



Global Nonviolent Action Database

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South Africans disobey apartheid laws (Defiance of Unjust Laws Campaign), 1952-1953

June 26,

1952

to: February

1953

Country: South Africa

Goals:

The abolition of the Pass Laws, Population Registration Act, Suppression of Communism Act, Group Areas Act, Bantu Authorities Act, and Separate Representation of (Coloured) Voters Act.

Methods

Methods in 1st segment:

- 047. Assemblies of protest or support
- 141. Civil disobedience of "illegitimate" laws

Methods in 2nd segment:

- 001. Public speeches
- 047. Assemblies of protest or support
- 048. Protest meetings
- 141. Civil disobedience of "illegitimate" laws

Methods in 3rd segment:

- 001. Public speeches
- 047. Assemblies of protest or support
- 048. Protest meetings
- 074. Rent withholding
- 141. Civil disobedience of "illegitimate" laws

Methods in 4th segment:

- 001. Public speeches
- 020. Prayer and worship
- 047. Assemblies of protest or support
- 097. Protest strike
- 141. Civil disobedience of "illegitimate" laws

Methods in 5th segment:

- 047. Assemblies of protest or support
- 141. Civil disobedience of "illegitimate" laws

Methods in 6th segment:

- 047. Assemblies of protest or support
- 141. Civil disobedience of "illegitimate" laws

Additional methods (Timing Unknown):

- 023. Destruction of own property › Burning Passes
- 024. Symbolic lights
- 062. Student strike
- 125. Boycott of government employment and positions

Classifications

Classification:

Change

Cluster:

Democracy

Human Rights

National/Ethnic Identity

Group characterization:

- Black South Africans
- Indians

Leaders, partners, allies, elites

Leaders:

Nana Sita, the President of the Transvaal Indian Congress

Walter Sisulu, Yusuf Cachalia, and Raymond Mhlaba of the ANC

Dr. J.S.Moroka and Dr. Y.M.Dadoo, the Presidents of the ANC and the Indian Congress respectively; Nelson Mandela, President of the ANC Youth League; Ahmad Kathrada, President of the Transvaal Indian Youth Congress; and James Phillips, the Coloured Chairman of the Transvaal Council of Non-European Trade Unions.

Chief Albert John Mvubi Lutuli, the President-General of the ANC

Partners:

African National Congress (ANC)

South African Indian Congress (SAIC)

External allies:

Methodists (Oct. 1952)

Quakers (Mar. 1953)

Bishop of Bloemfontein, Executive Committee of the Christian Council of South Africa (Jan. 1953)

Roman Catholic Church (July 14, 1952)

Messages of sympathy from China, India, Persia, Gold Coast, Nigeria, All India Congress Committee, Secretary General of the Arab League, African Churches in the Eastern Cape (Sept. 1952)

Transvaal Council of Non-European Trade Unions (Nov. 1952)

American Committee on Africa (1952)

Involvement of social elites:

Not Known

Joining/exiting order of social groups

Groups in 1st Segment:

- American Committee on Africa
- Roman Catholic Church

Groups in 2nd Segment:

- African Churches in the Eastern Cape
- All India Congress Committee
- Messages of sympathy from internationals
- Secretary General of the Arab League

Groups in 3rd Segment:

- Methodists
- Transvaal Council of NonEuropean Trade Unions

Groups in 4th Segment:

Groups in 5th Segment:

- Bishop of Bloemfontein
- Executive Committee of the Christian Council of South Africa

Groups in 6th Segment:

- Quakers

Segment Length: *Approximately 1.3 months*

Opponent, Opponent Responses, and Violence

Opponents:

South African government

Nonviolent responses of opponent:

Not Known

Campaigner violence:

Unfortunately for the campaign, the resisters resorted to rioting and throwing rocks after October in response to the government's repressive violence.

Repressive Violence:

The South African government used their police force to unleash violence on the resisters. Police often were very rough with resisters during arrests and once they were in prison violence was used to punish the demonstrators. Police would fire into crowds to deal with riots, killing and injuring many.

Success Outcome

Success in achieving specific demands/goals:

0 points out of 6 points

Survival:

1 point out of 1 points

Growth:

3 points out of 3 points

Notes on outcomes:

The campaign did not achieve any of its original demands or goals, mainly: the repeal of the unjust laws.

Although the campaign was suspended, the ANC and the SAIC remained after the campaign.

The Campaign generated a major boost in growth. The membership of the ANC increased from 7,000 to 100,000 during the campaign and it became a national organization of the people. In addition, the campaign led to the formation of the Coloured People's Congress and the Congress of (white) Democrats, and then a "Congress Alliance" that was critical in multi-racial resistance to apartheid in the following years.

The Defiance of Unjust Laws Campaign was developed by the African National Congress (ANC) to combat apartheid. More specifically, the campaign used large-scale national noncooperation to target laws enacted by the South African government that the ANC deemed unjust. The campaign began on June 26, 1952, as groups throughout South Africa executed various acts of defiance in main cities. The ANC and the South African Indian Congress (SAIC) united Africans and Indians alike to take on apartheid. In Johannesburg, fifty-three African protesters disobeyed the curfew rules enforced on Africans. In Boksburg, fifty-three African and Indian demonstrators with leader Nana Sita, the President of the Transvaal Indian Congress, refused to obey the law that non-residents had to get a permit to enter an African location. In Port Elizabeth, thirty protesters were arrested by police for disobeying the laws of apartheid by entering waiting rooms reserved for whites in railway stations. In Worcester, nine demonstrators were arrested when they entered a white only line at the Post Office. Meanwhile, in Durban, twenty-five members of the ANC and SAIC were arrested after they sold "Freedom Stamps" at a meeting. Major arrests on June 26 included those of SAIC leader Yusuf Cachalia and ANC leaders Walter Sisulu, Nelson Mandela, and Raymond Mhlaba. A major tactic employed by the resisters was choosing to be imprisoned, rather than paying a fine, after arrests. This allowed demonstrators to burden the government economically, while giving them a theater to voice their opinions on apartheid when they were tried in court.

The campaign spread quickly as small towns and even rural areas got involved disobeying unjust laws. In response, the South African Security Police, a branch of the government, implemented in August 1952 the biggest police raids on both the offices of the liberation campaign and the homes of liberation leaders. Many of these raids were carried out without legitimate search warrants and if the offices or homes were locked the police would simply break in. This was a major effort by the South African government to repress the movement, intimidate the people, and find evidence for a trial that would remove the leadership of the campaign. The courts also got involved in the repression by levying the maximum sentence in each case of a resister. One magistrate in Port Elizabeth went as far as to sentence offenders under twenty-one years old to caning. Police brutality also escalated as spectators at trials of protesters were often roughed up by police officers. In prisons, especially, the resisters were

targeted by officers for punishment and beatings.

The repression only contributed to the building momentum for the campaign as more and more resisters joined the struggle. However, the government decided to combat the growing popularity of the campaign by targeting the leaders of the campaign. On August 26, the police arrested twenty national leaders from the ANC and the SAIC, in addition to the Chairman of the Transvaal Council of Non-European Trade Unions. They were arrested and charged using the Suppression of Communism Act, one of the unjust laws that the campaign was attacking.

The leaders, which included Nelson Mandela (the President of the ANC Youth League), were charged with leading the Defiance Campaign, which the government claimed had the goal of effecting change in both the industrial and social structure of the country using “unconstitutional and illegal” tactics. This trial gave the campaigners a national stage to voice their strong message. At one point the magistrate had to adjourn the trial so that Dr. Moroka and Dr. Dadoo, two leaders of the campaign, could address the thousands that had crowded the courtroom and surrounded the building. The leaders told the crowd to be quiet so that the trial could move on, and the crowd simply moved across the street and had a mass meeting, which lasted the entire day. The trial brought even more attention to the cause of the campaign and by October more than 5,000 demonstrators in the campaign had been arrested and imprisoned.

The campaign, which had been completely nonviolent on the side of the campaigners up until this point, suddenly took a turn towards violence when the worst fears of leaders came true. Riots emerged across the nation, beginning in New Brighton, Port Elizabeth and then continuing in Denver, a southern Transvaal town, on October 18, 1952. The riots in Port Elizabeth followed the death of an African who was shot by a railway police officer at a railway station in New Brighton. The police claimed that the victim had stolen paint, but once the shot was heard other Africans rushed to see the commotion. After learning about the shooting, the people started throwing rocks at the station buildings. The police responded by opening fire on the crowd, killing seven people. The people dispersed momentarily, but the rioting began elsewhere and four whites were killed in the process.

The riots that began in Denver occurred because residents of the Denver African Hostel refused to pay the increased rental fee. This sparked a conflict in which police fired into the hostel, killing three people. Five days later, after three people gave an ANC salute when they finished their drinks in a Municipal African Beer Hall, they were thrown out of the bar. A group accumulated outside the bar and they began throwing rocks at the hall. Police arrived and opened fire on the crowd, killing thirteen Africans and injuring seventy-eight.

Then, on November 9, 1952, in East London, a religious meeting was broken up by a large group of police who were convinced that the meeting was not religious. The 1,500 people comprising the open-air meeting dispersed, but the police fired sporadically into homes around the area. The enraged people responded by burning a local Roman Catholic Church and killing a nun and a white man. The ANC and the SAIC realized the severity of the violence and warned the people not to be provoked by the police or by “agent provocateurs” trying to create riots and break up the campaign. The leaders worried that the violence would allow the government to call a State of Emergency and suppress the campaign further.

At the end of November 1952, the government prohibited all meetings of more than ten Africans throughout the country and then followed by instituting two laws, the Criminal Law Amendment Act (which targeted any person who broke any law in protest or support of a campaign) and the Public Safety Act (which allowed the Cabinet to temporarily suspend all laws whenever they declared a state of emergency and to enact emergency rules for anything necessary). These new laws were meant to directly suppress the campaign. In the middle of April 1953, after the two laws were passed and all of the damage had been done by the riots, Chief Albert John Mvubi Lutuli, the President-General of the ANC, proclaimed that the Defiance Campaign would be called off so that the resistance groups could reorganize taking into consideration the new climate in South Africa. The Defiance of Unjust Laws campaign had not been successful and the further movement against apartheid would go on for several more decades.

Research Notes

Influences:

Mahatma Gandhi's Indian independence campaign (1)

Sources:

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Kuper, Leo. *Passive Resistance in South Africa*. New Haven: Yale University Press, 1971.

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Additional Notes:

The only law directly challenged in the campaign was the Pass Law.

Baruch Hirson, in his book *A History of the Left in South Africa*, blames the leaders of the campaign for the way it ended. He writes that, as the campaign unfolded, "many of the original issues were seemingly forgotten" (p. 154), and the ANC speeches and speakers frequently failed target specific complaints or demands or "particular issues to which local communities or workers might have responded" (Hirson, p. 151). The failings of the leadership combined with the obstacles put in place by the South African government led ultimately to the suspension of the Defiance Campaign.

Edited by Max Rennebohm (06/06/2011)

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Anthony Phalen, 06/11/2009

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Source URL (retrieved on 02/17/2020 - 15:57): <https://nvdatabase.swarthmore.edu/content/south-africans-disobey-apartheid-laws-defiance-unjust-laws-campaign-1952-1953>

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