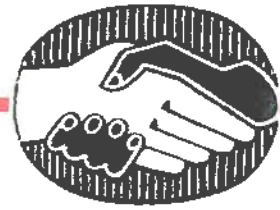


**The Alan Paton Centre  
& Struggle Archives**



RECORDING THE ANTI-APARTHEID STRUGGLE IN  
KWAZULU-NATAL

Oral History Project of the Alan Paton Centre,  
University of KwaZulu-Natal,  
Pietermaritzburg Campus

First interview with Dr “Chota” Motala  
conducted by Ruth Lundie  
on 13 September 2001  
at his home in Pietermaritzburg

The interviewee has agreed to open access for use by researchers,  
students and members of the public.

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# KWAZULU-NATAL ORAL HISTORY PROJECT

FIRST INTERVIEW WITH DR MOTALA,  
 CONDUCTED BY RUTH LUNDIE  
 ON 13 SEPTEMBER 2001  
 IN PIETERMARITZBURG.

(‘L’ shall signify the Interviewer and ‘M’ the Interviewee.)

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M: ...this was the ...  
 L: No, it was the heater..  
 M: No, this was the...  
 L: This is a record of a conversation with Dr Motala on the 13<sup>th</sup> of September, 2001 and the continuation of previous discussions of his early political career. Over to you sir.  
 M: Thank you. I think we stopped at the stage where I was saying something about the old struggle, ...  
 L: Yes..  
 M: ...that I prefer that.  
 L: I liked that remark of yours very much -you said ‘It was an easier option for all of us in what we face today.’  
 M: Indeed, indeed. That struggle we fought what you abrogate by delegation of apartheid.  
 L: Yes.  
 M: The struggle was waged by people who were committed to a cause, they clung onto their ideas for sixty or seventy years - right? And then eventually they managed to destroy apartheid, defy it. But then the struggle of apartheid was in a bit of ? in any case. Given the struggle from within the country, given the fact that there were such vast contradictions in the apartheid system itself, and given the support of some overseas countries. And apartheid eventually was destroyed. The new struggle now would be to build a new society, destroying, perhaps even though we’ve changed ourselves, we’ve

1 changed with it. A fair amount of suffering, you were committed to the cause and you  
2 were prepared to suffer, to be in prison, to die, if necessary. But with all that it was a  
3 question of destroying a particular system and that now we're still different from building  
4 a new society. Right. The social conditions in our country, the social realities are well  
5 known, and the big problem now we have is to build a new society, the difficulties in  
6 doing this - to begin with the legacy of apartheid, which groomed us and which lasted,  
7 well, literally for decades, but the legacy was there for a couple of hundred years. And  
8 the legacy of that is relative, to dictate to a considerable extent what happens now in  
9 building our new society. The struggle now, it involves this simply that we have to work  
10 for peace and security for all the people of South Africa, but this will only come when  
11 there is, to begin with, to begin with the bread we break and above all, unity, of all  
12 people...

13  
14 L: I quite agree.

15 M: But then there are many, many problems which are visible. For instance the question of  
16 housing, the most critical condition is the innovation of the ? which I consider to be the  
17 major contributor towards the difficulties that now are being faced in building a new  
18 society. Now we have a Constitution, with all the Human Rights thinkable, enshrined in  
19 the Constitution. But what impact would that have for the man who has nothing at all -  
20 the starving masses, the jobless, ...

21  
22 L: Unable to turn on his tap..

23 M: Unable to turn on - that's correct. Yes, jobless, completely, and we have to cure all these  
24 social ills that derive from under-development and that is the fundamental problem with a  
25 Third World Society, and unfortunately South Africa did not escape that difficulty under  
26 the ? The vast number of starving people- okay - no jobs. But there are no jobs formed  
27 recently ? because there are no skills...and there are no skills for the simple reason - it's a  
28 crucial one - and they have no education which was good enough to ..

29  
30 L: They had an education destined for the highest standard as Standard Three, and the role of  
31 a servant..

32 M: That's right..

33  
34 L: In 1960 - Dr Verwoerd.

- 1 M: What's to say again, that they, that there would be no place for the African in South  
2 African society above the level of manual labour. So education was geared to provide  
3 that sort of education only. Right. Now then, what do we do? In developing a new  
4 society we have to throw off the values that has come, with the apartheid movement  
5 particularly and so on, and ? the problem of housing, education, health services and try  
6 and eventually help. But we haven't mentioned another crucially important factor and  
7 that is this apartheid thing has profoundly affected the psyche of lots and lots of South  
8 Africans. There are, in the psyche of the South Africans, frustrations, resentments, anger,  
9 these are not visible, but they are there. And now we hand those over to ? and wrong  
10 behaviour and it's difficult, especially in things like gender sensitivity. We haven't  
11 moved from where we were? fifty or sixty years ago, on these matters because there was  
12 no particular progress made in the field of any sort of human rights..  
13
- 14 L: Can I .... (the tape is switched off and when it is switched on again, it is very much  
15 fainter)..
- 16 M: ....so now we are talking about building a new society..
- 17
- 18 L: Now, what's happening? (The volume is slightly louder)..oh I see, this is coming up..  
19 Yes? I'm just watching little lights to make sure that we're recording...
- 20 M: ...we will build a new generation, with dedication and determination. This new  
21 generation has to be mobilised at all costs we must see that the newly mobilised do not  
22 join the old ways of bureaucracy which we have inherited from the Bantustans in fact,  
23 people with a different set of values who worked previously.. How to ? them will be the  
24 new struggle again.  
25
- 26 L: Well, you know we'll ask, because after all, we have forty years of Verwoerdian-type  
27 education, two or three generations. Young people waking up in the morning,  
28 inadequately clad, inadequately fed, but worst of all, no purpose in life. Nothing to get on  
29 with that day. Yes..
- 30 M: That finishes that - then we go on to the late 1940s..
- 31
- 32 L: Yes please, you were going to ..
- 33 M: ...we can move into 50s and then we do not take this Party, we will not ? in '56???
- 34
- 35 L: You're quite right - carry on because you didn't tell me what it was that you wanted to

- 1 say..
- 2 M: Shall I carry on?  
3
- 4 L: Yes, please.
- 5 M: To see change, to see change of events, commencing about the middle of 1940s and going  
6 on, flowing organically into the 50s took place. These occurred at both the level of the  
7 Government on one hand and the Liberation Movement on the other. And these events  
8 were to dictate the immediate and the long-term future of South Africa. And would  
9 continue to dictate till the new year arrived with the release of Nelson Mandela and the  
10 unbanning of organisations in 1990. So ..  
11
- 12 L: So it was fifty years..
- 13 M: Forty-two years..  
14
- 15 L: Forty-two years..
- 16 M: '45 to '90 - forty-five years..  
17
- 18 L: Forty-five years, yes..
- 19 M: Forty-five years. Now, what triggered it off, what triggered it off, by 'it' we mean the  
20 response of the liberatory movements - what triggered that off was Smuts' introduction of  
21 a Bill called - when it became law it would be called 'Pegging Act.' This was there from  
22 1943, but Smuts was busy responding to the wished of English-speaking people in Natal  
23 and what he was doing was perpetuating the policy of infringement. Or the curtailing of  
24 land rights for Indians, which began in the Natal British Government? and now what he  
25 was doing was to continue that process further curtailment of access to land for Indians.  
26 Both in Natal and Transvaal, they had been Indians there ?? In Free State there were  
27 none, and the Cape, you could hardly distinguish an Indian from a Coloured. So ...he  
28 responds to this Pegging Act Bill, that he placed in Parliament, Indians were greatly  
29 agitated, both in Natal and Transvaal, and a very large scale mobilisation of Indians in the  
30 two provinces commenced. There was an old leadership in the Natal and Transvaal  
31 Indian communities, but this old guard had abandoned the Gandhian struggle and some of  
32 them were in business and they were happy..  
33
- 34 L: ...to be in business?
- 35 M: ..to be in business and so long as their businesses were not involved in the question of the

1 curtailment of land, they were satisfied. But Indians became very angry because they had  
 2 had - they had undergone this several acts of curtailment in the Natal Provincial  
 3 Government and this was the last straw. The campaign to mobilisation was led in Natal  
 4 by Dr JM Naicker and in the Transvaal by Dr YM Naidoo. Naicker was an avowed  
 5 Gandhian, Dr Naidoo, it is no secret, was a member of the Communist Party. The  
 6 mobilisation went on - very successfully in both countries and both Naicker's group,  
 7 Zimbabwe's ? group were able to - to pull in large audiences. In Transvaal it had  
 8 happened that a quarter of the entire Indian population would be at a mass meeting. A  
 9 quarter of the entire..

10  
 11 L: That's a huge percentage.

12 M: ..eventually Dadoo, ousted their own leadership, for the leadership of the Transvaal  
 13 Indian Congress, winning ten thousand votes to nil in the path of the old leadership? And  
 14 in Natal, there were thirty-five thousand members - paid-up members who joined the  
 15 ranks of the Natal Indian Congress and they had a ? at a mass meeting, Curry's Fountain -  
 16 it led to Dr Naicker and his group, Dr Naicker became the President of the Natal Indian  
 17 Congress, 1945. And he was voted in at twelve thousand votes .

18  
 19 L: A healthy majority.

20 M: A very healthy majority - to see how twelve thousand votes to nil.

21  
 22 L: Oh, more than a healthy majority.

23 M: More than a healthy majority, yes. Yes, and a year later, or less than a year later in 1948,  
 24 Dr Dadoo. He repeated the same victory in the Transvaal, gaining ten thousand votes, as  
 25 I said earlier. They resolved now, the Indian community, to fight on all fronts, by every  
 26 legitimate or legal means and that would be to ? Dr Naicker, as President of the Natal  
 27 Indian Congress, he issued a statement appealing to the conscience of White South  
 28 Africans, saying to them that they exercised the vote and knew their power. They would  
 29 have the right to speak to their representatives in parliament and for those representatives  
 30 to present the case of the vote-less Indians. They were - so the appeal was to be made  
 31 generally to White South Africans, but more particularly like Senator David Brookes?  
 32 And he of course left no stone unturned even though as a ?, he couldn't in parliament.  
 33 But at mass meetings...

1  
2 L: And he would have had plenty of opportunities.

3 M: Plenty of opportunities. In Pietermaritzburg, during 1945 - 1945 and 1946, dozens of  
4 meetings took place on the same issue. People would attend, from the - even from  
5 Durban they would come - even though they were present at that meeting such was the  
6 excitement in ? in this particular resolve. The interesting thing about this was - well,  
7 before I go on to that, they - one of the other tactics was to get in touch with the British  
8 Government in India - India had become in 1947.. India had its self rule in 1947. So in  
9 1946, might - from 1945, in fact they got in touch with the British Government, the Natal  
10 Indian Congress got in touch with the British Government. British rules India, and in  
11 1946 there was this Charter of the United Nations, and Smuts was looked upon as an  
12 elder Statesman, so I think that tactically it was a good move on the part of the Natal  
13 Indian Congress to say now here's the man who is going to help to draw the Charter of  
14 the United Nations and this is the - these are the policies that he supports against people  
15 who are now citizens of South Africa - all on the basis of colour and racism? And this  
16 worked of course so dictated to appeasing - unfortunately - the English-speaking ?  
17 because that had been their policy from the days they first assaulted Gandhi when he  
18 entered India and came back the first occasion - when he came back and he returned.  
19 From then onwards this carried on and on and on. Okay. So Smuts of course was  
20 embarrassed but he had to devise some means of appeasing the British Indian  
21 administration. So he some how or the other, made a point - there were a large number of  
22 Indians who were totally to be critical of the Congress movement. When asked in  
23 parliament as to how many they were, he said 'Honestly I do not know how many they  
24 are, but I do know that there are many Indians who are saying that the Congress  
25 Movement is doing harm to their cause.

26  
27 L: No, but that's no good as a political statement.

28 M: Yes, it worked and parliament was saying that I don't know how many...right. So there  
29 were some - Smuts was able to answer then on the basis that 'well, I am in touch with the  
30 Indian, I'm very much in touch with the Indians and there are groupings you know,  
31 belonging to all - all the various sectors of the Indian community - religion-wise,  
32 language-wise and all that and their ? But now at this stage, British India was represented

1 at the United Nations already - it was like the situation arose, you know, when Mandela  
2 came out of jail. And there actually was an award - they were going to take over now - so  
3 no sister - the wild ? sister, M.S. Majela ? Pundit, represented India at the United Nations  
4 and here is a very important fact, for the first time, despite all General Smuts' antics and  
5 everything he did to prevent this item coming on to the agenda of the United Nations  
6 General Assembly, for the first time, 1946, this is coming - managed to get this to go  
7 down on the agenda of the United Nations UNGA?

8  
9 L: Wasn't that excellent?

10 M: That was - it was a clear victory for the ? But the important point about that is that this  
11 starting in 1946, this item, coming onto the agenda of the UNGA, remained there until the  
12 day Mandela came out of jail.

13  
14 L: Really?

15 M: ?form - I was informed - to begin with the item went on with the title of 'Treatment of  
16 people of Indian origin - Discriminatory treatment of people of Indian origin.' It first  
17 appeared on the agenda with that sort of heading. But eventually, it turned to  
18 'Discrimination against non-Whites.'

19  
20 L: Oh, I see..yes.

21 M: And later still - 'The practice of the policies of apartheid.' and even later came to be  
22 know as 'Crime against Humanity.'

23  
24 L: Yes, quite.

25 M: So this began in 1946 carrying on to 1990. I don't want to - what happened here - all  
26 right? What happened further now? Dr Naicker made a call, now here is a new nook that  
27 the Indian struggle - that the struggle by the two Indian Congresses takes on a new ? Dr  
28 Naicker wrote a letter to the White people of South Africa - to Europeans, they are called  
29 now and I am using the 'White' because Europeans may imply people in Europe.

30  
31 L: Yes, quite, it could..

32 M: Because at that time there was Europeans and Non-Europeans...

33  
34 L: Yes, absolutely.

35 M: That was official terminology, right. So, he now did two things - firstly he addressed the  
36 White people once again in South Africa and he brought in the question of human rights



1 and not very much later, he made an appeal on the basis that this now - whatever policies  
2 were being formed, this was even before the NATS came in - 1947 ..

3  
4 L: Yes, it was - '48 they came in..

5 M: They came in '48, that these - as far as Non-Whites were concerned, the policy is  
6 pursued, they cut across racial, religious, linguistic lines and they were aimed at all Non-  
7 Europeans and therefore what was needed was a non-European united front.

8  
9 L: Yes, quite. What a vigilante at that age!

10 M: What vigilante ideas at that age, yes. And that would take them - it would take in any  
11 other democratic person - White, Blue, whatever colour, and they were indeed a number  
12 of Whites - unfortunately too few, but they were, without doubt, a number of Whites who  
13 were part and parcel of this agitation. Ja. So now for the first time we are talking of  
14 Non-European United Front and eventually this would, eventually this would develop  
15 into a struggle against apartheid as such, as such, in which Whites, Indians, Africans and  
16 Coloureds, all would be involved.

17  
18 L: Yes, yes, but it took a long time.

19 M: But it took a long time and they were possibly - might have been ? there were too few, a  
20 little too late. Even though their contributions were heroic, the Hurleys, the Congress of  
21 Democrats, they are all lovely people, the Buntings - from 'Maritzburg - who was he? I  
22 remember ..?

23  
24 L: And there were the people from missionary backgrounds from Lesotho and I'm trying to  
25 think of that woman's name, it doesn't matter now, but there were people from religious  
26 backgrounds of various kinds who came in as a matter of principle.

27 M: Yes, yes that is true indeed, I think so. So, now in 1946, Naicker, after Smuts'  
28 Declaration, which failed, but nevertheless, the Pegging Act was still there and was still  
29 being debated in parliament so Naicker called for a mass meeting. This time inviting  
30 everybody - all the various pressure groups - six thousand people gathered at one point in  
31 Durban, they all marched, there were many of course from Pietermaritzburg and other  
32 towns..

33  
34 L: Were you there?

35 M: I was still in India..

- 1  
2 L: You were still in India?
- 3 M: Yes, yes, so six thousand people marched to what they called Freedom Square - that was  
4 in Commercial Road, where they built up a parkade now - right - piece of ground there -  
5 and the meeting was addressed by Africans, Indians and Coloureds.  
6
- 7 L: No Whites?
- 8 M: No at that particular meeting there was none. But subsequently they were going to be -  
9 I've spoken to Bishop Hurley a week ago ? and he told me - he'd be able to give us some  
10 sort of list of all the meetings that he had..  
11
- 12 L: Well, that's good.
- 13 M: That will be first ..
- 14 L: .. A record..
- 15
- 16 M: For record and by that stage you might be able to - later too. At this meeting of course it  
17 was resolved, at this meeting it was resolved - what was resolved in this meeting we will  
18 come to in '47 just now, to save repetition, let us say that what was resolved in the  
19 meeting will all be recorded in a moment when we come to 1947. Then there were  
20 changes taking place in the African National Congress as well - as early 1943, '44, '45,  
21 the new lead took over the leadership of the African National Congress. There was no  
22 real problems, you know - like a coup or something - nothing of that sort, but in terms of  
23 policy, the need has arisen about which Albert Luthuli was later to say 'that I have  
24 knocked on the door for thirty long years.' He was to say it a little later, but that sort of  
25 mentality was already ? amongst younger people, including Mandela.  
26
- 27 L: And Sobukwe..
- 28 M: And Sobukwe was in ?
- 29
- 30 L: Yes, but that hadn't started yet - because he was among the young people..
- 31 M: He was among the young people, without doubt - he was among the ANC - Sisulu of  
32 course was presiding, beside this youth league on this matter, even though he was older -  
33 he was beside him on this huge new thing. And they had also taken note of events and  
34 they were thinking like - thinking of other forms too and responding to every single  
35 curtailment of rights - their problem of course was the Land Act from 1912, 1924, 1936 -  
36 the Urban Areas Act, in short - their land rights had been dealt to up to a point where 99%

1 of the land was totally out of bounds in terms of ownership or access to the Africans. But  
2 there was still a little bit of exemption in Pietermaritzburg, in Edendale, in Charlestown  
3 and a little bit of exemption - by exemption I mean - access to land in terms of ownership,  
4 or occupation. So apart from these -

5  
6 (The tape suddenly goes blank. There is nothing further on the first side.)

7  
8 Second side.

9  
10  
11 L: This is a continuation of the discussion with Dr Motala. I'd be glad if you'd speak - no,  
12 I'm getting a bit of a light now - yes...if you say something then I'll hear it - it's picking  
13 up.

14 M: Fine, let's begin with '46..

15  
16 L: Now, oh, yes, that's all right now..

17 M: All right? Okay - after thirty-two long years the NIC was to return to a time-honoured  
18 method of protest and that was passive resistance. It was the first attempt after Gandhi  
19 left in 1914. We've already mentioned the fact that the protest against the question of  
20 incursion of land rights continued unabated and Dr Naicker and Dr Dadoo? They now  
21 combined to form what was called a passive resistance council in Natal? with Dadoo at  
22 its head, one in Transvaal, so they had two passive resistance councils, right. It was  
23 decided that they had to resort to the old method - to highlight the problems and - and to  
24 gain support. So with these two passive resistance councils formed - to begin with there  
25 was a great deal of organisation with regards to the discipline they required in carrying  
26 out a passive resistance campaign and it had to be Gandhian so there was a little period of  
27 training and that involved a great deal of meeting between leaders in various towns, in the  
28 Natal there were many more towns than in the Transvaal. But they were completely  
29 briefed by both Dr Naicker and Dr Dadoo on the methodology of passive resistance. The  
30 first batch was led by Mrs Marie Naicker - Dr Naicker's's wife.

31  
32 L: Oh really?

33 M: So now there is a ? Dr Naicker - with all his various multi-variate political activities was

- 1 arrested now and again - even for a day or two - whatever it was and then for six months  
2 for more activities -so he was absent. His wife ? a ? a Bachelor of Law, and these women  
3 were eventually tried, found guilty, Mrs Naicker and the other women got one month's  
4 sentence imprisonment with hard labour.  
5  
6 L: With hard labour?  
7 M: Yes.  
8  
9 L: But that was scandalous.  
10 M: But whether they carried out - I think it was - it became difficult for them to take the  
11 women? they'd have to be clothing and all that..  
12  
13 L: Yes, quite.  
14 M: So, as far as I know they were imprisoned, but subject to the usual restrictions..  
15  
16 L: Yes, but not made to ..  
17 M: Not made to -  
18  
19 L: Yes..  
20 M: So now, Naicker comes on the scene again - he leads his branch and now there were  
21 Indians by the hundreds going to jail. The usual plan here was - or the usual technique  
22 was to occupy rooms or buildings that were marked 'Europeans Only.'  
23  
24 L: Yes.  
25 M: In defiance of the law and then make a statement but because they were denied common  
26 rights of movement, free movement, they were obliged to ? in order to highlight their  
27 plight. They would plead guilty and ask for the law to take its course - whatever whether  
28 it was imprisonment or whatever - this was the technique that was adopted. Naicker,  
29 then, various people and a number of other Indians - both from the Transvaal and from  
30 Natal led groups of people to break the law and the jail in which the people - the  
31 convicted people were accommodated in the Pietermaritzburg Home Jail?  
32  
33 L: The one at the top of Burger Street?  
34 M: The one at the top of Burger Street. There was a time when there were hundreds of  
35 women there -Indian women.  
36  
37 L: Were they able to accommodate them?  
38 M: Yes, they - they emptied other parts - they had several blocks there to accommodate the

- 1 women and so many of them were from Transvaal.  
2  
3 L: Really.
- 4 M: So many of them and they came from every sector of Indian society. They'd arrive in -  
5 there were wives of people who were big businessman, there were wives of labourers -  
6 there were wives of professionals, there were wives of - young people - eighteen - you  
7 know you had to be.  
8  
9 L: Yes, no, you couldn't have taken ... they couldn't have taken younger..
- 10 M: Yes, they couldn't have taken...In any case I don't think that the court would convict -  
11  
12 L: No, ..
- 13 M: ...for imprisonment..
- 14  
15 L: No, no.
- 16 M: So this carried on from 1946 and eventually, in 1947, it was to commence again. It  
17 carried on for a number of months. And there were hundreds of - eventually it came to  
18 two thousand women in total.  
19  
20 L: Really?
- 21 M: Sorry, two thousand people who were imprisoned. Not women only - but the total of two  
22 thousand people. Now while we are talking about passive resistance - let's go onto one  
23 other very, very ground breaking event - we will come back to passive resistance because  
24 it continued in '47, and in '48. Right. In 1947, there occurred a very important  
25 development as far as the liberation movement is concerned. The NATS had yet to come  
26 - but with all that, the three doctors pact occurred in March 1947.  
27  
28 L: What was that?
- 29 M: Dr A B Zuma, President of the African National Congress, Dr JM Naicker, President of  
30 the Natal Indian Congress and Dr YM Naidoo, President of the Transvaal Congress met  
31 in order to put their heads together to devise a plan to resist unjust legislation, irrespective  
32 of who it was aimed at - which community it was aimed at. Now, the details are so  
33 important - that they relate from this piece of paper that I'm holding - with the names of  
34 the few people - that have been mentioned, each of them brought several advisors - other  
35 than members from the African National Congress, from the ANC, from the TIC and  
36 from the NIC. So it was in ...

1  
2 L: It was representative.

3 M: That was in the grouping - ? This started meeting ? well there was urgent need for  
4 cooperation not only amongst, or between the leaders, hut also between organisations of  
5 the Indian people, the African people, the Coloured people and in general cooperation  
6 with people on the ground, generally speaking - but it was muted, and secondly an appeal  
7 went out from this meeting - or this meeting was to appeal to all democratic and freedom-  
8 loving people of South Africa to support and cooperate. Oh sorry, to support and  
9 cooperate the struggle that was to continued from now - from then onwards. Right. Now,  
10 the demands that they were making, they agreed to it - all three organisations agreed on  
11 common demands, these were: one - full franchise, for all people in South Africa,  
12 irrespective of colour, creed, or race; secondly equal economic and industrial rights and  
13 opportunities for all people and recognition of their - of their rights which people enjoy in  
14 all democratic societies; number three : removal of all land restrictions against all the  
15 three groups of disenfranchised people. Number four: extension of free and compulsory  
16 education to all non-European children; number five: guarantee of freedom of movement,  
17 no pass laws for Africans and no provincial permits or barriers for Indians who want to  
18 cross from one province to another.

19  
20 L: You couldn't. for instance go through the Free State.

21 M: The Free State was out - we were not even asking for that - we were asking for that -as  
22 well - but we couldn't go through it - in Transvaal you'd be arrested, there are many  
23 people in jail, including relatives of mine? for this guarantee was just for crossing without  
24 a permit and extension. Right. To proposing - education, guaranteed freedom of  
25 movement - yes, guaranteed freedom of movement - we have mentioned that already.  
26 Removal of all discriminatory and oppressive legislation from the statutes of the Union  
27 Government. And also to launch, now we come to - the very briefly stated the ? it is about  
28 the campaigns to be launched. The three organisations and all other progressive,  
29 democratic people to be encouraged to join in a campaign to be shortly launched to  
30 compel the South African Government to treat the Non-European people with principles  
31 of the United Nations Charter Agreement.

32  
33 L: No wonder the NATS started girding their loins. Once they heard this.

- 1 M: Yes, very much so, very much so.  
2  
3 L: It gave them a big fright.  
4 M: Very, very much, very very much. Okay so then we go now to the fact that the passive  
5 resistance movement in 1946, commenced and thereafter terminated after about  
6 six months, right. But in 1946, once again the Smuts government had changed, had taken  
7 the Pegging Act Bill and turned that out and thought that you - in order to keep it - put it  
8 this way - keeping in mind the pressures that he would have from international  
9 organisations, that he would introduce a new Act of parliament. So he tears up the  
10 Pegging Act Bill and he now introduces in 1946, Asiatics Ward Tenure and Indian  
11 Representation Act. Now that's important. Land tenure, an Indian representation act.  
12 Right. So once again people were agitated and they agitated at both the question of the  
13 restrictions that would be imposed once again but possibly in a more calculated manner  
14 now, than the Pegging Bill was...and they were also not going to accept under any  
15 conditions the Indian Representation Act..  
16  
17 L: Which was the title of the thing?  
18 M: The title of that was..  
19  
20 L: ..it indicated that you would be represented by others than Indians..  
21 M: That is right, that is right.. Indian representation, the Land Tenure and Indian  
22 Representation Act of 1946. Now in terms of the grievances that we've just mentioned,  
23 the grievance arrived at ? and the three doctors packed - the organisation - the combined  
24 cooperation of the few organisations and all other democratic people - the first thing that  
25 was done was - to throw out completely oppose - vehemently the Indian representation  
26 part - number one -Indians to get representation, by Whites or any other grouping was  
27 unacceptable but even more so but even more so and this policy of the Indian Congresses  
28 carried on also up to the day when the new democratic setup came in 1994. Up to that  
29 day the Indian community had made up - had resolved that they would not take a vote -  
30 even if it was - even if it were a full vote to sit in Parliament next to White people. So  
31 long as Africans were ?  
32  
33 L: Good for them, good for them.  
34 M: This is the ...

- 1  
2 L: That is a matter of real honest to goodness principle.
- 3 M: A natural thing, right? At no time, because you see after that there was this Indian  
4 Parliament - the Tripartite Policy and all that.
- 5  
6 L: Yes, they tried all that on.
- 7 M: They tried that but no Indian worth his salt ever took part in it. ? season - few people went  
8 in there. But in 'Maritzburg at one such election, the opposition was so rigged - this now  
9 we are jumping time - right - against the what you call the future of the parliament- that  
10 there was one particular person who stood, from the Indian constituency and he finished  
11 up with one vote - his wife. Doorituaal ?, who voted for him...
- 12  
13 L: Really, had he voted for himself?
- 14 M: Had he voted for himself? And the same happened in Lenasia also whether it was one or  
15 two or three votes, it was ...so now, there had to be once again a very concerted campaign  
16 against this issue over land tenure, etcetera, etcetera Act. Okay. So passive resistance  
17 starts once again. And this time they're a little more organised than previously, they go to  
18 a largish plot of land in Gale Street, Durban; Dr Naicker leads a few of the people to  
19 occupy that - pitch tents and say 'we are residing here - this is a White area.' They  
20 couldn't call it a Group Area because that terminology hadn't come yet - the Malans were  
21 still coming yet. This is ? forbidden for Indians even to walk on - we are going to occupy  
22 it. They occupied it with a tent and the stake - all right. To begin with, Douglas Mitchell  
23 is still in parliament in '46 ? and he obviously was totally embarrassed about what was  
24 happening and must have wondered what to do. So nobody was arrested but then Indians  
25 from Umkomaas people living nearby locality came and started, perpetrated a number of  
26 assaults with the Indian community? 'Please get out.' and that sort of thing, you see. All  
27 right. Whereupon the authorities thought that they'd better imprison them - because this  
28 is going to become an international incident again. And by - ja, by now of course, the -  
29 the world at large had become somewhat acquainted you know with the policies that were  
30 being followed.
- 31  
32 L: And in any case, the royal visit from Britain was going to be in '47 .. And they were  
33 going to be very much shepherded by Smuts, and of course, India was part of the British  
34 Empire.



- 1 M: In '47, the British were begging India here to take your freedom - at all costs - take it - ?  
2 now - please take it, please take it - before the communists take over - before the what  
3 you call it - the ? revolts again, which it did, and that international army joined Japan - so  
4 in the face of all that they were begging them to take that.  
5
- 6 L: Yes, quite.
- 7 M: So you are quite right that the impending visit would cause further problems.  
8
- 9 L: Of course it would. And that in a way was why Smuts had no policy at all.
- 10 M: Had no policy at all, that's right. So now the police were asked to arrest these people and  
11 once again they were arrested. Some were - and once again - they were kept at  
12 Pietermaritzburg Jail - and many went to Stanger - went to Stanger and Durban Jail..  
13
- 14 L: Charlestown no?
- 15 M: No, not yet. No not yet Charlestown, so all right. So this was the campaign in 1946.  
16 And that continued for several months and okay, the ... oh yes, yes - the result of this  
17 now... Arising from this now, the international authorities, that is the United Nations,  
18 stepped into the whole thing now. Right. And with Smuts once again they came to an  
19 agreement. Some sort of agreement - measure that he was told to carry out. He was to  
20 ask the government of India and Pakistani to join in in a round table conference where  
21 this matter of a treaty with the Indians - ja - the British Government couldn't talk  
22 anything at that stage about the - the entire Non-European people - at that stage. Okay.  
23 So a round table conference - this was supposed to have been called by Smuts and while  
24 that was pending the royal visit would take place and all that and so on..  
25
- 26 L: In peace and quiet and ..
- 27 M: Peace and quiet and meanwhile the issues the agenda - Smuts' agenda - one the round  
28 table conference. In point of fact the round table conference never took place at all, the  
29 Indians were ready and so were the Pakistanis. They were ready (to) discuss the matter  
30 and see what - what kind of ? the White had ?? Okay. In point of fact I think, what the  
31 conference was supposed to do was to afford some relief for this sort of attack on land  
32 rights and things like that. So, ? he never called a round table conference - various things  
33 were happening and the passive resistance councils decided in 1948, January - Malan  
34 would have to come - they decided to launch a new passive resistance campaign with a

1 different dimension at this stage and this was in January '48 and Naicker once again  
2 leads.

3  
4 L: But this was the year of the election too.

5 M: It was the year of the election, that was now going to be made and the eventual result of  
6 the election was going to be, shall we say, was going to be finalised once ? was to make  
7 up his mind whether to turn Smuts on the line, and that was to become towards October,  
8 November. But however, in January, Naicker plans - Naicker leads - a group of fifteen -  
9 and they walked from Newcastle to Volksrust and there crossed the border...

10  
11 L: ...into the Transvaal?

12 M: Into the Transvaal and gave themselves up for arrest. Dadoo and a large number of his  
13 people had already arrived. They didn't cross the border to come into Natal and join the  
14 passive resistance in that way, but the plan was for the Natal people to cross the border.  
15 All right, so that was the third phase of passive resistance. I forgot to mention previously  
16 that on several occasions what Dr Naicker got was six months imprisonment. The - this  
17 is the third passive resistance, hey - on every occasion...

18  
19 L: .. He got six months in jail?

20 M: He got six months, he got six months and others got two months and some of them got  
21 away with one. Right. So they were tried in Volksrust and they pleaded their cause  
22 saying that they - that they do not dispute the fact that they were guilty, they were in ? of  
23 the law, but they doing no more than somebody who Smuts had once called the  
24 'principled man' - so they were doing nothing more than showing his league?? They gave  
25 it of course in defense of their right to move as citizens, to have the right to free  
26 movement..

27  
28 L: Yes, quite, as we all did, we Whites..

29 M: ..as everybody else did - that's right. Right? So now, six months again, and they also said  
30 that they were willing to bear the full penalty that the law of the land would impose -  
31 don't be soft - give us the maximum treatment.

32  
33 L: Good for them. That is a very dashing remark, if I may so.

34 M: And it has been made again by - by people - a great man in Transvaal, called Nana Seta.  
35 There was - as a doctor I could say - I could swear to this - that there was no one body

- 1 that was not sick, from gout, to arthritis, to diabetes, to blood pressure, to heart trouble..  
2  
3 L: ..everything..
- 4 M: ...everything. And he could hardly walk - when he embarked on passive resistance he  
5 was brought before the law court and there he said simply this 'that I am guilty and in  
6 breach of the law, I beg you to give me the maximum punishment.'  
7  
8 L: And what did they do?
- 9 M: I'm not quite sure at this stage - now whether they gave him the normal six months or  
10 what, but of course they were aware of the fact that he was a very sick man and but - you  
11 know what? He was imprisoned. Oh yes, he was imprisoned. So this is how 1948 began  
12 and all told the count was that two thousand has been - it has been mentioned before - that  
13 there were two thousand people who had offered themselves for imprisonment and in a  
14 disciplined manner they had carried out their way of protesting against unjust laws.  
15 Okay, 1949, we would skip the 1948, we will simply say that 1948 the NAT came in and  
16 that is the story that need to be told on its own.  
17  
18 L: Well, I think so, yes.
- 19 M: On its own - so when we start the 50's we will go back to this bit ...
- 20  
21 L: We'll start with Malan and then we'll move in to what happened later on, yes and leading  
22 us - well, of course the fifties are going to take a lot of ..
- 23 M: ..a long time ..
- 24  
25 L: ... an enormous amount. Well, I think we might end there now..
- 26 M: What happened was one little piece that probably needs to go into the account - the  
27 beginning of how the congresses were working. Indo-African violence broke out in Cato  
28 Manor, in Durban in 1949..  
29  
30 L: Oh, I remember it very well, yes.
- 31 M: You remember that? Okay..
- 32  
33 L: Mmm..
- 34 M: Well, the response to that was that the ANC and the NIC in Natal, worked together  
35 consistently for weeks on end to calm the people and when a Commission was set up -  
36 either by the Municipality or any other structure - I'm not sure about the Commission was  
37 set up to investigate the cause of the violence. The ANC and the Natal Indian Congress

1           briefed one single Council to speak on behalf of both organisations.

2  
3       L:     Isn't that excellent - no, I'm glad you've made that point, really I am.

4       M:     Excellent and in 1950 Dr Naicker, his congress, sets up a joint consultative committee,  
5           with the ANC, to plan a new resistance campaign.

6  
7       L:     Excellent!

8       M:     So we will have to wait for ..

9  
10      L:     We'll end on that good note - just switch off...

11     (That is all there is on the second side.)