

SOUTH AFRICA

defies

UNITED NATIONS

what next?

Published by:

SORABJEE RUSTOMJEE, ASHWIN CHOUDREE and A. I. MEER
Delegates of the Passive Resistance Council of South Africa

Hotel Commodore

Suite 1216

42nd St., at Lexington Ave.

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Headquarters: SOUTH AFRICA:
2 Saville Street, Durban, Natal,
Union of South Africa.

Temporary Office: NEW YORK,
Suite 1216, Hotel Commodore,
New York 17, N. Y.

Introduction

At the 1946 session of the United Nations Assembly, the Government of India submitted a complaint regarding the treatment of Indians settled in the Union of South Africa. After a full and prolonged debate the Assembly by a two-thirds majority passed the following resolution:

"The General Assembly having taken note of the application made by the Government of India regarding the treatment of Indians in the Union of South Africa, and having considered the matter:

"Firstly, states that because of that treatment friendly relations between two member States have been impaired, and *unless a satisfactory settlement is reached these relations are likely to be further impaired:*

"Secondly, is of the opinion that the *treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter:*

"Thirdly, therefore requests *the two Governments to report at the next session of the General Assembly the measures adopted to this effect.*"

Though a whole year has elapsed since the passage of the above resolution the South African Government has failed to implement the United Nations decision in spite of requests from the Government of India.

THE REASON WHY

Why has South Africa flouted this decision? Let South Africa's Prime Minister himself answer the question. Field Marshal Smuts, chief spokesman of the South African government at the last session of United Nations made the following pronouncement a few days after his return from the Assembly's debate. Addressing a women's meeting of the United Party in Pretoria and referring to the debate of the United Nations Assembly where the above resolution was passed, Field Marshal Smuts said: "This meeting of the United Nations was a Parliament of man, of nations, in which the representa-

tives of the coloured races outnumbered the White representatives. At UN there was one idea that dominated the viewpoints of the great majority there — the idea of equality. The point of view of human equality — of the equality of individuals and of races — is not a viewpoint that has existed long. We were brought up differently, not only in South Africa but over the whole world. Even a generation ago you did not see much about that word “equality” and it is doubtful still whether there is equality in the world or whether there can be equality: equal conditions in every respect.”

Here, in a nutshell we have the real reasons from the highest authority as to why South Africa has defied the United Nations. The legal quibbles that will be raised when the debate begins will merely be an attempt to side-track the real issue.

COLOUR OPPRESSION CONTINUES

In the meantime colour oppression continues in South Africa and if anything it has been greatly intensified since United Nations’ decision of last year.

SOME FACTS:

According to the latest census figures of 1946 the population of the Union of South Africa is as follows:

| | |
|--|-----------|
| Africans (Natives) | 7,725,809 |
| Coloureds (of mixed parentage) largely | |
| Euro-Africans | 905,050 |
| Europeans | 2,335,460 |
| Asiatics | 282,539 |

It will be seen from the above figures that Asiatics, the majority of whom are Indians, constitute the smallest minority. More than eighty percent of the Indians in South Africa were born in that country and the fact was accepted by both the Indian and the Union Government at the last session of United Nations that the Indians of South Africa were nationals of that country. In spite of this fact they do not enjoy the rights of citizenship and are discriminated against in the economic, political, educational and social life of the country.

Though discrimination in the above sphere operates against all those who are not of purely European descent, we shall here confine

ourselves to discrimination as practiced against Indian nationals solely on the grounds that their ancestors came to South Africa from the continent of Asia.

DEFINITION OF ASIATIC

According to the laws of South Africa "Asiatic" means any Turk and any member of a race or tribe whose national home is in Asia, other than a member of the Jewish or the Syrian race or a person belonging to the class known as the Cape Malays. In all the discriminatory laws on the statute books of South Africa, when the term "Asiatic" is used, it includes Turks, Arabs, Egyptians, Chinese, Indians, Japanese, etc.

COLOUR DISCRIMINATION IN PRACTISE

We shall describe below as briefly as possible how the colour laws of South Africa operate against the class of persons referred to as Asiatics in the various Acts of the South African Parliament.

NO FRANCHISE RIGHTS

With the exception of the Cape Province where the very small Indian population of 16,901 enjoy a limited form of franchise, Indians and other Asiatics numbering 265,624 permanently resident in the provinces of Natal and Transvaal and accepted as Nationals of South Africa are not registered on the voters roll and have absolutely no say or representation of any sort whatsoever either in the local, provincial or central governments of the country.

NO FREEDOM OF MOVEMENT

Indian nationals of South Africa are denied freedom of movement. The Immigrants Regulation Act of 1913 prohibits their moving from one province to another thus retarding their social and economic progress. An Indian unemployed in one province may not enter another even though employment may be waiting for him there. There is no such restriction on Europeans.

RESTRICTION ON EMPLOYMENT

With the exception of Indian teachers employed in schools intended exclusively for Indians, at salaries far below that paid to European teachers possessing the same qualifications — Indian interpreters in the courts and a few lower paid police constables, the civil service is entirely closed to Indians. The color bar law of 1925 has closed the doors to the Indian in all skilled trades.

In his "*Indian Life and Labour*" Professor H. R. Burrows of the Research Department of the Natal University College states —

"The Indian is excluded very largely from the skilled trades, he is not always admitted to the membership and the protection of trade unions, he is prevented from undercutting European labour by fixed wage rates, and he nearly always lacks the minimum educational background or the educational qualifications which are necessary for apprenticeship training."

The result of all these restrictions has been to force Indians to accept the lowest paid jobs. In Natal where 80 percent of the total Indian population lives, the largest section of unemployed are to be found amongst Indians.

UNEMPLOYED COMMIT SUICIDE

In September 1945 an Indian committed suicide by throwing himself into the Durban Bay. In its issue of the 7th September 1945, Durban's leading evening paper "The Natal Daily News" published the following letter over the signature of a European lady, Mrs. S. Greave. The letter said:

"The story in the Daily News on Tuesday headed "Apologized because he was committing suicide may have struck some readers as funny at first, but that Indian's appeal that he was lonely,, that he could not find suitable employment, that all the "vacancies" advertisements were for Europeans and not for his kind, must have struck a very sad note in the hearts of some others, as it did in mine.

"To think that in our prosperous city there are souls who are so poor, so lonely that they think there is nothing to live for.

Is this the "New World" for which men of all races have been fighting for?"

DISCRIMINATION IN TRADE

In terms of the licensing laws of the country licensing officers and Licensing Boards have the absolute discretion to grant or refuse trading licenses with the result that only a restricted number of trading licenses are issued to Indians and even these are confined to inferior localities. No Indian is permitted to acquire a bar, a bottle store or an ammunition dealers license.

Col. Molyneuse, a licensing officer for Durban in giving evidence before the Lange Commission in 1921 said:

"I use my discretion as to whether an Asiatic should trade in any particular street or area. It is very seldom, comparatively, that a European license is refused. A European license is granted almost as a matter of course; whereas the Indian license is refused as a matter of course." And this policy persists up to the present day, with the result that avenues for trade and commerce are very limited.

AGRICULTURE

It should be noted that the presence of the Indian population in South Africa is the result of negotiations between the India Government and the then Natal Government during the period of 1855-60. The Natal Government begged and beseeched the Indian Government for a supply of labour to develop the agricultural resources of Natal. Natal's sugar industry has been built by Indian labour and the colony which was a swampy jungle has been turned into a vast cultivated field by the labor and industry of the early Indian immigrants. Sir Liege Hulett, Ex-Prime Minister of Natal stated in July 1903 that:

"The condition of the colony before the importation of Indian labour was one of gloom, it was one that then and there threatened to extinguish the vitality of the country, and it was only by the Government assisting the importation of labour that the country began at once to revive.

The coast had been turned into one of the most prosperous parts of South Africa. They could not find in the whole of the Cape and in the Transvaal what could be found on the coast of Natal — 10,000 acres of land in one crop — and that was entirely due to the importation of Indians. . . . Durban was absolutely built up by the Indian population."

The position today is that Indians cannot acquire Crown lands for agricultural purposes. They have been prevented from doing so

since 1912 though a government commission reported in 1921 that Indians have a marked aptitude for cultivating land in coastal districts where they have been primarily engaged in growing sugar cane, mealies, tobacco, vegetables, bananas, pineapples, pawpaws, and other fruit.

Though it is common knowledge that the producers of vegetables for Durban's 369,334 citizens are mainly Indians, no encouragement whatsoever is given by the government to these market gardeners.

According to the Van Eck Commissions report on the fundamental economic policy the total expenditure of the Union Government as at 31st March 1940, amounted to £441,500,000. Of this £15,900,000 was non-recoverable debt of expenditure made on lands, agriculture and irrigation for the benefit of European Farmers. In addition a sum of £10,700,000 was given to European farmers for their special relief and a further sum of £10,100,000 was advanced to them.

No such benefits are available to Indians. In addition Indians are not admitted to agricultural schools or colleges which cater for "Europeans only", to quote from Professor Burrows *"Indian Life and Labour in Natal"*.

"These market gardens are still an important part of the economic life of Natal. A visit to the Durban Indian Squatters market would confirm this fact, and it would seem this Indian market is the principal source of Durban's vegetables.

"The typical Indian market family of today cultivates a small plot of low-lying alluvial ground on an intensive but primitive basis, and on a monthly or yearly lease with no security of tenure. Insecurity is increased by the encroaching industrial urban areas. Largely illiterate and with a low standard of living, such a family lives congested in a poor sort of temporary shanty without adequate water supply, lighting, or sanitation — a favourable breeding-ground for diseases such as dysentery."

RESTRICTIONS ON LAND OWNING

The Asiatic Land Tenure Act of 1946 commonly known to Indians as the Ghetto Act relegates the bulk of the Indian population which is resident in Natal and the Transvaal to very limited inferior areas which in course of time will become Ghettoes, breeding grounds of disease and squalor where the majority of the population will fall prey to rack-renting landlords who will be able to charge exorbitant rents owing to the limited space. Though this savage law has been in operation for only fifteen months values of properties in the Ghetto

areas have already increased considerably in comparison with areas which have been prohibited to Indian occupation. This has in turn resulted in increased rents for those who are least able to afford it.

If an Indian had acquired a home outside the restricted area prior to the passage of the Act and if he was not living there when the Act was passed he will not be permitted to reside in his own home under the terms of the new Ghetto Act. He must hire it to a European.

It is provided in this Act that mortgage bonds falling due on properties previously acquired by Indians outside the Ghetto areas will not be renewed unless reduced to fifty percent of the valuation of the property concerned. This clause is meant to force Indians to sell their properties in these areas to Europeans. Many such bonds are now falling due and the Building Societies and other lending houses are forced to comply with this Act, and many Indian owners face foreclosure of bonds on their properties.

Severe penalties for the infringement of this Act have been laid down. They are, a fine not exceeding one hundred pounds, or imprisonment not exceeding one year, or both. The Court may also issue an order for the forcible ejection of persons convicted. There is also provision for the possibility of a continuing fine of £5 per day, which may be additional to the penalty aforementioned.

Indians in the Transvaal have been subjected to similar laws for many years and there virtual Ghettoes called Asiatic Bazaars or locations already exist. The law is now being made uniform for Natal and Transvaal.

EDUCATION

There is complete segregation of Indian school children. They are prohibited by law from attending government schools which are to be found in every town and village but which are meant for "Europeans only". They may only attend separate Indian schools where these are in existence. Where no such segregated schools exist they must go without education.

In the Province of Natal where the majority of Indians are confined, while education for European children is free and compulsory between the ages 7 to 15 and up to standard VI, and free up to matriculation or high school standard, for Indian children it is not compulsory and free only up to standard III. While European children are supplied with free books by the Government up to

standard VI, Indian children, the majority of whose parents are least able to afford it, are compelled to pay for all school books.

While there are 155 government schools and 36 government aided schools in Natal catering exclusively for European children there are only 21 government schools and 116 government aided schools catering for Indian School children and this in spite of the fact that the population of Europeans and Indians is almost equal in the province.

The major portion of the 116 government aided schools referred to above have been built by money provided by members of the Indian community by means of voluntary contributions. Others have been provided by missionary societies.

Though there is no differentiation in taxation the amount of provincial expenditure on Indian education in Natal according to the 1944-45 figures is — Europeans £1,000,965; Indians £309,692. The respective population figures are Europeans 232,923; Indians 228,119.

The per capita expenditure for 1944-45 was — Government Schools for Europeans £33.11.1; Government Schools for Indians £15.1.2. The Central Government per capita subsidy for the same period was Europeans £16.7.6; Indians £5.5.0.

The result of the neglect and inadequacy in educational facilities pointed out above has been that today the percentage of illiteracy amongst Indians is between 75 to 80 percent and there are approximately 25,000 Indian children who have no schools to go to.

Unlike European children, Indian children in Natal obtain no boarding grants at hostels or transport grants to enable them to travel long distances to school. In any case there are no school hostels for them.

TECHNICAL EDUCATION

Though there are technical colleges all over the country these are for Europeans only:

“This deficiency serves to reinforce the various factors which tend to restrict employment opportunities for Indian youths. The lack of classes providing the necessary theoretical training prevents the apprenticeship of Indians even in those trades in which the other requirements (in particular a willing employer with recognized facilities in his workshop) are present. It is this reason which accounts largely for the small number (or even absence) of

apprentices in the building and printing industry, in the motor industry, and to a lesser extent in the furniture industry."

(Professor H. R. Burrows, Research Department, Natal University College in his "Indian Life and Labour in Natal".)

An Indian Technical Education Committee was formed in Durban in 1930, but because of lack of building and other facilities certain commercial and continuation classes only are conducted. In 1942 an Indian, Mr. M. L. Sultan, offered the sum of £17,500 pounds towards the building of a Technical College and the Committee applied to the Durban City Council for a site, and to the Government for a £ to £ building grant.

"The Indians asked for a piece of derelict land below the Botanic Gardens. At first the Town Council passed a resolution allotting this land for the purpose, but the inevitable European opposition arose, and in 1943 the Town Council rescinded the resolution and offered another site. But difficulties arose again, as the new site was contingent on a place being found for the Indian sports-ground which had hitherto occupied this area. Negotiations went on during 1944. In 1945 the Town Council offered another piece of ground in Argyle Road. But this site was quite unsuitable; it is stated that it is too far from the centre of the town and transport is not available. It consists of marshy ground reclaimed by the deposit of rubbish and could not support the foundation of a large building. The offer was therefore refused. At the time of writing, negotiations are still proceeding and there seems some faint hope that after three years of delay the money so generously donated may at last be used for the building which is urgently needed for the uplift of the Indians which South Africa promised in the Cape Town Agreement." (Dr. Mabel Palmer Lecturer in Economics at Natal, Technical College and Natal University College in *Natal's Indian Problem*, published in 1946.) The building has not yet been erected.

Writing in the Natal Daily News of July 17, 1947 Mr. Paul C. Sykes, a European friend and social worker amongst Indians wrote:

"Despite criticism of the lack of social conscience among Indian people, no charge can be levelled against them in so far as meeting the educational needs of their own people. A charge can, however, be sustained against the European for deliberate frustration of these legitimate needs.

"For six years now the money has been available for a Technical College. A unanimous resolution of the City Council approving the erection of this urgently needed project was passed in 1942. Difficulty arose over the site. A Cabinet Minister intervened and had, we thought clinched the matter. The net result has been exactly nil.

“As an example of the ineptitude of one special brand of Democracy, this whole sorry business is one that can justifiably be used by South Africa’s critics.

“With a great blowing of trumpet a non-European university scheme has been announced. Before launching out on this new undertaking, would not our *bona fides* be met with a little more credence if we were first to honour our five-year-old obligation regarding the Technical College?

“Facts like these give the lie to the glowing picture painted by the City Council and Ratepayer’s Association in pamphlets presented to UN on the Indian in Natal.”

EUROPEANS PREVENT INDIANS BUILDING A SCHOOL

Following is another example of how the authorities succumb to European prejudices and intolerance in preventing the educational advance of the Indian community even when this is attempted by their own voluntary efforts.

“The Mohammedan community was anxious to establish for its sons (but also for children of other sections) a high class boarding school (an Indian Michael House or Eton). A suitable piece of land on the Bluff had been held by Indians for many years, but when the ceremony of laying the foundation (by one of the Ministers of the Union Government) was announced the local Europeans raised the usual storm of protest against the Indians using their own property as they thought fit. With great self-restraint the Indian promoters postponed the project and offered to exchange the Bluff land for some other suitable site. But the question became tied up with the Technical College site and no settlement was arrived at. After two years of delay, the organizers of the school stated their intention of proceeding with the erection of buildings on the Bluff site which was their property. A threat was uttered that Europeans would pull down the building as it was erected, and the Town Council *refused permission to build* by use of what would appear to be a very strained interpretation of a bye-law” — (Dr. Mabel Palmer, MA (Glasgow) Lecturer in Economics, Natal University College in her “*Natal’s Indian Problem*”.)

UNIVERSITY EDUCATION

Though there are about a dozen University Colleges scattered all over South Africa only three of them, namely, the University of the

Witwatersrand, the University of Cape Town and the Native College at Fort Hare accept a limited number of Indian students. The rest have resolutely refused to open their doors to Indians.

As a very "generous gesture" the Natal University College has conducted part time classes for non-Europeans in segregated buildings away from the College proper since 1936.

The courses offered are very limited and lead up to the BA degree. These students are provided with inadequate facilities. There is no provision for laboratory work and there is no college life in the full sense of the word. Even at the two European Universities where a limited number of Indian students are accepted their position is far from satisfactory. In spite of the fact that they pay the same fees as European students, they are discriminated against in various ways and are denied a full college life. Non-European students at these institutions are prevented from taking part in sporting and social activities. Non-European medical students are not permitted to perform post mortem on a European body and are forced to leave the Post Mortem room when a white body is brought in, even if they be in the middle of a Post Mortem on a non-European body. This practice results in non-European students being prevented from gaining valuable knowledge and will act as a handicap to them in their profession. In spite of vigorous protests from fellow European students and professors in the faculty this practice is persisted in to appease the racialists.

The "liberal spirit" of Witwatersrand University was commented upon by "Die Transvaaler", a Nationalist Party newspaper recently. Referring to a request by the European students that non-European medical students should be allowed to examine European corpses in their studies the paper wrote:

"No attention must be paid to the request of the students which can only serve to make the colour question worse. The European demands apartheid (segregation) in life: he cannot allow his dead to be treated differently."

The fact therefore remains that though there are adequate facilities within the country for such professional training as medicine, law, engineering, architecture, accounting and surveying, for Indians these must still be obtained outside the Union with an obvious restriction of the numbers that can train overseas.

Since the state policy is not to offer employment to non-European Engineers, architects, accountants, surveyors or electricians, the professions to which Indians are restricted are medicine and Law.

DISCRIMINATION IN HOSPITALS

Segregation is practiced in hospitals as well and there are no adequate facilities for Indians. In the only non-European hospital in Durban the number of beds available for the cities 128,000 Indians is only 150. In a large number of towns all over the country Indians have built wards or wings in hospitals with their own money to make some sort of provision for members of their community.

DISCRIMINATION IN TRANSPORT

There is complete segregation in the country's transport system, which caters for the most part for Europeans only. In trains only one coach is set aside for use by the eight million non-Europeans while the two million Europeans have the rest of the train reserved for their exclusive use. In the city of Durban non-Europeans are permitted to occupy only six rear seats on the top deck of buses, when these are *not occupied by Europeans*. The rest of the top deck and the whole of the lower deck is, as the painted signs on the buses point out —

"Reserved exclusively for persons of European descent".

On some routes non-Europeans are not permitted to use any portion of the bus at all. And this injustice becomes more glaring when it is realized that these buses are operated by the Municipality which collects taxes from Indians on the same basis as Europeans.

Trains and bus shelters provided at bus stops are also for European use. Sometimes, a bench is placed *outside* a shelter exposed to rain and sun which is meant for non-Europeans.

STATIONS:

At railway stations non-Europeans may not purchase their tickets except from separate windows set aside for them. They are debarred from entering all refreshment rooms on large or small railway stations. Nor may they enter the waiting rooms provided for passengers. For them is set aside usually a delapidated old corrugated iron shed away from the waiting room without any heating or washing facilities.

The government is proposing to build a new two million pound station for the City of Durban. The plans that have been published show that there will be separate stations for Europeans, natives and

Indians. There will also be separate foot-bridges for Europeans and non-Europeans. As usual the best facilities will be for the sole and exclusive use of "Europeans Only." The money to be utilized will, of course, be from revenue derived from all.

HOUSING AND CIVIC AMENITIES

"It is evident" says Prof. H. R. Burrows "that the Indian Housing problem in Natal, especially in the larger urban centres, is complicated in the same way as are most socio-economic problems in South Africa by the factor of race-prejudice."

The Thornton Commission appointed by the government in 1927 to enquire into Housing said in its report, referring to housing conditions in the City of Durban:

"Whereas the Council has done a great deal for the better housing of Europeans in its area, little or nothing in this respect has been done for the Indian population other than those actually in municipal employment."

No municipal land is sold to Europeans without first providing civic amenities. Adequate transport facilities, macadamised roads, water and electric lights are provided in all such areas whereas areas in which Indians have resided for years are neglected in all these respects.

A government appointed Commission presided over by Justice Broome in 1940 and called the first Broome Commission says in its reports:

"In the course of our tours of inspection in various parts of the city (Durban) we visited some predominantly Indian areas in which the standard of civic amenities was deplorably low, and we can well understand that the inhabitants of those areas would go elsewhere if they could."

Dr. Mabel Palmer, M.A. (Glasgow), Lecturer in Economics, Natal University College referring to Indian housing conditions in her booklet "*Natal's Indian Problem*" says:

"The European inhabitants of Durban having votes, can insist on the Town Council supplying them with good roads, drainage, electric light, water supply, playing grounds, libraries, various kinds of amusements and amenities on the beach. The Indians, though paying rates on the same basis, are either wholly debarred from these or are provided for sparingly and reluctantly. Improved housing in particular is imperatively needed immediately. There are Indian slum

areas in Durban which are a disgrace (one of the worst, The Magazine Barracks, is owned by the Durban Corporation)".

Predominantly Indian areas like Cato Manor, Clairwood, Sea Cow Lake, Merebank, etc. have no foot-paths, drainage, proper street lighting or sewerage. Open drains breed mosquitoes and this condition is found in almost all areas where Indians live. But if the housing conditions are bad in Natal for its 228,119 Indians, the conditions in the Transvaal province with its small Indian population of 37,505 are worse still.

The Ghetto Act has been applied to Natal only since June 1946 but in the Transvaal the Gold Law of 1885 has placed a ban on land ownership by Indians. Under this Act in most towns of the Transvaal Indian "Locations" (Ghettoes) have been created to which the small Indian minority has been confined. They have no choice but to live here in slums of the worst type amidst filth, squalor and disease.

GENERAL CONDITIONS

The operation of the various colour bar laws and the many restrictions placed on their movement, employment and trade etc. has reduced the majority of Indians to a state of poverty. The figures of a survey made by the Department of Economics of the Natal University College are very revealing.

The poverty datum line of the Indian is the highest being at 70.6, for the European it is 5.2, for coloured 38.2 and the African 24.8.

The average wage earned by non-Europeans is £51 per annum as against £219 for Europeans.

The number of Indians employed in Industry has been reduced from 5% in 1925/6 to 4% in 1938.

The causes to the above are to be found in the various discriminatory laws affecting the economic life of the small Indian minority and in particular the law restricting their freedom of movement within the Union of South Africa.

Of the total population of 282,539 Indians in South Africa, 228,119 are *forced* to live in the Province of Natal which is the smallest of the four provinces constituting the Union of South Africa and has an area of 35,284 square miles.

In the Cape Province with an area in square miles of 260,615 there are only 16,901 Indians. Transvaal with an area of 110,450 square miles has an Indian population of 37,505, while the province called the Orange Free State with an area of 49,647 has a total Indian population of 14, mainly waiters.

The Immigration Law of South Africa prohibits the movement of Indians from one province to another. This law applies to all persons defined as Asiatics.

SOME EXAMPLES OF RACIAL DISCRIMINATION

Indians are not permitted to use Libraries provided from public funds by Municipalities.

* * *

In Municipal and Government Departments separate counters are provided where non-Europeans may be served.

* * *

In many public and private buildings they are not permitted to use the elevators.

* * *

The Durban beach has been divided into three sections, European, Indian and African, the Europeans having the best and largest portion reserved for themselves.

* * *

In public parks Indians may not sit on benches which are marked "Europeans Only".

* * *

Swings and other means of entertainment provided for children in parks and on beaches are for use of European children only.

* * *

Even in law courts where justice is dispensed, the public galleries are separately divided for Europeans and non-Europeans.

* * *

Recently in Durban a law has been passed creating separate zones in the Durban Bay for European and non-European anglers.

HITLER'S DISCIPLES

The following are just a few examples of how the Hitlerite doctrine of race-superiority is actually practiced in the daily life of one of the member states of the United Nations. We publish them without comment.

* * *

In the month of December 1945 a Durban Magistrate, Mr. F. Drieselmann, fined an African worker the sum of £10 (approximating

to his two months wages) for the sole offence of occupying a "European" seat in a bus and for refusing to move when told to.

The magistrate's explanation to the African for the heavy fine was:

"You have been in this city long enough to know that you have no right to sit on a "European" seat. You think that you are equal to Europeans. Europeans have centuries of civilization behind them, while the only civilization you know is what they have taught you."

* * *

"HYSTERICAL RACIALISM"

The European owned Sunday Express of Johannesburg, wrote in its issue of June 15, 1947 as follows:

"Two European eye-witnesses of an attack on a native outside the Johannesburg City Hall yesterday called at the Sunday Express office late last night to protest against what they termed "an exhibition of hysterical racialism."

Here is the story as told to the Sunday Express.

"We were walking along by the City Hall when we saw a European beating up an old native. It was an incredible exhibition of savagery and the Native was badly injured.

"The trouble was caused by the Native bumping into the European who, despite an apology, began to beat the Native. One of us tried to cause a diversion while the other ran for the police, and although there were about 300 people present, no one attempted to stop the attack.

Our reason for coming here is to protest against the complacency of the public in an affair of this nature.

One man we spoke to said he enjoyed the sight and that the native should have been strung on the nearest tree. His woman companion echoed his words, saying it was "good fun".

As soon as the police arrived the crowd dispersed, while the Native was left lying on the City Hall steps moaning, "it's not fair; it's not fair."

* * *

The following is taken from the English owned daily of Durban, the "Natal Mercury", from its issue of June 16, 1947:

"While a number of people stood and watched, an Indian was assaulted by six young Europeans in a busy Durban street on Saturday night. A European who called on them to stop was later also attacked.

The incident occurred about 9:45 P.M. when most of the cinema audiences were coming out for the interval. A European leaving a tea-room saw the Indian, with his hands over his head, attempting to get away from the six men. These men were hitting him and kicking him as he fell.

When the new arrival intervened the Indian got to his feet and ran away. The European was then accosted and struck from behind. As he attempted to rise he was struck again and stunned. The six men then left. At this time there were still a number of people about, but none of them offered any assistance to either victim.

* * *

KILLED BECAUSE "TOO WELL DRESSED"

The following is reproduced from a Johannesburg daily, the "Rand Daily Mail" of August 14, 1947:

"Because he wore gloves and was "too well dressed" a native head-waiter was beaten to death by two unidentified Europeans while he was waiting at a tram stop in Parktown on his evening-out last week. He died in hospital."

The following is taken from another English owned daily of Johannesburg, the "STAR", of August 15, 1947:

"The Mayor of Johannesburg has convened a private meeting of impartial individuals to discuss the growing racial friction between Europeans and non-Europeans. Assaults on Natives often unprovoked or for the flimsiest reasons, by certain types of European men in the City and suburbs, on railway platforms and sometimes in trains are damaging race relations and doing harm to the Union.

"One woman states that she saw a European man hitting a Native in the street without any apparent cause. She tried to stop him by catching his arm but he shook her off.

"An unpleasant incident was reported to the STAR in a letter from a reader. A blind Cape coloured musician with one of his fellow bandsmen went to the railway station to catch a train. It pulled in just as they got on the platform and they only just managed to get into a compartment which happened to be reserved for Europeans. The companion of the blind man apologized to the occupants and asked to be allowed to walk through. One of the Europeans, he stated, hit him and when he explained that his companion was blind, the European retorted "he is not blind" and pushed him.

"Another case is reported concerning a native who was walking along the platform at a station and who glanced into a compartment. A European man in it is alleged to have got up and struck the Native.

"During six months of the year, police investigated seven complaints of assaults by Europeans on Natives, but only one conviction resulted. In that case a man was tried by a magistrate and fined £3 or 14 days. He was a railway worker at Kazerne goods Yard.

"Since three or four months ago there were few cases in the northern suburbs of Europeans in cars stopping to strike passing Natives with their fists and with sticks. The C.I.D. investigated this and kept a look-out in the area."

JUSTICE: BLACK AND WHITE

In an editorial commenting on the disparity between the sentences imposed on blacks and whites in South Africa the "Rand Daily Mail" wrote:

"In Pretoria, two natives were sentenced to *ten* and *five* years' imprisonment, respectively, and ten lashes each, the evidence being that they had stolen a revolver, ammunition and other things from one person, and robbed two others.

"In Kingwilliamstown a farmer's son, eighteen years old was charged with attempted murder and pleaded guilty to common assault. He had fired a rifle intending to scare two natives whom he suspected of trespassing on the farm half a mile away, and hit another native who was walking ahead of them, sending him to a hospital for a month. The judge described the practice of shooting to scare trespassers as reprehensible, imposed a fine of £50 *suspended* and ordered the payment of £30 compensation.

"Last week in Johannesburg three Europeans were convicted of culpable homicide, the magistrate finding that they had kicked a native watchman so severely that he died. The magistrate took a "serious view" of this fatal assault, and sentenced each to four months imprisonment with hard labour, of which *three months* was suspended, which seems to work out at one month each for one life. Two other Europeans who had struck the native with their fists were fined £10 and £20 respectively.

"Some readers may be able to find an element of logic in the relations between these sentences, but we confess it eludes us." concludes the editorial.

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have served terms of imprisonment ranging from one to six months, with hard labour. Those who served their sentences include medical men, ministers of religion, university students, business men and workers. Though they protested against colour discrimination in a peaceful manner by occupying a piece of vacant land prohibited for Indian occupation in terms of the Ghetto Act, they have been flung into South Africa's cruel and primitive prisons where they have been treated in the most barbaric manner.

DISCRIMINATION IN JAILS

If there is discrimination outside jails there is even worse discrimination inside jails. Compare the following:—

For European criminals, Murderers, etc.

For Indian Passive Resisters

CLOTHING

Shirt, long drawers, coat, hat, shoes and socks

Shirt, shorts, jersey cap, shoes and socks

CELL ACCOMMODATION

One person to a cell measuring about 10 ft. x 7 ft. A rope mat, mattress, iron bed, two blankets, quilts, bed sheet and pillow. A stool for sitting. A locker for toothpaste, extra sugar, tobacco, etc. A face towel. A latrine bucket and a pail of drinking water.

Seven persons to a cell measuring 10 ft. x 7 ft. A rope mat and two blankets per person. No stool. No locker. One latrine bucket for all 7 persons in the cell. A pail of drinking water.

BREAKFAST

Sugared porridge, 2 oz. bread, hot water for making coffee which prisoners permitted to purchase. (Prisoner is allowed to purchase 5/ worth necessities per month from outside. Smoking and recreation period (Tobacco provided for those who could not purchase their own.)

One bowl unsugared porridge.
No recreation period.
No tobacco.

WORK

Prisoners do not leave prison to work outside. Work as painters, carpenters, cleaners or sewing of mail bags.

Work inside and outside prison. Work in gardens, break stones, tailor shops, blacksmiths, carpenters, painters, powder bones.

LUNCH

Bowl of Soup (with meat on alternate days), one bowl vegetables, one thick slice bread. Hot water. Smoke, talk, exercise.

Bowl mealies (corn) with four table-spoons beans. One potatoe, carrot, or cabbage leaf. No recreation facilities.

RELAXATION PERIOD

4 p.m. to 4:30 p.m.
Smoke, talk, exercise

No facilities

SUPPER

One mug porridge
Three medium slices bread
Hot water

Mealie Meal (corn porridge)
Slice bread

CELL CONFINEMENT

4:45 p.m.-5:30 a.m.
Books on fiction, religion, travel, history and the like. Books changed twice a week.

No such facilities.
No reading and no books

SEARCHES

After each work period the warden passes hands over clothes. He may look through pockets. Prisoners do not strip naked. Only required to strip naked once in ten days.

After each work period (twice a day) prisoners must strip naked, hand clothing, one article at a time, to warden (African) who examines article and throws them to the ground behind him. Prisoner must then open his mouth and push out his tongue, stretch out his fingers, then he must raise his hands above his head, jump with feet astride, turn his back to warden and reveal his naked anus to the warden who glances to see that nothing is concealed there. The prisoner then picks up his clothing and runs into the neighboring yard to dress.

LATRINES

In labour yard:
The latrine is provided with a half door and has a certain amount of privacy.

The latrine has no door and affords no privacy. In the court-yard there are rows of open latrines on two sides and prisoners are made to eat two of their three meals in this yard surrounded by nauseating smell from the latrines. Sometimes prisoners are required to eat their meals here in full view of another prisoner who may be relieving himself.

THE NAZI PARALLEL

For those who know the South African Government there is nothing surprising in its attitude in defying the United Nations. The Field Marshal Smuts has been responsible for drafting the Statute to the Charter they never intended to go beyond paying

lip-service to that sacred document. The UN's verdict of last year has only further incensed the colour mad racialists of South Africa. Millions gave their lives and many more millions became homeless in the fight against German Nazism so that the democratic way of life may survive. But the picture of South Africa today is no different to the picture of Hitler's Germany. In addition to what has been already stated by us we shall give below only one or two examples to substantiate this statement and leave the reader to judge for himself.

IN HITLER'S FOOTSTEPS

Since General Smut's return from the United Nations last year when he publicly announced his intention of defying the General Assembly's resolution an intense campaign of hate and slander has been revived against the Indian minority. In addition to all the other forms of persecutions to which Indians have been subjected for the last fifty years, has now been added the weapon of economic boycott of Indian traders. We ask members of the United Nations to consider whether there is any difference between the methods employed by Nazi Germany against Jews and those resorted to by South Africa against Indians.

HOW IT BEGAN—IN NAZI GERMANY

On 29th March 1933 thousands of posters were exhibited in Germany bearing the following official proclamation issued by the Nazi leaders:

"Men and women of Germany: The people responsible for this mad crime, this base agitation by atrocity-mongering and boycott are, the Jews in Germany. They have asked the brethren of their race abroad to fight against the German people. They have spread lies and calumnies. That is why the Reich leadership of the movement for German freedom had decided, in defense against these criminal slanders to place a boycott upon all Jewish shops, department stores, offices, etc. From Sunday, 1st April 1933, 10 A.M. we ask you, German men and women, to fall in with this boycott. Do not go to Jewish lawyers; avoid Jewish physicians, show the Jews that they cannot drag Germany's honour into the mire

HOW FASCISM IS SPREADING IN SOUTH AFRICA

The following is not taken from Hitler's *Mein Kampf*. It is taken from a recent poster calling for the boycott of Indian shops in the town of Pietersburg, Transvaal:—

"Who will rule South Africa? the White Man or the Black Man. Europeans of Pietersburg Rally!

Frustrate the obstinate attempts of the coolies!

White Man—

Your country is in danger! More and more the estates of our fathers are being absorbed by coolies and our sons and daughters are being squeezed out. They break and evade the law—but are not punished. *They are supported by coloured races of the world.* Is this the preliminary to our next life and death struggle?

White Man

Wake Up! The coolies have more

without being punished for it. Whoever does not comply with this demand proves himself thereby on the side of Germany's enemies."

(Substitute the words South Africa for Germany and Indians for Jews and you have a complete picture of what is happening in present day South Africa. The arguments used in support of the boycott of Indian traders are almost identical.)

backbone than we who cleaned this country.

Come, let us protect the honour of our folk against foreign mud-slinging and secure our country for the European civilization. . . .

WHITE MAN

STAND UP FOR THE FIGHT"

Speaking at a boycott meeting a speaker suggested that insurance companies should be approached to refuse insurance of Indian properties against fire. It said that this would force Indians to sell their businesses and clear out.

Many more instances could if necessary, be quoted to show the parallel with Hitlerite Germany. All that is happening in South Africa today is but the inevitable result of the Nazi doctrine of race superiority which is the country's state policy.

SYSTEMATIC EXTERMINATION?

If after reading all the foregoing the reader has still any doubts regarding the treatment of the voteless non-Europeans, let him ponder over the following which describes only one aspect of the conditions to which they have been reduced by continued suppression and exploitation.

"Natives die of tuberculosis in the industrial cities of South Africa at the rate of 1,200 per 100,000 which is the highest death rate from this disease in the whole world. To combat it 30 or 40 hospitals, each with 1,000 beds would be needed. Even in all the devastated areas of Europe there is nothing so great as this South African death rate," Dr. B. A. Dormer, Chief of the Division of Tuberculosis Services, Ministry of Health, told the Natal Chamber of Industries. "What are you going to do about it?" he asked.

In contrast to this he added, the death rate among the Europeans in South Africa from tuberculosis was the lowest in the world — in the region of 32 for every 100,000 each year.

"But" he went on "when you come to the non-European, the Asiatic dies at the rate of 250 per 100,000, the coloured at the rate of 500 per 100,000, and the native in industry at the rate of 800 to 1,200.

Saying that tuberculosis was not a great problem in the rural areas because there the native lived an old pastoral life like his ancestors

and sat a great deal in the sun without clothing, Dr. Dormer pointed out that in towns the factors were quite different. "Here," he said, "they lived in barracks in appallingly overcrowded conditions, where he could pick up tuberculosis from any other Natives sleeping there. He ate a diet that was completely inadequate and worked harder than he had ever been used to working. He had no facilities for recreation, no place to play, nowhere to sit in the sun. . . If the Natives go on dying at the rate they are dying now, industry will be faced with the condition that there will simply be no more labour available.

"If you industrialists would house and feed your Natives properly; if you would give them adequate recreation; if you would see that they did not have to queue up at midnight for transport to start work at 6 A.M. we would not have a tuberculosis problem" concluded Dr. Dormer. (Report published on Friday, September 5, 1947, in the Natal Daily News, a paper closely associated with Smuts United Party which is now in power).

In conclusion we would like it to be noted that because of what has been said before it must not be assumed that all the Europeans in South Africa support the Government's policy with regard to the treatment of non-Europeans. Though in a minority, a body of progressive liberal opinion does exist amongst the Europeans of South Africa.

Since the commencement of the Passive Resistance struggle against the Ghetto Act, this body of progressive opinion has crystallized itself by the formation of such bodies as the Council for Human Rights in Durban and the Council for Asiatic Rights in Johannesburg, the membership of both these bodies consist of professionals, clergymen, university lecturers and businessmen etc. from amongst progressive European opinion. They have pledged their wholehearted support in our fight for democratic rights and some of the members of these organizations have even been imprisoned as Passive Resisters in protesting against the Ghetto Act. To mention just a few, The Reverend Michael Scott, The Reverend Satchell and Miss Mary Barr have all served jail sentences in the present struggle. In addition members of the African and coloured communities have also offered similar sacrifices in our struggle for democratic rights.

In conclusion we cannot help but quote once more from the pamphlet *NATAL'S INDIAN PROBLEM* written by Dr. Mabel Palmer, Lecturer in Economics at Natal University College, and herself an active member of the Council for Human Rights. Referring to the treatment of Indians in Natal and answering the question "Is Natal's attitude Christian or Statesman like?" She replies:

"We need waste no time in discussing whether the Europeans of

Natal are in this matter behaving as Christians. They obviously are not; whatever else the Indians may or may not be, in Natal they are neighbors of the Europeans. How far the latter are from loving these neighbors as themselves, the reader of this pamphlet must judge. The churches, it is fair to say, do protest from time to time, but their protests have little or no effect on their members in their every day treatment of Indians. Many of the schools for Indians and some of the hospitals are provided with the help of the churches, but these charitable activities do very little to alter the prevalent attitude that the Indian is an inferior and must be kept in his place.

It cannot be denied that the attitude of the European of Natal has been throughout conspicuously lacking in the usual British attributes of fair play, compromise, adherence to the pledged word and that loyalty, to the Empire on which Natal prides herself. . . .”

THE QUESTION BEFORE UN

South Africa has very definitely defied the United Nations by refusing to implement the decision arrived at by a two-thirds majority last year. The primary question that the United Nations is faced with at this session is: what steps must now be taken in order to insure, first, that the authority of the United Nations is upheld, and second, that discrimination against racial groups in South Africa is ended.

This question becomes of paramount importance, especially in view of occurrences in many parts of the world since the last meeting of the Assembly, and the way non-white races of the world have been led to believe that exploitation and oppression — political, legal and economic — to which they have been subjected by the imperialistic powers, could be eradicated by the timely intervention of United Nations. This belief has been the basis on which a peaceful realization of the fundamental human freedoms, they thought, would have been possible, but so far the apparent inability of United Nations to enforce its Charter is giving rise in many parts of the world, no less than in South Africa, to serious doubts as to whether the United Nations really can insure world peace and bring about freedom for all.

If faith is to be restored in the United Nations, then those member states which now comprise it, are faced with an onerous responsibility. They will have to be firm with signatories to the Charter, who persist in maintaining and upholding, under a different guise, practices sometimes sanctioned by law, reminiscent of the Nazi and Fascist states when they were rampant.

Briefly, this is the situation we believe now faces the United Nations.

The oppressed peoples of the world are watching with expectancy the outcome of the UN's deliberations on this problem. To them it means all that hope and faith in future mean. It is fervently hoped that the United Nations will live up to its high ideals and take the proper decision for the vindication of human rights and fundamental freedoms which are so nobly consecrated in the Charter of the United Nations.