pointed to the obvious contradiction between the Prime Minister's claim in the No-Confidence debate that the Defiance Campaign was under control, and the demand for these emergency powers.

> Either the state of the country is so grave that it calls for these dictatorial powers to be entrusted to a Minister, or it is not, in which case there is not any justification for powers other than those already in existence for dealing with trouble. 32

The Star thought that the Criminal Laws Amendment Bill was "laws to end laws".[33] The Rand Daily Mail described it as "the most shocking measure ever placed before Parliament .... The Bill amounts

29. Pretoria News, 2.2.1953, "Whipping, deportation to stop aid for resistance campaign".
30. Ibid.
31. House of Assembly Debates, 1594/53, 19.2.1953, Mr Hepple.
32. The Friend, 30.1.1953, "What is the purpose ?"
33. The Star, 3.2.1953, "Laws to end laws".

to nothing less than dictatorship, aimed at killing free speech and many other democratic freedoms we now enjoy".[34]

> The Criminal Law Amendment Bill is thus a combination of a gag and a muzzle, whose effect will be to stifle all real criticism of the Government, This is a reversion not merely to authoritarian dictatorship, but to a barbaric despotism. 35

The Natal Mercury considered it a "fantastic attempt to muzzle the whole country".[36] In parliament Mr Swart indignantly cited an article from the London Daily Chronicle which had said,

> The Government's object is to make it a crime throughout South Africa to protest against any law .... be careful not to stand near anyone who was critical of anything at all; it might transpire that he was busy criticizing a law and you would be considered guilty of being associated with him until you have proved your innocence. 37

Church News thought that the Public Safety Bill "offended the most elementary notions of freedom and tolerance" but added, "though this Bill leaves the way open to a good deal of legalized savagery, it does not do for us to forget that the Government has a very grave task to perform, because it has a very grave problem to solve".[38]

The Churches also added their voice of protest on 20th February, as the debate entered the Committee stage. Archbishop Clayton met with the heads of the major churches in Cape Town, and in his capacity as President of the Christian Council, having been refused an interview with the Prime Minister, declared that the Public Safety Bill "was a great and dangerous extension of the principle of government by regulation".

> We believe that government by regulation lends itself to injustice and ought only to be resorted to in cases of dire necessity. We question whether the necessity for such legislation has arisen. 39

The Criminal Laws Amendment Bill in Section 2 (b) was "dangerously vague" so that "any public criticism of any existing law might conceivably lead someone to break that law".[40] Thirdly, the

34. Rand Daily Mail, 4.2.1953.
35. Ibid.
36. Natal Mercury, 3.2.1953.
37. House of Assembly Debates, 1549/53, 19.2.1953, Mr Swart.
38. Church News, 18.2.1953, "Eradicate the white ants".
39. Cape Times, 21.2.1953, "Churches' firm stand on Swart Bills", cf. Church News 18.3.1953, p. 39, "Memorandum from the Christian Council of South Africa".
40. Ibid.

penalties were "altogether too severe".

> All these provisions seem to us to partake of the nature of panic legislation, and like all such legislation to be not only unjust in themselves, but also unlikely to produce the result intended. 41

Finally, the statement continued,

> We desire to express our conviction that while it is the duty of the Government to repress disorder and lawlessness, such repression if it stands by itself is no remedy for the causes of which such disorder is a symptom. And once again we beg any government which may be in power after the general election to call into consultation representatives of the non-Europeans with a view to making a real attempt to improve the relations between Europeans and non-Europeans in this country. We speak on behalf of Churches which have European and non-European members and ministers. We know from experience that such consultation is possible and fruitful. We beg those who are or shall be in authority to act before it is too late. 42

Even this strongly worded protest, however, fell far short of Dr. Blaxall's expectations, for he wrote despairingly to Patrick Duncan in apology for his "utter failure to organize a rushed protest from Churches throughout the country".

> - the heads of the major Churches met in C.T. and drafted a very firm protest but said anything like I suggested "is not our job". As you probably know by now the P.M. refused to receive a deputation, the protest was publicized widely, and is now filed away, a silent witness to the fact that the Churches were not silent, but as to action ..... ! 43

Writing in 1957, Dr. Edgar Brookes and J.B. Macaulay, having reviewed the array of laws which reduced freedom in South Africa, said of the Criminal Laws Amendment Act of 1953, "of all these laws [this was] the most intimidating".[44]

> An indignant and legitimate protest in a leader column against a harsh or absurd law might well be calculated to cause members of the public to break that law by way of protest .... A minister of the church, counselling his flock to continue their worship in his church in protest against the recent law empowering the Minister of Native Affairs to prohibit joint worship by Europeans and Africans in urban areas would render himself liable to suffer the penalty inter alia of a whipping of ten strokes 45

The sinister implications of these measures was quickly

41, 42. Ibid.

43. Borthwick Institute, York, Duncan papers DU 5 AB (9), letter Blaxall to Duncan, 2.3.1953.

44. BROOKES, E.H. & MACAULAY, J.B., Civil Liberty in South Africa, Oxford: OUP 1958, p.78.

45. Ibid.

demonstrated. On 19th February, at a National Party public meeting at Maitland in the Cape, the Minister of Labour, Mr Ben Schoeman, charged that the Anglican Bishops of Johannesburg, Bloemfontein and Natal were openly supporting the Defiance Campaign by pleading for non-white equality.[46] During the parliamentary debate on the Criminal Laws Amendment Bill, the Minister for Economic Affairs, Mr Eric Louw, stated that he had received from an American source a copy of an appeal letter from an organization which was collecting money for the assistance of the dependants of passive resisters in South Africa. The appeal letter was accompanied by an article on the Defiance Campaign

> written by the Revd. A.W. Blaxall, Secretary of the Christian Council of South Africa. The article stated that a considerable sum of money had already been collected in America. Reference was also made to great suffering imposed on the passive resisters, much of which had been occasioned by ill-treatment in gaols. 47

In a letter to Archbishop Clayton on 4th February Dr. Blaxall had called for an urgent meeting of the Christian Council's Action Committee, and asked whether the "churches are going to remain silent, or will they protest at such terrible vindictiveness and violation of democratic principles ?" He thought it important "to show that such legislation should not find its way onto the statute book without a protest of the nature that will show the world how strong is the opposition".[48]

The strength of the opposition to these Bills was revealed in parliament on 11th February, during the second reading debate on the Public Safety Bill. General Smuts' former Minister of Justice, Mr Harry Lawrence, in a two-hour peroration, announced that the United Party "proposed to support the principle of this Bill".[49]

> This negatives the foolish allegation that we are out to incite people to commit offences .... We are prepared to stand side by side with our fellow South Africans when what we regard as an emergency arises in this country .... We

46. The Friend, 20.2.1953, "Anglican Bishops openly supporting defiance, says Schoeman".
47. Christian Council Quarterly, May 1953, p. 3.
48. Wits. Archive, CCSA papers, letter Blaxall to Clayton, 4.2.1953.
49. House of Assembly Debates, 997/53, 11.2.1953, Mr Lawrence.

> are prepared to accept the principle of the Bill because we accept the fact that this Government has brought the country to a state bordering on emergency. 50

In replying for the opposition on 20th February at the second reading of the Criminal Laws Amendment Bill, Colonel R.D. Pilkington-Jordan (U.P., Rondebosch) said that the United Party

> had no quarrel with the principle of the Bill .... if you govern as a tyrant then it has to be conceded that there are times when you may have to be given the power of a tyrant. Henry VIII found that to be the case when he enacted his famous Statute of Proclamations ....
>
> It is clear that no-one on this side of the house is prepared to tolerate a law-breaking campaign such as the defiance campaign is. We hold the normal constitutional view in such matters as this. Nobody can be allowed to flout or disobey the law .... We know how badly a weak Government requires powers of that sort. And now we give them this measure too. They certainly need it .... why ? Measure after measure aimed at non-European self-esteem has been introduced during the life of this Parliament. There has been no consultation with non-Europeans. There has been no consultation with this side of the house in regard to these difficulties .... The Government has just gone its own berserk way. 51

This decision of the United Party's caucus astonished friend and foe alike. Both Lawrence and Pilkington-Jordan were regarded as members of the United Party's "liberal wing". Although Mr Strauss took little part in the debate on the two bills, he issued a statement on 13th February to show that he fully agreed with the decision, saying of the Criminal Laws Amendment Bill that it was "in no sense unconstitutional in character". As to whether the penalties provided were "improperly severe", the United Party view was that the Defiance Campaign had created a situation of "great gravity" which made it difficult to see "on what possible logical ground" the principle of the measure could be opposed.[52] Mr C.R. Swart was delighted. He could say that "the principle of the Bill has been accepted almost unanimously - only 8 out of 159 members voted against".[53] Nor was he prepared to make any concessions in accepting United Party amendments that would introduce certain necessary safeguards. An amendment proposed by

50. Ibid., 997, 1002/53, 11.2.1953, Mr Lawrence
51. Ibid., 1585-6/53, 20.1.1953, Col. Jordan.
52. Cape Times, 13.2.1953.
53. House of Assembly Debates, 1167/53, 13.2.1953, Minister of Justice during the Committee Stage of the Public Safety Bill.

Sir de Villers Graaf (U.P., Hottentots Holland) that would require parliament to be summoned within thirty days of calling a state of emergency was rejected out of hand, as was another amendment by Mr Hamilton Russell (U.P., Woodstock) which provided that thirty members might requisition parliament to sit. Mr Swart however replied,

> Can Hon. members imagine that we have riots in July in September and November that we should proclaim a state of emergency for two or three days only and that in every such case the whole of Parliament should be convened to come and sit in Cape Town ? That is quite impracticable .... In the circumstances pertaining here in South Africa, Parliament must simply be prepared to trust that its Government will not act unreasonably .... Let us forget all this talk about dictatorship. Nothing like that exists .... To expect to convene Parliament after every incident where these powers are applied for a few days is asking too much 54

Thus it became apparent that the Minister sought these powers, not as an emergency measure, but because he wanted to be able to apply them at will. Mr Swart's arguments seemed to indicate that he wanted to use the Public Safety Act, which was designed to meet a major emergency, as if it were a simple extension of the Riotous Assemblies Act, which was already available to deal with isolated outbreaks of rioting.

Another amendment that would require the Government to report within fourteen days to a select committee was also rejected. "What he [Sir de Villiers Graaf] proposed can be dangerous ...." said Mr Swart.

> The police receive their information from various sources, information of such a nature that they cannot easily divulge it before a select committee. 55

The only concession wrested from Mr Swart was later to prove of great importance when a state of emergency was declared in 1960. This was the provision that in the event of summary arrest and detention for a period longer than thirty days, it was binding on the Minister within fourteen days after the expiry of the thirty days, to lay before both houses of parliament the names of all those being held.[56]

54. Ibid., 1169/53, 13.2.1953, Minister of Justice.
55. Ibid., 1197/53.
56. Ibid., 1211/53.

Attempted amendments to the Criminal Laws Amendment Bill fared no better. The number of lashes for incitement was reduced from fifteen to ten, with the comment from Mr Swart, "What are five strokes between friends ?"[57] The only amendment pressed seriously by the opposition was Colonel Jordan's proposal to substitute "with intent to" for "calculated" in order to give a more circumscribed definition of incitement. The clause would then have read,

> Any person who uses any language or does any act or thing with intent to cause any person or persons in general to commit an offence .... [58]

This change, which would have substituted a deliberately vague term with a more precise term, already familiar to the courts, was also rejected by the Minister of Justice and voted down on a division.

Here was an astonishing reversal of fortune. The Nationalists had entered the New Year a beleaguered Government, beset on all sides by the most astringent criticism that was potentially damaging to their prospects of re-election. Suddenly they found that their chief political opponents had given them this unexpected prize. Although the Government had created the problem, by agreeing to these two crucial measures, the United Party effectively broke up the cohesion of the so-called "United Front" of the Torch Commando, the Labour Party and the United Party. On the most crucial issues there was fundamental disagreement, and, as Gwendoline Carter has said, this "drained much of the fervour for election activities from its most liberal members".[59]

The United Party's dilemma was, and was not, of its own making. On its liberal wing were those like Julius Lewin who were saying "if the U.P. supports Swart in harsher measures for resisters, some of us must openly register dissent from the party".[60] At the same time there were other liberals like Patrick Duncan who recognized that "the United Party can't but condemn the Defiance

57. The Observer (London), 1.3.1953, "Profile of Minister of Justice".
58. House of Assembly Debates, 1642/53, 13.2.1953.
59. CARTER, G., The Politics of Inequality, London: Thames & Hudson 1958, p. 165.
60. Borthwick Institute, York, Duncan papers DU 5.61.21, letter Julius Lewin to Duncan, 2.9.1952.

Campaign if it is to win the election".[61] On the other wing of the United Party were the substantial body of conservatives in key positions like Douglas Mitchell and Bailey Bekker. Provincial leaders in Natal and the Transvaal, who argued that the platteland or rural vote was the key to an election victory. Mr Strauss' choice of a via media was reflected in his appeal after the riots for consultation with "moderate" African leaders, and the absurd suggestion that "the Native problem" be removed from "party politics". This called forth the gibe by the Minister of the Interior, Dr. Dönges, "You are jealous of us, because you have not got two things which we have - a leader and a Native policy", a view with which one liberal critic of the United Party in the C.P.S.A. readily agreed, saying, "It is a good thing to have an open mind, not a closed one, but an open mind is not the same thing as an empty mind".[62]

In the event Mr Strauss was compelled to support his party's members in the Eastern Cape, and in particular the United Party-controlled municipalities of East London and Port Elizabeth, who were pressing for new powers in terms as urgent as the Nationalists. A unanimous resolution of the Municipal Association Executives (a United Party oriented body) had asked for the immediate adoption of "such further measures as are calculated to maintain order and a sense of security in law-abiding citizens". The same resolution went on to ask the Government for measures that would prohibit the movement of leaders of the resistance movement, and "if necessary to introduce legislation providing for the arrest and detention in some appropriate place of the individuals referred to".[63]

Both the riots and the resistance campaign had, on the whole, been confined to urban areas. If this was the tenor of the urban reaction, what would be the attitude of the more conservative rural voters whose daily contact with illiterate farm workers made them, as a farming community, particularly fearful of the implications if defiance should spread to the rural areas. It

61. Ibid., letter Duncan to Lewin, 21.9.1952.
62. Church News, 21.1.1953, pp. 13-14, "Six letters to an Englishman on the racial situation in South Africa", IV. By "a well-known South African priest and philosopher".
63. House of Assembly Debates, 982/53, 11.2.1953, Minister of Justice.

was the stated intention of the campaign's leaders to carry the movement into the country as well, and there were some indications of this happening in the smaller country towns and villages in the Eastern Cape. This, of course, had deep implications for the so-called platteland vote.

Mr Lawrence's speech was thus unashamedly being addressed to that audience, who had so much to fear from a rising of farm-workers. He tried desperately to undo the damage that the rioting in East London had done. He knew that the Nationalists stood to gain more than the United Party from white fears of a black revolt. He responded to the rumours, fed by a Nationalist newspaper and by Mr Swart himself, that parts of the murdered nun's corpse had been eaten. He interpreted the riots as a "deliberate attempt by Natives to attack whites as whites".

> .... that thin veneer of civilization can quickly fall off and that these people can revert almost in a moment to a state of barbarism .... a reversion to some primitive, savage, barbaric blood-lust. 64

Nor did Mr Lawrence think that Mr Swart's Bill would be adequate to deal with the situation he described, "without a perpetual emergency".[65] Something more than force was needed. He believed that Mr Swart had shown to the house "there is a potentially dangerous situation in the Union of South Africa" at the present time.[66] This was the "most scathing admission by a government in power of failure after five years rule .... the Government was responsible for the background of frustration and anxiety against which these events have happened."[67]

The Prime Minister's announcement on the 12th February that the present session would end on 4th March, and that there would be a general election on 15th April, merely underlined the dilemma which lay behind Mr Lawrence's extraordinary speech and Mr Strauss' unexpected support for Mr Swart's desperate Bills.[68] Dr. Gwendoline Carter's assessment of the United Party's position as a

64. Ibid., 990-1/53, 11.2.1953, Mr Lawrence.
65. Ibid., 994-5/53, 11.2.1953, Mr Lawrence.
66. Ibid., 995/53, 11.2.1953, Mr Lawrence.
67. Ibid., 995-6/53, 11.2.1953, Mr Lawrence.
68. Ibid., 1062/53, 12.2.1953, The Prime Minister.

"difficult dilemma" seems to be altogether too ambivalent.[69] Clearly the United Party's decision to support the Bills was made with the aim of securing an electoral advantage on the platteland. Their volte face may indeed have retained some support in rural constituencies that might otherwise have been lost, due to the more radical stance of the other two partners in the United Front, the Torch Commando and the Labour Party. On the other hand, the United Party's decision to support the "Swart Bills" so reduced the differences between the Government and the Opposition that a vote for the Nationalists could no longer be interpreted as a betrayal of liberty and democracy. Those who believed in a strong line would have voted Nationalist anyway, so the only result of this reversal of policy by the official Opposition was to generate a general loss of confidence in Mr Strauss' team as a potential government. Soon afterwards Patrick Duncan considered that the result of the election "represented a turning point in our history [and] a shift in power between S. African groups as important as the Boer defeat in 1902, and possibly as permanent".[70] The Editor of Church News thought that the "Mau Mau .... has unquestionably had its effect upon large sections of the population, especially those living in country districts".[71]

In an election in which the exceptional figure of 87,9% of the electorate voted, with higher percentages still in Nationalist-held seats, the Prime Minister, Dr. D.F. Malan, won a slightly increased proportion of the total poll, as a result of which the Government gained nine seats from the United and Labour parties.[72] This meant that, with all the six seats in South West Africa going to the Nationalists, Dr. Malan now had a comfortable majority of 94:62 in 1953, as against 79:71 in 1948.[73] The United and Labour parties together, however, still won a greater share of the total vote. Allowing for uncontested seats, the Opposition still had 54,4% against 45,4% of the total voter support. Knowing the

69. CARTER, op.cit., pp. 164-5.
70. Borthwick Institute, York, Duncan Papers DU 5, letter Duncan to George Houser, 11.5.1953.
71. Church News, 20.5.1953, "Reflections on the Elections".
72. HEARD, Kenneth A., General Elections in South Africa 1943-1970, London: OUP 1974, p. 58, Tables 23 and 24.
73. CARTER, op. cit., p. 449, Chart One.

regions where the Defiance Campaign received most support among Africans, it is interesting to note that Nationalist voter support had increased most significantly in those areas. Notable exceptions were the Border region of the Eastern Cape, and Cape Town. The increase in the Nationalist poll was most marked in Cape Town, Port Elizabeth, Johannesburg and on the Witwatersrand. In the Border region, which included East London, the United Party's support actually increased.[74] In spite of the United Party's support for the "Swart Bills" in the atmosphere of fear engendered by the riots of the previous year the National Party had increased their share of white votes by 5,5% which gave them an additional 24 seats in Parliament.

Those who believed most strongly that political expediency was a poor guide in politics, and that the Opposition's decision to support the "Swart Bills" was indefensible and an unprincipled betrayal of cherished democratic ideals, had the difficult choice of forming a new party or continuing to work within the United Party for their principles. The inauguration of the Liberal Party in May 1953 did not involve any United Party Members of Parliament, but it did begin a process by which there has been a steady splintering away of support from the United Party. The actual break for the so-called "liberals" in the United Party was nearly precipitated by the resignation of the United Party's M.P. for Hillbrow, Dr. Bernard Friedman, in 1955, but was not made until 1959, a year after the next general election, when twelve M.P.'s, including Mr Lawrence, formed the Progressive Party. The process which led to the eventual demise of the United Party was suddenly accelerated by the decision to support the "Swart Bills" in January 1953.

The English language press was too embarrassed to criticize the United Party with an election pending, but this bitter editorial in the Natal Mercury gives some indication of the disillusionment that was felt at the time.

> Heil ! Mr Swart. Seig Heil ! Why shouldn't you be a dictator and why shouldn't there be a police state ? Surely you know best. All this talk of freedom as we realise and you realise is so much rubbish .... We have

74. HEARD, op. cit., Table 19, p. 42; cf. Table 28, p. 63.

> complete and utter faith in you Mr Swart.
>
> .... As for those interfering busybodies of parsons, who are getting more and more into the habit of speaking out of their turn, we'll have to do something about them, shan't we ? Next time a garrulous old Archbishop or Bishop opens his mouth too wide slap him in gaol Mr Swart 75

The Afrikaans language press, however, showed no such reticence. Die Burger, for example, described the United Party's decision as a "right about turn - or is it a death-bed conversion ?"[76] The most far-sighted comment, however, came from one whose views were not to be listened to because he was an ex-communist. Mr Brian Bunting, the newly-elected Natives' Representative for Cape Western, said at the end of an emotive second reading debate on the Public Safety Bill on 12th February,

> The tragedy is there has been no opposition from the United Party on this issue. They have kept silent while their liberties are being destroyed .... The United Party opposition, by its standpoint on this Bill, has to my mind signed its death warrant, and if ever there was a reason for the electorate to reject them, it is that they have failed in the hour of the country's need to stand by fundamental democratic principles in defence of the rights of the people. 77

Perhaps the most appropriate comment of all came from the Revd. James Calata, who issued a statement on 16th May 1953 calling for 31st May 1953 to be observed as an African National Day of Prayer, in his capacity as President General of the Inter-Denominational African Ministers' Federation.

> All pathways to resent oppression are being closed to Africans by laws which carry very heavy penalties. Today it is a crime for an African to complain that he is oppressed. Prayer alone has remained the only avenue open to us, and an avenue which will never be closed to us even by a two-thirds majority of Parliament, because it was entrenched on Mount Calvary. 78

Archbishop Clayton was clearly unimpressed by the United Party's manoevre. Writing to his diocese on 18th February 1953, just a few days after the election was announced, he thought it "very relevant" to be having an election during Lent, because "it emphasizes that duty laid upon the individual to care for

75. The Natal Mercury, 23.2.1953.
76. Die Burger, 12.2.1953, cited in translation in CARTER, op. cit., p. 165.
77. House of Assembly Debates, 1126/53, 12.2.1953, Mr Bunting.
78. Bantu World, 16.5.1953.

the poor and under-privileged".

> We hear a good deal about bread and butter politics, but the Christian voter ought not only to think about his own bread and butter, but how much bread and butter there is going to be for other people. 79

In an election which was to find the Nationalists and the United Party vieing with each other as to who could be relied on best to keep the African in his place, Archbishop Clayton had some cogent teaching to offer.

> Many of us on one side or the other believe that it is of very great importance for the future of the country that the party we happen to favour should win the election. There is nothing wrong about that. And if a man has strong opinions there is nothing wrong in his expressing them strongly. But I do not think that a Christian ought to want his side to win at any cost. If he does so he will be like the man who backs "my country right or wrong". That amounts to a refusal to admit the supremacy of a righteous God. To say what one knows is not true: wilfully to misrepresent one's opponents: to refuse to hear and consider the other side: these things are always wrong. And they are none the less wrong in an election campaign than at other times.
>
> A Christian has a perfect right to have strong opinions and to express them strongly. But he must not tell lies and he must not cheat. I suppose we should all agree that we want God's will to be done in our country. We cannot serve God's will by employing the methods of the devil. We must not do evil that good may come. It is right that we should be politicians. But because we are Christians we should be politicians with a difference. 80

Robert Stimson, a B.B.C. correspondent, wrote of how he had been to one political meeting "at which a derisive United Party speaker held up a picture of Dr. Malan shaking hands with the Indian Prime Minister". Nationalist supporters then stormed the platform "to seize the incriminating evidence".[81] At another meeting a United Party speaker said that the Nationalists were spending £ 8 million on Native education, whereas his own party had spent only £ 3 million. "The implication was, of course, that the United Party could be relied on much more that the National Party to keep the African in his place".[82] At a United Party

79. Good Hope, 18.2.1953, Archbishop's letter.
80. Ibid.
81. The Listener, 7.5.1953, pp. 745-6, "South Africa after the Election" by Robert Stimson, B.B.C. correspondent.
82. Ibid.

meeting in Verulam, Captain B.H. Henwood, speaking in support of a young lawyer, Mr R.A.F. Swart, who was to be elected as M.P. for Zululand at the age of 33, emphasized that the United Party was "absolutely opposed to the non-European defiance campaign". Indeed it was due to the "efforts of the United Party that the Coloured people did not co-operate with the Native extremists". Even Mr Ray Swart, who was to be among the twelve United Party M.P.'s to form the Progressive Party in 1959, was reported to have said that the

> United Party were accused of being kaffirboeties, favouring equality and miscegenation. This was absurd. Each successive Government since Union had realised the necessity of having a Colour Bar and the United Party stood by traditional separation. 83

It is interesting that Professor Arthur Keppel Jones, in an address to the Natal Branch of the South African Institute of Race Relations in September 1952, should have predicted that the effect of the Defiance Campaign upon the 1953 general election would be a Nationalist victory. Firstly, this was because "English-speaking South Africans generally believed that they want to preserve the caste society and white supremacy" and to "keep the kaffir in his place", while shrinking from the consequences to which that policy inevitably leads. Secondly,

> the defiance campaign will have to be met with force, but the U.P. will try at the same time smooth words and appeals to reason. The white population will be in a state of alarm, if not panic. The more liberal elements in the U.P. may express their disgust by some degree of abstention from politics - or they may make themselves heard, and so gravely embarrass the party. In either case the Nationalists will be presented with an electoral situation equal to their wildest dreams. 84

WORLD OPINION.

One of the more significant achievements of the Defiance Campaign was the function it fulfilled in re-directing world attention

83. Daily News, 11.4.1953, "U.P. is absolutely opposed to Defiance Campaign".
84. KEPPEL-JONES, Arthur, The South African Political Scene before the 1953 Election, (mimeo). Bishop Inman's personal files. An address given to the Natal Branch of the S.A.I.R.R., 22.9.1952. The author of When Smuts Goes had been asked to forecast the future of Natal

towards the injustices of South Africa's apartheid legislation. Where in 1948 it had been the issue of the cold war and east-west relations that commanded most immediate interest and attention at the inaugural Assembly of the World Council of Churches at Amsterdam, it is interesting that by 1953 concern about racial discrimination had begun to displace communism as a key issue. The Second Assembly of the World Council of Churches at Evanston in 1954 was notable for the attention it focussed upon the race question, human rights and religious liberty.[85]

On 12th September 1952 the Permanent Representatives at the United Nations of Afghanistan, Burma, Egypt, India, Iran, Iraq, Lebanon, Pakistan, the Phillipines, Saudi Arabia, Syria and Yemen asked that the General Assembly should consider the question of racial conflict in South Africa.[86] In introducing the debate, the Indian Representative, Mrs Pandit, gave a thorough summary of the discriminatory and repressive legislation against which the Defiance Campaign was directed. She quoted Dr. Malan's outright refusal to contemplate giving non-Europeans any executive, administrative or legislative powers over Europeans in his reply to Dr. Moroka. She also cited the "Minister of Home Affairs" (Dr. Dönges) who had said that "white South Africa would have to quit as the British had done in India" if South Africa accepted United Party policy. The alternative, said Dr. Dönges, was "to suffer the fate of the South American Republic and become a country of mixed breeds".[87] Professor Bokhair of Pakistan pointed out that

> we have seen Act after Act passed with the, not obscure, but avowed purpose of keeping the native population underfoot .... our own moral sense impels us to say, "This is a matter in which we ought to do something" .... To overthrow tyranny is the highest aspiration of free men." 88

An indication of South Africa's invidious position may be judged by the fact that when her representative, Mr Jooste, questioned the competence of the General Assembly to discuss the internal policies of a member state, his resolution received only six votes

85. WCC, Evanston Speaks, Reports from the 2nd Assembly of the World Council of Churches Aug. 15-31 1954 Madras: Christian Literature Society 1954, pp. 38-54, 55-62, cf. pp. 24-37.
86. UNITED NATIONS UNIT ON APARTHEID, The Defiance Campaign of 1952, January 1972, p. 3.
87. Information Digest of the Africa Bureau, November 1952, pp. 9-11.
88. Ibid., p. 12.

in support, 45 against, with eight abstentions.[89] During the course of the debate the Liberian delegation said that they had previously asked that Professor Z.K. Matthews, who was in New York as the Henry Luce visiting Professor of World Christianity at Union Theological Seminary, should be heard by the committee. The African National Congress had asked in July for "an opportunity to put their grievances before the General Assembly", and Professor Matthews was authorized to speak on behalf of the Congress should the occasion arise. At the Chairman's request they did not insist on this invitation, but instead read excerpts from a letter from Professor Matthews, and tabled a memorandum by the A.N.C. regarding the apartheid policy of the South African Government. What made an even greater impression than even a personal appearance might have done, were the threats of victimization received by Matthews' university at Fort Hare, should he have addressed the United Nations. Professor Matthews' letter stated,

> I feel bound to point out that ever since it became known in South Africa that there was even a remote possibility that I might be invited to make a statement before the United Nations on this subject, considerable official pressure has been brought to bear upon me not to accept such an invitation in view of the action which the Union Government will feel compelled to take against me. The University of Fort Hare, in South Africa, with which I am connected has also been warned that the Government "will be reluctantly compelled to take a very serious view of the matter as he (i.e. myself) is employed by your college which receives a considerable subsidy from the State" .... It is in the face of such threats of victimization that I submit the enclosed document for your consideration. As the request of the African National Congress for a hearing has not yet been considered, I do not feel called upon to decide, at this stage, on the issue of a personal appearance. 90

On 21st November 35 countries voted for a U.N. Commission to enquire into "the question of race conflict in South Africa resulting in the policies of apartheid of the Government of the Union of South Africa". Two voted against (Peru and South Africa) and 22 abstained.[91] On a Scandinavian amendment that "all member states bring their policies into conformity with their obligation under the Charter to promote the observance of human rights and

89. Ibid., p. 16. Australia, Belgium, France, Luxembourg and the United Kingdom voted with South Africa.
90-91. Ibid., p. 16. Rand Daily Mail 14.11.1952 and 21.11.1952, and see above p. 382.

fundamental freedoms" 20 voted in favour, seven against, and 32 abstained.[92] Another resolution, advocating the creation of a "Good Offices Commission" was adopted by 41:1 with 16 abstentions.[93] South Africa's name was now linked with racial discrimination and the denial of human rights. The crucial steps had been taken towards making her the pariah nation of the international community.

The anathemas that poured down upon South Africa's head in New York were paralleled by the attention given to the condemnation of apartheid by Canon John Collins from the pulpit of St. Paul' Cathedral in London. Michael Scott had been unable to persuade his Executive Committee at the Africa Bureau to support a fund for the dependants of those imprisoned during the Defiance Campaign.[94] "In some distress" Scott spoke to Canon Collins, who responded by mobilizing the organization he had founded in 1946, Christian Action, to take up the issue.[95] Collins' sermon preached in September 1952 set out the reasons why he thought that apartheid was incompatible with the Christian gospel, and called on the churches to come out openly to the aid of the African National Congress in its struggle against racial discrimination, and announced the foundation of a fund to support the Defiance Campaign. The sermon sparked off a lively correspondence in the columns of the Times, and also evoked from the Archbishop of Canterbury a public rebuke for Collins.[96] Lord Halifax, a former Viceroy of India, who had had to deal with Gandhi's campaigns in India, resigned as a sponsor of Christian Action, saying that he could not "encourage those who were breaking the laws of a fellow member of the Commonwealth".[97]

On 28th October 1952 a letter appeared in the Times paying tribute to those who "are resisting discriminatory racial laws in South Africa with non-violence" and appealing for donations to

92. Ibid. 93. Ibid., p. 19.
94. COLLINS, Canon John L., Faith Under Fire, London: Leslie Frewen 1966, p. 187.
95. Ibid.
96. Ibid., p. 188. cf. CPSA Archive AB 1095, Archbishop's Correspondence with Archbishop of Canterbury 1950-61, letter Fisher to Clayton 3.3.1953.
97. CHRISTIAN ACTION, Urgent Call for Christian Action in the Africa Crisis, London: Christian Action 1953. Back cover.

Christian Action's South African fund "for the families and dependants of those who are imprisoned for conscience sake".[98] This demonstrated that Canon Collins still had some significant and influential support. The letter was signed by Lady Violet Bonham Carter, Victor Gollancz (the publisher), James Griffiths (a former Labour Colonial Secretary in Attlee's government), Lord Hemingford, John Hoyland, Kingsley Martin (the author), Lady Packenham (wife of Lord Packenham, later the Earl of Longford), Canon Charles Raven and Lord Bertrand Russell the philosopher. W.A. Hope of Johannesburg, responding, thought that "ill-informed" if "well-meaning" criticism from abroad frustrated those "born and bred South Africans" from whom the only "intelligent and enlightened lead is likely to come".[99] Eric Walker, the historian, writing from St. John's College Cambridge, however, considered Canon Collins' appeal "completely justified" because the policy of apartheid carried the "destruction of Cape liberalism and Christianity a long step further".[100]

Mr H.H. Biermann, South Africa's Director of Information in London, told Canon Collins that "the passive resistance campaign was directed not against enactments of any one government", but "against the traditional social structure in South Africa in its entirety".[101] To this Collins replied by asking "are we to suppose that a policy necessarily becomes less illiberal because it is supported by the Opposition as well as by the Government ?" Mr Biermann's accusation that "communists and fellow-travellers may discover a providential identity between their views and designs and those propagated in the name of Christian Action" was met with a further question from Canon Collins, who asked whether "Christian leaders were to be dubbed Communists just because Communists also protest against racial discrimination ?"

> Christians must not allow the Communist bogey to hinder them from following the dictates of their conscience in this matter of race relations 102

98. The Times, 28.10.1952.
99. CPSA Archive, SACI papers AB 707, a scrap-book of press cuttings (mostly undated). The Times letter from W.A. Hope, September 1952.
100. Ibid., The Times, letter from Eric Walker, Sept. 1952. Eric Walker is the author of A History of Southern Africa (1928), which had a Second Edition in 1940 and a Third Edition in 1957. He was Professor of History at the University of Cape Town from 1911 to 1936.
101. Ibid., The Times, letter from H.H. Biermann.
102. Ibid., The Times, letter from Canon Collins.

By the time Christian Action held a public meeting in the Central Hall, Westminster, on 2nd February 1953, to publicize the appeal further, the interest was intense. Canon Collins' interventions had stirred up resentment against "overseas critics". For instance, the editor of Church News wrote, "if these critics lived here with the problems on their doorsteps, as do the clergy and bishops whom they criticize, they might well, being honest men come to share these views themselves" namely that "the real enemies of the Indian and African are too often their own leaders who frequently demand the fullest civic rights and privileges and demand them now - without reflecting that if this were done it would bring disaster to the very people they profess to help !"[103] Earlier, the Director of the South African Church Institute, the Revd. C.T. Wood, was reported as saying that "certain speeches in England on the racial question in South Africa do not always help the situation there".[104] Basing what he said on the views of the confidential letter he had received from the Bishop of Grahamstown, Wood let it be known that there were differing views about the passive resistance movement among African clergy, and that the lives of those who did not associate themselves with resistance could be imperilled by support for the movement "by persons in high positions in the Church of England".[105] Over 2000 people attended the meeting on 2nd February, at which Canon Collins was chairman. £ 702 was added to the appeal that had already brought in some £ 1400.[106]

A South African committee, comprising Alan Paton, Arthur Blaxall, Trevor Huddleston, Miss S. Kachelhoeffer, Dr. J. Nhlapo and Mr A.N.T. Segwal had been set up to advise Christian Action.[107] They were not to know that within a month their participation would make them liable, on conviction for incitement, to five years' imprisonment and ten lashes. Messages read to the London meeting from Patrick Duncan and Father Huddleston were "received

103. Church News, 21.1.1953, "It has all happened before".
104. CPSA Archive, SACI papers scrapbook, loc. cit., The Times, article, probably Dec. 1952 or Jan. 1953.
105. Urgent Call for Christian Action in the Africa Crisis, op. cit., p. 13.
106. Daily Despatch, 23.1.1953.
107. The Star, 23.1.1953, "London fund has paid £ 155 to victims of race disturbance".

enthusiastically".[108] Michael Scott, too, was given a "prolonged and enthusiastic reception".[109] Lady Packenham showed why it was reasonable for Africans to disobey racial laws in South Africa:

> The law to us is sacred because we have a means of changing it. We have fought for our laws and secured them. But our African friends have no representation at all .... [110]

James Griffiths emphasized how the South African Government's suppression of African Nationalism in South Africa was something which had repercussions all over Africa, so that "it is not only their own people and their own country, which are affected".[111] The speech which was to have the widest repercussions, and which served to blacken Canon Collins' name even further in the eyes of the ecclesiastical establishment in London was that of Nontando Jabavu. As Collins wrote in his autobiography, she had some "unpalatable things" to say about "the part played by the Churches and missionary societies".[112] The Revd. C.T. Wood wrote accusingly to Father Huddleston that his name had thus been associated with a "singularly unhelpful attack on those of us who are trying in spite of tensions and difficulties of the situation, to obtain support for the missionary work of our Church in South Africa."[113]

Huddleston sent a thoroughly disarming reply, deploring the "unfair criticism" made by Nontando Jabavu.[114] He also enclosed for Wood's benefit an extremely abusive letter that he, Huddleston, had received only in January from a young African in Orlando who had once been a student at St. Peter's. However, on receiving a copy from Canon Collins of Nontando Jabavu's speech at the Central Hall, Huddleston had to confess "I agree with you that it is a perfectly reasonable speech entirely true to the facts, and I cannot see why Wood should have objected to it."[115] It is not difficult to see why Collins described Jabavu's speech as "outstanding", although it is easy to see, too, why some might have found it wounding. Hers was a vigorous expression of black

108. Borthwick Institute, York, Duncan papers DU 6, letter Canon Collins to Duncan, 6.2.1953.
109. Urgent Call for Christian Action .... op. cit., p. 6.
110. Ibid., p. 8. 111. Ibid., p. 7.
112. COLLINS, Faith Under Fire, op. cit., p. 188.
113. CPSA Archive, SACI papers AB 707, letter Wood to Huddleston, 4.2.1953.
114. Ibid., letter Huddleston to Wood, 7.2.1953.
115. CPSA Archive AB 1095, letter Huddleston to Collins, 20.2.1953.

frustration with an oppressive government, and a church which she criticized for its "sickly patronage" of black people. Those who had devoted their lives to the work of Christian mission might justifiably have felt hurt, but they should not have been unfamiliar or unsympathetic towards her strictures.

> Can you wonder that my generation of Africans are beginning to feel hostile towards Christianity. We cannot avoid our growing distaste because in our experience in South Africa, western Christianity stands for white supremacy .... Even in missionary schools and churches, white teachers and white ministers receive higher pay than their black colleagues doing the same work, even when these have higher qualifications than their white colleagues.
>
> They are tired of oppression and indignities and brutalities on the one hand, and tired of sickly patronage on the other.
>
> White missionaries could do a worthwhile job in taming the selfish instincts of the settler type, and bring him into the fold of civilized people. No doubt it is easier to be a missionary among black natives - who are polite, and who show expected deference to a white skin. But missionaries should not neglect the white natives of South Africa, and British Africa; it may be a difficult job, even a hazardous job to civilize them; but it is a job worth tackling. Good relations between black and brown and white depend, to an enormous extent, on a complete change of attitude on the part of white people settled in non-white countries. 116

As Canon Collins explained,

> In ordinary life Nontando Jabavu is Mrs Michael Crosfield, an African of South Africa married to an Englishman, the daughter of Professor Jabavu a man who all his life has given distinguished service to South Africa. The audience gave her a tremendous ovation both before and after her speech. 117

Mrs Crosfield also said she was not surprised to hear that some official church bodies disapproved of Christian Action for supporting a campaign that encouraged law-breaking in South Africa.

> I can only remark that the Nationalist Government is in full agreement with such bodies .... any attempt whatever by non-Europeans, non-violent or otherwise, to get a fair deal is a bid for power and must be ruthlessly crushed by force. 118

The "tremendous ovation" given her by an enthusiastic audience was, as Collins pointed out, "a moving demonstration of the response

116. Urgent Call for Christian Action ...., op. cit., p. 11.
117. Ibid., p. 9. 118. Ibid., p. 12.

of an audience to an honest and brilliant presentation of the African case by an African".[119]

It is not difficult to see why the concluding appeal for contributions by Victor Gollancz succeeded so well. He reminded his audience that

> the campaign we are supporting tonight is proceeding by methods which, if it succeeds, will result in a nationalism in [South] Africa entirely different from the kind of nationalism which has been the curse of the world .... This method of non-violent resistance which has been adopted in [South] Africa means inevitably very great suffering for the families of the people who have adopted that non-violent resistance. [120]

Taking the collection, which ordinarily becomes an "awkward and sometimes irritating interlude" became under Mr Gollancz's direction, said Canon Collins, "one of the highlights of the meeting and its natural climax".[121] Patrick Duncan's march into Germiston Location had captured the imagination of that large audience in the Central Hall, Westminster, and in particular of Canon Collins himself. "We continue here to do what we can to help", Collins wrote when asking Duncan to send a message to the meeting. "I would like you to know what an inspiration to us the actions of you and your fellow Christians are. We are much encouraged by your example to play our small part in the fight for right racial relations".[122]

FATHER HUDDLESTON'S CONVERSION TO RESISTANCE.

When discussing the Church's response to the Defiance Campaign in the previous chapter, reference was made to the Mass Conference addressed by Father Huddleston in Johannesburg on 15th February 1953, and also to the meeting in the Odin Cinema, Sophiatown on 28th June 1953, when Yusuf Cachalia was arrested. The manner in which this was done aroused considerable anger. Julius Lewin told Patrick Duncan three days later, "The police, I hear, behaved very provocatively on Sunday, bringing 200 men, many with sten guns, to arrest Cachalia. A riot could easily have occurred

119. Ibid. 120-121. Ibid., p. 13.
122. Borthwick Institute, York, Duncan papers, DU 6. Letter Canon L. John Collins to Duncan, 13.1.1953.

in that situation".[123] Huddleston later wrote of that occasion,

> It seemed to me then, as it seems even more certain to me now, that the only way to meet this thing as a Christian was to try at least to arouse the Christian conscience throughout the world. For me the arrest of Yusuf Cachalia, therefore, was significant far beyond itself. And from that day I have felt the need to use every means open to me of making known abroad, as well as in South Africa, the fearful lengths to which we have already gone in this suppression of personal liberties. It seemed to me then, as it seems to me at this moment, that the Church was largely unaware of all this, or if aware, was not prepared to take any strenuous action. But in appealing to the Christian conscience overseas, through the Press, one immediately laid oneself open to attack as disloyal to South Africa. I cannot accept that criticism, for I feel convinced that the Christian has a loyalty which stands above - far above - such considerations. Apart from the need to arouse the Christian conscience in the world, there was in my heart, from that moment in clear and unmistakable form the desire to identify myself with the African people in their struggle for human rights and personal freedom. This I tried to express a little later at a meeting of the African National Congress in the city. 124

For Huddleston, the memorable event which brought to a climax all his thoughts on how to respond to the menace of apartheid, was the arrest of Yusuf Cachalia. However, Huddleston must have already made his decision to identify himself with the struggle of the African people at the Mass Conference called by the A.N.C. (Transvaal) and the Transvaal Indian Congress in the Free Trades Hall on Sunday 13th February 1953. A week later he wrote urgently to Canon Collins about the "Swart Bills" and their implications. He felt it "quite certain" that the South African press, which was "extremely nervous" already, would not report anything that bore on the Defiance Campaign.[125] Huddleston concluded therefore that

> we have reached the point in South Africa where we must depend upon outside help to the fullest extent, particularly the Press. I believe that the only thing which might shake our Government is determined hostility from the rest of the world, and so I urge with all the strength in my power that you go all-out now for publicity. 126

Huddleston told Collins that "arrest is now no longer a distant

123. Ibid., DU 5, letter Julius Lewin to Duncan, 1.7.1953. See above, Chapter 8, pp. 431-2.

124. HUDDLESTON, The Revd. Trevor, C.R., Naught for your Comfort, London: Fontana, 1956, p. 57.

125. CPSA Archive, AB 1095, Archbishop's Correspondence with the Archbishop of Canterbury. Letter Huddleston to Collins 20.2.1953 (a copy of this letter was sent by Archbishop Fisher to Archbishop Clayton).

126. Ibid.

possibility". He said that it was "an ever-present possibility". He mentioned the penalties provided by the "Swart Bills" for incitement, and also said "we are devising ways and means of trying to do what we are here for", referring to the use of the money in Collins' South African Fund.[127]

Huddleston's desire for publicity about himself stemmed from his belief that the arrest of someone relatively unknown could not do very much.[128] He clearly intended to go ahead and administer the Christian Action fund, thus running the risk of arrest. Thus the turning point for Huddleston came a little earlier than he himself admits in his book Naught for your Comfort. It was the effect of his identification with the Defiance Campaign at the meeting on 13th February, his association with the South African committee formed to administer Canon Collins' fund, and the passage of the "Swart Bills" which marked the moment of his conversion to resistance. Yusuf Cachalia's arrest simply served to reinforce a decision he had already made. His letter on 20th February to Canon Collins, for all its sense of the melodramatic, spoke eloquently of the dangers involved.

In his turn, Canon Collins was not unmindful of other dangers implicit in Huddleston's idea. He wrote to Patrick Duncan saying that he had the "gravest fears about the results of any campaign [in England] upon the obstincacy of Dr. Malan and his colleagues." However, Collins continued,

> Father Huddleston has written and asked me to do the best I can over here in the way of publicity, in the hope that the South African Government may be shamed into a different way of dealing with the situation. 129

Collins also sought the Archbishop of Canterbury's advice, and gave him a copy of Huddleston's letter. This Archbishop Fisher sent to Archbishop Clayton, who replied that he thought it a "silly letter".[130] Clayton then reaffirmed his opinion about not seeking publicity overseas.[131] He wrote to Reeves, as Huddleston's bishop,

127. Ibid. 128. Ibid.
129. Borthwick Institute, York, Duncan papers DU 5. Letter Collins to Duncan, 11.3.1953.
130. CPSA Archive, AB 1095, Clayton papers: Archbishop's Correspondence with Archbishop of Canterbury. Letter Clayton to Fisher, 9.3.1953.
131. Ibid.

to see whether Bishop Reeves still agreed with him in "deprecating agitation in England" or whether he thought the situation had been changed by recent legislation.[132] The net result of this exchange was that Collins, encouraged by Patrick Duncan, agreed with Huddleston, who in turn received Bishop Reeves' support. The Archbishops of Canterbury and Cape Town, Fisher and Clayton, agreed to maintain their earlier stance, which was to avoid agitation in England.[133]

The first of a series of letters and articles in the Observer by Father Huddleston appeared on 30th August 1953, under the headline "For God's Sake Wake up !"[134] The letters to the Observer, and also to the Church Times, provoked a lively interest in England, and the correspondence columns of the English religious and secular press reflect this, as do the files of the South African Church Institute.[135] English Christians seem to have seen the need to awaken the apparent apathy of the Church of England and of the British Government towards South African policies. The Revd. C.T. Wood, Director of the South African Church Institute in London, however, thought that the views of people speaking from outside the situation, who "gave vent to their feelings" and expressed "moral indignation" were "sterile".[136] The concern of the South African Church Institute was rather to re-direct these energies into supporting the missionary work of the church. This was also the attiude of the S.P.G., who showed particular sensitivity towards becoming involved in anything that might be regarded as public controversy about South Africa. This view, however, was strongly challenged by the Vicar of Cowley, in the Diocese of Oxford.

> The Archbishop says it is not the business of S.P.G. to take part in the suggested propaganda. I cannot see this. If the work of S.P.G. is to propagate the Gospel surely it should do everything in its power to protest against that attitude which is so absolutely opposed to the Gospel. [137]

132. CPSA Archive AB 1095, loc. cit., letter Clayton to Reeves, 16.3.1953.
133. Ibid., letter Fisher to Clayton, 14.3.1953.
134. The Observer, (London), 30.8.1953. "Letter from South Africa: For God's Sake, Wake up !"
135. CPSA Archive AB 707, SACI papers, Letter to Church Times, 14.7.1953.
136. CPSA Archive loc. cit., letter C.T. Wood to Miss Arch, a returning church worker going back to work in Orlando.
137. CPSA Archive loc. cit., letter Fr. Beauchamp to Director, SACI, 25.7.1953.

The controversy gathered momentum, punctuated by each new article from Trevor Huddleston's pen. Canon Collins, who had to endure his own share of criticism, told Patrick Duncan how keenly he felt the charge that he was "interfering in something about which one knows nothing and is helping to get people on the spot into trouble" (Bishop Cullen's accusation).[138] Patrick Duncan, however, thought that neither view had any "validity", and pointed out that it was Dr. Malan's line that "if only mischievous foreign correspondents told the truth the world would be on the best terms with Dr. Malan".

> It is not true. The more the world knows about us the more opposed it must be. 139

By the end of 1953 even S.P.G. had been forced to modify its earlier policy to remain silent, and issued a considered statement.

> S.P.G. does not exist to issue dicta on the theological, doctrinal political or even liturgical life of the Church anywhere. This is the job of the Church itself and anyone who thinks otherwise is guilty of a very fallible fallacy. S.P.G. is a handmaid. And it is the duty of the handmaid to serve. As far as the Church of the Province is concerned S.P.G. exists to find men to serve, to raise money, to supply and to stimulate prayer, to sustain ....

The statement however continued,

> The Church which is S.P.G.'s mistress [referring to the Church of England] does not preclude thinking - or even speaking - on the part of her handmaid. So during recent months a very experienced and responsible group has met frequently at S.P.G. House 140

Thus it is evident just how well Father Huddleston's efforts to awaken awareness about South Africa in Britain had succeeded. The value of this strategy will be considered in a later chapter, when we come to discuss Father Huddleston's part in the resistance to the Western Areas Removal Scheme. Meanwhile, it is important to note here that the response of Trevor Huddleston was one significant achievement of the Defiance Campaign. The further radicalization of Father Huddleston's attitude towards the church's social witness is to be traced to this period in February 1953,

138. Borthwick Institute, York, Duncan Papers DU 6, letter Collins to Duncan, 8.9.1953.
139. Ibid., letter Duncan to Collins, 12.9.1953.
140. SPG Report, 1953, pp. 61-64.

when the United Party decided to support Mr Swart's Public Safety and Criminal Laws Amendment Bills. Huddleston's response lay in identifying himself with the African struggle, and mobilizing world opinion in support of their cause.

MANILAL GANDHI AND PATRICK DUNCAN GO TO GAOL.

Meanwhile, on the advice of Dr. George Lowen, Patrick Duncan, Manilal Gandhi, Betty du Toit and Freda Troup had appealed against conviction on the grounds that the Governor General's proclamation of 28th November 1952 was ultra vires. Two months after their conviction in the Germiston Regional Court on charges of incitement, Duncan wrote to Gandhi about their appeal.

> Do you not think we should abandon our appeal ? Since the passing of the Criminal Law Amendment Act and the Public Safety Act it has become of academic interest only whether we can prove that the Proclamation and Regulations were or were not ultra vires. 141

He then added, "I feel much inclined to do this .... [but] in my case I cannot face three months in prison". Gandhi was appalled, and gently tried to stiffen Duncan's will to persevere despite his knee, which was still troubling him. Duncan spent the whole of May and June in hospital after major surgery to his lame knee. This involved scraping away from the bone the detritus which was causing the old wound to fester, and then grafting a pad of flesh from the good leg and further grafting of skin taken from his thigh to his shin bone. In all he had nine long and painful weeks in hospital. Throughout this period he worked on Sotho Law and Customs, received numerous visitors and kept up an intense correspondence with Manilal Gandhi and other friends.[142] Gandhi's reply, however, left him in no doubt where his friend stood. There could be no turning back. Nor did he want at first to withdraw the appeal, having earlier opposed the idea in the first place.

> I can fully appreciate your own standpoint in regard to abandoning the appeal. But we as non-Europeans cannot adopt the same attitude. It would amount to committing suicide. You have sacrificed for us more than we could, or should, expect. But I holding the responsible position as I do, I cannot pay the fine and get out of it. I should have thought of all the consequences before plunging in the struggle. Once having done so I can under no circumstances

141. Borthwick Institute, York, Duncan Papers DU 5 Manilal Gandhi 32, letter Duncan to Manilal Gandhi, 9.4.1953.
142. DRIVER, Patrick Duncan, op. cit., pp. 100-101.

> get out of it. You know how I felt when we all went on appeal. I still feel that I blundered in remaining with you. I should have served my sentence.
>
> .... The time has come for us to do or die. We must look to the cause and not our kith and kin who are in the safe keeping of Him who has created us all and who alone has power to keep or destroy us. My own duty I see clearly before me. Anything that draws me away from it is a sign of my weakness. 143

On 4th May, by which time he was in the Joubert Park Nursing Home in Johannesburg, Duncan replied that the others in their batch of volunteers wanted to press on with the appeal, and that Dr. Lowen agreed. "I do suggest that we abide by our decision to go on with it, and defer any decision on fines until we have to make it".[144] Three weeks later he told Gandhi "I do not think that any of us could object if you were to go ahead and serve now .... so long as one of us proceeds with the appeal the legal question can be taken care of". Gandhi on the other hand did not agree that the appeal should be withdrawn "at this stage". "We must await the decision of the Supreme Court. If we fail there we need not take it to the Appellate Division".[145] At the meeting in the Odin Cinema, Sophiatown, which opened the A.N.C.'s Western Areas Campaign on Sunday 28th June 1953, Duncan asked Trevor Huddleston to announce his intention to withdraw his appeal and go to gaol.[146] By the beginning of July Duncan had spent nine weeks in hospital in Johannesburg and Maseru. He said he did not want to win the appeal, since he thought it important to serve his sentence, but he also faced "an enormous overdraft" and would have to sell his tractor and farm equipment. Gandhi agreed, replying that "our action in withdrawing the appeal is only to rectify the error initially committed".[147]

On 29th August Gandhi wrote to say that he had sent a circular letter his his friends telling them that he intended to withdraw the appeal.[148] On Thursday 10th September Manilal Gandhi set off for Johannesburg to make the necessary arrangements to

143. Borthwick Institute, York, Duncan Papers DU 5 Manilal Gandhi, letter Manilal Gandhi to Duncan, 4.5.1953.
144. Ibid., DU Manilal Gandhi 31, letter Duncan to M. Gandhi 4.5.1953.
145. Ibid., DU Manilal Gandhi 34, 35, letters Duncan to M. Gandhi 25.5.1953 and M. Gandhi to Duncan 31.5.1953.
146. DRIVER, Patrick Duncan, op. cit., pp. 98-99.
147. Borthwick Institute, loc. cit., DU 5 Manilal Gandhi 36, letter Duncan to M. Gandhi, 12.7.1953.
148. Ibid., DU 5 Manilal Gandhi 37, letter M. Gandhi to Duncan, 18.7.1953.

withdraw the appeal. After first seeing Julius Lewin, Arthur Blaxall and Trevor Huddleston, on Tuesday 15th September he surrendered to the police in Germiston to serve his sentence, and spent 38 days in gaol.[149] Duncan, whose knee was still troubling him, wrote to his friend in prison and said admiringly,

> What you have done for years now has been an inspiration to me, and has in many ways shown me to the truth .... it is in faithfulness like this that one sees the only hope for the future. Well done. I hope to follow your example soon. 150

A week after Manilal Gandhi's release, Patrick Duncan, Betty du Toit and Freda Troup also announced that they would withdraw their appeal and go to prison.[151] Each paid that proportion of their fine necessary to ensure that they spend only fourteen days in prison, since "they considered their offences were identical" with the other resisters'.[152] Gandhi was shocked that Duncan's head had been shaved, and recalled a chief warder's words to him in Germiston, that he had no sympathy "for those who are led by the nose by persons like Patrick Duncan".[153] Duncan wrote to Cyprian and Margaret Thorpe saying "it was not pleasant but I would not have missed it for anything".[154] A reporter from the Star who was waiting outside Boksburg prison on the day Patrick Duncan was released was told how he had been allowed to take a book with him to prison. However,

> When the warder saw that the book was called "The Republic" by Plato, he forbade Mr Duncan to have it. The precise objections to this literature as jail reading were not disclosed. 155

In an editorial The Star considered that there were "better ways" of serving their cause than the deliberate breach of the law, and that they were "misguided in their purpose".

> The right to criticize .... and strive for change by

149. The Star, 24.10.1953, "Manilal Gandhi says he had 'rough time' in Germiston jail".
150. Duncan Papers loc. cit., DU 5 Manilal Gandhi 45 and 46, letters Duncan to M. Gandhi 10.10.1953 and 22.10.1953.
151. The Star, 30.10.1953, "Patrick Duncan will go to prison tomorrow - two others also decide against appeal".
152. The Star, 31.10.1953, "Friends escort group of European defiers on way to jail".
153. Borthwick Institute, York, Duncan papers DU 5 Manilal Gandhi 47, letter M. Gandhi to Duncan, 14.11.1953.
154. Ibid., DU 5.95.18, letter Duncan to Cyprian Thorpe, 14.11.1953.
155. The Star, 14.11.1953, "Mr Duncan's warder was suspicious".

> constitutional means does not include the right to transgress the law and to disturb public order in the name of justice. 156

This editorial provoked a crop of letters which the Editor of The Star declined to publish, in what he claimed to be "the readers' interests and our own" since

> the law is such that even general discussion of the ethics of law-breaking as a political act may in certain circumstances be held to be an offence. 157

Even though the Defiance Campaign had to be called off in January 1953, the long-drawn-out saga of Duncan's appeal, its withdrawal and then his imprisonment ensured that the challenge of the Defiance Campaign was kept in the public eye for another eleven months after it ended. Though no different in character from the thousands of other acts of satyagraha in 1952 by lesser known figures, the defiance of Patrick Duncan and Manilal Gandhi captured the attention of the media in a way that no others could. This gave to the march into Germiston location of a mixed batch of resisters on 8th December 1952 its singular significance and efficacy.

THE FRAGMENTATION OF WHITE OPPOSITION POLITICS.

It has been noted in the previous chapter that one achievement of the Defiance Campaign, and in particular of Patrick Duncan's participation in it, was the manner in which the bishops, clergy and people of the C.P.S.A. had been challenged to think afresh about the legitimacy of employing the methods of Christian resistance to apartheid. Since the pioneering example of Michael Scott, who had encountered a generally hostile attitude towards his participation in the passive resistance campaign of 1946, it is significant that there were signs of an important shift of opinion within the C.P.S.A. towards the acceptance of methods of Christian resistance to apartheid, as evidenced in the changed emphasis of Archbishop Clayton's statements about civil disobedience. Leaders in this movement towards giving a coherent theological legitimation

156. The Star, 2.11.1953, Editorial "The Wrong Way".
157. The Star, 6.11.1953, Editorial, "Breaking the Law".

to the practice of resistance, besides Patrick Duncan, were Trevor Huddleston and Arthur Blaxall. As was the case in 1946, we have again seen how the Defiance Campaign of 1952 served to reawaken world opinion at the United Nations, in New York and in London, to the issues of racial justice in South Africa with an intensity as never before. However, inside South Africa, consequent upon the Defiance Campaign one of its most crucial effects was upon the shape of white opposition politics. The polarization of white political attitudes to the right, evidenced in the United Party's baffling reversal of policy in supporting the "Swart Bills", resulted in a process of fragmentation in white opposition politics. After the 1953 election, the United Party lost support both to the right and to the left, which issued in the formation of no less than four new political parties.

The Torch Commando disbanded, with feelings of betrayal by the United Party. The South African Congress of Democrats was inaugurated at an "Emergency Conference of European Democrats" convened by the National Action Committee of the A.N.C. and S.A.I.C. held at Darragh House in Johannesburg on 20th November 1952.[158] The organization was formally constituted on 8th January 1953 with the purpose of founding a "society for the purpose of advocating and winning public support for the principles of freedom and equality". It was also suggested, as an example, that "the society might aim at mobilizing as many white South Africans in support of the Campaign to defy unjust laws".[159] The Congress of Democrats, composed of radicals of socialist view, was later to play a key role in the Congress Alliance. Whilst the Congress of Democrats certainly provided a political home for some ex-members of the Communist Party, the majority were never communist, for example, Helen Joseph. In intention it was the white branch of the Congress movement. Its constitution stated that the Congress of Democrats were "against all forms of inequality and discrimination". It repudiated as false the "doctrine of discrimination". They worked

158. Wits. Archive, Rheinallt Jones papers C 25/6. Letter signed by W.M. Sisulu and Y.A. Cachalia, Joint Secretaries, the National Action Committee of the A.N.C. and the S.A.I.C., 13.11.1952.

159. Ibid., letter from Convenor, Provisional Committee, P.J. Hodgson, 18.12.1952, enclosing draft Constitution. C 25/5.

> to secure for all South Africans regardless of race, colour or creed the rights laid down in the Universal Declaration of Human Rights with particular reference to Equal Civil Liberties; Equal political rights; Equal economic opportunities and Equality of social status. [160]

Reference has already been made to the formation of the Liberal Party of South Africa.[161] Its principles stressed "the essential dignity of every human being irrespective of race, colour or creed and the maintenance of his fundamental rights", and its first object was the securing of "equal political rights based on a common franchise roll". The Liberals declared that they would employ only "democratic and constitutional means" to achieve their objects.[162] After the criticisms by the Editor of Church News which have already been referred to in the previous chapter, Christopher Gell defended the need for the formation of a new party:[163]

> .... Must not Christians adopt certain specific attitudes towards the urgent problems of our day ? Should not that stand be justifiable on moral grounds ? And has not the Church of the Province through its leaders been urging just such a stand in regard to the fundamental problem of our political life, the colour question ? I suppose Liberals and Nationalists agree on only one thing: that that question must be faced and solved, not shelved by "lifting it out of politics".
>
> .... Of the four declared principles of the Liberal Party, two - the essential dignity of every human being irrespective of race, colour or creed and the maintenance of the rule of law - may conceivably be claimed as motivating the U.P. also, though this would entail stretching of the language and some qualification as regards the party's activity during the last year. But the other two - equality of opportunity and the abolition of discrimination on grounds of race or colour - are a complete break with all past Union politics; and these two most important of the Liberal principles can be the only honest platform of a new and separate party.
>
> .... Only on some such foundation can we hope to build a South Africa deserving the love and loyalty of all its peoples.[164]

The Union Federal Party, led by an ex-United Party Senator,

160. CARTER, G. The Politics of Inequality, op. cit., Appendix IV, p. 489, "The South African Congress of Democrats".
161. See above, Chapter Eight, pp. 390-393.
162. CARTER, G., op. cit., Appendix IV, p. 476.
163. See above, Chapter Eight, p. 393.
164. Church News, 20.1.1954, "A Liberal Replies".

Heaton Nicholls from Natal, saw a Federal solution for South Africa. Provinces would be given the right to determine their own future. "Non-European policy" was designed to win over liberals in the United Party and offered a "long-term policy" of a qualified franchise for "those non-Europeans who have passed suitable tests of a high standard", who would be placed upon "the common roll of voters". The Federal Party, however, "accepted the desirability of residential and social segregation" but stood for "the recognition of all South African born people, Coloureds, Bantu and Indians, as members of the greater South African community".[165]

Dr. Malan's attempts to woo United Party conservatives in order to get a two-thirds majority for removing the Coloured voters from the common roll had a limited success, in that four United Party M.P.'s decided to break with Strauss and voted with the Government in the joint sitting of Parliament held in September 1953 to discuss the Separate Representation of Voters Bill. They then formed the Independent United Party, which later became the Conservative Party. They were: B. Coetzee, A.H. Jonker, Bailey Bekker the United Party's Transvaal Leader, and F.H. Waring, to be joined later by A.G. Barlow and V.L. Shearer. In the crucial vote on 28th February 1956 which gave the Nationalists their two-thirds majority for the South Africa Act Amendment Bill at a further joint sitting of both houses of Parliament, the Conservative Party split. Barlow, Coetzee and Jonker voted with the Government, whilst Bailey Bekker, Waring and Shearer voted against.[166] The Conservative Party was then eliminated at the 1958 election, without really weakening the United Party's conservative base, especially in Natal, where the United Party leader was Douglas Mitchell.

It is, of course, possible also to regard this process of ferment in white opposition politics as one of the achievements of the Defiance Campaign. The readiness of so many black people to accept the consequences of civil disobedience had clearly made a deep impression upon sympathetic whites. There was a flowering of a new political will amongst those who saw that opposition to the white supremacist ideas of the Nationalists would not succeed

165. CARTER, G., op. cit., pp. 476-478.
166. Ibid., p. 141, and BALLINGER, M., From Union to Apartheid, op. cit., pp. 283-295; 296-309.

while the Government was being aided and abetted by the official Opposition in Parliament. However, the process of change in the parliamentary opposition to apartheid was to take a long time to develop to any significant proportions. Precisely because of the failure of the United Party to respond to the challenge of providing a principled opposition to the policy of apartheid, the consequence of Mr Strauss' failure to oust Dr. Malan in 1953 was the ushering in of a period of uninterrupted National Party hegemony.

It was not that the problem had not already been recognized within the United Party. Reference has already been made to the cogent criticism of the "semi-reactionary policy of the United Party" by Colonel Pilkington-Jordan in 1950.[167] The chances of success for a movement towards a liberalization of the United Party's racial policy had been considerably improved by the advent of the Torch Commando between 1951 and 1953. Yet the United Party could not find any other agreed alternative to apartheid other than "segregation". This meant that "trusteeship" so interpreted was to enshrine the principle of white leadership. which in reality was merely a more polite euphemism for "baaskap". Furthermore, the United Party's plea that race relations be taken out of politics was as naïve as the theological disputant's suggestion "let's leave God out of this", and indicated where the opposition's chief weakness lay. It offered no clear alternative policy for the political representation of the black peoples of South Africa. Douglas Brown, Africa correspondent of the Daily Telegraph, noted how Mr Strauss' advocacy of "consultation" had stopped short of "elaborating the idea" because if this implied readiness to make genuine concessions he knew he would lose the next election.[168]

Like the Bishop of Bloemfontein, Mr Strauss allowed himself to be intimidated by false accusations of "incitement". The United Party did not practise what it was itself advocating, consultation. A concordat between United Party and Congress leaders might have presented a real alternative to the Government's

167. See above, Chapter Six, p. 244.
168. The Daily Telegraph, 13.9.1952, article by Douglas Brown.

sterile policy of more apartheid and more repression in 1953. On the other hand, Mr Strauss' difficulty was that 1952 was not the most auspicious moment to demonstrate the fallacy of the firmly held conservative view of those within his party who re-invoked the argument before and after every election, namely that nothing should be done to upset the "platteland voter". Even if the fallacy of this attitude was difficult to demonstrate in the tense conditions of 1952, such an attempt would have spared a fearful and apprehensive white electorate from having its worst prejudices and fears reinforced in 1953, had Mr Strauss been able to achieve an accord with Chief Luthuli. Instead, the Defiance Campaign simply showed up the weakness of the United Party and the strength of the Government. The campaign's primary objective, that of inducing consultation, was in the event a total failure.

The nearest the country came to negotiations was a confidential meeting arranged by the South African Institute of Race Relations at Adams College in August 1953, at which it was revealed by Ds. Johan Reynecke that Dr. D.F. Malan was interested in meeting African leaders,provided this could be done without embarrassment. Those present were Albert Luthuli, Z.K. Matthews, Jordan Ngubane, Dr. A.B. Xuma, Dr. Njonjwe, Paul Mosoka and Dr. Donald M'timkulu; Ds. Johan Reynecke, a retired judge B.A. Tindall who convened the meeting, Dr. B.F.T. Schonland, Leo Marquard, Dr. Simon Bisheuvel, the Advocates A.H. Broeksma and Graeme Duncan Q.C., Mrs Winifred Hoernlé and Quintin Whyte. Ngubane, however, said of this meeting that the "majority on the white side wanted us to pursue a course so moderate our people would promptly lynch all of us".[169] It is likely therefore that consultations between Congress leaders and the United Party in 1952 would have revealed an even greater gap between black and white views. However, such a meeting could have had an extremely important psychological, political and educative effect upon the United Party at a crucial moment in its development. The educative value of the A.N.C.'s consistent and central demand for an end to discrimination based on race ensured that the radical Pan-Africanist demand of Marcus Garvie, "Africa for the Africans" was not accepted by Congress leaders

169. KARIS, CARTER & GERHART, Vol. III, op. cit., pp. 297-8 and 368-9, reference 86, citing an unpublished mss. by Jordan Ngubane describing the meeting.

in South Africa. Thus a fanatical kind of African racialism did not become the concomitant to the Afrikaners' exclusive creed of apartheid. As late as 1959 Walter Sisulu could still write,

> In a country like South Africa, where the whites dominate everything and where ruthless laws are ruthlessly administered and enforced, the natural tendency is one of growing hostility towards Europeans. In fact most Africans come into political activity because of their indignation against whites, and it is only through their education in Congress and their experience of the genuine comradeship in the struggle of such organizations as the Congress of Democrats that they rise to the broad, non-racial humanism of our Congress movement.[170]

A most serious outcome for the political life of South Africa consequent upon the Defiance Campaign was therefore the pressures it placed upon the unity of the white parliamentary opposition to the Nationalists, who emerged from the challenge to their policies in a stronger position than before. It is not without interest, therefore, that soon after the general election of April 1953, and at the time of the inauguration of the Liberal Party in May, Patrick Duncan published a pamphlet supporting the United Party. In a letter to Cyprian Thorpe, who had written to compliment him, Duncan explained his reasons for so doing.

> I said "Vote U.P." because of the imminent danger which is now worse of a total disintegration of the opposition which would enable the U.P. Afrikaners to slide over to the Nats. This looks like happening now in any case. [171]

The right-wing split in the United Party, feared by Patrick Duncan, and mentioned above, was not long in coming. The influence of the Independent United Party, led by the United Party's former Transvaal Leader, Bailey Bekker, which later became the Conservative Party, will be referred to again in the context of a later chapter dealing with the Western Areas Removal Scheme and the parliamentary debate on the Natives' Resettlement Act of 1954.[172] The left wing split, which saw first the resignation of Dr. Bernard Friedman in 1955, and the formation of the Progressive Party in 1959, though longer in coming, was to have a more lasting significance.

170. Africa South, Vol. 3, No. 4, July-September 1959 p. 34, "Congress and the Africanists" by Walter Sisulu.

171. Borthwick Institute, York, Duncan Papers, DU 5. letter Duncan to Cyprian Thorpe, 28.6.1953, and DU 9 "The Road Through the Wilderness", pamphlet published by Hygrade Printers, Johannesburg, May 1953. cf. above, Chapter Eight, p. 393.

172. See below, Chapter Thirteen, pp. 735-7.

At the heart of the difficulty of re-ordering the white parliamentary opposition to apartheid was the fact that the deep cleavages of opinion within the United Party on the country's racial policies were irreconcilable. 1953 thus saw the reinforcement of a tendency, already evident in the wide oscillations between the different reactions within the United Party towards the Government's policy of apartheid and the enforcement of apartheid's laws. Whereas, in its role as the official Opposition in Parliament, the expectation was that the United Party would oppose all the Government's apartheid measures designed to separate the races, its criticisms, as has already been seen, of measures such as the Prohibition of Mixed Marriages Act, the Population Registration Act, the Immorality Amendment Act, the Group Areas Act and the Bantu Authorities Act always had to be tempered by the support already given to the principle of racial separation under a United Party administration between 1933 and 1948.[173] In its vociferous opposition to the Suppression of Communism Act in 1950, the United Party had purported to stand for civil liberty and the rule of law. However, its support for the Public Safety Bill and the Criminal Laws Amendment Bill in 1953 contradicted not only its earlier stand as the protector of civil liberty, but also the expectation that the official Opposition in Parliament had a duty to oppose these two measures, which had no other purpose than the imposition of the Government's racial policies on an unwilling and disenfranchised black majority. Where the Government was purporting to act for the maintenance of law and order, it was really concerned with the enforcement of its own unjust apartheid laws. Underlying this fundamental contradiction in the Government's position, was the way in which the National Party mistook its own party-political self-interest as being synonymous with the nation's interest. Hence the successful imposition of its own divisive racial policies became the ultimate good for which no sacrifice seemed to be too great in order to achieve the hallowed goal of racial separation. The moral objection to this line of thinking was that the enforced implementation of apartheid required that the sacrifice be made, not by white Afrikaner Nationalists, but by the black peoples of South Africa, whose few political rights were being relentlessly whittled away.

173. See above, Chapter Six.

An underlying contradiction in the United Party's stance was that it did not see that it could not, on the one hand, purport to oppose the Nationalists and their policy of apartheid, and then give qualified support to the principle of what it called "segregation". The difficulties due to its earlier compromises on the question of racial separation were then compounded by the support it gave to the Government in 1953 for two measures which not only denied the rule of law but also had no other purpose than to suppress all meaningful black political opposition to the very policy it was supposedly opposing.

This double contradiction underlying the reactions of both the Government and the official Opposition to the challenge of the Defiance Campaign, as both faced a white electorate ever more fearful of extending political rights to black people in the atmosphere of panic following the riots of 1952, meant that the lie in the soul of South Africa's segregated society remained unconfessed and unrecognized by most white people. White voters, faced by the inherent contradiction in the stance of both Government and Opposition parties opted for the apparent certainties provided by the Nationalist's solution to the "riots crisis", and voted for more separation and more repression. The United Party tried to show that it too would act no less stringently to maintain law and order. The Nationalists, however, fared slightly better in this contest, not only because of the bias in their favour in the electoral system, but also because their promises of more separation and more repression had the merit of appearing to be more consistent than the similar promises of the United Party. The inconsistency in the United Party's stance in the 1953 election was perhaps the more glaringly obvious since, whilst purporting to oppose apartheid policy, they then supported the Government in passing two measures designed to block all black political opposition to apartheid's unjust laws. The problem which neither the United Party and still less the Government faced adequately was that repressive measures to stamp out the Defiance Campaign tackled not the cause but the symptom of black unrest, and both parties, though neither more blatantly than the United Party, sought to manipulate the situation to their own electoral

advantage. In such circumstances it was perhaps inevitable, as Professor Keppel Jones had predicted, that the most likely winner would be the Nationalists.

A second trend within the United Party, strengthened by the outcome of the general election of April 1953, which should not go unnoticed, was the infusion into the ranks of its parliamentary caucus of a greater number of members of parliament whose call to enter politics derived from their hostility towards the policies which were being pursued by the Nationalists. In the 1948-1953 parliament the small but able group of M.P.'s who made up the so-called "liberal"wing of the United Party caucus, though never influential in running the party machine, took a prominent part in the most crucial debates. Among them were Dr. Bernard Friedman (Hillbrow), Mr M. Kentridge (Troyeville) Dr. D.L. Smit (East London City), Colonel R.D.P. Jordan (Rondebosch), Mr Harry Lawrence (Salt River), Mr H.F. Oppenheimer (Kimberley), Mr J. Hamilton Russell (Woodstock) and Mrs Bertha Solomon (Jeppe). In 1953 they were joined by Mr Donald Molteno Q.C. (Natives' Representative, Cape Western), Mrs Helen Suzman (Houghton), John Cope (Parktown), Dr. Jan Steytler (Queenstown), R.A.F. Swart (Zululand) and Townley Owen-Williams (Musgrave). The 1958 general election continued this trend, and to their number were added others like Clive van Ryneveld (East London North), Colin Eglin (Pinelands), Ronald Butcher (Durban Berea), E.G. ("Sailor") Malan (Orange Grove), Dr. Z.J. de Beer (Maitland), Boris Wilson (Hospital, Johannesburg), and Walter Stanford (Natives' Representative, Transkei). To distinguish them from the Liberals, this group came to be known as the "Progressive Group" in the United Party.[174]

The resignation of Dr. Bernard Friedman on 27th June 1955 on the issue of whether the United Party would re-enfranchise the Coloured people should they be returned to power, might have provided the occasion for others to follow. However, Dr. Friedman not only resigned from the United Party, but resigned his parliamentary seat. He then fought, but narrowly lost a by-election in Hillbrow to the official candidate of the United Party, on 14th

174. House of Assembly Debates. Lists of M.P.'s in the prefaces to the 1948, 1953 and 1958 volumes.

September 1955. His opponent, a noted conservative Dr. Louis Steenkamp, won by a mere 641 votes in a low poll of only 58%. The departure of even so able a parliamentarian as Dr. Friedman from Parliament in 1955 thus curbed any immediate possibility of a "liberal" break-away then. The break finally came only in 1959 when twelve M.P.'s resigned from the United Party after their party's Union Congress at Bloemfontein on 19th August 1959 had decided to oppose any further purchases of land for African occupation in terms of the promises contained in General Hertzog's 1936 Native Land Act. Those who resigned correctly saw that this was the quid pro quo which had been given to Africans for the substitution of separate representation in a Natives' Representative Council for their right to vote on the common voters' roll in the Cape Province. The twelve M.P.'s were: Helen Suzman, Boris Wilson, Ray Swart, Townley Owen-Williams, Harry Lawrence, Jan Steytler, John Cope, Colin Eglin, Ronald Butcher, Clive van Ryneveld, Walter Stanford and Zach de Beer. Sidney Waterson and P.V. Pocock at first joined them, but after discussions with Sir de Villiers Graaf returned to the United Party fold. Professor I.S. Fourie left the Progressive Party at its first conference in October 1959.[175]

Although the reformation of a more radical opposition in Parliament to the National Party's apartheid policies did not finally occur until the Progressive Federal Party replaced the United Party as the official Opposition at the general election of November 1977, fully twenty-four years later, it is significant that the first steps towards a re-shaping of the white party political structure in opposition to apartheid may be traced to the influences exerted upon the United Party by the Defiance Campaign at the time of the 1953 general election.

FORCES OF REACTION STRENGTHENED.

After the effect upon the unity of the white parliamentary

175. STRANGWAYS-BOOTH, Joanna, A Cricket in a Thorn Tree, Helen Suzman and the Progressive Party. Johannesburg: Hutchison 1976. pp. 99-103; 134-165.

opposition to apartheid and the consequent strengthening of the Nationalists in Parliament has been taken into account, another negative consequence of the Defiance Campaign was that it gave the Government the excuse to increase considerably the legal sanctions against opposition to their policies. As Mr Alex Hepple, who succeeded Mr John Christie as Leader of the Labour Party, was to say in the course of the second reading debate on the Criminal Laws Amendment Bill, "I disagree with the Government who believe that every point of view contrary to theirs is incitement".[176]

Early in 1953 the Revd. Arthur Blaxall, Secretary of the Christian Council and Chairman of the Fellowship of Reconciliation in South Africa, wrote a thoughtful article entitled "South Africa's Traditional Way of Life" that was widely distributed by the International Fellowship of Reconciliation in Britain and the United States. In this article, Blaxall described recent South African legislation as "organized brutality", citing the reply of the Minister of Justice in Parliament which revealed that the number of lashes administered on court orders in 1952 had been double that of 1951. "What forces are being mobilized in an endeavour to produce something which could be regarded as a traditional way of life [in South Africa] ?" Blaxall asked. His answer provided a chilling reminder of the new situation prevailing in 1953:

> In South Africa the strongest [political forces] are undoubtedly those which work for reaction .... men and women who imagine their first duty is to ensure security for themselves and their children, and if certain measures aimed against those who think differently appear harsh they are justified if they ensure that the status quo will not be altered in the foreseeable future. 177

Later in the same year when the Minister of Justice again used his powers under the Suppression of Communism Act to expel a number of trade union officials and leading members of other organizations from their positions, Father Trevor Huddleston called a meeting at Darragh House in Johannesburg on 15th October 1953

176. House of Assembly Debates, 1595/53, 19.2.1953, Mr Hepple.
177. Wits. Archive, CCSA Papers, BLAXALL, Arthur W., South Africa's Traditional Way of Life, mimeo 8pp. p. 7. (1953).

"to embark upon a campaign to arouse public support" and "come to the aid of such victims of arbitrary Ministerial edicts".[178]

Besides paving the way for a frightening development in police techniques for intimidation and suppression, together with the reinforcement of further methods of white domination, the Defiance Campaign again gave the Government the excuse for making the false identification of African nationalism with communism, by its use of the Suppression of Communism Act against Congress leaders. Such smear tactics were given greater credibility by the expressions of consternation in United Party circles due to Dr. Yusuf Dadoo's endorsement of the United Party to non-European voters on the eve of the 1953 general election. The Nationalists of course employed Dr. Dadoo's statement as proof that the United Party was tainted by communism. Dr. Gwendoline Carter has made the interesting suggestion that Dr. Dadoo's support for the United Party had ulterior motives, and that the reason why "left-wing non-European opinion" preferred a Nationalist victory was that it would lead more quickly to the violent outbreak that the communists undoubtedly desired. "If this interpretation is correct" Dr Carter speculates, "it puts Dr. Dadoo's statement in quite the opposite light from that in which the Nationalists presented it, and demonstrates how clever, in fact, the Communist line proved to be".[179] It seems more likely, however, that Dr. Dadoo genuinely desired a United Party victory because it might have led to negotiations. Dr. Dadoo's statement was thus more probably designed to ensure that Coloured voters in the Cape went to the polls, because a boycott of the election by them could have had a critical effect upon certain marginal Cape constitutencies. The extent of National Party gains in the general election of 1958, by which time Coloured voters had been removed from the common roll, would seem to suggest that Dr. Dadoo had good reason to appeal to Coloured voters in the Cape to support the United Party in spite of its complicity in voting for the "Swart Bills".

178. Borthwick Institute, York, Duncan papers DU 5.45.18, letter Huddleston to Duncan, 28.9.1953.
179. CARTER, G., The Politics of Inequality, op. cit., pp. 172-3.

FREEDOM OF THE PRESS THREATENED.

In addition to increasing the legal sanctions against opposition to their policies, the Nationalist Government's new legislation against incitement also had serious implications for the freedom of the press. In spite of Mr C.R. Swart's assurance that "bona fide reporting of events and matters in connection with the defiance campaign may proceed unhampered" there was nevertheless grounds for concern that the press would avoid reporting and comment on such matters.[180] It has already been seen how the Editor of The Star refused to publish letters in his correspondence columns about Patrick Duncan's reasons for going to prison on the grounds that "even general discussion of the ethics of law-breaking as a political act may in certain circumstances be held to be an offence".[181] During the debate on the Criminal Laws Amendment Bill Mr Swart immediately contradicted his earlier assurance about the freedom of the press, by taking the example of a recent statement by Canon Collins about the Defiance Campaign. The Cape Times reported that Mr Swart made it clear that

> it would depend on the manner in which the report was used and headlined whether it came under the provisions of the bill. Mr Swart also mentioned the statement by the Leader of the Opposition in which the non-Europeans were asked not to demonstrate at the Van Riebeeck Festival because "now was not the time". This was a "stupid statement" to have made said Mr Swart, "but it would not fall within the provisions of the bill". 182

The line drawn between illegality and legality was therefore a fine one and most editors accordingly preferred to play safe and avoid any risk of prosecution. The law of incitement also meant that the expression of editorial opinion condemning defiance as a means of striving for political change was thereby encouraged. The sacrificial example of Patrick Duncan, Manilal Gandhi, Betty du Toit and Freda Troup in going to gaol for their beliefs was made to appear an "unconstitutional" means of political expression, which could therefore the more easily be discounted and discredited.

180. Cape Times, 24.2.1953.
181. The Star, 6.11.1953, Editorial "Breaking the Law". cf. above, p. 488.
182. Cape Times, 24.2.1953.

INTER-RACIAL FELLOWSHIP.

The effect of the Defiance Campaign upon inter-racial contacts between black and white South Africans was a paradoxical one. On the one hand, the threat of being prosecuted discouraged social mixing between the races. Existing constraints against social mixing across the colour line kept social intercourse between the races to a minimum. The fear that the host at a multi-racial party might be charged with incitement was a real one, particularly if such a function took place in an African township. Laws which debarred whites from entering an African township without a permit had been defied during the Defiance Campaign. The legislation thus made it easier to misconstrue such innocent activity as a form of quasi-criminal activity practised only by "liberals" and "communists".

Within the fellowship of the church, Christians, already segregated by domicile and language, were in a situation in which such opportunities for inter-racial Christian fellowship were already rare. Meetings of Diocesan boards and synods remained a forum for inter-racial fellowship within the life of the church which provided an exception to the norms of South African society and in general to the life of the church.

The difficulties inherent in the situation were vividly illustrated by the author Peter Abrahams, an old boy of the Anglican boarding school Grace Dieu near Pietersburg in the Northern Transvaal, who revisited South Africa in 1952 after an absence of fourteen years. Now a resident and citizen of the United Kingdom, the owner of his own freehold house in Essex, Abrahams in a radio talk for the B.B.C. asked himself what would happen to his relationships with white people should he have to stay in South Africa for the rest of his life. He recalled how he had been thrown out of a "white toilet" in a newspaper's office by a "white caretaker", and remembered the character in Alan Paton's novel Cry the Beloved Country called Msimangu who said, "I have a real fear

in my heart that one day when they turn to loving, they will find we are turned to hating".[183] Peter Abrahams thought that living in South Africa for the rest of his life would inevitably have the effect of making him a black racist.

> But what if I had to stay in South Africa for the rest of my life ? Would I, after endless years under the shadow of the colour bar, still speak as I am now speaking ? Would I still be able to divorce the white face of the white man from the mountain of hurt and insult he will have heaped on me in that time ? Would I still be able to comprehend his humanity with the necessary sympathy which makes creative thinking possible ? I honestly do not think so. I think that in a very short time each small experience of deliberate insult and humiliation, each minute detail and degradation - all the torturing little things that are the common lot of all non-whites in South Africa today - would pile up till I finally slipped into a black racialism to counter white racialism. The white man would become, in my mind, as much a monster as I am in his: and together, denying the humanity of each other, we would rush down the dark road to violence and destruction. That is the tragedy.
>
> .... there are oases in a desert of prejudice, [but they are] not powerful enough to help me keep my racial sanity if I were condemned to spend the rest of my life in South Africa. So I had to admit that in a very few years I would, in spite of myself, adopt the racial attitudes of a black extremist. 184

By contrast, Archdeacon S.P. Woodfield, whose long association with Peter Abrahams' school will be referred to in a later chapter, in his annual report to S.P.G. said optimistically in 1953 that "in my thirty-two years out here I have never known a time when there was a greater desire to see fair play and justice for the Africans".[185] Others spoke as hopefully about the prospects for relations between the races after the Defiance Campaign. A missionary working with both Zulu-speaking and English-speaking congregations referred to the way in which some "Europeans" came to his Zulu services because they took place nearer than the parish church.[186] The Revd. George Oakley from the parish of Kloof in Natal reported how "my people suddenly became mission-conscious and financed a house and a salary for a Catechist to work in the Botha's Hill Reserve".[187] Perhaps the most moving account which came to light

183. PATON, A., Cry the Beloved Country, London: Jonathan Cape 1948 (Penguin 1958), p. 235.
184. The Listener, 14.8.1952.
185. S.P.G. Reports 1953, p. 66.
186-187. Ibid.

in 1953, and which might be attributed to the pressures exerted by the witness of the Defiance Campaign for inter-racial fellowship, came from the actions of a missionary of the N.G.K., who was a direct descendant of one of those who perished in Dingaan's massacre of Piet Retief and his seventy companions at Blood River on 16th December 1838. He ran an orphanage for Zulu children and a training school for Zulu evangelists at the site of that bitter battle. The houses of the students and their families bore the names of those who were killed by Dingaan, and the cost of each building had been met by their descendants. A site covering 150 acres together with two farms and eight hundred acres of wattle valued at £ 98 000 had been donated by two Afrikaner farmer brothers. When it was discovered that for irrigation purposes a new dam was needed, the missionary took his share in the construction work. He left his comfortable home for some weeks, lived in a shack near the site of the dam and daily worked with the labourers. The public prayers of an African evangelist record the effect which these deeds had upon the people there:-

> We thank Thee O Father, for the man who gave us the land - but it was easy for him to do it because he has much land. We thank Thee that he gave us a hundred oxen - but he has many oxen. We thank Thee that he gave us two farms - but he has many farms. Now he is building us a dam with his own hands, and this has beaten us. 188

These examples were probably exceptions to the norms set by the South African "traditional way of life", yet they do testify to the remarkable influence which the Defiance Campaign had had upon some who were deeply concerned about the relationship between black and white within the life of the church. One of the significant achievements of the Defiance Campaign was thus to re-emphasize the need for greater and more compassionate contacts across the colour line. Some South Africans at least had shown that they were aware of the urgency of the need for fellowship between black and white as never before.

188. S.P.G. Reports, 1953, p. 69.

SEPARATE AMENITIES.

There were also some consequences of a legal nature that arose directly out of the Defiance Campaign's challenge to the principle of separate facilities and of their inequality. On 23rd March 1953 the Appeal Court dismissed with costs the appeal of the Attorney General of the Cape, against the acquittal of George Luso on a charge of having refused to leave the "Europeans-only" waiting room at the railway station in Cape Town. The magistrate discharged Luso on the grounds that the total area of the waiting rooms for Europeans was greater than that set aside for non-Europeans, which was also inferior. The Chief Justice Centilivres, with Judges Greenberg, Schreiner and Hoexter concurring, said that if the Attorney General's contention was correct that powers given to the railway administration could and should be exercised with the inevitable result that members of different races were treated on a footing of partiality and inequality, then it would be possible to reserve facilities for a particular race whilst providing no facilities for members of any other race.[189] The effect of the Luso judgement, according to the Hon. F.A.W. Lucas, a former Supreme Court judge, was that "Defiance against such laws will continue to be illegal and punishable as before" but that "Railway regulations which provide for partial or unequal treatment are invalid".[190]

At the same time Mr C.R. Swart told a political meeting in Senekal in the O.F.S. that the matter would be put right as soon as Parliament reconvened. In September 1953 Parliament passed the Separate Amenities Act, which put the issue beyond doubt that it was possible to provide separate but unequal facilities without affecting the validity of such regulations. Meanwhile in May 1953 Welcome Zihlangu also succeeded in winning his appeal against a fine of £15 for entering a "Europeans-only" coach on the Mowbray-Cape Town train during the Defiance Campaign.[191] Although this legal victory was short-lived, what it did serve to do was to expose the Government's cynicism regardings its claims

189. The Star, 23.3.1953, "Crown appeal in S.A.R. apartheid case fails".
190. Rand Daily Mail, 24.3.1953, "Effect of Appeal Court judgement on Defiance".
191. Cape Times, 16.5.1953, "Native wins rail apartheid case".

for the morality of apartheid, whose very foundations were based upon the principle of separate and equal facilities for all races.

The Government, however, had succeeded in suppressing the Defiance Campaign. On 21st April 1953, after the general election, Chief Luthuli addressed a press conference and said that Congress was taking stock of the position in the light of the new legislation. A decision had already been made to call off the Defiance Campaign, although the Congress campaign against unjust laws would be continued, but in some other form.[192] This was because,

> in effect the white electorate as a whole voted for the Nationalist policy, because the Opposition also stood for the fundamental policy of denying non-White people full democratic rights; and its belief in segregation is consonant with apartheid and White domination. [193]

The anniversary of the start of the Defiance Campaign was marked by Security Police raids on the offices of the A.N.C. and S.A.I.C.[194] The 26th June 1953 was observed by the A.N.C. as a day of "re-dedication and commemoration", and the people were called upon by Albert Luthuli to light bonfires in front of their homes at 9 p.m., or to burn candles or lanterns. The head of each household was then urged to tell his family the story of the struggle of the African people in particular and non-Whites in general for their liberation.[195]

STATURE OF THE A.N.C.

One important achievement of the Defiance Campaign lay firstly in its demonstration of the sagacity and ability of African people to demonstrate their capabilities. Notwithstanding Manilal Gandhi's fears and those of many others, the manner in which the African National Congress sustained a strict discipline of non-violence among a very large cross-section of volunteers was remarkable. The planning and execution of a campaign on such a scale publicly revealed the considerable abilities of leadership, organization and management possessed by African leaders, that many

192. LUTHULI, op. cit., p. 117.
193. Rand Daily Mail, 21.4.1953, "Defiance Campaign to be continued".
194. Ibid., 12.6.1953, "Special Police raid offices of Indian, African Congresses".
195. Ibid., 27.6.1953, "Anniversary of Defiance was quiet".

whites had hitherto not believed possible. The moderation of the statements read out in court, and the reports of speeches by Congress leaders, in particular by Albert Luthuli, were impressive and won sympathy for the African's plight in the country of his birth. The campaign effected a remarkable growth in the African National Congress as an organization, which also saw the emergence of a new leadership of great quality and integrity. Although these gains were offset by the growing impotence of Congress leaders, who found themselves restricted by bans and police intimidation, it can also be said that this campaign laid the foundation for an African liberation movement which in the long term continues to have an immense significance for the history of Southern Africa. This flowering of black unity and solidarity brought a new dimension to African self-confidence. It is also possible to see in this campaign the beginnings of the Black Consciousness movement which later developed in the late sixties and early seventies.

WORLD OPINION.

Secondly, another clear and immediate achievement of the Defiance Campaign lay in the compelling way in which world opinion was alerted afresh to the issue of racial justice in South Africa. It has been noted how the United Nations General Assembly responded strongly by appointing a standing commission to examine racial discrimination in South Africa.[196] The World Council of Churches gave the racial situation in South Africa a central place in its preparations for its Second Assembly at Evanston in 1954.[197] In the United Kingdom the work of Canon Collins of Christian Action and Michael Scott at the Africa Bureau received powerful support from the example and writing of both Trevor Huddleston and Patrick Duncan. British public opinion became actively interested

196. UNITED NATIONS UNIT ON APARTHEID, The Defiance Campaign of 1952, January 1972, p. 3. Letter dated 12.9.1952 from the Permanent Representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Phillipines, Saudi Arabia, Syria and Yemen requesting that the question of race conflict in South Africa be considered by the United Nations General Assembly. From Information Digest of the Africa Bureau, Nov., 1952; and extracts from two speeches delivered by leaders of the Indian (Mrs Pandit) and Pakistani (Prof. Bokhari) delegations and a summary of main speeches, U.N. debate Nov. 1952.

197. See below, Chapter Seventeen.

in the plight of the voteless black peoples of South Africa and responded generously to various appeals made by Christian Action for funds to assist the dependants of the resisters.[198] As a consequence both S.P.G. and the Archbishop of Canterbury found themselves compelled to state their stance on South Africa even if Dr. Fisher's address to Convocation in October 1953 was prefaced by the assertion that "it was not the duty of the Church of England to interfere .... with affairs in South Africa", and that it was "the business of the Church of the Province of South Africa and other Christians there to defend the application of Christian principles to political and social life there".[199] The fact that both the Archbishop of Canterbury and S.P.G. made any public statement at all marked a significant departure from past practice. This modification of attitude towards the exercise of external pressure upon the South African government is directly attributable to the influence of the Defiance Campaign, and in particular to Trevor Huddleston's determination, as a result of the United Party's failure to oppose the "Swart Bills", to set about mobilizing world opinion against South African policies consistently and systematically.[200]

AROUSING THE CONSCIENCE OF CHRISTIANS IN SOUTH AFRICA.

Thirdly, in South Africa the crystallization of non-racial attitudes amongst liberal whites and the more forceful articulation of opposition to the Government's policies, as reflected in the inauguration of the Liberal Party, had its counterpart amongst churchmen. The Defiance Campaign served to quicken the conscience of Christians, who were compelled to work out their stance on the choice between divine and civil obedience as never before. Episcopal statements on the issue have been discussed in the preceding chapter. One particularly interesting example of the impact made by the Defiance Campaign upon an Anglican priest

198. See above, p. 477.
199. CPSA Archive, AB 1289, Archbishop of Cape Town's SPG file. Letter Clayton to Bishop Roberts 23.2.1954; S.P.G. Overseas News, April 1954, No. 148; CPSA Archive AB 1095, Archbishop's Correspondence with Archbishop of Canterbury 1950-1961, Archbishop of Canterbury's Address to Convocation 14.10.1953; Church News, 18.11.1953.
200. CPSA Archive AB 1095 loc. cit., copy of letter dated 20.2.1953 from the Revd. Trevor Huddleston to Canon John Collins.

was the Revd. Cyprian Thorpe. An S.P.G. missionary in the West Indies, the Revd. Ernest Lean, hearing that Canon Collins had started a fund to help the resistance movement in South Africa, told Thorpe that he would be willing to collect money in the British West Indies for this purpose, but first wanted to know whether such help would be useful. Thorpe sought Patrick Duncan's advice, and was told in no uncertain terms, "Don't handle such money unless you mean to go to jail for five years".[201] This advice did not, however, deter him or other Anglicans like Trevor Huddleston, Arthur Blaxall, Bishop Reeves and Alan Paton from using funds collected by Canon Collins. Arthur Blaxall established at Wilgespruit a multi-racial community in this period. Cyprian Thorpe, stimulated by Patrick Duncan's desire to form a "Christian-Democratic" group for the purpose of continuing non-violent resistance to the Western Areas removal scheme, suggested a "Christian Social Action or Unity Movement" that would pledge themselves to "think behave and pray" for a non-racial South Africa. Thorpe's idea was to have an interesting sequel in the inauguration of the Christian Institute by Dr. Beyers Naudé, a movement in which Thorpe was later to play a seminal part at its inception in 1963.[202]

A further consequence arising from the influence upon white political opinion which may be ascribed to the Defiance Campaign, but more particularly to the riots of 1952, was the failure of the official Opposition in Parliament to uphold values of freedom, liberty, and equality before the law. When the United Party, facing the prospect of fighting a general election in April 1953, tried to outbid the Nationalists in the use of "swart gevaar" tactics in its appeal to an all-white electorate, it showed itself to be a feeble custodian of those values which a liberal democratic polity holds most dear. This in its turn placed an increased premium upon the leadership of the church, the English language press and the judiciary. The most striking consequence, and one which may rightly be directly ascribed to the influence of the

201. Borthwick Institute, York, Duncan Papers DU 5.95.15, letter Duncan to Cyprian Thorpe, 27.3.1953. The late Canon Lean later served in the Diocese of St. John's as the Rector and Archdeacon of Kokstad.

202. Ibid., letters Thorpe to Duncan, 18.3.1953 and 21.7.1954. NAUDE, Dr. C.F. Beyers, interview, Johannesburg, 10.3.1982.

Defiance Campaign upon a fearful white electorate, was the opportunity this gave to the Nationalists to strengthen their grip on political power. The prospect of any meaningful sharing of power between black and white in South Africa, except in terms of a rigid separation of the races, was thereby seriously retarded. In terms of its stated objects of inducing consultation between black leaders and the Government and securing the repeal of discriminatory legislation, the Defiance Campaign might therefore seem to have failed.

However, without an understanding of the philosphy and objectives of satyagraha it is possible to misjudge the so-called failure of the Defiance Campaign. The above analysis of its achievements and consequences seems to indicate that the negative political consequences that can be ascribed to the campaign outweighed its positive achievements. Any such supposition should, however, be tempered by the recognition that the success or failure of the Defiance Campaign of 1952 differs according to the assumptions about the philosophy of defiance and non-violent illegal action that are brought to the discussion. The concluding section of this chapter accordingly seeks to identify the differing philosophies which underlay the actions of those who took part in the Defiance Campaign, and the varied reactions of churchmen to the issue of Christian resistance.

SOME PHILOSOPHIES OF DEFIANCE OR NON-VIOLENT ILLEGAL ACTION.

Among those who took part in the Defiance Campaign were those who considered themselves the disciples of Gandhi. Their participation stemmed from religious motives founded on a deep faith in the spiritual power of satyagraha to transform political situations. There were also some without any particular religious conviction who espoused the Congress cause, believing in non-violent passive resistance or civil disobedience as an effective political strategy. There were also Christians, like Arthur Blaxall and James Calata, who embraced Gandhi's creed of satyagraha as conscientious pacifists, as evidenced in their membership of the

Fellowship of Reconciliation. Other Christians such as Patrick Duncan and Trevor Huddleston accepted satyagraha as a form of Christian resistance to apartheid, without being pacifist, on the grounds that non-violence was the only ethically tenable alternative to violence. The contribution of satyagraha was to challenge Christians to re-interpret the Gandhian principle into a theology of liberation. The Defiance Campaign forced Archbishop Clayton and the bishops of the C.P.S.A. to consider closely the theology and ethics of Christian resistance and non-violent illegal action.

(1) THE GANDHIAN PHILOSOPHY OF SATYAGRAHA.

The true satyagrahi sought to rid himself of all hatred. His were the spiritual weapons of Truth, Love and Non-Violence (ahimsa) which had to be developed from within. Satyagraha, as Michael Scott explained to his audience in the Central Hall, Westminster, on 4th February 1953

> can best be described as a compound of truth-seeking and non-violent resistance to evil which enables an unyielding struggle to take place against injustice while preserving the respect of the oppressed towards his oppressors. 203

Acting in Love, the resistance of the satyagrahi was founded in Truth, for, as Manilal Gandhi emphasized, "if our struggle is not based on Truth we are bound to fail".[204] The assumption upon which the power of satyagraha rested was that the sacrificial suffering of the resisters would so move the consciences of those in authority that there would be a change of heart in the rulers. This conversion would be achieved through the innocent suffering of the subordinates, who had so thereby activated the inherent goodness of their rulers' consciences, that changes would be made voluntarily by them in consultation with the resisters. By itself the suffering of the resisters would achieve nothing unless it was met by a concomitant willingness to change, and to engage in meaningful negotiation, on the part of the rulers.

203. COLLINS, L.J., Urgent Call for Christian Action, op. cit., p. 6.
204. The War Resister, No. 61, Spring 1953, 15.1.1953, p. 11, letter from Manilal Gandhi, "The Peaceful War in South Africa".

Professor Kuper has observed how "the ends may not be those announced by the resisters".

> The ends are the building up of self-respect in the resisters, of a strong determination to resist, and an effective mass organization; they are not the removal of the incidental stigmata of domination, as announced by the resisters, but basic changes in the attitude of the subordinate group and ultimately in the structure of domination itself. 205

Thus, a campaign of passive resistance may be deemed to be a success, as in the case of the Defiance Campaign, even if those in authority harden their hearts like Pharaoh of old, and impose even greater penalties, provided that the net result is a greater determination to resist on the part of the subordinate group.[206] Although the short-term effects may indeed be increased domination, a far more significant liberation has been won from the dependant slave mentality, by which an oppressed people are prevented from striving for their own liberation. The failure to bring either the Government or the official Opposition to the negotiating table should not of itself be regarded as a reason for deciding that defiance failed in 1952.

In this respect the bitter criticism of both the Defiance Campaign and "the South African ruling class" by the Non-European Unity Movement in June 1952 provides an interesting contrast with the attitude of the satyagrahi. In an editorial filled with bitterness and hatred The Torch predicted the outcome of the Defiance Campaign with cynical accuracy in June 1952. There would be no negotiations because the "conscience of the South African ruling class is locked up in the Reserve Bank". All Europeans were inescapably "Herrenvolk" in their attitude, "whether organized in the O.B., the Broederbond, the Torch Commando or the United Democratic Front".[207]

The N.E.U.M. regarded as unbridgeable the barriers between European and non-European, based on class and race. Their underlying assumption was the pessimistic one that white "herrenvolk" attitudes were immutable. The satyagrahi made the more charitable

205. KUPER, L., Passive Resistance in South Africa, op. cit., p. 77.
206. Exodus 5;6-23.
207. The Torch, 10.6.1952.

assumption, despite all the evidence to the contrary of past failures to effect change by protest and consultation and other constitutional means, that change could still be won. He would continue to believe in the intrinsic goodness of human nature, even in the case of the most implacable of evil rulers, and that they could be compelled to respond to his example of sacrifice and suffering by voluntarily changing unjust laws. Whilst hating the sin, he would love the sinner. Gandhi himself wrote, "In Satyagraha there is not the remotest idea of injuring the opponent".[208] Indeed, in the Defiance Campaign, as Professor Kuper has pointed out,

> acts of resistance directly attacked incidental aspects of domination and in such a way as to minimize the annoyance of Europeans. [209]

The Defiance was directed against unjust laws, not against any racial group.

A cardinal concept for Gandhi himself in the pursuit of the ideal of satyagraha was bramacharya, meaning purity, celibacy or continence.[210] Thus, as Fatima Meer has observed, satyagraha was conceived by Gandhi "as a specialist weapon which only the spiritually pure could utilize".[211] This may account for the lower number of resisters in Natal, because of the strict emphasis placed upon training of volunteers. This concept, logically followed, should have thus precluded the mass utilization of the technique. In practice it had the effect of setting a very high standard of discipline and commitment upon any who took part. This also called forth a spirit of humility in the satyagrahi, who would perpetually feel, as did Manilal Gandhi even after a life-time's dedication to his father's teaching "We are yet at the stage of learning".[212] Gandhi enjoined a considerable discipline for satyagraha, which included eleven vows which the satyagrahi would follow in his daily life. These were Truth (sat), Non-Violence (ahimsa), Chastity (bramacharya), Non-possession, Fearlessness, Control of the Palate, Non-stealing, Bread-labour, Equality of

208. GANDHI, M.K., Satyagraha in South Africa, Ahmedabad: Navajivan 1928, pp. 113-4.
209. KUPER, L., Passive Resistance in South Africa, op. cit., p. 83.
210. GANDHI, M.K., An Autobiography, op. cit., pp. 171-177.
211. Africa South, Vol. 3, No. 2, Jan-March 1959, p. 21, article by Fatima Meer, "Satyagraha in South Africa".
212. The War Resister, No. 61, 15.1.1953, Article by Manilal Gandhi op. cit.

religions, Anti-untouchability and Swadeshi (the principle of using goods made locally or in one's own country.[213] It is not without significance that Gandhi entitled his autobiography "The story of my experiments with Truth".[214]

Although the above Ashram vows have about them the flavour of Hindu ideas, it is important to realise how very deeply Gandhi was influenced by Christ's teaching in the Sermon on the Mount. The verse "If any man will take away your coat, let him have your cloak also" is a superb example of "non-violent non-co-operation".[215] Even if it may be debatable that Gandhi came close to Christian conversion whilst in South Africa, it is extremely important to note how much of Christ there is in the Gandhian concept of satyagraha.[216] Thus for both the satyagrahi and the Christian the ethical justification for disobedience to an unjust law was the same. It was not an act of defiance to Caesar but of obedience to God. "The dignified acceptance of punishment" as Professor Kuper has written, "is that the noble sacrifice of self-interest for an ideal would stir the 'highest orders' of the mind, the moral conscience of the rulers".[217] This process was also vividly demonstrated in the effect of the crucifixion of Jesus Christ upon the Roman centurion.[218]

Gandhi was also anxious to distinguish ahimsa from the English term "passive resistance" which he had earlier translated into Gujarati to describe their struggle in South Africa for Indian rights. He felt, however, that "passive resistance" was being too narrowly construed as a "weapon of the weak" and that it could also be "characterized by hatred".[219] He wanted a concept that included Love and excluded Violence, or as he put it "brute force". Accordingly, Gandhi instituted a competition in Indian Opinion,

213. GANDHI, M.K. Non-Violent Resistance, New York: Schocken 1961, p. 37.
214. GANDHI, M.K., An Autobiography, op. cit., Subtitle.
215. GANDHI, M.K., Non-Violent Resistance, op. cit., p. 375.
216. GANDHI, M.K., An Autobiography, op. cit., pp. 101-4, "Christian Contacts".
217. Race Relations Journal, Vol. XX, No. 4 1953, p. 29, "The background to Passive Resistance (South Africa 1952)" by L. Kuper. Also published in The British Journal of Sociology.
218. Mark 15;39.
219. GANDHI, M.K., An Autobiography, op. cit., p. 389.

which was won by his son Manilal who coined the term "sadagraha", being a compound of "sat" meaning "truth" and "agraha" meaning "firmness". "To make it clearer", his father changed it to "satyagraha".[220]

Satyagraha was conceived in South Africa, and its advocates, chief among them Dr. Yusuf Dadoo, could point to successful precedents for its use. In 1913, when Smuts was a minister in General Botha's Government, a strike of Indian mine and railway workers had been precipitated in protest against the gaoling of two Indian women for entering the Transvaal without permits. Gandhi proved the efficacy of satyagraha by organizing a pilgimage of some 5000 Indians, who walked the thirty-six miles from Newcastle to Charlestown on the Natal side of the border with the Transvaal. Some 2000 then continued their march into the Transvaal. Gandhi was arrested, and charged with "inducing indentured labourers to leave the province of Natal".[221] In the course of this protracted struggle, Gandhi went to Pretoria to see Smuts, and the response of one of Smuts' secretaries demonstrates the peculiar effect of Gandhi's method.

> I do not like you people, and do not care to assist them at all. But what am I to do ? You help us in our days of need. How can we lay hands on you ? I often wish you took to violence like the English strikers, and then we would know at once how to dispose of you. But you will not injure even the enemy. You desire victory by self-suffering, alone, and never transgress your self-imposed limits of courtesy and chivalry. And that is what reduces us to sheer helplessness. 222

The campaign was crowned with success. The Indian Relief Act, passed by the Union Parliament in 1914, lifted from Indians the worst of their disabilities.[223] Gandhi, his task completed in South Africa, felt free to go to Britain, where he led an Ambulance Unit during World War I. Smuts could do no more, even if his white political opponents would have preferred him to do much less.[224]

Although Gandhi himself attributed the birth of his ideas

220. Ibid.
221. GANDHI, M.K., Satyagraha in South Africa, op. cit., pp 282, 309.
222. Ibid., pp. 325-6.
223. The Forum, Sept. 1952, p. 13, "What will the United Party do?" by Julius Lewin.
224. HANCOCK, W.K., Smuts, Vol I The Sanguine Years, 1870-1919, Cambridge: Cambridge University Press 1962, p. 465.

about satyagraha to the period after he established his community at Phoenix in Natal in 1904, and founded the journal Indian Opinion, it is possible that the idea was conceived somewhat earlier.[225]

M.K. Gandhi first came to South Africa as an advocate in 1893, to defend Indians in Kruger's Transvaal Republic against their disabilities there. He undertook the first part of the journey by rail, where he was to experience the practical indignities of colour prejudice. He booked and paid for a first class ticket from Durban to Charlestown. At Pietermaritzburg, on a cold winter's night, he was turned out of the train by a railway official.[226] Many years later the distinguished statesman of the ecumenical movement, Dr. John R. Mott, asked Gandhi, "What have been the most creative experiences in your life ?" In reply Gandhi told the story of the night he spent in that cold waiting room on Pietermaritzburg station.[227] Michael Scott was one who grasped Gandhi's concept and practised it. He wrote:

> As Gandhi has consistently pointed out there is no value in suffering as such, it is rather the readiness to suffer, to sacrifice self rather than the principles which are of common concern, which is of value. 228
>
> All these concepts - love, creative purpose, self-sacrifice, non-violence, are bound up in the word "satyagraha". As Gandhi conceived it, it is a way of life, rather than a mere political tactic. 229

As Professor Raghavan Iyer has observed in his excellent study, The Moral and Political Thought of Mahatma Gandhi (1973),

> Most political and social thinkers have been concerned with the desirable (and even necessary) goals of a political system or with common and competing ends that men actually desire, and pragmatically considered the means that are available to rulers and citizens. 230
>
> Gandhi seems to stand almost alone among social and political thinkers in his firm rejection of the rigid dichotomy between ends and means, and in his extreme and moral preoccupation

225. GANDHI, M.K., An Autobiography, op. cit., pp. 368-9.
226. Ibid., pp. 140-1.
227. BROOKES, E.H. & WEBB, C.de B., A History of Natal, Pietermaritzburg: University of Natal Press 1965, p. 181.
228. TROUP, Freda, In Face of Fear, London: Faber 1950, p. 167.
229. Ibid., p. 157.
230. IYER, Raghavan N., The Moral and Political Thought of Mahatma Gandhi, New York: OUP 1973, p. 361.

> with the means to the extent that they, rather than the end, provide the standard of reference. 231

Gandhi himself used the vivid illustration that a gardener cannot produce a rose by planting a noxious weed.

> The means may be likened to a seed, the end to a tree; and there is just the same inviolable connection between the means and the end as there is between the seed and the tree. 232

In this respect, therefore, the Gandhian philosophy of satyagraha stands in total contrast to Communism, Fascism, or indeed to apartheid. Each of these ideologies considers the political end to be so overwhelmingly desirable that even means like the enforced removal of population on a large scale, or the denial of the rule of law, are deemed to be acceptable sacrifices in order to achieve the greater political end desired, be it proletarian control of the means of production, the purity of Aryan rule or total separation of the races. As Professor Kuper has said, "the Satyagrahi is enjoined to look after the means and the ends will take care of themselves".[233] This may account for the way in which no consistent or sufficient effort was made during the Defiance Campaign to start negotiations either with the Government or with the official Opposition. By its concentration upon the means, satyagraha may be criticized for tending to lose sight of its stated objectives. A philosophy so oriented towards ultimate ends could appear to be careless or even irresponsible towards the achievement of any of its immediate goals.

Manilal Gandhi's practical application of satyagraha as "firmness for the truth" was vividly illustrated in the manner of his decision to withdraw his appeal and go to goal in 1953. In August 1953, at a time when the Government were rushing through Parliament their Separate Amenities Bill, described by Manilal Gandhi as "another piece of obnoxious legislation fully justifying our proposed action", Chief Luthuli was said to have been involved in a "secret conference at Adams" to seek "a different approach to our burning problems".[234] The recalcitrance of the Government

231. Ibid.
232. GANDHI, M.K., Hind Swaraj, Ahmedabad: Navajivan 1938, p. 115.
233. KUPER, L. Passive Resistance in South Africa, op. cit., p. 82.
234. Borthwick Institute, York, Duncan papers DU 5 Manilal Gandhi 42, letter Gandhi to Duncan, 29.8.1953.

coupled with anxiety lest the meeting at Adams might compromise the Congress leaders who took part provoked in Manilal Gandhi the decision to employ this further step of satyagraha to hold both Congress leaders and the Government to the truth. Gandhi's covering letter to Patrick Duncan, enclosing the carbon copy of a letter to his fellow accused cited below, reflects the conviction of the true satyagrahi that only through the willing acceptance of suffering would change ultimately be won, and that mere talk which "ended in discussion" was of little worth. Gandhi told his friend,

> It all seems to have ended in discussion. Nothing can or will be done until and unless we are prepared to suffer and sacrifice for what we claim to be a higher ideal in life. We cannot just talk about it and do nothing. God helps those who help themselves. 235

Manilal Gandhi's letter to his friends explaining the reason for withdrawing his appeal underlines his belief that the only hope of reform lay in "a change of heart in the government", and that the only means of achieving this was through the readiness to "suffer and sacrifice .... in a non-violent spirit". The letter is cited in full since it so vividly illustrates, and is animated by, what I have called the Gandhian philosophy of satyagraha.

> Manilal Gandhi,
> Editor, "Indian Opinion". P/Bag Phoenix, Natal.
>
> Dear Friend,
>
> I am sure you will agree with me that we have waited long enough for our appeal to be heard. I must confess that my patience is now exhausted. I have watched with great anguish and dismay the placing of ban after ban on the speech and movement of practically everyone of the known leaders of our people including Chief Luthuli, President of the African National Congress, representing eight million Africans, and the quiet submission to it. My mind has been very uneasy over the growing deterioration in our conditions with the passing of the Criminal Law Amendment Act and the Public Safety Act and the way the Coloured Franchise rights are being dealt with and the way the Government is relentlessly pursuing its pernicious policy and programme of Apartheid and of relegating the non-White to a status of helotry, and the way the wives and children of Indians domiciled in this Country entering the Union to join their husbands and fathers are being treated on their arrival even though there is no legislation prohibiting their entry. All these things should shock every person with any self respect. Life is

235. Ibid.

becoming intolerable with such constant pin pricks and humiliations we have to suffer in the course of our daily life.

The place of every self-respecting person, in these circumstances is, not outside but in prison. I feel therefore as I had felt from the very beginning that no useful purpose will be served by appealing against any unjust law of the Government or the administration thereof when we are against its whole policy.

That policy can never change unless there is a change of heart in the Government and that can only be brought about by our preparedness to suffer and sacrifice to our utmost capacity in a non-violent spirit. We must decide once and for all whether we are going to submit to man-made laws even though they may be unjust and in utter violation of the moral law of God or whether we shall humbly submit to the latter and not swerve from it irrespective of what the consequences may be.

With this mental attitude I feel that I can wait no longer and that no matter what the others may feel or do I must withdraw my appeal and serve the sentence passed on me. 236

(2) NON-VIOLENT PASSIVE RESISTANCE OR CIVIL DISOBEDIENCE AS A POLITICAL STRATEGY.

To the Indian Prime Minister Mr Nehru, Gandhi's method of satyagraha was no more than a political tactic to be utilized for obtaining political power by a voiceless people.[237] Thus hartal (civil disobedience) could also be practised by those who did not embrace all aspects of Gandhi's teaching. Dr. Yusuf Dadoo's Muslim origins and membership of the Communist Party placed him in a different group from a classical Gandhian Hindu like Nana Sita. Yet both were consistent and passionate advocates of passive resistance. From the statement that he made to the court on 16th July 1952 (Dadoo was sentenced by a Johannesburg magistrate to six months' imprisonment with hard labour for addressing a gathering in contravention of a notice served on him by the Minister of Justice) it is clear that Dr. Dadoo, like Mr Nehru, saw civil disobedience as only a political weapon. Dr. Dadoo's stated goal was the establishment of a "truly democratic state". He

236. Ibid., accompanying letter dated 29.8.1953.
237. Africa South Vol. 3., No. 2, Jan-March 1959, p. 21, article by Fatima Meer op. cit.

thought that the present "mental and physical ill-health" of South Africans, which gave rise to the socio-economic conditions of "chronic malnutrition, ill-health, illiteracy and poverty of non-Europeans" were caused by the "host of discriminatory laws" designed to "perpetuate a system which holds them in bondage." Dr. Dadoo said that he saw the solution to these problems mainly "in the economic and political fields", which was why he had accepted election as President of the South African Indian Congress.

> I happen to fall foul of what I consider to be an unjust and diabolical law. It is the irony of history that in the pursuit of the struggle for right and justice, honest and upright men are called upon to fall foul of laws enacted by a coterie of men devoid of justice and humanity. History abounds with acts of sacrifice on the part of people resisting oppression and whatever the personal consequences may have been, such acts have been fully vindicated in the course of time. We are law-abiding citizens and are prepared to obey all laws made for the peace, order and the good government of the country. But laws in the making of which we have no say and which are bad and unjust and calculated to disturb peace and harmony can not only not be tacitly approved of but must be fought by every legitimate means at the disposal of the people. 238

Dr. Dadoo's reasons for defying the Minister of Justice were pragmatic. Defiance was an effective means of drawing attention to grievances and obtaining a hearing in the prevailing situation which denied to non-Europeans any say in the government of their country. Also circulated by the Natal Indian Congress with the above statement was an article by Dr. Dadoo on "The Future of Race Relations in South Africa", which, it was stated, had been submitted to the Natal Mercury some months before, but the newspaper had refused to publish it. In this article Dr. Dadoo warned that

> a wall of hate is being erected in the non-European's mind, not only against the oppressive conditions of life but also against the European who he looks upon as the perpetrator of his frustration and his misery. 239

How could the argument for race zoning be supported by the statement of Mr R. Butcher, Chairman on the Durban Chamber of Commerce, that "Durban shall remain a European city", asked Dr. Dadoo. The

238. SAIRR Jan Hofmeyr Library, Passive Resistance Box 43, "The Voice of Yusuf Dadoo", statement to the Court by Dr. Dadoo on 16.7.1952, mimeo, 2 pp.
239. Ibid, "The Future of Race Relations in South Africa" by Dr. Y. Dadoo.

growth and development of the city had been made possible by the efforts of all its citizens.

> to say that Durban is white is as far fetched as to say that the rainbow only consists of one colour ! 240

For Dr. Dadoo, who found it so difficult to get a hearing for these wholly reasonable views, civil disobedience seemed to be the only means, short of violent revolution, of being heard. The statement from the dock was something which compelled attention. In circumstances where the political ideas of non-Europeans were coldly ignored, the law at least prescribed that a defendant in court should be heard. Thus civil disobedience provided a means of utilizing the courts as a forum for expressing political opinions and gaining a political platform otherwise denied to non-Europeans in South Africa.

Profesor Kuper has noted that non-violent passive resistance can take two forms. There is"non-co-operation",the tactics of boycott, which reduces the interaction between the protagonists and is for that reason relatively peaceful. Secondly, there is "civil disobedience",which is a form of active resistance, that heightens interaction.[241] As a political tactic non-co-operation could thus be regarded as a "low-profile" method which keeps the protagonists apart. Civil disobedience, on the other hand, ensures the maximum of interaction, and provides a method of demonstrating resistance with greater intensity and public visibility.

Richard Gregg, in a study of how mass non-violent resistance works, has made the interesting analogy between the psychology of warfare and the tactics of mass non-violent resistance.[242] He cited various authorities on the science of modern warfare, from Marshal Foche to B.H. Liddell Hart and the Duke of Wellington, to prove the oft-quoted contention that the balance between victory and defeat turns on the morale and mental attitude of an army as much as upon its superiority in physical and material terms. As for Joshua and his trumpeters before the walls of Jericho, success

240. Ibid.
241. KUPER, op. cit., p. 76.
242. GREGG, Richard B., The Power of Non-Violence, Lusaka: M.M. Temple 1960.

in warfare was dependant not on numerical superiority but on the outcome of a war of nerves.

For example, the massacre in the Jallianwala Bagh at Amritsar in 1919 has been seen as the event which led to the eventual demise of British rule in India. The subsequent enquiry revealed that Brigadier R.E.H. Dyer, General Officer Commanding the 45th Brigade Amritsar, ordered his soldiers to fire 1650 rounds into a crowd of 25 - 30 000 people who were attending an "illegal" meeting following rioting, looting and mob violence in the city. In terms of Gandhi's philosophy of satyagraha, the effect of this atrocity was such that the innocent suffering of some one thousand killed at Jallianwala Bagh weakened the will of the British to continue with colonial rule, whilst strengthening the purpose of Congress leaders to lead their people to independence. Mr Jawaharlal Nehru has recounted how, quite fortuitously, he shared a railway compartment with General Dyer and a group of British officers travelling to Delhi after the enquiry, and himself heard Dyer callously boasting of his exploit at Amritsar. This experience so shocked him that it confirmed Nehru in his support for the Satyagraha Sabah and converted his hitherto hesistant father to Gandhi's philosophy.[243]

Richard Gregg has observed how "non-violent resistance demoralizes the opponent only to re-establish in him a new morale that is finer because it is based on sounder values".[244] In these terms a campaign like that of 1952 in South Africa would achieve a change of heart only when the battle for the mind of the whites had been won, and their morale and will to win had been broken. In the event the campaign seemed to succeed in breaking the morale of the United Party, but it made the Nationalists more implacable than ever. Seen in these terms, the Defiance Campaign was the vital first, though unsuccessful, non-violent phase in a long war of

243. NEHRU, Jawaharlal, An Autobiography, London: Bodley Head 1936, p. 43, cf. DRAPER, Alfred, Amritsar: The Massacre that ended the Raj, London: Cassell 1981.

244. GREGG, op. cit., Chapter 4 "The Working of Non-Violence", p. 49. cf. The Forum, December 1952, p. 23, "Apartheid comes to Court" by Julius Lewin; South African Outlook, 1.12.1952, p. 180, "How painful are these regulations", statement read to the Magistrate in Bloemfontein by Mr S. Mokoena; Drum, August 1952, pp. 35, 37, "We defy .... " statement of the Campaign's aims by Nelson Mandela; Drum, October 1952, pp. 9-17, "The Story of Defiance", and Race Relations, 1952, pp. 29-42.

attrition that is still being waged by liberation movements in exile today.

(3) SOME APPROACHES TO CHRISTIAN RESISTANCE.

Among Anglican Christians and the English-speaking churches there were a wide variety of responses to the Defiance Campaign, and these have been described in the preceding chapters. Even amongst those who fully sympathized with the campaign, it is remarkable how many differing responses there were. Archbishop Clayton spoke of the "fissiparous" tendencies of liberals in his letter to Patrick Duncan.[245] He could have well applied the same term to churchmen. In this concluding discussion of Christian resistance and the ethics of non-violent illegal action, it must suffice to do no more than to categorize these varied responses and identify who were their main exponents. As the story unfolds of how the church responded to crucial issues raised by Government legislation and actions after 1953, it will be interesting to observe how individual attitudes developed.

Taken as a whole, the response of the English-speaking churches and of Anglican leaders was not only varied, but cautious, hesitant and groping. No-one brought up to admire the Magna Carta as the document which rescued England from the anarchy of the dark ages by establishing the rule of law, could lightly sanction deliberate breaches of the law as a political weapon. Moreover, the smear tactics of Government spokesmen, who made indiscriminate accusations of incitement, now punishable by imprisonment and the lash, did not encourage plain speaking. No Anglican bishop expressed unequivocal support for the Defiance Campaign, although all were clearly sympathetic with its motives, and were quite clear in their opposition to the laws against which the campaign was being directed. Yet many bishops qualified their expressions of sympathy with warnings about the dangers of contingent violence.

245. CPSA Archive, Clayton Papers AB 191, and Borthwick Institute, York, Duncan papers DU Archbishop Clayton 23, letter Clayton to Duncan 22.10.1952. See above, Chapter Eight, p. 418.

Firstly, Archbishop Clayton's stance openly entertained the possibility that there were circumstances in which it was the Christian's duty to refuse to obey a particular law, and that there was no obligation upon Christians to obey unjust laws. Robert Selby Taylor shared Clayton's views, though Ambrose Reeves and Archibald Cullen were more cautious. Clayton reminded Anglicans that Peter's injunction that it was better to suffer for well-doing than for evil-doing was not to be taken as a general prohibition of all refusal to obey unjust laws. But he also said that it was the Government's duty to punish such transgressions, so that a Christian whose conscience told him to disobey an unjust law must be ready to take the consequences of that decision, and not complain if the State punished him. The conscientious defiance of an unjust law depended upon a law "offending the law of justice".[246]

However, Archbishop Clayton gave his guidance in such a way that no Christian would have felt in any way condemned for defying what he conscientiously believed to be an unjust law, even if his Archbishop was not prepared to join him physically in his defiance. Nor would a Christian who decided against participating in the Defiance Campaign have felt he was a coward. Clayton reminded his flock that the sacrifice of the Cross was not an example to be followed literally. But he also made it plain to those who tried to persuade others against defiance that Christ's teaching about non-resistance ("turning the other cheek") did not allow Christians to put themselves in the position of turning the cheek of others. Each Anglican was free to make up his own mind, and must not presume to tell another what was right. Nor would Clayton condemn a person for participation in the Defiance Campaign. But he would not himself participate, though he was ready to counsel others to engage in civil disobedience for conscience' sake.

There were those who thought that the church was sitting on the fence. There were still others who would have liked the church to issue a stern condemnation of deliberate and politically

246. See above, Chapter Eight, "The Churches' Response to Defiance", especially pp. 421-7. for a detailed statement of Clayton's views.

motivated acts of law-breaking. Leaving the decision to the conscience of individual Christians was in one sense a way out of the dilemma. The Bishops thereby avoided taking an unambiguous stand for or against the Defiance Campaign. But they were all forced to think out the arguments by which a decision to engage in Christian resistance to the State could be made. The importance of this will become apparent in the succeeding chapters.

Secondly there was the response of conscientious pacifists like Arthur Blaxall, who was the South African Chairman of the Fellowship of Reconciliation. Blaxall tended to see his role as that of a mediator in the field of race relations. This is evident in his article, "Candid thoughts on Non-Violence", which was circulated by the Fellowship of Reconciliation.[247] He dealt with some of the insinuations that were being made about the Defiance Campaign by its detractors.

* that the movement was not "of the people" because as few as 7000 took part in it.
* that Coloured people took no part in it.
* that it was not a spiritual movement but merely one aimed at seeking political advantage.
* that it was initiated and led by those named under the Suppression of Communism Act.
* that those who went to jail were unemployed people who were thus assured of financial support for their relatives.
* that the campaign was led by Indians and there was no African leadership.
* that land utilization and cattle culling had been added to the list of "unjust laws". [248]

Blaxall tried to answer each of these criticisms with sensitivity for the African. His chief concern was what should be done by those who would "seek peace and pursue it". He saw no hope of Dr. D.F. Malan and Dr. James Moroka meeting, but he did look to the proposed meeting of Church Leaders being planned by the Dutch

247. New Republic, 29.12.1952, "Candid Thoughts on Non-Violence" by Dr. Arthur Blaxall, reprinted and redistributed by the Fellowship of Reconciliation, New York.
248. Ibid.

Reformed Church in 1953 as opening "a new window of hope".[249] He urged that political leaders should refrain from provocative utterances and action in the field of race relations, and that the two Congresses should suspend their campaign during this moratorium.

Underlying Blaxall's attitude was always the instinct of the loving parish priest who sought to minister to and salute those he knew who had gone to gaol for their beliefs. On 1st November 1953, All Saints' Day, Blaxall added the following postscript to his Chairman's Letter to the Fellowship of Reconciliation, and sent it to Patrick Duncan, Freda Troup and Betty du Toit. It too is cited in full because it gives another vivid portrait of the spirit which animated not only Blaxall's relationship to Duncan (he once told him that he regarded him as he would his own son if he had been so blessed to be a father) but also his recognition that what they were doing together was "the spiritual struggle that all men may have an equal opportunity to fulness of life".

RECONCILIATION IN SOUTH AFRICA

Postscript to Chairman's letter written on the 1st November, 1953 (sometimes called All Saints Day)

Salute to those who suffer for conscience' sake.

Patrick, Freda and Betty - yesterday you freely surrendered yourselves at Germiston gaol in obedience to a personal challenge. Manilal - a week earlier you left Pretoria gaol having completed yet one more act of obedience to the highest law known to man. Many there are who account you foolish and misguided while some will even question your motives and affirm that you are the enemies of law and order. A few, probably very few, there are who this day accuse themselves because they continue to breathe the air of supposed freedom while you languish in what is called prison.

In actual fact you are the freest of all people in South Africa today; we are the ones who are daily bound by our own limitations and all those things in life which restrict the freedom of the spirit by which alone man lives.

You will undoubtedly suffer greatly through the weakness of mortal flesh, but by that very suffering you will stir again the minds of many to realize that faith and love are not yet dead on the earth, and there are still men and women

249. Ibid., cf. below, Chapter Seventeen.

> who are prepared to identify themselves with the sufferings of humanity as they see them,not counting the cost.
>
> Not only in this land, but in every corner of the earth, there are men and women, even boys and girls, who have set themselves with determination to take no part in anything which limits the freedom of the spirit or in any way destroys life which is the breath of God.
>
> Members of the Fellowship of Reconciliation salute you: even those who have not themselves been able to see that your technique is right acknowledge the supreme fact that you have each one personally cleansed your soul by obedience to your conscience: such sacrifice God will not despise.
>
> Day by day you will be with us in our prayers as we await your return to share with us the spiritual struggle that all men may have an equal opportunity to know fulness of life. 250

At the time of M.K. Gandhi's assassination in India in February 1948, the Editor of Church News had commented that "many see in his philosophy, especially in the doctrine of non-violence the very essence of Christianity translated into practice".[251] This was precisely what Patrick Duncan told Arthur Blaxall in 1953. In Patrick Duncan's understanding of non-violent resistance it has already been noted how there was a close identity between Gandhi's teaching and Duncan's view that satyagraha was Christianity in practice. Just as it is impossible to separate Patrick Duncan's Christian conviction from Gandhi's teaching on satyagraha, so there was a close correlation between Gandhi's view about non-violent resistance and Christ's teaching on non-resistance in the Semon on the Mount. There is also an intrinsic symbiosis between Duncan's practical application of satyagraha and his political strategy. The goal of satyagraha was to prepare for the time when an "all people's party could take power".[252] From his hospital bed in the Joubert Park Nursing Home in Johannesburg in May 1953 Duncan expounded his political strategy to Simon Roberts at some length.

In 1953 Duncan saw the Defiance Campaign as only the "first

250. Borthwick Institute, York, Duncan Papers DU 5, letter Blaxall to Duncan, 14.11.1953.
251. Church News, 11.2.1948, "The Doctrine of Non-Violence".
252. Borthwick Institute, York, Duncan Papers DU 6.176, letter Simon Roberts to Duncan, 7.5.1953.

round in the country's struggle for liberation". The preaching of liberalism, he emphasized, was not enough. Whites who were prepared to live the colour bar out of their systems must do so through non-political, educational, sporting and religious work and by creating cells of personal friendship across the colour line. He saw white politics merely as a holding operation whilst the African working class was mobilized. "One day" the moment would come to create a great political party for all races in an "all peoples party". This however would depend on the abolition of the legal colour bar thus "enthroning the non-racial principle" which had to be brought nearer by all peaceful means.[253] He rejected the idea that civil war was inevitable and supported his plan for continued civil disobedience as the only way to prevent the revolution due to ten million people being without a say in their government.[254]

Duncan argued for the merits of satyagraha, which he saw as the only means of changing the caste system, firstly because it conquered the conscience of the oppressor; secondly since it attracted the oppressed; thirdly as it strengthened the non-white political movements.[255] As he told Simon Roberts soon after being released from prison in November 1953,

> .... for this country to survive [the whites] must be converted. You think that they can be converted within the present caste-system by logic. I don't. I believe that a great, peaceful, sane African National Congress, with the power overnight to destroy all passes, but wedded to the ideals of non-violence .... will provide the catalyst in the white mind. 256

In April 1952 he told Julius Lewin in the context of the latter's efforts to persuade the United Party to take a more liberal stance, "it must be fun fighting fearful odds".[257] As Cyprian Thorpe recalled in his obituary of Patrick Duncan, written for Christian Outlook in 1967,

> At the Duncan's lovely home at Retreat in the Cape there was a sampler hanging on the first floor landing embroidered

253. Ibid., DU 6.177, letter Duncan to Simon Roberts, 16.5.1953.
254. Ibid.
255. Ibid., letter Duncan to Simon Roberts, 22.11.1953.
256. Ibid.
257. Ibid., DU 5.61.10, letter Duncan to Julius Lewin, 9.4.1952.

> with the words "Face where the danger lies". I once asked Cynthia who had made it and she replied "Patrick at the age of ten". 258

Throughout his career Duncan was always ready to choose the more dangerous course regardless of any sacrifices involved or the risk to himself. In this sense Duncan the satyagrahi needed the courage and readiness of a soldier to face danger, for the consequences of satyagraha were never predictable.

One of the clearest and certainly the most succinct exposition of Duncan's philosophy of satyagraha was contained in a Christmas message he wrote for the Fellowship of Reconciliation in 1954. Having emphasized to Arthur Blaxall how much he owed to Manilal Gandhi who "is one of the really valuable people in this mess" Duncan continued,

> This is Africa's and the world's turbulent century. Races and peoples are pressed in on each other and are tempted to react with hatred.
>
> Mahatma Gandhi has shown us the way to extricate ourselves from the entanglements of race and nationalism, and how to break the vicious circles of hatred and violence. It is the way of mutual respect, of forgiveness and of love.
>
> It is not fashionable to follow him, but slowly and surely the old ways of violence are becoming discredited and the world is losing patience with them. My admiration goes out to you who believe in forgiveness and reconciliation. You are travelling a hard road, but you are showing the way to humanity. I welcome this opportunity of sending you my warmest greetings and of wishing you well. How I wish that I could be with you. 259

Duncan's ideas about non-violence gradually began to change. As early as 1956 he found himself at loggerheads with the official view in the Liberal Party and desired that they should remove the proviso that only "constitutional" means would be employed in seeking political change.[260] On 4th May 1962 he finally went into exile in Basutoland, renounced his earlier non-violent stance and joined the Pan African Congress of Robert Sobukwe and Patrick Leballo. He planned to set up a chain of trading stores which would provide rallying points for groups of armed bands whose

258. Ibid., DU 5.95.1, obituary by H.F.C. Thorpe, "Face Where the Danger Lies".
259. Ibid., DU 5 Arthur Blaxall 58, letter Duncan to Blaxall, 22.12.1954.
260. Ibid., DU 6.26.53, letter Walter Stanford M.P. to Duncan, 10.2.1956.

purpose would be to provoke armed retaliation from South Africa, with the object of precipitating a situation in which Britain and possibly the United Nations could be called upon to intervene, and negotiations could then be started, which would lead finally to the granting of political rights to the black peoples of South Africa.[261]

Another response was that of Trevor Huddleston, whose sense of justice was so outraged, both by the "Swart Bills" and by the day-to-day practice of apartheid, that he totally identified himself with the Congress cause. Both he and Patrick Duncan decided that nothing less than an unequivocal stand which involved the readiness to go to goal with the resisters was sufficient to combat the situation of tyranny being imposed by the Nationalist Government.

Huddleston's response, as we have seen, was to declare his total identification with the Congress movement, and set about mobilizing world opinion, thereby facing the extremely heavy penalties for incitement. Patrick Duncan's response was to become a satyagrahi himself. In making a particular point of showing courtesy to the police who arrested him, and to his gaolers, he followed the teachings of Gandhi. His aim was to show that the Congress ideal of a non-racial democratic society was a viable one, and that white and black and brown could stand together. Their response of total identification with the oppressed linked the principle of incarnation with a theology of liberation through self-sacrifice and vicarious suffering.

Yet another response can broadly be identified in the stance of those who like Bishop Reeves sympathized with the aims of the Defiance Campaign, and would have liked to support the Congress Movement, but did not because he believed the church had a duty to be concerned not only about the manner in which the state maintained law and order, but also because he believed that the church had a responsibility to sustain the rule of law.

261. WENTZEL, E. Interview, Johannesburg, 29.7.1981, cf. DRIVER, C.J., Patrick Duncan, op. cit., p. 224.

Bishop Cullen was hostile to the Defiance Campaign largely for pastoral reasons, because of the pressures being placed upon those of his clergy who would not take part. Accordingly he ordered his clergy to concentrate on their parish work. Reeves held that to permit deliberate breaches of the law, however unjust, would exact its own toll on all concerned. The correct response to a situation in which a Christian found himself living under a system of law which he deemed to be unjust, was rather to have recourse only to constitutional means of change. The alternative was a recipe for chaos. Christ's teaching about non-resistance should rather counsel patience and obedience for the sake of stability and order in society.

Where Huddleston cited Aquinas and Duncan the Sermon on the Mount, Albert Luthuli's central focus was upon the themes of redemption in Exodus and the Crucifixion. His was the most developed theology of Christian resistance to emerge in terms of what has since been called Liberation Theology. Luthuli did not seek martyrdom for its own sake. That would have been contrary to Christian teaching. But he did see that because of his role as a leader of the African people at that time, suffering for him was inevitable. As he put it, "the road to freedom is via the Cross". He counted the cost of discipleship and decided that despite this he must persevere. A key factor in helping all those in the Congress Movement to decide for Defiance was the way in which all the constitutional channels for achieving change had already been explored without success. As the A.N.C.'s letter to Dr. D.F. Malan had stated, "the African people are left with no alternative but to embark on the campaign ...."[262], which Luthuli saw as "the only non-revolutionary, legitimate and humane way" that was left.[263]

Furthermore, Luthuli's leitmotif in writing his autobiography was clearly that of Moses and the Exodus, as indicated by the choice of the title, Let my People go. Luthuli consistently

262. UNITED NATIONS UNIT ON APARTHEID, The Defiance Campaign of 1952, No. 1/72, January 1972, p. 12.

263. KARIS & CARTER, Vol. II, op. cit., pp. 488-9, Luthuli's statement, Document 95, "The Road to Freedom is via the Cross". See below, Appendix "C".

saw his role, not in relation to himself, but in terms of his vocation as the elected chief of the Umvoti Mission Reserve who had chosen him as their leader and representative. No fiat of the Department of Bantu Administration could alter his people's choice nor indeed his own God-given vocation to fulfil that responsibility. That the response of the Government was paralleled by the way in Pharaoh had reacted to the cri de coeur of Moses by imposing even harsher conditions upon an already enslaved Hebrew people, much strengthened his determination to persevere. Another important ingredient in Luthuli's liberation theology was that obedience to God must always take priority over obedience to Caesar. Thus, the example of Peter and John in the Temple, as they told those who had arrested them for disobeying instructions not to preach, that they must obey God rather than men, was interestingly an important proof text both for Luthuli and for the Gandhian Nana Sita.[264]

Luthuli's commitment to non-violence and the moderation with which he spoke, later made it impossible to sustain charges of treason against him. Nor could he be so easily named a Communist, like others who were not so obviously Christian in their commitment. Despite the award of the Nobel Peace Prize in 1961, which made Luthuli a world figure, the Government maintained the ban which restricted him to the Umvoti Mission Reserve at Groutville, near Stanger in Natal, until his death in 1967. Perhaps Luthuli's greatest contribution to the liberation movement lay in demonstrating such qualities of leadership and integrity that some white and many brown South Africans were ready to think of him as their leader, one whom it would not be unreasonable to regard as a worthy Prime Minister. But, like Moses before him, Luthuli was not destined to see that promised land.

Dr. Edgar Brookes later commented upon the reasons for the success of Gandhi's method in India, and suggested a reason why, perhaps, its use was not transferable to South Africa in 1952.

> The Indian experiment owed its success to the combination of Gandhi as a leader, a people like the Indians as the army of civil disobedience, and a people like the British

264. Acts 5;29.

as the ruling power to be destroyed. So exceptionally favourable a combination cannot be looked for everywhere.[265]

DID DEFIANCE FAIL IN 1952 ?

The decision to embark on any campaign of civil disobedience has to be made in the light of as objective an assessment as is possible of its chances of success, only after having counted the cost of the consequences of such action. At the time that Congress leaders made their original decision to proceed with this campaign in July 1951 it does seem that, although appearances may have been to the contrary, they must have still entertained some hope that the Nationalist Government was capable of a change of heart. In the light of the situation in the country following the riots, the increased penalties prescribed by the "Swart Bills" for incitement early in 1953, and mounting evidence that the Government were likely to remain unmoved by any further campaign of satyagraha following their election victory, the decision to call off the campaign, though not the struggle, reflects Luthuli's sober assessment of the situation later in 1953. The Government's implacability made a continuation of the campaign in its present form both strategically wrong and unwise tactically.

In conclusion, it has been noted already how Albert Luthuli decided to call off the Defiance Campaign officially in May 1953. However, soon afterwards this did not deter the A.N.C. from opening another campaign, to oppose the Western Areas removal scheme in June 1953. In his book The City of God and the Politics of Crisis, written during a sabbatical year at Oxford in 1959, and published in 1960 by the Oxford University Press, Dr. Brookes expressed a view which seems to accord quite closely with what Archbishop Clayton had said in 1952, although he put it somewhat differently. The Anglican bishops considered that the response of Christian resistance to unjust laws could only be in faithful obedience to conscience, and that it was not the business of church leaders to prescribe that anyone should or should not participate in such

265. BROOKES, E.H., The City of God and the Politics of Crisis, Oxford: OUP 1960, p. 66.

a campaign, and in praising those like Patrick Duncan who were willing to make sacrifices for their beliefs nor should a bishop judge those who did not join the resistance movement. Dr. Brookes likened the vocation of a satyagrahi to that of a politician.

> If we say frankly there are situations where organized passive resistance is permissible and even a duty, we must add that the medicine required by a diseased state is medicine and not daily food. It is possible that this kind of activity may be, like standing for Parliament, a vocation for some rather than a duty for all 266

The Defiance Campaign had thus compelled the C.P.S.A. to consider its attitude towards the legitimacy of civil disobedience as a means of resisting apartheid. Another serious test lay in wait for the churches with the enactment of the Bantu Education Bill in September 1953. It is the purpose of the next three chapters to describe the background and the consequences of the compulsory take-over by the state of African mission schools. The issues raised by the Defiance Campaign had helped to clarify the theological and ethical questions involved. The Anglican response to the crisis posed by the compulsory take-over of African church schools provides a vivid case study in the ethical dilemmas that surround the choice of resistance as a means of opposing actions by the state which the church perceives to be immoral.

266. Ibid., p. 63.