1. THE ASIATIC LAND TENURE AND INDIAN REPRESENTATION ACT, [“THE GHETTO ACT”]

(Bagwandeene, 149 -153)

21 January 1946

“On 21 January 1946 (Smuts) announced in the House of Assembly that the Government proposed to promulgate legislation relating to land tenure prohibiting transactions of property between Asiatics and persons who were not Asiatics. The Asiatic Land Tenure and Indian Representation Bill:

1) introduced a form of residential segregation;
2) communal franchise for Indians – i.e. Indians would be represented by two Indian men on the Provincial Council, by three Europeans in the lower house of Parliament and two Europeans in the upper house, one of whom would be nominated by the government. Indian women were not given the vote.

The communal franchise was to compensate for the loss of the right to purchase and occupy property without restrictions.

3 February 1946

The NIC convened a mass meeting for 3 February 1946. The meeting condemned the Bill. A delegation was to be sent to India to urge the Indian Government to negotiate with the Union Government.

8 – 10 February

The SAIC conference in Cape Town decided on a delegation of sixty representatives to meet with Smuts ... to dissuade him from introducing the Bill... and to convene a round table conference.” The meetings and consultations with Smuts were unsuccessful.

A deputation would be sent to India to urge the Indian government to convene a round table conference. If this did not succeed, the government of India was requested to recall the High Commissioner [formerly the Agent-General]

Deputations would be sent to America, Britain and other parts of the world.

The Indian Community was prepared to embark on a concerted, prolonged resistance.

The Indian Community had the right to be heard at the UNO.

20 February 1946

This was observed as a hartal day – a day of prayer; all businesses and offices were urged to close between one o’clock and five o’clock

15 March 1946

Smuts introduced the Asiatic Land Tenure and Indian Representation Bill in the House of
Assembly

(Pahad, Chapter IV Section 7) **17 March 1946**
"... in the Transvaal the radicals flexed their muscles. Dadoo, assisted by two university students (J.N. Singh and I.C. Meer), undertook a vigorous tour of the Transvaal to whip up support for the resistance struggle. Within a fortnight they held fifteen meetings in areas as widely dispersed as Krugersdorp, Alexandria, Pretoria, Heidelberg, Middleburg and Standerton. Reporting on this, The Leader said that, throughout the speaking tour, Dadoo and the others were "heartily and enthusiastically received". This tour culminated in a huge mass meeting in Johannesburg, held on 17 March. 5 000 men, women and children came from all corners of the Transvaal to voice their opposition to the Bill. It was a major success for the radicals, and reverberated with slogans such as "Down with the Ghetto Bill", "Down with Smuts", "Long Live Resistance" and "Down with Compromise".

(Bagwandeen, 149 -153)

**24 March 1946** “... in Cape Town ... the SAIC executive decided to instruct the NIC and the TIC "to proceed immediately to plan and prepare the details of a concerted and prolonged resistance."

**25 March 1946**
Second reading of the Bill.
Indian Government terminated trade agreement with Union Government.

**30 March 1946**
“On Saturday 30 March 1946 "the NIC [at a special provincial conference] announced its decision to launch a Passive Resistance Campaign; it established the Passive Resistance Council.

(Pahad, Chap. 4 Section 7)
Dadoo opened the conference, setting the tone with a slashing attack on the Bill and a militant call to action. Dr. Naicker, the president, made an equally bitter and resolute speech. After the speeches, conference adopted a "manifesto of resistance". In this manifesto they appealed to South African Indians, Indians in India, and all "democratic peoples" in South Africa and abroad to oppose the Bill. The manifesto was a call to action for South African Indians:

(Bagwandeen, 149 -153)
The Transvaal Indian Congress (TIC) under the new leadership of Dr. Dadoo expressed ... willingness to participate in the campaign ... a volunteer corps was formed and the NIC executive was empowered to appoint a Passive Resistance Council, consisting of
twenty-five members.

(Pahad, Chap 4 Section 7)
“The Cape Indian Congress ...still under the sway of the Kajee-Pather leadership of the SAIC decided not to participate.”

(Bagwandeen, 149 -153)
31 March 1946
Sunday, 31 March 1946, the NIC organised a mass procession ... 6,000 demonstrators marched through the streets of Durban, shouting, "to Hell with the Ghetto Bill!"

2 April 1946
Bill passed the second reading

21 April 1946
At a mass meeting in Johannesburg the TIC set up a Passive Resistance Council. Shortly thereafter a Joint Council [NIC-TIC] was set up to take charge of the campaign.

29 April 1946
Bill to Senate for third reading.

30 April 1946
M.D. Barmania read a petition of Ahmed Ismail, President of the SAIC.

2 May 1946,
Bill passed third reading. Indian Government informed Union Government that the High Commissioner was to be recalled.

3 June 1946,
The Governor-General gave assent to the Bill.
The Bill became law: the Asiatic Land Tenure and Indian Representation Act, No. 28 of 1946. It “was the first general provision for compulsory segregation of Indians throughout Natal”
4 June 1946
6000 Indians marched down West Street in protest against the Act

**ÁÂ³ 13 JUNE 1946 DECLARED ‘RESISTANCE DAY’**

**The First Day of the Campaign**

“Thursday, 13 June 1946, ‘Hartal Day’ marked the beginning of the passive resistance campaign. Indian businessmen were asked to close their shops, offices, factories etc.; parents were asked not to send their children to school; workers were exempted as they could lose their jobs. *The Leader* (newspaper) reported, ‘Durban was dead on Thursday.’ ... “the response in Durban and in the Transvaal meant that Hartal Day had been an unqualified success.” (165-6)

A group of Indian women [from Johannesburg] had boarded a fast mail train on Wednesday and arrived in Durban at nine o’ clock in the morning on ‘Hartal Day’. The women had defied inter-provincial restrictions. They had not applied for permits to enter Natal. This was the first violation of laws of the Passive Resistance Campaign. (Bagwandeen, 165-6)

At about 5.30 that afternoon at ‘Red Square’, “Hartal Day ended in a mass meeting of over 15Â³ 000 people.” [where the parking garage now stands in the former Pine Street] (Bagwandeen, 166)

... before eight o’ clock that evening a picked squad of volunteers under the leadership of Dr G.M. Naicker and M.D. Naidoo marched to the intersection of Umbilo Road and Gale Street (Gale Place end) [ a controlled area – i.e. for whites only – according to the ‘Ghetto Act’] and pitched tents on a vacant piece of municipal land. (Bagwandeen, 165-6)

The women from Johannesburg joined the march to Gale Place and were also encamped at ‘Resistance Plot.’ They were: Mrs Meenatchie Sigamoney Nayagar, Miss Zeynab Asvat, Miss Zohra Bhayat, Mrs Amina Pahad, Mrs Zubeida Patel, Mrs Luxmi Govender, Mrs Veerama Pather (who had taken part in the Natal protests under Gandhi), and Mrs Chella Pillay
The men encamped at the plot were Dr G.M. Naicker, Messrs. M.D. Naidoo, R.J. Premlall, R.A. Pillay, V. Patrick, Shaik Mahomed, M.N. Govender, p. Poonsamy, V.S. Chetty, T. J. Vasie, Abbai Soobramoney, S. Abdool Kader. According to Maniben Sita, three Pretoria men – Ramlal Sita, Sooboo Pillay and B.R. Mooloo – were in this first batch. This marked the beginning of the passive resistance struggle. (Bagwandeen, 167)

“The NIC strategy in occupying ‘Resistance Plot” was to ‘force the arrest of numerous resisters for violating the Land Tenure Act [the strategy that Gandhi had used in the Satyagraha Campaign from 1906 -1914]. The DCC and the police acted cautiously.” (Bagwandeen, 167) No arrests were made. The resisters remained on the plot.

2. HARRASSMENT AND ARRESTS -- JUNE 1946

“16 June 1946 ... a band of European hooligans raided the camps of the resisters...On the first two nights the culprits cut ropes ... removed tent pegs and also hurled a barrage of threats and abuse... On the third night they ‘made a concerted rush at the tents, pulled them down ... and tore them to tatters.’ Two women passive resisters were hurt. The attacks continued nightly ... the police were present they made no attempt to arrest the youths.

On 21 June 1946, the DCC acted. Signs were put up on the ‘passive resistance plot’ TRESPASSERS WILL BE PROSECUTED. The passive resisters were served with notices of trespassing. That evening the first group of passive resisters was arrested. They appeared in the Durban Magistrate’s Court on charges of trespassing. Dr G.M. Naicker and M.D Naidoo would be sentenced on 22 July.  The others were cautioned and discharged. (Bagwandeen, 168- 9)
The next day, 22 June, they were all back on ‘passive resistance plot’. The Rev. Michael Scott joined them. At about 10 ‘o clock that night, they were all arrested. Then a second group led by Dr. Goonam marched in. This group included B. Sischy another European sympathiser. The second group was also arrested at about the same time.

“... attacks on the resisters by white youths were increasing becoming more brutal; many resisters had to be taken to hospital for treatment.

Other acts of hooliganism included: stoning and burning of cars; ... molesting and chasing individual Indians, catcalls and boos directed at the police.

The most tragic act ... was the wanton attack ... on [a plainclothes] Indian policeman, Krishnasamy Pillay. He later died from his wounds in hospital, and his funeral was reported as the largest Durban had ever seen.”

That prompted the Police to appeal for the attacks to stop on the grounds that they were contributing to the success of the protest. (Bagwandeen, 167-8)

“On 24 June 1946 ... the District Commandant, Major J.M. Keevey announced that these gatherings were prohibited in terms of Section 1(4) of the Riotous Assemblies Act, No 27 of 1914 ... That same evening a group of 47 resisters was arrested (169)

By 24 June ten batches of resisters had been arrested. (169)

“The cycle of arrests and occupation of the passive resisters’ camp continued unabated. (169)

No one was sent to prison until 27 June 1946. Then the leaders were imprisoned

Dr Dadoo and Dr Naicker were sentenced to three months and six months imprisonment with hard labour respectively in terms of the Riotous Assemblies Act.
They were followed by M.D. Naidoo, six months and a week with hard labour; Dr K Goonam six months and a week with hard labour (four months were suspended); R.A. Pillay, three months with hard labour; Sorabjee Rustomjee, three months with hard labour. (169)

“...there would have been an international backlash if the masses were imprisoned ... to discourage the masses from courting arrest a fine of £5 was imposed without the option of imprisonment. (170)

After June In July, ten passive resisters pitched a tent at the corner of Walter Gilbert and Umgeni Roads. The group was arrested but did not return this venue as it was not government or municipal land.

On 19 August Mr Debi Singh, Chairman of the Passive Resistance Council announced the second phase of the campaign: George Singh and four others were going to occupy a vacant site in Brighton Road, Wentworth, in a controlled (i.e. for whites only) area. No action was taken against the resisters and they abandoned the site.

On 1 September, Rugnath Singh and his family occupied premises in a controlled area in Merebank/Wentworth. No action taken as occupation was legal.

(Bagwandeep, (165-6))

As the Cape Indian Congress was not participating, Resistance Councils were set up by radical individuals: Mrs Z. Gool, Sundra Pillay and Cassim Amra in Cape Town. M. M. Desai, V.K. Moodley and Dr. S.V. Appavoo in Port Elizabeth; Dr N.V. Appavoo, O. Jonathan and R. Harry in East London

The Cape was not affected by the “Ghetto Act” but Indians in the Cape identified with the Natal and Transvaal Indians

By November, three batches of resisters, numbering twenty-seven, had gone from the Cape to Durban to defy the "Ghetto Act". Up to November, some £17,000 were spent, a large part of which went to the dependants of the resisters.
3. PRETORIA WOMEN PASSIVE RESISTERS

In September, a batch of women from Marabastad in Pretoria arrived to take part in the campaign. The following is Maniben Sita’s account of their participation in the Passive Resistance campaign [as recorded in Muthal Naidoo’s Stories from the Asiatic Bazaar (2007)]

Three Pretoria men, Ramlal, Maniben’s eldest brother, Sooboo Pillay, and BR Mooloo were in the first batch of resisters led by GM Naicker and MD Naidoo. As they had no idea how long it would be before they were arrested, they set up camp with tents, chairs and other equipment. They were prepared to stay as long as it took waiting in the midst of a hostile crowd was not easy. Eggs, tomatoes and other missiles came flying at them throughout the day. It would have been a relief to be arrested but they were still there after sunset.

Things quietened down after it became dark and they thought they were safe for the night but when they were least expecting it, a bunch of hooligans suddenly ran in among them, pulled down tents, smashed equipment and threatened them with violence. The passive resisters did not fight back but they did not leave either. Constant harassment over the next few days did not dislodge them and eventually the group’s objective was met - they were arrested. At the arraignment, they pleaded guilty, were sentenced to a month in jail and taken off to prison. This was the awaited signal for volunteers in other parts of the country to get ready to come to Durban.

Maniben immediately began to mobilise women in the Asiatic Bazaar. Inspired by what she had read about women’s achievements in the political struggles of India and South Africa, she wanted to organise an all women’s batch to demonstrate the strength and dedication of women. Her father, who was closely associated with the Pillay family through Mr G Krishnan, secretary of the Pretoria TIC, advised Maniben to speak with Thayanayagie (Thailema) Pillay, Mr Krishnan’s sister-in-law and daughter of Thambi Naidoo who had walked side by side with...
Gandhi in political struggles from 1906 - 1914.

Thailema, who was filled with the same courageous, unwavering desire for justice as her late father, was glad to join forces with Maniben. They were in sharp contrast: Thailema, tall and stately, her quiet dignity belying the fervour with which she undertook political activities and Maniben, scarcely nineteen years old, tiny, very articulate, forthright and outspoken. But they shared a passion and willingness to sacrifice that made them a perfect match. Maniben, the daughter of the President of the TIC, and Thayanayagie, the sister-in-law of the Secretary, Krishnannë, and of Sooboo Pillay, a member of the Executive Committee, found the TIC Executive excited and eager to help them. When they began to recruit women for the campaign, Mr BR Mooloo and Mr Mohamed Jeeva, also executive members, encouraged their daughters to join in. With Thanga Dharmalingam, Maniben's school friend and Thailema's goddaughter, two of Thailema's relatives, Muniamma Pillay and Shunmugam Pillay, and Mrs Jassoo Gandhi and her sister, Gowrie Bharoochi, there were ten of them altogether. All readily agreed to take part in the campaign.

It was a group of mostly very young women: Thailema, the oldest, was in her thirties, Amina Jeeva and Jassoobhen Gandhi in their early twenties and all the rest under nineteen. Though Thailema and Maniben were the acknowledged leaders, Thailema was content to remain in the background, giving advice and organising. She made arrangements for the use of a room behind Sooboo's Café on Boom Street where they held information and planning sessions to prepare them for their undertaking. They formed themselves into an organisation known as the Indian Women's Service League and collected funds for the campaign on behalf of the TIC.

Their upcoming participation in the Passive Resistance Campaign excited a great deal of interest in the location. Krishnannë designed a special uniform for them that aligned the struggle in South Africa with the struggle for Independence in India. It consisted of a white sari with the map of India as motifs, a border in the colours of the Indian flag, and a white Nehru cap. These very young impressionable girls were exhilarated at the prospect of their daring adventure. They would be players in a situation that was dangerous and exciting; an event of greater significance than anything they had ever been involved in.

Then the great moment arrived! In September 1946, The Indian Women's Service League was called to serve. After medical fitness checks at Dr Dadoo's surgery in Johannesburg, they were driven down to Durban. Bubbling over with nervous energy, the girls, especially Thanga...
and Amina, were in a mischievous mood. Thailema, acknowledged mother of the group, tried to keep them calm, but these high-spirited young women on their first risky adventure, could not be subdued. They arrived in Durban just as Thailema’s brother, Roy, was being released from prison. They held a combined welcome and farewell party for Roy’s batch and the women from Pretoria, who had to be at the site that evening.

At dusk, they took their places on the vacant plot in Gale Street. There were no tents or chairs; these had long been removed. At any rate, they were no longer necessary. The authorities had been prodded into reacting exactly as the resisters had hoped they would. They had, involuntarily, developed a routine that allowed the Congresses to bring on batch after batch of resisters in quick succession to crowd the prisons and give the demonstration the significance that it sought. Immediately after resisters arrived at the appointed spot, a police vehicle dispatched to arrest them, gave them twenty minutes for their demonstration before carrying them off.

"The police came and picked us up in their vans. Somebody told us before we left for Natal we must speak in Afrikaans to the police because most police are Afrikaner and their attitude changes immediately you speak Afrikaans. So when we were in the police van, Amina Jeeva and others started conversing with them in Afrikaans and they became friendly."

At the police station, where the women were giving their details and having their fingerprints taken, Gowrie Bharoochie, who was under sixteen, became flustered. It had been drummed into her that she had to say she was over sixteen or she would be sent away. But finding herself in such extraordinary circumstances, Gowrie stumbled over her details. Her predicament sent Thanga and Amina into a fit of giggles.

After spending the night in a holding cell, the women were taken to court the next morning. At their arraignment, all the women stood in a row as Maniben, the leader of the group, read out a statement: "We come from the capital city of South Africa where these laws are administered. They are unjust therefore we are opposing them." Having pleaded guilty to the charge of trespassing, they received the now standard sentence of thirty days in prison. Though she was expecting it, Maniben was still appalled at being sent to jail for a paltry offence.

The women were taken to the Pietermaritzburg Prison, the very prison in which Thailema’s mother, Veerammal, and her tiny sister, Seshammal, had been imprisoned in 1913. Thailema felt very proud to be following in her mother’s footsteps. The women were divided into three
groups and locked up. Maniben shared a cell with Thanga Dharmalingam and Amina Jeeva. Their beds were coir mattresses on the floor. They had two blankets each: one to cover the mattress, the other to cover themselves. As there were no pillows, they rolled up some of their clothes to make bolsters. They had to be up by seven in the morning, line up for inspection, and then go out to exercise.

Twice a week, they bathed from washbasins in the yard. "The thing that surprised us most," Maniben recalls, "is that we all had to stand naked in front of each other. That was a bit embarrassing at the beginning, but afterwards, you get used to it and it becomes just ordinary." At about four in the afternoon, they were locked up for the night.

Maniben didn't find the conditions unpleasant. "It wasn't a tense atmosphere, it was very harmonious. The wardresses used to joke with the prisoners. I know that Amina and Thanga used to stare at the wardresses when they ate a sandwich with jam or butter in it because we had dry bread. They used to ask, 'Now when will the day come when we can have sandwiches like that?' The food, never enough for them, was too much for me. Amina would say, 'Maniben, if you don't need that, please give it to me,' and she used to share my food. Thanga used to share my food too. But it was all fun."

Time hung heavy over them. "We just sat there all day long. Sometimes they gave us socks to repair or a little bit of sewing. I wished we had our knitting there. How much we could get done. I wished they would give us books to read. How many books we could read because we've got no other work, no cooking to do, no dishes to wash and all that we have to do at home. But we just had to dream to while away the hours. Or Amina used to sing and we used to talk about our life experiences."

They felt lucky to have Amina Jeeva among them. Her pranks, jokes, her outrageous flirting with the wardresses, kept them amused. What they loved most of all was to listen to her beautiful singing. Still, it was difficult to fill up the time. Being in prison was dreary; they were in a kind of limbo that made existence meaningless. When their sentence was reduced to twenty-one days for good behaviour, they were immensely relieved.

When they returned to Pretoria, they were the heroines of the moment. "The spirit was high. There was a meeting to welcome us back and the Sooboo family prepared a special lunch for us. People were very happy to see us; they greeted us everywhere we went."
But the Passive Resistance Campaign was not over. Although it continued well into the next year, the number of new volunteers began to dwindle. To infuse new energy into the campaign, the Congresses called for people to volunteer a second time. Maniben's father, Nana Sita, and her brothers volunteered again. Of the women, only Maniben, Amina and Thanga went a second time. Though over 2000 people went to jail during the period of resistance, the campaign did not achieve its goals. After it ended, the Pretoria Indian Women's Service League died a quiet death. "We didn't meet or do anything after that."

An important consequence of the Passive Resistance Campaign, however, was the formation of an inter-racial alliance of political organisations. When the Nationalist Party, the new government after the 1948 elections, began introducing discriminatory legislation, the new alliance embarked on a Defiance of Unjust Laws Campaign (the Defiance Campaign).

4. THE THIRD PHASE OF THE PASSIVE RESISTANCE CAMPAIGN

(Bagwandeene, 170-1)

“The Indian Government was extremely perturbed by developments in South Africa and brought the matter before the General Assembly of the United Nations (UN). The meeting ... on 23 October 1946 ... [was attended by] delegations from India, South Africa and the South African Indian political organisations i.e. the NIC, TIC and SAIC. The South African delegation was headed by Smuts ... accompanied by DG Shepstone amongst others. Vijaya Lakshmi Pandit headed the Indian delegation and the South African Indian delegation consisted of all their executive leaders including PR Pather."


“The third phase began with 358 volunteers occupying the ‘resistance camp’ at Umbilo Road-Gale Street. Several thousands of Europeans and non-Europeans watched the mass arrests. Among [those arrested] were Indians from Pretoria, Cape Town, Mafeking,
Witwatersrand, some Africans and two Europeans, one of whom was the well-known Mission priest in Durban, the Rev. W. H. Satchell.

(Pahad, Chapter IV Section 7)
Indian students in Natal responded eagerly to the call for resistance. At a meeting on 7 April, the students of the Durban Indian Girls' High School, Sastri College and the Natal University College condemned the Bill as a "fascist" measure. In a resolution they pledged their support to the NIC. (Chapter IV Section 7)

Former professor of Speech and Drama at the University of Durban-Westville, Gowrie Naidoo (née Pather) was ten years old when all this was happening. This is what she remembers of the Passive Resistance Campaign.

“As children in Flat 9, Empire Court [cnr. Grey and Beatrice Streets, Durban], we were aware of the Passive Resistance Movement. From time to time there would be a knock on our door at some unearthly hour and someone would need a place to spend the night. To us children it would be someone that our parents knew well - Aunty Thailamma, Aunty Mama, Uncle Roy or Uncle Barsarthy and other uncles and aunts from Johannesburg. As a child I just knew that they were going to be arrested for sitting in European areas - areas reserved for Whites only. There was a grass lawn in Gale Street - an area prohibited to Non-Whites. The Passive Resisters chose this lawn as part of their resistance campaign. Groups of Passive Resisters would sit on this lawn singing freedom songs until the police came and arrested them, put them in the police vans and took them to prison. I remember how my dad would put us in his car and take us to Gale Street to watch. Actually many cars would be parked around the lawn to watch. There was great excitement amongst the children. We waited and joined in with the singing of the Freedom songs where we could. Until the police arrived! There was feverish excitement! For me it was excitement mixed with fear. What if they took us to jail too - for parking in a White area? There was a hustle and a bustle amongst the Passive Resisters as the white policemen roughly bundled them into the police vans. They defiantly raised their thumbs and shouted "FREEDOM" and all the occupants of the cars, including ten year old me, raised our thumbs in the air and shouted "FREEDOM!" And our car sped away!” [Gowrie Naidoo, 2013]

(Pahad, Chapter IV Section 7)
“In the six month period from June to December 1946, 1,546 people (254 women) were arrested, 215 for the second time. Those arrested included six Europeans, six Coloureds and fifteen Africans. The largest contingents were factory and municipal workers, waiters and housewives.
After the Act was passed, the Government of India arraigned the Union before the United Nations. The Indian Delegation led by Mrs Vijaya Lakshmi Pandit vigorously condemned the “Ghetto” Act. On December 1946, the French-Mexican Proposal was endorsed by the Joint Political and Legal Committee of the UNO. The proposal included the statement “the treatment of Indians in the Union of South Africa should be in conformity with the international obligations under the agreement concluded between the two governments and the relevant provisions of the [UN] charter.” It requested “the two Governments to report at the next session of the General Assembly the measures adopted to this effect.” (P.S. Joshi, Struggle for Equality, 186)

(Bagwandeen, 171)
The South African Government chose to ignore the recommendations of the UN. Passive Resistance continued, the Indian Government withdrew its High Commission in South Africa and cut off trading relations.

Conservative Reaction

The conservative Kajee-Pather alliance objected to the withdrawal of the High Commissioner from South Africa; they believed the High Commissioner was vital to oversee the implementation of the UN resolution. They supported Smuts’ insistence on the return of the Indian High Commissioner to South Africa.

“In April 1947, PR and his colleagues held a public meeting to decide their political future. PR Pather addressed the meeting and stated that he and others who opposed the leadership of the NIC and the TIC should not remain silent especially since the leaders of the Congresses were under the control of the communists "who were prepared to bargain with the fate of the Indian community in order to advance the interests of the communists".

He ... stated that after the victory at the UN the NIC and TIC should have called off the Passive Resistance Campaign as a gesture of goodwill, but did not do so due to their arrogance and overconfidence after the positive turn of events.

He proposed the formation of a new organisation, which would represent the interests of the Indian community but would also work in a spirit of co-operation and goodwill with the government, the European public and other races of the land."
At a meeting held on 4 May 1947, PR moved a resolution concerning the establishment of the Natal Indian Organisation (NIO). The NIO decided to seek affiliation with the SAIC. The new Organisation at its inaugural meeting opposed the Asiatic Land Tenure and Indian Representation Act and stated that it would "seek the repeal of the Act by all constitutional and legitimate means". At this meeting PR was appointed Honorary Secretary of the NIO.

The NIO also expressed its total opposition to the establishment of the Indian Board to deal with Smuts ... the NIO would send a delegation to meet with Prime Minister Smuts. The NIO ... [was] able to convince Smuts to do away with his plans for the establishment of the Indian Advisory Board. They proposed instead a consultative council consisting of about six or seven members who would advise the government on matters pertaining to the Indian community.

By 1948 the conservative wing headed by A.I. Kajee and PR Pather had lost much of their influence in the SAIC.

In March 1948 they called a South African Conference which consisted of the NIO, the newly formed Transvaal Indian Organisation (TIO) and the still conventionalist Cape Indian Congress.

The Conference decided to send a delegation to India, a move that was completely rejected by the Indian government as well as the Indian congresses.

Smuts whose common goal was the resumption of relations between India and South Africa however supported the conference.

The South African Congress was never really taken seriously as a fully-fledged political Organisation and even the Indian government just regarded it as a breakaway clique.

In September 1948 the NIO, TIO and CIC established the South African Indian Organisation (SAIO) and at precisely the same time the government confiscated the passports of Dr. Naicker and Dr. Dadoo who were due to leave to Paris. In a surprising though revealing move the
government also confiscated the passports of the conservative leadership of the SAIO.

Until 1948 PR devoted most of his time and energy to the cause that he believed in and despite the uphill struggle he remained with it. His business and his financial position suffered greatly but this did not inhibit his activities. The policy of accommodation and appeasement favoured by PR and his colleagues was undermined completely by the strong anti-Indian attitudes of Malan and his Government.

1947

The Passive resistance campaign began to wane in 1947, but NIC resolved at its May-June 1947 conference to continue the campaign.

According to Maniben Sita, who had organised the Pretoria Women Passive Resisters in September 1946, “Although it continued well into the next year, the number of new volunteers began to dwindle. To infuse new energy into the campaign, the Congresses called for people to volunteer a second time. Maniben's father, Nana Sita, and her brothers volunteered again. Of the women, only Maniben, Amina and Thanga went a second time." (Stories from the Asiatic Bazaar).

(Bagwandeen, 172)

At its emergency conference on November 30, the NIC urged delegates to go door-to-door to appeal for funds and volunteers and to get the trade unions more involved.

1948

9 January, the Joint Council [of the Passive Resistance Campaign] decided to adopt Gandhi's strategy of crossing the provincial border without permits.
When no arrests were made they threatened to move into the Orange Free State. [Indians were not allowed in the OFS]

10 February, they were arrested, received a suspended sentence of one month’s imprisonment in the Johannesburg Magistrate’s Court and were sent back to Newcastle.

10 February Dr Dadoo and Dr Naicker were charged in the Durban Magistrate’s Court with aiding and abetting the resisters. They were each sentenced to six months imprisonment

12 February Fifteen, of the twenty-five who had crossed the Natal-Transvaal border and were arrested on 10 February, crossed the border again. They were arrested.
18 February, they were sentenced to three month’s hard labour plus one month’s suspended sentence.

June 1948

The Nationalist Government came into power and the campaign was suspended.

An important outcome of the Indian Passive resistance campaign ...was the closer political co-operation with African and Coloured people. The African National Congress, The African People’s Organisation representing the Coloured community, the Non-European Unity movement, the SAIC were all beginning to recognise that theirs was a common struggle.

In March 1947, the “Doctors’ Pact,” a “Joint Declaration of Co-operation,” was signed by Dr Naicker of the NIC, Dr Dadoo of the TIC and Dr Xuma of the ANC.
When the Nationalist Party, the new government after the 1948 elections, began introducing discriminatory legislation, the new alliance embarked on a Defiance of Unjust Laws Campaign (the Defiance Campaign).

[What is presented here is an overview of events. For detailed information please consult:] 

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