

‘POWER AND RESISTANCE: INDENTURED LABOUR IN COLONIAL NATAL, 1860-1911’

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Just over 150,000 indentured Indians arrived in Natal between 1860 and 1911 to work on the colony’s sugar plantations. They contracted to work for five years. There was a rigid work schedule, particularly when the cane was harvested and it was necessary to cut and refine it speedily. While the contract contained certain safeguards, indentured workers were habitually subjected to contractual abuses. The plantation was structured around power, starting with the employer at the apex and extending to Sirdars, and workers were kept in check through draconian laws that viewed contractual offenses as criminal acts and sanctioned legal action against Indians for ‘laziness’ and desertion. Why, then, were there so few major upheavals? Are we read this as an example of ‘false consciousness?’ Why did Indians continue to indenture? In examining these issues, this paper keeps in mind that the system was not timeless. There were important structural changes over time as the sugar industry consolidated into large plantations which resulted in the concentration of the workforce. While there were considerable changes over time, this paper, drawing on recent feminist literature, examine some of the ways in which the indentured resisted their indenture bearing in mind that the odds were stacked against open resistance for ranged against the indentured were the despotic power of bosses, overseers, and sirdars, and a legal system that was often in the control of those with direct links to settlers. The indentured mostly sought indirect ways of subverting the system which was not always obvious and did not overtly challenge the power of employers. This may not have overthrown authority at the workplace but it did allow them to mitigate the worst effects of indenture. This paper also suggests that resistance should not be viewed separately from accommodation. Some Indians had a direct stake in the system, while others aimed only to survive indenture and make a new life in Natal. We must recognize that most of the indentured did not live in a state of constant resistance.

Resistance with its implicit David versus Goliath romanticism has one very distinct disadvantage: everything has to be forced into the dichotomy of resistance or submission and all of the paradoxical effects which cannot be understood in this way remain hidden.

—N. Thrift (1997: 124)

The British annexation of Natal in 1843 attracted settlers and the colony’s white population increased from around 8,000 in 1857 to 17,821 in 1869 (Thomson, 1952: 3). Settlers successfully experimented with sugar which accounted for over sixty per cent of the total gross value of arable farming in 1875 (Ballard and Lenta, 1985: 3). The scarcity of cheap labour was a major problem as the indigenous Zulu had access to land on colonial locations and Christian missions, and resisted absorption into the racist capitalist economy (see Atkins, 1986 and Marks, 1990). The settlers’ cry for labour gathered momentum from the early 1850s and the authorities, aware of the success of indentured labour in Mauritius, facilitated its

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importation to Natal (Brain, 1985: 201). The system of indenture was approved by governments in India and Britain, endorsed by Natal's colonial legislature, and financed in part by the planters.

Beginning with the 342 Indians who came on board the *Truro* on 16 November 1860, 152,641 indentured workers arrived in Natal between 1860 and 1911. Migration overseas was an extreme step as many Indians considered the act of crossing the sea, the *kala pani* (black waters), as defiling for the soul (Clarke, 1986: 9). The decision to emigrate was forced on many by demographic and economic dislocation resulting from the wars that shattered the Mughal Empire, and the administrative reorganization of India under the British Empire. Although there were claims of misrepresentation, it would be fair to suggest that most indentured Indians were exercising their freedom to sell their labour, and it was most likely known to them that the exchange was not between equal parties; indeed, the playing field was never level. Patterns of chain migration and incidences of return migration attest to this.

Indentured workers contracted to work for five years. They had no choice as to their employer and were free, at the end of five years, to either reindenture or seek work elsewhere in Natal. Although they were entitled to a free return passage after ten years, almost 58 per cent of migrants remained in the colony (Bhana, 1991: 20). Approximately 60 per cent of indentured workers were allocated to sugar estates (Osborn, 1964: 39). Indentured workers formed 80 per cent of the labour force on sugar plantations in the period to 1910. They faced many difficulties due to contractual abuses. The plantation was structured around power, starting with the employer at the apex and extending to managers, overseers, and Sirdars. Workers were kept in check through formal controls that included draconian laws that viewed contractual offenses as criminal acts, and sanctioned legal action against Indians for 'laziness' and desertion. Indians could not go more than two miles from the estate without an employer's written permission, even if the purpose was to lay a charge against that employer. They could not live off the estate, refuse any work, demand higher wages, or leave the employer (Tayal, 1977: 546). There was a rigid work schedule, particularly when the cane was harvested and it was necessary to cut and refine it speedily. Some of the indentured were made to work as long as 16 to 18 hours per day during this period. This regimented production regime was a massive change from whatever the indentured had done in the past. Swan (1985), Tayal (1977) and Henning (1993) have chronicled the appalling working conditions. Swan concludes that 'there is a solid weight of evidence in the Protector's files to suggest that overwork, malnourishment, and squalid living conditions formed the pattern of daily life for most agricultural workers' (Swan, 1985: 26).

When the first group of indentured migrants returned to India in 1870 and complained of ill-treatment, the Indian government insisted that work conditions be investigated. Based on the recommendations of the 1872 Coolie Commission, a

'Protector' of Indian Immigrants was appointed in response to these abuses. The Protector had the authority to oversee conditions. He (it was always a he) sometimes acted when flagrant abuses occurred, but was largely powerless to challenge a system paid for by the planters. It was also difficult to monitor abuses when the workload meant that the Protector could only visit plantations twice a year at most. Protector JA Polkinghorn, a rare exception because of his willingness to challenge planters, discovered this when he took on Reynolds Bros in 1906, and expressed his frustration: 'To me it is the shame and injustice of it all, that such a state of affairs should be allowed to continue and that as a statutory officer, I should be compelled to allot Indians to the company under the circumstance' (Natal Archives Repository (NAB), CSO 2854/1906).

Why, then, were there so few major upheavals? Are we read this as an example of 'false consciousness'? Why did Indians continue to indenture? In examining resistance in Natal, we need to keep in mind that the system was not timeless. There were important structural changes over the decades. The sugar industry witnessed a consolidation of small farm operators into large plantations which resulted in the concentration of the workforce. Indians were also recruited in larger numbers by the municipalities and the coal mines. The state also became more clearly racist from the 1890s. This, and the fact that there were larger numbers of indentured migrants imported annually from the later 1890s, meant that there were considerable changes over time. We will nevertheless examine some of the ways in which the indentured resisted their indenture bearing in mind that the odds were stacked against open resistance for ranged against the indentured were the despotic power of bosses, overseers, and sirdars, and a legal system that was often in the control of those with direct links to settlers (Tayal, 1977: 546).

Thinking through Resistances

How did the indentured contribute to reproducing their own domination and how did they seek to resist or subvert it? Resistance, for the purposes of this paper, refers to those acts of the indentured that aimed to restore some measure of dignity within a labour institution that sought to treat them virtually as property for the duration of their contract. This is a difficult area of investigation. As Thrift suggests, the extremes of victimization and resistance, which have dominated most narratives of indenture, miss certain kinds of resistances. The study of resistance to systems of exploitation such as slavery, indenture, racism, and capitalism, owes an intellectual debt to the work of New Left scholarship on peasantry in the 1970s which attempted to account for the apparent absence of class-based opposition to the spread of capitalism to remote parts of the globe (2005: 346). Scott refers to the ways in which people attempt to exert control over their lives as ...

... everyday forms of peasant resistance.... Most forms of this struggle stop well short of outright collective defiance. Here I have in mind the ordinary weapons of relatively powerless

groups: foot dragging, dissimulation, desertion, false compliance, pilfering, feigned ignorance, slander, arson, sabotage . . . These Brechtian . . . forms of class struggle have certain features in common. They require little or no coordination or planning; they make use of implicit understandings and informal networks; they often represent a form of individual self-help; they typically avoid any direct, symbolic confrontation with authority (1985: xvi).

Everyday practices of the indentured, Scott (1976: 4) argues, while appearing submissive, were 'intended to mitigate or deny claims' of dominant classes. Scott challenged the idea that the lack of open resistance was due to hegemony, the Gramscian idea that capitalist domination relied on a clearly developed ideological hegemony. In *Domination and the Arts of Resistance* (1990), Scott explains how power is naturalized in situations of domination. Relations of power, he suggests, involve 'public' and 'hidden' transcripts. In public, employer (dominant class) coercion and economic compulsion may force subordinate classes to express deference; in private, however, subordinate classes adopt a 'hidden transcript' that rejects the 'public transcript' and is representative of their true feelings. The Jamaican slave proverb 'play foo, to catch wise.' Settler domination in colonies rested on coercion rather than hegemony. Scott argues that 'when flight is available . . . it is seized. When outright confrontation . . . seems futile, it is avoided. In the enormous zone between these two polar strategies lie all the forms of daily resistance' (in Sivaramakrishnan, 2005: 348). Sivaramakrishnan likens this low-level resistance to the idling engine of a stationary car that could quickly be revved up and take a variety of available paths once presented with the opportunity' (2005: 349).

Subsequent work on feminism allows us to take a different approach to resistance. Abu-Lughod, for example, believes that scholars are 'too preoccupied with explaining resistance and finding resisters' at the expense of understanding the workings of power, and calls for scholars to move beyond the simple binary of resistance and subordination. She believes that . . .

there is a tendency to romanticize resistance, to read all forms of resistance as signs of ineffectiveness of systems of power and of the resilience of the human spirit in its refusal to be dominated. By reading resistance in this way, we collapse distinctions between forms of resistance and foreclose certain questions about the workings of power (1990: 42).

Abu-Lughod calls for resistance to be used as a 'diagnostic of power' so that we can locate the shifts in social relations of power that influence the resisters as well as those who dominate. She writes:

Those of us who have sensed that there is something admirable about resistance have tended to look to it for hopeful confirmations of the failure – or partial failure – of systems of oppression. Yet it seems to me that we respect everyday resistance not just by arguing for the dignity or heroism, of the resisters but by letting their practices teach us about complex interworkings of historically changing structures of power (1990: 43).

A related problem is how to define 'resistance'. This is problematic, according to Saba Mahmood, for several reasons. Resistance tends to be used freely to refer to a whole host of human actions, including those that are socially, politically and ethically indifferent to the goal of opposing hegemonic systems. The 'category of resistance,' she believes, 'imposes a teleology of progressive politics ... a teleology that makes it hard for us to understand action that is not necessarily encapsulated by the narrative of subversion and of power.' Importantly, most studies assume that there is a universal desire to be free from relations of subservience. Related to indenture, this means that it is taken for granted that workers wanted to be free from relations of capitalist domination and that freedom was a social ideal (Mahmood 2005: 9-10). Mahmood regards such an approach as analytically and politically prescriptive, for underlying it is the notion that workers must enact certain self-determined goals and interests. Mahmood (2005: 14-15) makes the point that agency is not only resistance:

If the ability to effect change in the world and in oneself is historically and culturally specific (both in terms of what constitutes 'change' and the means by which it is effected), then the meaning and sense of agency cannot be fixed in advance.... Viewed in this way, what may appear to be a case of deplorable passivity and docility from a progressivist point of view, may actually be a form of agency – but one that can be understood only from within the discourses and structures of subordination that create the conditions of its enactment. In this sense, agential capacity is entailed not only in those acts that resist norms but also in the multiple ways in which one inhabits norms.

'Everyday Resistance'

It is hard to pin down resistance in everyday acts, but instances in agriculture and industry do suggest this form of struggle. Indenture was ultimately about coerced labour and the most prevalent forms of resistance took place in the work environment. The contract defined the terms of work, housing, medical treatments, etc. If employers increased the hours of work, provided inadequate or poor quality rations, deducted wages, or punished excessively, the indentured registered their protest by reporting infringements to the Protector, but also through absenteeism, sabotage, malingering, feigning illness, and breaking tools.

The story of Devasagayan Madan is a good example of the everyday forms of resistance that frustrated employers. Smith Batten, manager at Blackburn Estate, complained to the Protector on 28 October 1884 that Madan, who had joined the estate on 29 April 1884, frequently stole poultry, feigned illness, was absent without reason, and had deserted. During May, June and July, of 92 days, Madan was sick for a total of ten days and absent for twenty; he was absent for eleven days in August; in September he was absent for six days and imprisoned for ten days for theft; released on 19 September 1884, he deserted and was not heard from again (NAB, II, I/22, I455/84). Madan frustrated the system to the extent that his desire

to escape indenture was granted. When he was eventually apprehended, he was returned to India on the *Dunphaile Castle* in April 1885. He succeeded not through outright defiance but by wearing down the system through dogged determination.

Another example is that of four employees of the Natal Central Sugar Company, Balakistan, Abboy, Subramanian, and Ramasamy, who complained to the Protector on 15 April 1885 of assault and being made to do excessive work by Sirdars Cooposamy and Raju, and overseer Morrell. Alfred Dumat, the manager, informed the Protector on 3 May 1885 that the men were 'shirkers and malingers.' Between February and July 1885, out of approximately 130 working days, Ramsamy had been away for 79 days, Balakistan for 42 days, Abboy 80 days, and Subramanian 104 days, either through absence, illness, or imprisonment (NAB, II, I/26, 519/85).

Lasha Chellan's description of a missing room-mate was routine in many instances of absenteeism: 'I woke up about three in the morning and noticed Kurruppan was not in his bed. He had hidden himself in the canes for the day. It is usual for Indians when they do not intend to work to hide in the canes' (NAB, II, I/70, 27 September 1894). Marshall Campbell of Mount Edgecombe explained to the Protector in 1885 that when he took over the plantation, an average of 106 men were absent and 31 were sick in hospital daily: 'Some of the coolies would get their weekly rations and clear out and live in the bush till the next rations were issued, some selling their rations for rum and clothing, and would only stay on the estate when too ill to go to the bush.' Marshall instituted daily rations to force Indians to report to work. Though illegal, 'with your support I will make useful men of those who are now a trouble to themselves' (NAB, II, I/30, I313/85, 16 October 1885).

Alexander and his brother Charles Arnold owned adjoining farms in Pietermaritzburg. Their relationship with their employees was marked by a pattern of challenge and confrontation. In June 1905, their father John Arnold was pressing hay and told one of his employees, Nagishar, to get the machine ready as soon as he got the steam up. The latter retorted sarcastically, 'Look at the press and see if it is complete.' One portion of the press was missing. Similar sabotage had occurred previously. John Arnold rounded up the men and questioned them. As nobody confessed, he had a replacement cover made and deducted the cost from their wages. On three or four occasions, John had left the mowing machines in the field with the spanners and small tools. When he returned to collect the machines, he found that the tools 'had been thrown away'. He recouped the cost from workers. This particular scenario ended with the murder of Alexander Arnold. During the court case, Alexander's father John testified that Alexander 'in general had the working of the coolies...He was severe with them; he kept them to their work and made them do their duty...followed them up and urged them on, telling them to be quick'. Alexander recorded 'lost time' and deducted wages accordingly.

Workers did not take this lying down. According to John Arnold, they had 'occasionally been very insolent'. On 12 July 1905, for example, John and Alexander were at Charles' house when the workers engaged in a go-slow. John chided Budhri for working as 'if you are sick', to which he replied, 'No money, no work,' in reference to the deductions. Brijmohan, on that occasion, began speaking rapidly. Alexander, who spoke several Indian languages, told his father, 'That man is swearing at you and cursing.'

These examples underscore the difficulty of quantifying indentured protest and resistance. Malingering, breaking tools, and petty theft were aimed at workers' immediate conditions inside the institution of indenture. Other acts, such as flight and rebellion, were aimed to escape the system.

Desertion

Not paid for eight months, struck with a horse whip when he claimed wages, so deserted from master J. McLean of Southdown, Fort Nottingham. Stayed three weeks at a Kafir's place. I then worked for a Dutchman for one month until I was arrested under the Berg, when I was with the Dutchman's wagon. Imprisoned for fourteen days for being caught without a pass by the Klip River magistrate and then sent to employer (NAB, II, I/35, 9 July 1886).

The testimony of Mungdi (25719) to the Protector points to one of the most common forms of overt resistance, flight. For the most part, the indentured did not speak English or Zulu, and were unfamiliar with the geographic terrain of Natal. Their attempts to escape indenture, despite these problems, is testament to their rejection of the system. There were large numbers of convictions for desertion each year: 450 convictions in 1902; 850 in 1906; and 1100 in 1907 (Henning, 1993: 111). The Protector reported that between 1882 and 1892, desertion had cost his department £1809 (NAB, II, I/67, 157/1892, 31 October 1892). According to Henry Polak, who worked closely with Gandhi, in nearly every case of 'desertion' before the courts, the defence was 'ill-treatment' or 'abuse' by employers (Polak, 1909: 413).

The extent of the problem and employer frustration is captured in correspondence between Protector Mason and the Colonial Secretary in 1884. Mason said that he always imposed 'the maximum punishment allowed by law [in cases of desertion].... It would be a weak policy to deal lightly with such offenders and tend to create in the minds of the many, I am sorry to say, we have in the Colony of the same stamp, a feeling that their transgressions met with some countenance by this department.' Mason put deserters on a 'spare diet' (starving them) in prison, as this has 'the salutary effect of keeping in check the threatened serious evil of a class of indolent, slothful Indians gaining any great strength in our midst.' Informed by the Attorney-General that this was illegal, Mason considered 'the sentence fully warranted although undoubtedly illegal. The offenders boasted

that they did not mind going to gaol as they were well fed there, and it appeared that far from being a terror to them, gaol was looked upon as a comfortable abode' (NAB, II, I/20, 158/84, 19 April 1884).

Desertions increased from the mid-1880s with the discovery of diamonds in Kimberly as attested to in a letter from JF Manisty, Superintendent of Indian and Native Labour, to the Protector in which he was commenting on the desertion of an indentured worker:

This makes four desertions to the Diamond Fields during the last twelve months, and I have on my table no less than eight letters from these deserters to assigned men in this Department. By these means, the men in this Department are kept in a state of continual ferment and incited to desert. I should be glad to know if you can see your way to have these four men arrested and brought down from the Diamond Fields... The example thereby would be most beneficial to our future working (NAB, II, I/20, 58/84, 19 April 1884).

Some deserters made it as far as Port Elizabeth and Cape Town. Iyaloo Naidoo, for example, wrote to the Protector from Uitenhage on 23 October 1885 to inform him that there were nearly two hundred 'absconded' Indians at Uitenhage and Port Elizabeth:

I now take the opportunity to write you these few lines concerning my countrymen. There are a lot here and in Port Elizabeth that has run away from Natal. I went to the Magistrate and I spoke to him about it. He says that if [Protector] Mason sends him a letter and the description of these men he will try his best to catch them and I will do my best also.... So please do me a favour and write me a letter and also for the magistrate. We will catch them soon (NAB, II, I/30, I5449/85).

The following example shows the inconvenience of desertion to employers. Coopa Mutha and Mangalam, who worked for Mr. Sinclair 'beyond Maritzburg,' were sentenced on eight occasions; 26 September 1885, 16 October 1885, 5 November 1885, 25 November 1885, 9 December 1885, 28 December 1885, 11 January 1886, and 26 January 1886 for refusing to work. Each time they were caught wandering without a pass. The Superintendent of the Durban Prison reported to magistrate Finnemore on 27 January 1886 that they 'refuse to go back to him (Sinclair) on account of ill treatment.' Finnemore replied on 28 January 1886 that 'in previous cases of this sort I have sent the people off under a strong escort and they have been compelled by force to go. In addition, I insist on their going on foot, which has proved satisfactory hitherto.' The Protector asked the Colonial Secretary on 3 February 1886 whether he should send the men by escort given that ...

... [Finnemore], when he refers to previous cases has in mind the return of the Indians to Mr Marais of Estcourt in which the people were handcuffed, carried to the Durban railway station in a hand cart, forced onto the train and were with great difficulty conveyed from Maritzburg to Estcourt. It is a matter of fact the Indians shortly after being returned deserted from Mr Marais service.

To not do so, the Protector warned, 'would offer an inducement to Indians who desired a change of employment or locality to similarly rebel against authority.' Finnemore was adamant that 'if no force was to be used to compel such return, then the prevailing practice of sending an escort is a useless expense. I have always looked upon the escort as Police and the returning servant as in custody.' Attorney-General Gallwey agreed, adding in his ruling on 15 February 1886, that 'on their return force should be used to detain them' (NAB, II, I/32, I121/86).

Desertion prompted repressive measures from the authorities. Law 2 of 1870 imposed strict penalties for harbouring deserters and offered a reward of five shillings for the arrest of male deserters, though no reward was paid for the capture of women. The Indian Trust Board employed African constables to seek out deserters. The wider African society joined in this effort. WB Lyle of Lower Tugela wrote to the Trust Board on 4 April 1900, that 'Indian deserters are frequently arrested at the Tugela mouth by the Natives residing there and handed over to me with the request that I should reward them for their trouble' (NAB, II, I/96, I459/1900). Rewards were also paid for the arrest of Indians without passes, even if they subsequently proved they had passes. Another deterrent was to compel deserters to make up double time at the end of their contract for time missed. For example, when Ahmed Saib spent a month in jail for theft, his employer JA Freeks added two months to his contract (NAB, II, I/78, 1 December 1910). This applied to all deserters.

Desertion, however, remained a major response to indenture; it was one way for workers to escape the clutches of both employers and the authorities, and build a life in which they were not constantly hounded and bullied.

Others took the route of permanently denying the employer of their labour.

Suicide

Discussion of suicide is problematic because of the lack of consensus as to whether we should consider it as suicide. Kundasamy was making his way to work at the brickmaking firm of R. Storm & Co. in Umgeni on the morning of 27 February 1906, when he came across two bodies near Storm's Brick kiln, eight kilometres from central Durban. The bodies were identified as those of thirty-five year old Ponappa Naiken and his four-year-old son Arumugan, who had been run over by a train. The District Surgeon reported that Ponappa's head was lying between the rails of the railway line, half severed from below his right ear, while his body had been totally mutilated. Arumugan's head and arms, severed from the body, were found about five feet apart. Ponappa had committed suicide. He left his hut early that morning, laid himself and his son over the railway line, and waited for the train to run them over. Ponappa and his wife Chellamah had arrived in February 1906. Chellamah testified that her husband had committed suicide because he had been subject to ill treatment during his three weeks on the estate. On 24 February,

William Storm had struck Ponappa 'a severe blow on side of face' because he had dropped a brick from the heavy load he was carrying. Ponappa had immediately begun to cry. Muniamah, another worker, had seen Sirdar Marie strike him 'several blows on the back and face and then throw him to the ground and kick him with his boot.' Other witnesses supported her testimony.

Witnesses also testified that Ponappa and Arumugam had been inseparable. Distressed at his work conditions and traumatised by management, Ponappa could not part from the child he loved so dearly and took both their lives. Hattrill, Clerk of the Peace, concluded on 19 April 1906: 'What inspired P. Naiker to destroy himself and his son was a feeling of despair engendered by being set to such real hard work as is incidental to a brick factory. He possibly felt he could not hold out for five years at such work....' Protector Polkinghorne wrote to Hattrill on 19 May 1906 that 'in view of the many suicides among indentured Indians it would be advisable if Mr W. Storm and the Sirdar were prosecuted. I am decidedly of the opinion that the treatment the man received was the cause of the suicide.' The case was tried in Verulam on 6 June 1906. It should come as little surprise that Storm and Marie were acquitted (NAB, II, I/43, I223/06).

Suicide must be seen as protest, albeit one that involved inner-directed aggression. While general conditions contributed to suicides, an act of suicide was an individual act that could be attributed to many factors, with health condition/s one of the most significant reasons (see Bhana and Bhana, 1990). Suicide can be read as either the ultimate in willlessness, as the brutality of conditions could not be escaped and required the ultimate sacrifice, or it can be read as the ultimate in willfulness, as indentured servants, unable to exercise their agency in very many ways, exercised it in the supreme act of agency. Suicide was a dramatic way of escaping indenture. The suicide rate of indentured Indians in Natal was 661 per million in 1906, compared to 39 per million in India (Henning, 1993: 62). The double punishments of fruitless toil and physical pain, depression caused by failing strength and deteriorating health, and alienation from loved ones led many to opt for suicide, in the process denying their employer their labour. It was, ironically, their ultimate revenge against the profit and property of the planter.

Physical Confrontation

Some of the indentured did not shirk from physical confrontation, even though the outcome was mostly tragic. The Deputy-Protector reported in September 1884 that during his visit to Illovo he learnt that one of the employees had 'got Mr. Hall down on his back and was about to pound him with a *knobkierrie* but was prevented by another white man' (NAB, II, I/22, September 1884). Daljeet told the Protector in 1885 that his employer J Saville of Camperdown had punched and kicked him because he was not satisfied with his work. Daljeet hit Saville three times with a wooden mallet before being overpowered by Peter, the overseer. Saville's son

then 'handcuffed my [Daljeet's] hands to the roof in the mealie meal room, tightening it until I stood tip-toe and I was in this position until 2am.' He was freed by his friends Persad and Rameshaur and went handcuffed to the Protector to report the incident. Daljeet was punished for raising his hands against Saville, who got off scot-free (NAB, II, I/30, I297/85, 8 October 1885).

There were many instances of homicide carried out by the indentured. Homicide usually had an individualistic character and a variety of circumstances led to the occurrence. It is contestable whether homicide should be regarded as a form of protest as we cannot ascertain the motivations of perpetrators with certainty. An analysis of a few cases may shed light on this issue. Sheik Ramthumiah worked for Elizabeth Macdonald of Pietermaritzburg. Ramthumiah had arrived from Madras on 25 October 1905. Official documents described him as a young man of twenty-one, of medium height, clean-shaven, and light complexion (NAB, II, I/151, I1157/1907, Sergeant to Protector). Ramthumiah, who wrote regularly to his parents, indicated that he was experiencing problems with his employer. In reply to Ramthumiah's letter dated 4 March 1907, his father Sheik Allie wrote that he was 'sorry to hear that there had been a quarrel between yourself and your mistress. We are troubled in mind since we heard of it..... Let me know the cause of your quarrel at once.' Allie would not see his son again. Ramthumiah stabbed Elizabeth Macdonald to death in May 1907. Fellow domestic Jessie Francis, described the murder of Elizabeth Macdonald:

That morning about half-past-seven the Indian Ramthumiah was in the kitchen cleaning knives.... While I was stirring the porridge on the stove he stabbed me once on my left shoulder with a big butcher knife. I screamed and rushed into Mrs. MacDonald's room. She came out of the room ... and the Coolie flew at her. He stabbed her three or four times. I tried to pull her away and he stabbed me again in my right shoulder. Mrs. Macdonald fell on the floor very heavily, bleeding profusely.

Ramthumiah's attorney argued in court that the problem was related to Ramthumiah feeling that his employer had turned against him because of the lies that Jessie Francis was peddling about him and that he had suffered 'temporary insanity.' In racist Natal, however, 'extenuating circumstances' did not apply. Dr Ward, the district surgeon, testified that Indians were 'more excitable and [had] less power of self control than Europeans.' Police officer S. Wynne Cole told the court that Indians were 'prone to running amok.' When they have what is 'called "run amok", an Indian seems to have the feeling that a wild animal does to want to go on. I have seen that occur. The Indian will generally assault anybody who comes in his path.' Like an animal that draws blood, Ramthumiah had to be put down! He was sentenced to death (Badassy, 2006: 40-46).

Four young men in their twenties, Dubar, Brijmohan, Nagishar, and Sarju, were charged for the murder of Alexander Arnold on 25 July 1905. Alexander was murdered shortly before midnight while making his way home from his father's

farm. The district surgeon reported that death resulted from concussion of the brain inflicted by a blunt instrument. The men were tried in September 1905. A reconstruction of the murder revealed that the accused finished work at 5:30 pm on 25 July and reached home an hour later. As they were preparing supper, Alexander instructed Dubar to cut the grass. He refused because it was dark. Alexander kicked him in the testicles and pushed him to the ground. Brijmohan confronted Alexander, who struck him on the head with a stick. A fellow-worker, Budhri, knocked Alexander to the ground and stuffed a yellow cloth into his mouth, while Rugubar held onto his legs, and six other men assaulted him. Eight of the ten Indians employed by the Arnolds participated in the assault. Arnold was murdered that night by being pounded on his head with a stone that weighed two pounds and was 'sharp and prominent' on one side. The men were found guilty on 25 September 1905, and sentenced to hang.

These examples suggest that homicide could be the result of abusive language, floggings, insults, pay deductions, and even loss of status. These avenging actions could be interpreted as revenge against employers.

Petitions

A 'Calcutta Coolie' wrote to the *Natal Mercury* on 14 July 1866 to complain about work conditions. Rations were deficient in quality and quantity, and wages were deducted when workers were ill, or withheld for 'alleged theft' without investigations being carried out. The writer warned that petitions would be sent to Madras, Calcutta, and England. While written in his 'own peculiar phraseology,' the letter was remarkable coming so soon into indenture (Meer, 1980: 111).

There were other petitioners. John Kotayya (28146) arrived in Natal in December 1882 as part of a group of twenty *lascars* recruited by the Natal Harbour Board. Kotayya, in his petition dated 3 December 1887, complained that the terms of indenture had been misrepresented to them. Recruiters Moidin Sahib and Ross had told them that they would be entitled to a free return passage after five years. This was confirmed by the Protector of Emigrants in India and Captain Reeves of the *Umvoti*. The petitioners wrote that during their indenture, four men had died and three were returned to India as invalids. The remaining thirteen wished to be returned to India 'at once at the expense of the Government. None of us have been able to save any money during our indenture. Eleven of the thirteen men have families.' Their request was denied; the authorities convinced that the men knew what they were getting into (NAB, II, I/42, 1402/87).

A petition by ten waiters, Rughnian, J. Thomas, Palliam, Rungasamy, Anthony, Chinnian, Narain, Moses, Simon, Candasamy, employed at the Royal Hotel in Durban, complained to the Protector that they had found to their 'astonishment, surprise and regret' that the agreement was not honoured by proprietor FL Johnson. Their complaints included being forced 'to do general work' which waiters should not do,

long hours, no pay for overtime, no free time on Sunday is 'allowed to devote ourselves to recreation, religious, or ecclesiastical purposes, housing that was 'unfit for human habitation,' and inadequate medical care. They objected to 'kicks' from Johnson and Sirdar Rajahgopaul. Under such 'heartrending and distressing circumstances,' the men 'humbly beg and supplicate of you as our *Refugium Peccatorum* to do the necessary for us' (Henning, 1990: 228-231). Their request was denied.

Some went a step further by drawing on resources at 'home'.

Kanniah Appaavu arrived from Madras in January 1902 on the *Umkuzi* as part of a group of fourteen special servants. He was assigned to GL Graham on the *Berea*. In May 1902, Kanniah complained of being made to work on Sundays. As this was 'just for a few hours' the authorities did not redress his grievance (NAB, II, I/107, I577/1902). He complained in December 1902 that he was forced to do 'bedroom work', had been hit on the toe by Graham, and did not receive rations (NAB, II, I/112, I2136/1902). He complained again in 1903 of assault and of being made to empty night soil buckets and chambers (NAB, II, I/116, I/276, 1903). When the authorities in Natal ignored his complaints, Kanniah wrote to his sister Kanniammal in Madras in 1904 to hand over two letters to the authorities, one from him (which he sent) and another from his sister (which he drafted). Kanniammal's letter (drafted by Kanniah) read:

This gentleman (Graham), just as he pleases, wants him (Kanniah) to do all sorts of dirty work not permitted to our caste rules; that he has so beat him on three occasions if he refuses to do. Once he broke his toe for which he had to remain in hospital for 17 days. After recovery he went to Court, the result that the gentleman was fined 4 *annas* (1/16 of a rupee). He complained thrice to the Collector of Natal [Protector] of the maltreatment and prayed for a transfer to some other gentleman but in vain. His master annoyed at the fine, had been harassing him beyond measure. My brother therefore intends suicide. I request that your honour will be graciously pleased either to get him transferred to some other gentleman or send him back to Madras.

Kanniah also instructed her on the manner in which she was to hand over the letters: '[Go] ... to the Collector at the Custom's Office at 11 0' clock weeping bitterly and beating your breast. If you do not take so much trouble it will not be possible for me to return to Madras alive. Believe these as true' (NAB, II, I/127, I1232/1904; Also in Badassy 2005: 52-53). Kanniah was not transferred. He wrote again to the Protector in 1905 that Graham was off to Johannesburg for a few months and requested a transfer as he would 'be without work, a house and wages' (NAB, I/138, I2011/1905). This time his wish was granted. Shortly after completing his indenture, he obtained a license to leave the Colony (NAB, I/154, I2149/1907). Kanniah then disappears from the historical record. But what we have recovered is his resourcefulness in confronting the circumstances in which he found himself.

While petitions were not common they were a means of seeking redress for some. It is evident that these were mainly from 'special servants' who had some education and means to petition.

Organised Resistance: Henry's Shire

The earliest recorded organised resistance took place on 17 January 1862, just over a year after the first indentured had arrived, when twenty-two workers walked off Henry Shire's estate in Umhlanga. Shire had experience with indenture in Mauritius and eleven of the *Truro*'s cargo was assigned to him. He came under the spotlight when his employees petitioned the authorities about their maltreatment. They divided themselves into eight 'Madrass Coolies' and fourteen 'Bengalee Coolies', suggesting that earliest forms of identity were based on regional divisions. Complaints included irregular payment of wages, floggings from Shire and Sirdar Ramasamy, poor quality of rations, and long working hours. Sirdar Ramsamy had arrived on the *Truro* in 1860 and was among the eleven assigned to Shire. Faced with a biased magistrate in Verulam and an interpreter who did not fully understand their languages, the workers turned up at the magistrate's office in Durban in the hope that a 'properly qualified interpreter could and would grant redress for their grievances.' Instead, they were imprisoned for fourteen days for leaving the estate without Shire's permission, an additional fourteen days when they refused to return to work, and a further seven days when they hired an attorney to petition the Lieutenant-Governor.

In the face of this rebellion, the authorities were forced to appoint the Shire Commission, which comprised of Immigrant Agent Edward Tatham and the magistrates of Verulam and Umhlali. The commission reported on 10 April 1862 that Shire extended the working day, deducted wages unlawfully, placed workers on half-diet, and used Africans to administer beatings. The commissioners, however, recommended that no action be taken as Shire had 'great difficulty in obtaining work from his Coolies.' The Commission was emphatic that the authorities should refuse the complainant's requests to be transferred as this would set a 'bad precedent' (Meer, 1980: 93-99). The commission's recommendations were a clear signal for employers to act with impunity, while workers realized that they could not rely on the law. However, this act of defiance was remarkable given that the indentured were in an alien setting, divided by caste, religion, and origin, their movements were closely monitored, and the law was stacked against them. Yet they found the wherewithal to take collective action. The Shire report may have muted collective protest, but the spirit of resistance had been raised.

The Shire protest was followed by intermittent, albeit rare, collective action. On many occasions, indentured workers flouted the law and made their way to the Protector's office to seek redress. On 19 May 1886, for example, JW Harvey's employees went to the Protector office 'in a body' to complain that their wages for April had not been paid. Thevakkul, Mariamma, Gunaprakasan, Rungasamy, Michael, Thuraikugadum, Gopal, Maruday, Veerapan, Latchmanen, Ramasamy, Hussain Bux, Vengalual, and Vurulayn were each sentenced to between one and thirty days for leaving the estate without a pass, even though Harvey admitted he

had not paid his workers (NAB, II 1/34, 654/86, 20 May 1886). In another incident in 1887, 55 workers who left C. Acutt and Co. 'in a body' were imprisoned for six days each. Camarin and Kuppen were identified as 'ringleaders' and given fifteen days with hard labour (NAB, II, I/38, Return of Criminal Cases, July 1887).

Member of the Legislative Council and landowner, George Cato, related an incident to the Wragg Commission in which 'two or three coolies working on Cato Manor Estate beat the white field overseer, and they were apprehended and sent into Durban to be tried by the magistrate; all the field gangs left the estate with their hoes over their shoulders, and marched into town without permission or authority. It is my opinion that there is no remedy but the lash in certain cases, which the present law does not reach' (Meer 1980: 369). There were other forms of solidarity. The manager of Milkwood Kraal, JR Bramley, told the Wragg Commission about 'a common fund among coolies to which all pay, and out of which fines inflicted by the Magistrates are met' (Meer, 1980: 411). This was particularly irksome to employers. Estcourt magistrate Peter Paterson told the Wragg Commission of 'cases of insubordination on the part of gangs of Indians.' His solution was 'whipping' which, if 'administered to ring-leaders, has the most beneficial effect on the gang and upon other Indians in the neighbourhood' (Meer, 1980: 440). Singling out 'ringleaders' for punishment, according to Tinker, 'was an absolute principle of the system,' to ensure 'that no Indian labourer should ever acquire a recognized position as a leader or even as a negotiator' (Tinker, 1974: 225).

The most spectacular, and best-known, form of group resistance occurred in 1913 when the indentured, with rudimentary weapons, attacked their masters and other whites and even burnt their properties. But the settlers and police were quick to act brutally. The 1913 strike, which brought together the indentured and free Indian, is usually associated with the figure of Mohandas K. Gandhi, who spent the years from 1893 to 1914 in South Africa. During this period, he spearheaded the resistance of Indians of the trader class to racial legislation. One of the major grievances of Indians was the imposition of a £3 tax on all free Indians, which most could not afford, and which resulted in around 80 per cent of Indians either re-indentured or returned to India upon completing their indenture. While Gandhi was occupied in the Transvaal, PS Aiyar, editor of the *African Chronicle*, formed the Natal Indian Patriotic Union (NIPU) in 1908 to highlight the burden of the tax (Swan 1985: 206). When GK Gokhale, a highly respected Indian lawyer, visited South Africa during November 1912, the tax was in the forefront of Indian grievances in Britain, India and South Africa. Gokhale discussed the tax with the Union government and left behind the impression that it would be repealed. Smuts, however, denied this and Gandhi considered it ethically proper to pursue its repeal. Gandhi and his lieutenants initiated a strike by 4,000 Indian workers on 16 October 1913 at the coal mines in Northern Natal. The government took no action so Gandhi

forced its hand by crossing illegally into the Transvaal on 23 October. The success of the strike was assured when 15,000 workers on coastal sugar estates joined at the end of October (Swan, 1985: 252). The decision to strike is an indication of the depth of suffering caused by the £3 tax. About 65 per cent of indentured Indians were serving their second or subsequent term (Beall and Northcoombes, 1983: 73). Tension was greatest on the plantations because of the larger numbers, the total dependency of planters on Indian labour, the year's crop still had to be cut, and it was rumoured that Africans were going to join in the strike (Swan, 1985: 253). Frustrated employers demanded action. The violence associated with the strike, police brutality, and the use of mine compounds as prisons led to widespread negative coverage in India and England (Swan, '1913 Strike,' 257).

Scholars have debated why the strike took place. There is increasing consensus that the strike was a point of convergence among indentured workers regarding an oppressive labour system and the £3 tax. Gandhi became a symbol of opposition, but the initiative came from the indentured themselves. The 1913 strike was a spontaneous uprising on the part of many workers against terrible working conditions and a realization that the poll tax meant perpetual indenture. The strike was not only a political phenomenon but an uprising by economically depressed Indian workers who were experiencing harsh material conditions. The findings of the government-appointed Solomon Commission and subsequent communication between Smuts and Gandhi, resulted in the Indian Relief Act of 1914 which abolished the tax, facilitated the entry of wives and children of Indians domiciled in South Africa; recognized marriages contracted according to religious rites; and made provision for free passages to India to all Indians who gave up their right to domicile in South Africa (Meer, 1969: 44).

Resistance: An Assessment

The indentured system was not seriously threatened during the more than half century of its existence in Natal. This is not because of passive compliance on the part of the indentured. Despite the many coercive measures, this paper has argued that indentured workers did not meekly accept their subordinate positions just because most did not have recourse to petitions and the other bric-a-brac of middle class organizations. It would also be incorrect to assume that they only protested under the guiding hand of Gandhi. The indentured mostly sought indirect ways of subverting the system. These were not always obvious, and did not overtly challenge the power of employers. Collective resistance, the assault of employers, and writing of petitions were exceptional but not absent. The violent confrontations of 1913, which were a seminal event, should be seen less as the culmination of the patterns of everyday resistances, and more as a reaction at a particular juncture to various economic and political factors. Collective resistance was rare because of such factors as the monopoly of armed violence by settlers, restrictions on the movement of the

indentured and their freedom of association, absence of leadership, dispersal across the colony, and differences of caste, region and ethnicity among the indentured. These practical constraints made joint resistance difficult. Academics searching for heroic acts of defiance may be disappointed in not finding too many instances of these.

Hugh Tinker was right when he wrote that in resisting, the indentured mostly thought 'in terms of immediate objectives' (Tinker, 1974: 226). They protested through such acts as absenteeism, insubordination, foot-dragging, legal challenges, theft, flight, malingering, feigning illness, destruction of property, and neglect of duty, which were camouflaged in everyday routines. This everyday form of resistance, Scott's 'weapons of the weak', while seemingly mundane and individualistic, validated workers' integrity and reputation and frustrated employers (Scott, 1976: 7). It may not have overthrown authority at the workplace but it did allow the indentured to mitigate the worst effects of indenture. In saying this, we must avoid lumping all indentured behaviour as resistance, and keep in mind that the strategies employed by indentured labourers were often also used by free labourers. We must also draw a distinction between these forms of resistance that took place within the institution of indenture and resistance that rejected the system, such as flight.

Finally, resistance should not be viewed separately from accommodation. Some Indians, such as Sirdars, had a stake in the system. They were known to exploit workers by borrowing money without repayment, running stores on plantation, and even sexually abusing women. While they faced restrictions as part of the subordinate group they also helped to enforce employers' domination. This leads Lyons to make the important point 'that subordinate deference is not always an inauthentic expression of feelings and emotions toward the dominant or powerful' (Lyons, 2005: 108). For the majority of the indentured, the objective was to survive five years as best as they could and make a new life in Natal in the post-indenture period. We must recognize that most of the indentured did not live in a state of constant resistance. They coped with indenture, lived their lives, and in the process avoided the power of whites as best they could. Roopnaraine suggests that they adjusted to what Karl Marx refers to as 'the dull compulsion of economic relations' so that they could survive and start new lives (Roopnaraine, 2007: 52-53).

Natal's economy was not based on monoculture and Indians had a wide range of economic choices. This economic diversity is reflected in the list of occupations of Indian males as per the 1904 Natal census which included shoemakers, cigarette makers, clerks, cooks, domestics, firemen, laundry workers, plumbers, fishermen, and tailors. Indenture was for a limited time and was followed by an opportunity to earn a living outside indenture, however meager. Most survived though hawking, market gardening, and small retail trade, but small numbers of wealthy farmers and educated professionals also emerged from the earliest decades. The opportunity

to leave after five years was real, and together with the constant turnover of the workforce, must have impeded the development of worker consciousness on plantations. More than survive, the ex-indentured rebuilt their lives and communities through marriage, the building of temples, establishment of religious festivals such as Muharram and Diwali, building institutions of education, and engaging in various leisure-time activities.

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