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Monash University

A Community Divided: South African Jewry under Apartheid 1948-1964

Tony Williams

[redacted]

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Notice 1

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Abstract

When the National Party was elected in the 1948 South African general election and apartheid became official government policy, South African Jewry was already familiar with racial discrimination. Not only had apartheid-like conditions already existed for South Africa's non-European majority for decades before 1948, but the Jewish community itself had experienced racial discrimination that had mirrored the rise of German anti-Semitism beginning in the 1930s. For the mainstream Jewish community, the biggest concern was that after their election victory, the Nationalists would use their electoral mandate to begin legislatively enshrining anti-Semitism. However, in the months following the election Prime Minister Daniel François Malan initiated a rapprochement with the Jewish community. Having determined that white solidarity was needed to ensure the survival of apartheid, the government chose to make peace with the Jewish community, instead turning its attention to white rule over the “Bantu”.

Complicating the implementation of apartheid policies was resistance not only from the non-European majority, but a minority of whites who similarly opposed the racialised nature of the State. These dissidents took advantage of their white skin, using it to aid their attempts to undermine the apartheid system. The government's attention quickly turned to combating this threat, and in 1950 the Suppression of Communism Act was passed to help control extra-parliamentary opposition to apartheid. Unfortunately for the Jewish community, a significant proportion of white anti-apartheid activists were also Jewish. This threatened the community's rapprochement with the government and threatened a return to the “bad old days” of widespread anti-Semitism. In contrast, many Jewish anti-apartheid activists were critical of the mainstream community for accepting the fruits of apartheid with little official inclination toward opposing its inherent injustice.

This thesis examines the circumstances within which the mainstream Jewish community, Jewish radicals and the apartheid government acted, and seeks to address the divided historiographies that have developed around the historical narratives of the two segments of South African Jewry. Each “side” puts forward an interpretation of history firmly embedded within its own perspective and, in so doing, attempts to undermine the other. This thesis proposes a limited contribution, suggesting a way forward can be found between the two historical discourses by moving beyond the political aspects and reassessing the role of both the mainstream community and the Jewish radicals in light of the circumstances which existed and how they influenced the decisions of each group. Chapters one and two examine the circumstances of the mainstream established community and the Jewish anti-apartheid activists respectively, while the third chapter analyses the role of the apartheid government as an actor and influence upon both groups using the case study of the Rivonia Trial.

Declaration

This thesis contains no material that has been accepted for the award of any other degree at any University. To the best of my knowledge and belief, this thesis contains no material previously published or written by any other person, except where due reference is given in the text.

Signed:

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Acknowledgements

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Introduction

South African Jewry had been forced to deal with racial quandaries long before the official introduction of apartheid in 1948. Beginning in the 1930s, the Jewish community saw the adoption and propagation of popular anti-Semitism in both the public and political spheres. A series of immigration Acts challenged the legitimacy of Jewish immigration, and the establishment and rapid expansion of aggressively anti-Semitic groups such as the Greyshirts and O*ssewabrandwag* (Ox-Wagon Sentinel) saw public displays of race hatred increase. Hostility continued throughout the Second World War until the National Party victory in the 1948 election. Counter-intuitively, only then under the auspices of the Nationalists, whose political allies included those same anti-Semitic groups, would a process of rapprochement begin. Within months of taking office, Prime Minister Daniel François (DF) Malan would declare the "Jewish Question" no longer an issue.[1] Alongside this rapprochement however was the redoubling of racialist laws which enshrined non-European South Africans as second class citizens. While the Jewish population was in a state of collective relief, non-Europeans and political opponents of the government were subjected to ever increasing measures to silence their objections. This was especially true of white dissidents whose skin colour afforded them the ability to exploit their privilege to undermine the system and "agitate amongst the Bantu", making them doubly dangerous to the government. Complicating matters for the established Jewish community, many of the white dissidents were Jewish. This was problematic; not only did these Jews break the law, they also threatened the new political status quo and the rapprochement between the community leadership and the government. In the minds of the community leadership, in opposing apartheid, a small number of radical Jews endangered the position of all of South African Jewry.

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[1] Gideon Shimoni, *Community and Conscience: The Jews in Apartheid South Africa,* (Hanover: University Press of New England, 2003), p23.

That intra-Jewish tension is at the core of this thesis, which seeks to explore why South African Jewry responded to apartheid in the manner they did. This thesis will argue that both the organised Jewish community and radical Jews involved in the anti-apartheid movement acted in response to specific circumstances and pressures that constrained the scope of actions they saw as available to them. The communal leadership of the mainstream Jewish community, having failed in previous direct political interventions, and with the memory of the Holocaust and domestic anti-Semitism still fresh, were wary of organised political action, especially as the newly elected Nationalist government appeared to be instigating a rapprochement. Likewise Jews in radical movements in South Africa can similarly be understood as acting in response to their circumstances. For them, ideological, political and personal influences (including for some elements of their Jewishness) shaped their responses to what they saw as an overtly repressive and totalitarian regime.

The divergent paths taken by the different segments of the Jewish community have resulted in a divided and polarised historical narrative that is mirrored in the academic literature. This thesis, while mindful of spacial limitations, seeks to make a limited contribution into the literature to show that the narratives of both sides are more complicated than they are presented. To do this, two segments of South African Jewry must be delineated. The first, the established community, constituted an overwhelming majority of Jews in South Africa. Generally speaking, they participated in the community via communal institutions such as schools, synagogues and other overtly “Jewish” organisations. The second are those South African Jews who existed beyond the bounds of the organised community. Of central importance is that the two groups exhibited significantly different responses to apartheid. Those Jews who existed outside the community actively and sometimes violently opposed apartheid and the governments enforcement of it. The mainstream established community however, led by the South African Jewish Board of Deputies (SAJBD), an umbrella organisation claiming to represent South African Jewry, overwhelmingly acquiesced to apartheid and did little to actively oppose it. Individual Jews within the established community did oppose apartheid, and some engaged in work aiding the non-European majority. However, their efforts were of a distinctly conservative nature. They sought to soften the effects of apartheid rather than confront the structural forces causing them. Where these individuals sought reform or relief from within the system, radical Jews sought to overthrow it, defying the laws designed to protect the system and in so doing actively seeking to undermine it.

These two groups, one within the mainstream community and one outside of it, were not unitary actors. In addition to influencing each other, the government exerted influence on (and was in-turn influenced by) both groups. That said, any thorough investigation into the behaviour of South African Jewry under apartheid must not only examine the two segments of South African Jewry, but also the South African government. That being the case, this thesis will address not only the Jewish community, but also the apartheid government, and will be reflected in the forthcoming chapters.

This thesis will engage with a range of primary source material, much of which has not received a great deal of scholarly attention in the existing literature. This includes, but is not limited to, South African government parliamentary debates, publications from the South African Jewish community and autobiographical material from anti-apartheid activists. In using these sources, the collective understanding of why these two groups behaved as they did will be deepened, and steps may begin to be taken away from the simplistic and divisive narratives of good and bad historical actors, resulting in a more nuanced and contextualised understanding of this chapter of South Africa history. The inclusion of an analysis of the Rivonia Trial and the position of the government similarly enhances understanding of the multitude of forces and influences acting upon Jews under apartheid.

Arguably the most influential Jewish member of the anti-apartheid movement was Joe Slovo. A controversial white anti-apartheid activist, he was widely detested within both the Jewish and broader white communities. As a 1994 *New York Times* profile by Bill Keller noted, to white South Africans 'he was an agent of satanic revolution, a man more alarming than Mr. Mandela himself, because [he] was a devoted client of the Soviet Union – and a traitor to his skin.'[2] Included in his autobiography is a story about Sam Kahn, a Jewish Communist Party of South Africa (CPSA) parliamentarian. Slovo recounts how, in the lead up to the Suppression of Communism Act in the late 1940s, the SAJBD requested a meeting with Kahn in Cape Town.[3] At the meeting, SAJBD representatives implored Kahn, the most prominent South African communist and Jewish politician at the time, to reconsider his public profile in light of the threat of anti-Semitism. Should he not, they asked, 'have regard for the interests of the large Jewish community which is potentially threatened by the fact that a Jew happens to be the most prominent communist?' Kahn conceded that the confluence of Jew and communist was a common trope used against Jews and communists alike but, he added, 'the linkage between Jews and business was also exploited for anti-Semitic purposes'. Given the representatives were prominent Jewish businessmen, Kahn proposed a solution; 'as a gesture of concern for the Jews let's enter into a bargain: you give up your business and I'll then give up politics'.[4]

This meeting between Kahn and the SAJBD reveals just one of many cleavages that existed simultaneously within South Africa. Issues of race, ethnicity and class permeated South African society, penetrating broadly and deeply into all facets of the country. From the beginnings of white colonial settlement in South Africa in the seventeenth century, differences complicated peaceful and equal coexistence. Divisions between colonial settlers and native inhabitants, and later between Dutch and British colonialists over slavery formed the foundations of South African society. Upon this foundation would be built an architecture of racialism in which white South Africans – be they English or Afrikaner – would maintain a system of superiority and dominance over a subjugated non-white population. This would begin to be enshrined legislatively nearly a century before the beginning of apartheid, complicating the popular perception and memory of the history of racial discrimination in South Africa.

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[2] Bill Keller, 'Conversations/ Joe Slovo', *New York Times*, 04/12/1994, available online at <http://www.nytimes.com/1994/12/04/weekinreview/conversations-joe-slovo-apartheid-s-fading-communist-foe-wins-mortgages-for.html> (accessed 27/03/2015).

[3] Joe Slovo, *Slovo: The Unfinished Autobiography*, (Melbourne: Ocean Press, 1997), p57.

[4] Ibid.

The Masters and Servants Acts (passed between 1856 and 1904) arguably marked the beginning of the legal consecration of racial discrimination. Though not explicitly targeted at any race, they applied only to unskilled labour, roles overwhelmingly filled by non-white employees. 1913 saw the first legislation retarding the ability of black South Africans to own or rent land in designated areas (Natives Land Act, 1913), and the 1920s and 30s saw a rash of legislation affecting issues including (but not limited to), self-rule (Native Affairs Act, 1920), urban racial segregation in housing (Natives (Urban Areas) Act, 1923; Native Law Amendment Act, 1937), job reservation and the ability of black workers to form or join trade unions (Industrial Conciliation Act, 1924), and electoral disenfranchisement (Representation of Natives Act, 1936). The 1930s also saw restrictions on political speech (Riotous Assemblies (Amendment) Act, 1930) and an attempt to outlaw interracial marriage (Mixed Marriages Bill, 1937 – it would later be outlawed by the Prohibition of Mixed Marriages Act, 1949).[5]

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[5] See See Colin Tatz, *Shadow and Substance in South Africa*, (Pietermaritzburg: University of Natal Press, 1962). The Nelson Mandela Centre of Memory also hosts an extensive catalogue of information regarding racial legislation in South Africa. Available online at <https://www.nelsonmandela.org/omalley/index.php/site/q/03lv01538/04lv01646.htm> (accessed 11/06/2015)

The perceived racial supremacy of white South Africans (by white South Africans), perhaps the most notable aspect of the society, also finds much of its basis in colonial motifs. The twentieth century saw the calcification of many divisions in South African society. Exacerbated by globalisation, economic differences both between whites and non-whites but also between Afrikaner and English South Africans intensified.[6] Disproportionate economic opportunity fostered political discontent and by the 1930s clear economic and political divides existed between a disenfranchised native majority and enfranchised Afrikaner and English minorities. This manifested in direct and sometimes violent conflicts between groups with diverse grievances and motives.

Such situations not only unfolded in South Africa. Many of the issues that dominated South African society – struggles over racial equality and civil rights, legacies of colonialism, and economic disparity – extended across the globe. In the wake of the Second World War, with the revelations of the Holocaust and the atomic bomb, the international community underwent a political, economic and social realignment. However, post-war peace was short-lived, and the emergence of the Cold War saw a succession of proxy wars between America and the Soviet Union, and the increasingly pervasive threat of nuclear conflict. For white South Africa, the Cold War and fight against the "Red Peril" would come to dominate the public political landscape. The increasingly authoritarian white political establishment made ongoing attempts to cast the anti-apartheid struggle as part of the Cold War. Despite this, both non-white domestic understandings of the struggle and international views of apartheid were shaped much more significantly by narratives of decolonisation and civil rights. In some respects, the South African struggle against apartheid can be conceptualised as a synthesis of the civil rights and anti-colonial movements unfolding around the world at the time.

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[6] In the context of South African society, the term "non-white" collectively described all non-European peoples, including the Cape Coloured, Indian, Asian and "Bantu" populations. Similarly, "Afrikaner" describes the segment of the white South African population which traces its roots predominantly, though not exclusively, from Dutch settlers, French Huguenots and German Frisians (all of whom are predominantly Calvinist).

Many African anti-colonial movements, as they matured, developed relationships with each other. Links between movements in South Africa, South West Africa (now Namibia), Mozambique, Botswana, Angola, and Southern and Northern Rhodesia (now Zambia and Zimbabwe respectively) grew over time. Similar relationships also arose between the those countries and others farther north such as Kenya, Ethiopia and Algeria. Both newly independent states and movements within still-colonised states frequently offered whatever assistance they could to each other, including money, training and weapons. Such relationships were not exclusively between African movements; the first country to which fighters from *Umkhonto we Sizwe* (Spear of the Nation, or MK[7]) were sent was China, with whom Walter Sisulu had made contacts in 1952.[8] Despite this, groups outside Africa tended to be revolutionary mentors more-so than partners.[9] In 1962, Nelson Mandela led an ANC delegation to meetings in a number of independent African nations, including a conference in Addis Ababa, Ethiopia. As Mandela recalled, the conference 'aimed to draw together the independent states of Africa and promote the liberation movements on the continent.'[10] It was hoped this meeting and others like it would 'furnish important connections for the ANC and be the first and best chance for us to enlist support, money, and training for MK.'[11] The trip was successful, with Mandela making a number of connections and receiving military training in Algeria and Ethiopia.[12]

However, the colonial aspect of the South African struggle is only one in a multi-faceted conflict, and although many African anti-colonial struggles shared common features, each was in its own way distinct. One feature which set South Africa apart from other struggles was its significant European population. This population, comprising both English and Afrikaner peoples, was not only larger than in other parts of Africa but, in the case of the Afrikaners, had come to see themselves as very much African. Afrikaners, who constituted approximately two thirds of the white population, had forged what historian T. Dunbar Moodie described as an 'Afrikaner civil religion', which formed the basis of their national, political and religious outlooks.[13] This civil religion, rooted firmly in Africa, not Europe, complicated the traditional colonial paradigm, as well as making any anti-colonial program more difficult to navigate. As a result, the anti-apartheid struggle in South Africa also took on aspects of Western civil rights struggles. Arguably the most notable and comparable civil rights struggle to that of South Africa occurred in the United States. However, in much the same way that anti-colonial struggles are unique, so too was each civil rights struggle; each possess their own dynamics, influences, causes and trajectories and the South African and American examples are no different. They stem from different sources and, by the 1960s, were targeting fundamentally different audiences. In South Africa, a disenfranchised black majority was oppressed by a white minority legislating and enforcing racial discrimination. In America, a black minority simultaneously fought to overcome a recalcitrant, entrenched and populist grass-roots form of discrimination amongst the white majority (especially in the South) while maintaining pressure on the federal government which was moving, albeit slowly, towards equality.

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[7] The MK was a new group formed by members of the ANC and CPSA, but separate from both. It had been formed with the explicit intention of undertaking paramilitary operations against the apartheid government.

[8] Nelson Mandela, *Long Walk to Freedom*, (London: Abacus, 2013), p333.

[9] A notable exception to this is Cuba, which in the 1970s sent tens of thousands of soldiers who fought alongside groups including the MK, SWAPO and the MPLA in the South African Border War.

[10] Mandela, *Long Walk to Freedom*, p342.

[11] Ibid.

[12] Ibid., p355; 362.

Despite their fundamental distinctions, a number of significant similarities existed between the two campaigns. Not least of these was the presence of a charismatic leader. Nelson Mandela and Martin Luther King Jr. are, along with Mohandas Gandhi, arguably the most well known civil rights leaders in history. Both Mandela and King were awarded Nobel Peace Prizes, were jailed for their beliefs and actions, had significant overseas support, but were targets of US intelligence agencies and accused of being communists.[14] The respective movements also shared another important commonality; in both, a significant minority of the respective Jewish communities participated in the movements against racial discrimination and for equal rights in spite of their not being the victim of discrimination. In America, King had a number of close Jewish associates, of whom the most well known was Rabbi Abraham Joshua Heschel, and a significant number of Jews participated the broader movement. During the 1961 Freedom Rides, Jews made up a significant proportion of the whites involved.[15] Of the three civil rights activists murdered in Mississippi in 1964, both white victims were Jewish, as were approximately half of the white volunteers in the Freedom Summer campaign.[16] Similarly, a small number of South African Jews also played a significant role in the movement for racial equality – one that pre-dates the role of Mandela himself. South African Jews were to be found in many of the most pivotal moments of the struggle. Of the 23 whites arrested in the Treason Trial in 1956, 13 where Jewish.[17] All five whites arrested at Liliesleaf Farm in 1963 were Jewish, and Jews were prominent within the defence team and in the dock when the trial began. In addition to this, the number of Jews who took part in the anti-apartheid movement was radically disproportionate to the size of South African Jewry. However, it must also be acknowledged that the broader Jewish community in both cases did not view favourably the actions of the Jewish minority.[18]

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[13] See T. Dunbar Moodie, *The Rise of Afrikanerdom: Power, Apartheid and the Afrikaner Civil Religion, (*Berkeley: University of California Press, 1975).

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[14] The FBI under J. Edgar Hoover doggedly pursued King, including having paid informants in his inner circle and sending him a note attempting to convince him to kill himself (Tavis Smiley, *Death of a King*, (New York: Little, Brown and Company, 2014), p29.). Meanwhile the CIA went to considerable lengths in tracking Mandela before giving the information to South African security officials resulting in his 1962 arrest (David Johnston, 'CIA Tie Reported in Mandela Arrest', *New York Times*, 10/06/1990).

[15] Jonathan Kaufman, *Broken Alliance: The Turbulent Times Between Blacks and Jews in America*, (New York: Touchstone, 1995), p98.

[16] J.J. Goldberg, 'Why Aren't We Honouring 3 Civil Rights Martyrs?', *Jewish Daily Forward*, 21-06-2014, available online at <http://blogs.forward.com/jj-goldberg/200552/why-arent-we-honoring--civil-rights-martyrs/> (accessed 29/03/2015)

[17] David Saks, "The Jewish Accused in the South African Treason Trial", *Jewish Affairs*, Autumn 1997.

[18] Numerous examples of this in South Africa will be noted in the chapters that follow. For examples from America, see Hasia Diner, '"If I Am Not for Myself"/"If I Am Only for Myself": Jews, the American South, and the Quandary of Self-Interest' in Ezra Mendelsohn (Ed.), *Jews and the State*, (Oxford: Oxford University Press, 2003), pp50-69.

The South African Jewish community, made up of some 110,000 people by 1948, was the product of two periods of Jewish immigration into South Africa.[19] The first wave of Jews arrived from Europe, particularly Britain, during British rule over the Cape Colony in the early nineteenth century and later after the discovery of gold and diamonds in Kimberley. The second, which greatly enlarged the size of the community, came from Eastern Europe (primarily from what is today Lithuania) between 1880 and 1930. Predominantly poorer immigrants fleeing persecution and seeking economic possibility in a new land, they fundamentally challenged the nature of the Jewish community. Not only did their economic status differ, but the strong socialist, communist and Bundist beliefs many brought with them often clashed with the prevailing orthodoxy of the community. This orthodoxy however should not be mistaken for uniformity. Differences over religious and social issues, language and politics have long been present within the community. There were, however, a small percentage of South African Jews who did not identify as part of the Jewish community. The reasons for their existence outside of the mainstream are many, ranging from self-exclusion to effective ex-communication, but are outside the scope of this thesis. That there are Jews outside of the established community is however important to comprehending how under apartheid, it was easy for the SAJBD to distance itself from those considered to be outsides.

The existing literature relevant to this thesis is diverse. While the bulk of the applicable literature focuses on South African Jewry, at its edges it overlaps with numerous other areas. Among them are anti-colonial and civil rights struggles, Jewish studies, literature regarding communism and the political Left and the anti-apartheid movement generally. At a very rudimentary level, Arthur Liebmen's foundational book *Jews and the Left*, and Philip Mendes' book of the same name are invaluable for conceptualising the relationship that existed at the time between some Jews and Leftists as well as frameworks for defining “Jewishness”.[20] Although seemingly obvious, such definitions are important when claims are made by stakeholders regarding a person's Jewishness or lack thereof.[21]

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[19] Shimoni, *Community and Conscience*, p5.

Isaac Deutscher's notion of the non-Jewish Jew as one 'who transcends Jewry [yet] belongs to a Jewish tradition' is also similarly useful.[22] Deutscher conceptualises an alternate approach to Jewishness – that of the non-Jewish Jew – which is helpful in contextualising the position of those Jews in the anti-apartheid movement. The non-Jewish Jew Deutscher argues, exemplified by figures such as Spinoza, Freud, Marx and Luxemburg are the product of a confluence of influences and historical epochs who find Judaism too narrow and constricting to accommodate their own conception and understanding of the world.[23] Their rejection of particularism, embrace of internationalism and feelings of universal solidarity irrespective of race, class or ethnicity results in the transcendence of the Jewry of which he speaks. Deutscher's description of his own Jewishness echoes that of many of the Jewish radicals. He writes 'I am... a Jew by force of my unconditional solidarity with the persecuted and exterminated... because I feel the Jewish tragedy as my own tragedy; because I feel the pulse of Jewish history'.[24] Similarly Glenn Frankel writes of the Jews in the anti-apartheid movement that 'none of them saw that their alienation from Judaism and their radicalism were consistent with one wing of Jewish tradition – that even as rejectionists they were firmly within the larger family of their contentious and self-contradictory faith.'[25] The issue of defining who, or what, is Jewish is an issue much broader than this thesis, and entire areas of study are devoted to such endeavours.[26] In some respects, defining Jewishness is as frought with complication as defining other similarly broad and subjective terms such as “gender”, “black” or “feminist” where clear binaries are inherently flawed and opinions differ but normative judgements remain prominent.[27] The Jews involved in the anti-apartheid movement and who it could be argued fit Deutscher's description are not unique. There have been throughout history countless others in countless places who have felt similarly. Their experiences vary, and reflect the complexity of identity and of delineating an individuals identity on the basis of narrow, exclusionary or normative factors, as well as the problematic task of making judgements about individuals based on such factors.

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[20] Arthur Liebman, *Jews and the Left,* (New York: John Wiley & Sons, 1979), pp3-33; Philip Mendes, *Jews and the Left*, (New York: Palgrave MacMillan, 2014), pp5-18.

[21] The criteria set out by both Liebman and Mendes are self-definition, defined by others as Jewish, and having Jewish parentage. Liebman, *Jews and the Left*, p2; Mendes, *Jews and the Left*, pp3-4.

[22] Isaac Deutscher, *The Non-Jewish Jew and Other Essays*, (New York: Oxford University Press, 1968), p26.

[23] Isaac Deutscher, *The Non-Jewish Jew*, pp26-33.

[24] Ibid, p51.

[25] Frankel, *Rivonia's Children*, p49

[26] See Lisa Silverman, “Reconsidering the Margins: Jewishness as an analytical framework”, *Journal of Modern Jewish Studies*, 8(1), pp103-120; Leora Auslander, “The Bourndaries of Jewishness, or when is a cultural practice Jewish?”, *Journal of Modern Jewish Studies*, 8(1), pp47-64; Liebman, *Jews and the Left*, pp3-33;

Two distinct historical paradigms dominate South African Jewish historiography. Conceptualised here loosely as “inside looking out”, and “outside looking in”, they often (but not always) differ regarding the authors perspective on and attitude towards the actions or inactions of the mainstream Jewish community. The former position stems primarily from authors within the South African Jewish community, or with close links to it. They tend to convey a triumphalist perspective on the community as a whole, and take a more sympathetic view of the community's (in)action. Conversely, the latter position is on the whole less connected to the community and more critical of it. Further complicating the historiography are three discernible phases in the historiography of the former. This creates what Phyllis Sakinofsky calls a 'palimpsest narrative', a narrative 'upon which... social memories, are recorded, erased or overwritten' but where 'shadows' of previous iterations remain.[28]

In the first phase (works published in the early years of apartheid), books such as *The Jews in South Africa* by Gustav Saron and Louis Hotz ignore radical Jews almost completely and

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Mendes, *Jews and the Left*, pp5-18

[27] Auslander, “The Boundaries of Jewishness”, p48

[28] Phyllis Sakinofsky, “Shaping the Jewish South African Story”, *Transnational Literature*, 2(1), pp7-8. Although Sakinofsy is not the originator of the notion of a palimpsest narrative, she was the first to apply the term to the South African Jewish experience under apartheid.

minimise the pervasive nature of anti-Semitism in South Africa. This book laments not violence towards Jews nor the racialised nature of the state, but that Jews were drifting from Judaism and intermarriage was increasing.[29] The second phase comes in the late apartheid years, beginning in the mid-1980s. At this point, criticism of apartheid became more acceptable in mainstream political discourse and even some Nationalists began questioning the future of apartheid.[30] The effect on historiography was an increased, yet cautious, willingness to begin to critically examine the role of the SAJBD *vis-a-vis* its stance towards apartheid. Gideon Shimoni reflects this tentative realignment in his book *Jews and Zionism* when dealing with the issue of the stated policy of political non-intervention by the SAJBD. He writes, 'such reaffirmations bore witness to the consistency and perseverance with which the Board stuck to its policy... [but] that it was necessary to reiterate its position with such frequency reflected the... intense moral strains inherent in its stance.'[31] Yet his criticism is qualified soon thereafter with a reiteration of the Board's justifications for its inaction citing the impossibility of formulating a 'collective political viewpoint', continuing that even if one could be discerned 'this would be undesirable if not downright dangerous to the interests and safety of the community.'[32]

The end of apartheid marks the beginning of the final phase, characterised by a greater acceptance of critical reflection upon the role of the Jewish community and leadership. While Gideon Shimoni's *Community and Conscience* strikes much the same tone as his previous work, other authors such as Milton Shain and Richard Mendelsohn more critically reflect upon South African Jewry's history. This is evident in both their co-authored book *The Jews in South Africa*, and their co-edited collection of essays *Memories, Realities and Dreams.*[33] The latter of which includes a number of essays critical of the Board and exploring the role of Jewish radicals, and one authored by Gideon Shimoni arguing that Jewishness had little to do with the Jewish anti-apartheid activist's actions.[34]

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[29] Gustav Saron and Louis Hotz, *The Jews in South Africa*, (Cape Town: Oxford University Press, 1955), p397.

[30] Harry Schwartz, "Political Attitudes and Interaction", in Marcus Arkin (Ed.), *South African Jewry*, (Cape Town: Oxford University Press, 1984), p132.

[31] Gideon Shimoni, *Jews and Zionism: The South African Experience (1910-1967).* (Cape Town: Oxford University Press, 1980), p273

[32] Ibid.

[33] Richard Mendelsohn and Milton Shain, *The Jews in South Africa*, (Johannesburg: Jonathan Ball, 2008) includes a number of chapters on Jewish responses to apartheid (pp134-172;173-191), and they state in the introduction to

In contrast to the evolution evident in the previous works, literature conceptualised as "outside looking in" has been much more forthright in problematizing the more simplistic narrative of the role of the Jewish community. Such writing began in the early 1950s in a number of publications, most notably *Commentary* in the US and *Patterns of Prejudice* in the UK, with both providing space for ongoing debate around the Jewish role in apartheid South Africa. *Africa South*, although an explicitly activist publication, provided a similar platform.[35] Although there were a small number of articles published beginning in the 1960s, the volume of literature on South African Jewry and apartheid enlarged significantly after 1994.[36] Much of this literature expanded the scope of what had previously been examined by other authors, simultaneously complicating and illuminating the ambit of potential investigation. Franklin Adler compared what he described as the two Jewish responses to apartheid – 'activism and compliance' – and in doing so rejects the argument put forward by Shimoni and others that those Jews within the anti-apartheid movement were not acting out of any Jewish sensibility, instead arguing that *tikkun olam*, or a commitment to 'the redemption of the world' served as a significant, if not explicit, motivation.[37] Oren Stier's critique of the community's leadership during apartheid centres around what he argues is the misconception of the powerlessness of South African Jewry. 'South African Jewry has not exhibited the extreme powerlessness ...others... assign to it', Stier's argues;

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their edited collection *Memories, Realities and Dreams* that the book is designed to allow for a grappling with many of the challenges that face the Jewish community as it navigates the transition from apartheid to democracy (pp7-14).

[34] Gideon Shimoni, "Accounting for Jewish Radicals in Apartheid South Africa", in Shain and Mendelsohn, *Memories, Realities and Dreams,* (Johannesburg, Jonathan Ball, 2000), pp163-186.

[35] *Commentary* it should be noted, though a journal of some note for its intellectual content, is not an academic journal, nor is *Africa South*.

[36] See Robert Weisbord, "The Dilemma of South African Jewry", *The Journal of Modern African Studies*, 5(2) 1967, pp233-241 and Richard Stevens, "Zionism, South Africa and Apartheid", *Phylon*, 2(2) 1971, pp123-142.

[37] Franklin Adler, "South African Jews and Apartheid", *Patterns of Prejudice*, 34(4), p35.

'historically, Jews have been neither as powerful nor as powerless as our popular understanding would have it.'[38] Finally, Mark Israel's and Simon Adams' critical review explores not only the role of a 'small but significant' group of Jewish radicals, but also of the response of the Jewish community generally which ostracised them for their actions. They argue that 'factors in the South African experience acted to make it much more likely that Jews would become active in the radical opposition to racism, capitalism and apartheid.'[39]

Despite the breadth of relevant literature, there remain aspects in which understanding is less developed. This thesis attempts to bridge the two historiographical models outlined above by stepping back from them both. It takes as its starting points that the leadership of the established Jewish community overwhelmingly acquiesced to apartheid and that there was an over-representation of Jews amongst the white anti-apartheid activists. What this thesis seeks to answer is why these two situations existed: what events brought both the communal leadership and the significant minority of Jewish anti-apartheid activists to behave the way they did? To do this it will focus on two distinct silences in the historiography; the relatively limited and divisive interpretations of the roles, actions and motivations of the SAJBD and the Jewish anti-apartheid activists in the early years of apartheid. There is a tendency in the literature to align with the narrative of either the community or the activists. The former entails often offering an apologist account justifying the inaction of the SAJBD and in turn either implicitly or explicitly criticising the Jewish anti-apartheid activists (either for endangering the community or by questioning their Jewishness). Meanwhile, the latter entails condemning the SAJBD and lionising the Jewish activists. Both of these overlook important aspects of history in order to take their respective position. Those aligned with the Board's narrative often downplay or explicitly ignore connections of Jewish activists to their own Jewishness so as to be able to exclude them from consideration as Jewish, or minimise their Jewishness as a factor in their activism. Meanwhile, those who identify more closely with the activists narrative downplay the historical complexity of the situation that the SAJBD faced as well as other less radical or revolutionary forms of opposition that were expressed by members of the community.[40]

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[38] Oren Stier, “South Africa's Jewish Complex”, *Jewish Social Studies*, p125.

[39] Mark Israel and Simon Adams, “'That Spells Trouble': Jews and the Communist Party of South Africa”, *Journal of Southern African Studies*, p162.

This thesis in many respects attempts to combine elements from both approaches to the historiography. Historians such as Saron, Shain and Shimoni, who are much more closely aligned to the SAJBD narrative are insightful (if sometimes perhaps overly sympathetic) to the constraints within which the Board operated and the threats posed by the Nationalist government and aspects of the Afrikaner Nationalist agenda which it pursued. Similarly, scholars such as Israel and Adams, Stier, Stevens, and Adler, authors such as Beinart, Jacobson and Frankel as well as historical actors such as Rabbi Ungar, Simons, Hirson, Goldberg and Sachs are often as insightful regarding the experiences (of both activism and Jewishness) of Jewish participants in the anti-apartheid movement. Both groups however exhibit shortcomings in their respective understandings of the other, and this is a significant silence in each groups contributions to the historiography. One contribution this thesis endeavours to make is to take the strengths of each and combine them to form a more inclusive narrative that brings together the strengths of both whilst augmenting their weaknesses with the strengths of the other. In this sense it is both following and diverging from both established historiographical streams that are prominent in the existing literature.

The limited goals of this thesis are threefold and reflected in the focus of each chapter. The first chapter aims to add historical context and depth to the literature surrounding the actions (and inaction) of the SAJBD. This will be done not to mount a defence of its actions nor to apologise for them, but rather to allow for a fuller understanding of the circumstances within which the SAJBD was operating at the time. This will be done by utilising Jewish communal histories, government records and publications from the Jewish community itself.

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[40] This also extends to a disregard of South Africa's liberal tradition. See David Welsh, Colin Gardiner, Bill Nasson & Saul Dubow, “Forum: Liberalism in South Africa”, *Social Dynamics: A Journal of African Studies*, 10(1), pp66-89.

The second chapter examines more closely the history of Jewish radicalism in South Africa, before contextualising the situation within which the radicals were undertaking their activism and finally seeking to illuminate the Jewishness of the Jewish anti-apartheid activists. Although some authors have dismissed the influence of their Jewishness, preferring instead to attribute their activism to other factors, given the availability of significant autobiographical material, utilising first-hand accounts will facilitate a more precise examination.[41] This will be done by utilising government records as well as interviews with, and autobiographical material from, the activists themselves, and in so doing allowing them to relate their own perspectives in their own words.

The third chapter seeks to analyse the Rivonia Trial as an historical event. Generally, when it is discussed, it is in the context of the outcome of the trial as a turning point for the movement rather than assessing the importance of the event itself. The Rivonia Trial brought the apartheid government to a policy divergence; it could present the case as one of either Jewish or communist control and influence over the anti-apartheid movement. In looking at the Rivonia Trial, the road to Rivonia is examined, before analysing the trial itself using trial documents and accounts from those involved in the trial. Finally, the international reaction to the trial is canvassed, looking at international press reports from the US, Britain and Israel.

Mindful of spacial constraints, this thesis seeks to make a limited though specific contribution to the academic literature on the role of South African Jews in the early years of apartheid and the relationships between South African Jews with different political positions and the apartheid government. It seeks to do this through the use of primary sources not extensively used in the existing literature such as South African government parliamentary debates, documents from the Rivonia Trial, Jewish community publications and autobiographical material. These documents allow for an examination of the political pressures and circumstances which shaped the responses of each group, and allow for a less politically and historically contingent contribution to what is currently a polarised dual-narrative of events from the time.

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[41] Mendelsohn and Shain, *The Jews in South Africa*, p146.

It should be noted, by way of conclusion, that there are things this thesis is explicitly not seeking to do. Despite attempting to facilitate a fuller understanding of the circumstances under which both the SAJBD and Jewish anti-apartheid activists were operating under during the period in question, this focus should not be conflated with an attempt to morally or ethically redeem, excuse or justify the behaviour of the Board or of individual members of South African Jewry. Such an endeavour is well beyond the scope of this thesis.

Chapter One: The South African Jewish Community

South African Jews, perhaps more than any other group in South Africa, recognised the importance of communal strength and the necessity of the group, as a group, to be able to protect and provide for their own. Manifestations of this commitment to communal strength and organisation can be seen in the form of (but are not restricted to) Jewish day schools, synagogues, youth organisations and social welfare groups. Despite a set of common communal institutions however, it would be understating the complexity of the community to describe it as homogeneous.[42] Although over time it's differences would become less pronounced – first after 1948 and again after 1960[43] – during this period a larger diversity of expression existed. This heterogeneity was political (evident during the establishment of the Board discussed below, but with party political differences continuing after 1948[44]), sociocultural (as evidenced by the socialist, Bundist and Yiddishist movements that were especially pronounced during the 1930s[45]) as well as economic and geographic.[46] Even the seemingly basic characteristic of the community's "Jewishness" has at times been fraught with complication and internal division.

The inaction of the South African Jewish establishment in the face of the suffering and subjugation of South Africa's non-European majority under apartheid is well documented.[47] Not only is it a common feature of criticisms of the SAJBD and community more generally by Jewish anti-apartheid activists, but also a matter of much reflection for the community itself. *Jewish Affairs*, arguably the community's foremost publication, has since the fall of apartheid often published articles on the issue, including an entire edition dedicated to it in 1997. In addition to this, numerous biographical and autobiographical works have dealt with it to a greater or lesser extent, as has at least one collection of interviews with Jewish dissidents.[48] Representatives of the Board such as Zev Krengel have stated the Board's 'leadership did deals with the devil'.[49] What is often absent, however, especially in narratives sympathetic to or ideologically aligned with the radicals, is a considered examination of the events that shaped the response of the Board and the context within which it operated at the time.

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[42] On the lineage of South Africa's Jewish community, see Colin Tatz, Peter Arnold and Gillian Heller, *Worlds Apart: The Re-Migration of South African Jews*, (Dural: Rosenberg Publishing, 2007), Gideon Shimoni, *From One Frontier to Another: Jewish Identity and Political Orientation in Lithuania and South Africa, 1890-1939*, in Sander L. Gilman & Milton Shain (Eds.), *Jewries at the Frontier*, (Urbana: University of Illinois Press, 1999)

[43] After 1948 the rapprochement between the community and the government, followed by the governments increasing focus on the "Red Peril" led to the quietening of some of the political diversity that had been more pronounced prior to 1948 (especially with regards to the overt support of or belief in socialist ideologies). After the Sharpeville Massacre in 1960, and further into the 1970s as resistance to apartheid became increasingly violent, emigration of South African Jews also contributed to this process. See Tatz et al, *Worlds Apart*; Shale Horowitz and Dr. Rabbi Dana Evan Kaplan, 'The Jewish Exodus from the New South Africa', *International Migration,* 39(3), p7; Beinart, *The Jews of South Africa*, p72.

[44] Shimoni, *Community and Conscience*, p56.

[45] See Joseph Sherman, "Between Ideology and Indifference: The Destruction of Yiddish in South Africa" in Shain & Mendelsohn (Eds.), *Memories, Realities and Dreams*, pp28-49. Chapter 2 of Shimoni, *Jews and Zionism*, also details the ascendancy of Zionism within South African Jewry which played a part in the decline of these movements.

[46] Both Mendelsohn & Shain's *The Jews in South Africa* and Saron and Hotz's earlier book of the same name detial the economic and geographic differences within the Jewish community prior to 1948, as well as the gradual movement of many rural Jews into urban areas as well as the general increase in overall economic prosperity over time.

Defenders of the SAJBD's actions fall back upon arguments regarding the powerlessness of the community to affect change or of fear of a resurgence in Nationalist anti-Semitism while critics argue that more could or should have been done on behalf of the oppressed or that the SAJBD should at least not have demonised those Jews involved in the anti-apartheid movement. With few exceptions, the tendency has been for those talking about the actions of the Board to focus solely on those choices and actions while paying scant attention to the history that informed them. Authors and historians with closer affiliations to the mainstream of South African Jewry and who have written community focused histories such as Gideon Shimoni , Milton Shain and Gustav Saron have tended in their writing to reflect the community's perspective on controversial issues.

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[47] See Israel & Adams, '*That Spells Trouble*'; Beinart, *The Jews of South Africa*; Mackintosh, *Speaking out Against Injustice*; Ungar, *The Abdication of Community*; Stier, *South Africa's Jewish Complex*; Suttner (Ed.), *Cutting Through the Mountain*; Mendelsohn & Shain, *The Jews in South Africa*, *Jewish Affairs* Autumn 1997.

[48] See Suttner (Ed.), *Cutting Through the Mountain: Interviews with South African Jewish Activists*, (Natal: Interpak, 1997).

[49] Claudia Braude, “South African Jews Struggle With Legacy of Apartheid”, *Jewish Daily Forward*, 22/09/2011, available online at <http://forward.com/news/143231/south-african-jews-struggle-with-legacy-of-aparthe/>, (accessed 22/03/2015)

This has meant that significantly more attention has been given to topics of communal pride (such as the community's strong Zionist commitment – a topic on which Shimoni has dedicated an entire book[50]) than to issues of communal discomfort. The lack of attention given to uncomfortable topics was notable in Gustav Saron and Louis Hotz's first communal history *The Jews in South Africa* which as previously noted overlooked many of the more controversial aspects of the community's history. This has been reinforced by the lack of attention, over numerous publications, to the role of the Rabbinate in opposing apartheid, something that could have been written about at length (and has been by other authors such as Claudia Braude[51]).[52] The tendency of communal histories to reflect such proclivities (and 'for Jewish radicals to be written out of the official history of Jewish life in South Africa') has also been noted by authors such as Israel and Adams.[53]

This chapter seeks to examine those circumstances in greater detail. Beginning with the formation of the Board itself, it will examine the experiences and responses of the Board through the heights of popular anti-Semitism in the 1930s and 40s as well as its failed attempts at political intervention in the 1938 election. Subsequently, the position of the Board at the onset of apartheid will be analysed, looking at the role of the Afrikaner press as a watchdog over the Jewish community. Additionally the role of Israel and the experiences of a small number of Jews from within the community who spoke out – and the varying repercussions they suffered – will be surveyed.

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[50] Gideon Shimoni, *Jews and Zionism: The South African Experience (1910-1967).* (Cape Town: Oxford University Press, 1980)

[51] See Claudia Braude, *From the Brotherhood of Man to the World to Come: The Denial of the Political in Rabbinic Writing under Apartheid*, in Sander L. Gilman & Milton Shain (Eds.), *Jewries at the Frontier*, (Urbana: University of Illinois Press, 1999);

[52] Most communal histories contain only passing mentions of the role of Rabbinate in opposing apartheid. They typically have less than a page on the lives or roles of Rabbis such as Rabbis Ungar, Rabinowitz or Isaacson.

[53] Israel and Adams, "'That Spells Trouble'", p146.

This chapter will argue that the SAJBD, as the self-appointed vanguard of South African Jewry, was constrained in its actions in response to apartheid by a number of factors. Most salient amongst these was the recent historical experiences of both South African and European Jews. In the face of these recent, specifically Jewish traumas, as well as failed political interventions domestically and the onset of a rapprochement between the Jewish community and the Nationalist government, advocating for intervention in a situation which did not directly effect them was of low priority. This is not to say they were unable to intervene, but that disincentives existed that made intercession less likely.

Taking their organisational structure from the Board of Deputies of British Jews, the first years of the twentieth century saw the establishment of the Jewish Board of Deputies for the Transvaal and Natal in 1903 and the Cape Jewish Board of Deputies a year later. These two organisations would remain autonomous for nearly a decade before merging to create the SAJBD in 1912. Unification of the four previously separate colonies in the Union of South Africa gave rise to the need to unify the work of the respective Boards and other smaller, community based Jewish organisations claiming to make representations on behalf of South African Jews. Previously, the four colonies, which had come under British rule for the first time following the Second Anglo-Boer War in 1902, had individual relationships with their respective governing bodies and there had been little need to make collective representations. With the four colonies now one state, it was clear to the respective communities that a single unified entity that spoke on their behalf was needed.

Two significant factors complicated unification and would ultimately delay the formation of a single Board for nearly three years. The first was the potential opposition from the South African Zionist Federation (SAZF). In 1903, the establishment of the Jewish Board of Deputies for the Transvaal and Natal faced 'vigorous opposition' from the SAZF who saw themselves as the rightful representatives of South African Jewry.[54] Their reactions to a second national body were uncertain, and although they eventually accepted the establishment of the Board, their criticisms continued after unification.[55] The second was the difficulty in obtaining a practical commitment from the two existing Boards and their respective leaders for the merger. As Gustav Saron and Louis Hotz have noted, the 'main obstacle apparently lay in the rivalry between the communities in Cape Town and Johannesburg, or rather between their respective leaders.'[56] Despite the growing sentiment in favour of unification, it would take much negotiation and the intervention of a neutral third party as interlocutor to secure the eventual establishment of a single representative body for South African Jewry.[57]

The experience of founding the Transvaal and Natal branch of the SAJBD had introduced it's leaders to the problems associated with establishing a broad-based and inclusive organisation that sought to represent all Jews. An important aspect in securing support was to avoid anything that could be divisive within the community. At the inaugural meeting of the Board in 1903 attended by some 2,500 people, concerns were raised regarding the "political aspect", with many expressing concern the Board would attempt to dictate voting practices.[58] Max Langermann, one of the central figures in the formation of the Board, attempted to allay such fears, saying that the Board would not attempt 'at any time to influence a single Jew in the exercise of such political convictions as he might hold.'[59] He instead emphasised that the primary concerns of the Board would be first to act on behalf of the community on matters of specifically Jewish concern and secondly to facilitate a single point of contact between the government and the community. In doing so, the Board would only act with regard to matters that were objectively of concern to the entire community, whilst avoiding involvement in matters that were not, or upon which opinions might vary. Doing so was of paramount importance if the Board was to be successful and fulfil its mandate to represent the community as a whole. For many, especially those involved with other organisations, the Board would retain its relevance and significance for only as long as this objective could be maintained.

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[54] Saron and Hotz, *The Jews in South Africa*, p232.
[55] Shimoni, *Jews and Zionism*, pp13-15
[56] Saron and Hotz, *The Jews in South Africa*, p262.
[57] Ibid.
[58] Ibid., p238.
[59] Ibid.

South African Jewry, like all white communities in South Africa, is a non-indigenous minority. The bulk of the Jewish community arrived in South Africa from the Pale of Settlement in Imperial Russia in the last decades of the 1800s in an attempt to escape persecution and in the hope of a brighter economic future. That the roots of the community extended more than a century into the past did not protect or shield them from being viewed as a foreign or alien group, even by Afrikaners who were themselves equally non-indigenous. The evolution of Afrikaner nationalism is long and complex; it is important to recognise that one of the physical and demographic manifestations of its evolution was that the Afrikaner population, in the early years, had been concentrated in the Cape Colony. The Great Trek of the 1830s and 1840s saw the Afrikaner population spread across large parts of the interior of the country and develop a significant rural constituency. As globalization began to influence South African society, urban areas (where most Jews lived) became more affluent while many rural areas with large Afrikaner populations did not. By the 1930s, South African Jews had become prominent in business and had founded (or were leading) numerous successful businesses across various sectors of the economy.[60] So successful and disproportionately over-represented were Jews that they began to be the target of hostility from a comparatively under-performing Afrikaner community.[61] Mendelsohn and Shain have argued that this hostility 'fed upon an uncomfortable awareness that Jews were succeeding where Afrikaners were failing. While “poor whites” [predominantly

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[60] Mendelsohn & Shain, *The Jews in South Africa*, pp113-118.

[61] Ibid., p118.

Afrikaners]... struggled desperately to come to terms with life in the alien and inhospitable city, Jews seemed to thrive'.[62] And while it must be noted that white poverty existed both prior to and within the Jewish community, there were a number of factors that contributed to the perception of Jewish affluence. Included among these was the assistance that many Jewish migrants received from the World Society for Trades and Agricultural Labour (commonly referred to as World ORT from its Russian acronym) after its founding in 1880 which taught many Jews skills and trades which they were able to use to improve their living standards and employability. A more general but likely more influential factor was the demographic concentration of the Jewish population in South Africa in urban rather than rural areas. This was also accentuated by a steady trend of internal migration of Jewish South Africans from rural to urban areas.[63]

"Poor whiteism" did not only affect the Afrikaner community's perception of Jews, it was also a primary driver behind racially segregationist laws in employment.[64] Legislation such as the Native Labour Regulation Act and the Mines and Works Act (both of 1911) were some of the first laws restricting non-European employment and wages as a way of addressing poverty in the white community.[65] The early 1920s saw the Pact government under Prime Minister J.B.M. Hertzog introduce the Civilized Labour Policy as a way of furthering this aim. This policy was accompanied by further legislation in the form of the Industrial Conciliation Act of 1924, the Minimum Wage Act of 1925 and the Mines and Works Amendment Act of 1926.[66] One sector in which poor whites benefitted most from this policy were the railways, where white employment increased from 39,024 in 1924 to 58,562 in 1929 while black employment in the same period fell from 47,157 to 41,533 in what Jon Lewis has described as 'a massive operation in social engineering'.[67] The plight of poor Afrikaners was perhaps best exemplified by the *Carnegie Commission of Investigation on the Poor White Question in South Africa* carried out by the Carnegie Corporation. Published in 1932, it examined the plight of poor whites in South Africa, including 'a third of the Afrikaner population... [which] had been untouched by the economic expansion of the previous decades'.[68] The report was championed by the Afrikaner political establishment, and became what the Corporation now describes as 'one catalyst for the construction of the apartheid government'.[69]

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[62] Mendelsohn & Shain, *The Jews in South Africa*, p111.

[63] Horowitz & Kaplan, 'The Jewish Exodus from the New South Africa', p11.

[64] Anger towards the Jewish community was however increased in connection to this due to the work of trade union oraganisers such as Ray Simons who fought on behalf of non-European workers for improved wages and conditions.

[65] See Tatz, *Shadow and Substance in South Africa*, pp139-141.

[66] Ibid.

As the 1930s continued, another influence came to bear upon anti-Jewish hostility in South Africa: the rise of National Socialism in Germany. After finding a footing within the Afrikaner community, the "Jewish Question" emerged into the political mainstream in South Africa, most notably in the Immigration Quota Act of 1930, the Aliens Act of 1937 and the Aliens Amendment and Immigration Bill of 1939. The introduction of the Immigration Quota Act of 1930 was seen by many as a turning point for anti-Jewish sentiment in South Africa in that it was designed specifically to stem the flow of Jewish immigrants.[70] D.F. Malan, Minister of Interior and later Prime Minister, stated the restrictions were aimed at curtailing 'alien immigration, mainly from Lithuania, Poland, Latvia and Russia'.[71] Later, Malan would admit more specifically '[w]e definitely had the tremendous influx of Jews in mind at that time.'[72]

October 1933 saw the establishment of the South African Gentile National Socialist Movement, commonly referred to as the "Greyshirts". As their full name suggests, they drew explicitly upon notions of National Socialism being promoted in Germany at the time, especially the view that Jews were the cause of society's ills.[73] The Greyshirts were, however, only one of a number of Afrikaner nationalist organisations that took inspiration from Nazi ideologies. The metastasization of anti-Jewish sentiment continued with the introduction of the Aliens Act of 1937. A central goal of the act was to further restrict Jewish immigration, specifically from Germany, which had been excluded in the previous legislation. It ultimately left all immigration related decisions in the hands of the Immigrant Selection Board, the primary function of which was to assess the "assimilability" of potential immigrants. Problematically, that term lacked a specific definition in the legislation, however it had been used to refer specifically to issues concerning the Jewish community's integration within broader South African society at the time.[74]

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[67] Jon Lewis, *Industrialisation and Trade Union Organisation in South Africa, 1924-1955*, (Cambridge: Cambridge University Press, 1984), p75.

[68] Carnegie Corporation, "Carnegie Corporation in South Africa: A Difficult Past Leads to a Commitment to Change", in *Carnegie Results*, Winter 2004, available online at <http://carnegie.org/fileadmin/Media/Publications/winter_04southafrica.pdf> (accessed 11/06/2015)

[69] Ibid.

[70] Jewish Telegraph Agency, "*Charges New Immigration Quota Law in South Africa Aimed Directly at Jews*", 13/02/1930, available online at <http://www.jta.org/1930/02/13/archive/charges-new-immigration-quota-law-in-south-africa-aimed-directly-at-jews> (accessed 15/04/13); Shimoni, *Community and Conscience*, p12.

[71] Ibid.

[72] Shimoni, *Jews and Zionism*, pp99-100.

The 1937 Act was followed by a Private Bill brought before parliament by Nationalist parliamentarian Eric Louw in 1939. Echoes of German rhetoric abounded when Louw claimed the main principle of the Bill was that 'it admits the existence in South Africa of a Jewish problem, and it faces up to that problem.'[75] Although it ultimately failed to pass, it was both the most extreme and explicit example of anti-Jewish legislation in South African history.[76] When asked why the Bill discriminated against Jews Louw replied,

> Because in the first place the Jew is not assimilable... That the Jew is not assimilable has been shown from the records of history, and it is also admitted by the Jew himself. Secondly, this Bill discriminates against the Jewish immigrant and Jewish alien, because owing to certain racial characteristics he creates a problem in any

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[73] D.M. Scher, "Louis T. Weichardt and the South African Greyshirt Movement", *Kleio*, 18, 1(1986), p57.

[74] SAJBD Report of the Executive Council May 21, 1935 to May 31, 1937, p23; Shimoni, *Community and Conscience*, pp13-14.

[75] South African Government Parliamentary Debates 24/02/1939, col:827.

[76] Shimoni, *Community and Conscience*, p14.

> country as soon as the Jewish population exceeds a certain percentage of the total. Thirdly, because in South Africa the Jewish population has already reached that percentage, and consequently we have with us today a Jewish problem which must be squarely faced.[77]

The Bill was expansive. It defined who was to be classified a Jew (simultaneously characterising them "unassimilable"), allowed deportation of South African Jews, removed Yiddish as a language regarded as "European" for the purposes of immigration, and explicitly linked the Jewish and communist "problems". Furthermore, to address his fear that 'a race alien to and unassimilable with the English and Dutch-speaking populations in South Africa, has during the past years been securing control of business and industry, and also of the professions' the Governor-General was given the power to effectively ban Jews from working in certain industries and summarily close their existing businesses.[78]

In response to the growing threat posed by Afrikaner anti-Semitism, the SAJBD, through *Jewish Affairs*, began undertaking a public relations programme to raise awareness about, and enlist allies in, the fight against anti-Semitism in South Africa. An article in the July 1941 issue entitled *Freedom Admits no Compromise: The Political Struggle in South Africa* implored that history is 'a grim teacher, and her lessons bite deep and hard. The principle of liberty is one and indivisible: an attack on the rights of one group leads inevitably to an attack on the rights of all.'[79] Similar articles peppered the pages of *Jewish Affairs* in the issues and years that followed. In 1942 an article addressing anti-Semitism in South African politics stated 'the fight against anti-Semitism is inseparable from the fight for a democratic, co-operative and decent South Africa, in which the rights of all citizens will be safe-guarded.'[80] The following year, an editorial entitled *South Africa Must Choose* explored some of the issues which 'the war has thrown into strong relief', namely 'the parlous material condition under which the majority of the non-European section of our population live.'[81] The editorial explained that the alleviation of these conditions are 'much more likely to be achieved by extending the benefits of material progress to all' rather than letting 'racial prejudices... obscure the real issues.'[82] 'To think that greater prosperity will result from discrimination and injustice against one group', it argued, 'is a pathetic fallacy, for the interests of all are inter-dependent: the good of each is the good of all.'[83]

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[77] South African Government Parliamentary Debates 24/02/1939, col:834.

[78] Ibid., col:826-830; Brian Bunting, *The Rise of the South African Reich*, (London: Penguin Books, 1964), p60.

[79] "Freedom Admits No Compromise", *Jewish Affairs*, July 1941, p2.

The Board's public relations programme culminated in 1944 with the release of the Nine-Point Programme. An article entitled *Positive Principles of Our Fight* introduced the programme stating that 'the Executive Council recently deemed it desirable to formulate some of [its] principles in a series of propositions'.[84] Among the principles were that the 'fight against anti-Semitism is *part of the defence of democracy* and of freedom; and only if the larger victory is won is there hope of eliminating (or mitigating) anti-Semitism' (1); that 'Racialism (of all varieties) thrives on poverty and economic hardship' (3); that they 'must foster a tolerant and *co-operative spirit towards all sections of the South African people*' (8) and that 'efforts to promote better Jewish-Gentile relationships are part, and in furtherance of, wider efforts to promote *inter-racial and inter-faith goodwill*.' (2)[85] It was reported that lively debate accompanied the release of the Nine-Point Programme, necessitating a follow up article in the subsequent issue to further explain each of the points.[86] One source of contention was that this involved the delicate question of the relationship between Europeans and non-Europeans in the Union. The Board felt Jews must adopt an enlightened policy, but that it would be futile for them to be far in advance of public opinion.[87] This statement is one of the few that explicitly refers to the racial issues discussed by the Board as being those that exist between European and non-European. Many others, including those in the original printing of the Nine-Point Programme, can be read either as referring to European/non-European racial problems or simply as intra-European in nature. This ambiguity is problematic in ascertaining or assigning intent to the statements made by representatives of the SAJBD. However, in a discussion of the Board's public relations endeavours in an article published in 1945, the subject of race is broached directly, stating 'Democracy is indivisible: if we wish to protect our own rights, we must be zealous of the rights of others.'[88] The author goes on to assert there 'can be no question whatsoever that a democrat must work strenuously for the progressive amelioration of the lot of the non-European' before qualifying that 'Jewish citizens cannot and must not be indifferent to the lot of the non-European, but I believe that a purely emotional motivation without reference to the hard realities in South Africa will not help either the cause of the Bantu or of the Jew himself.'[89]

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[80] "Anti-Semitism in South African Politics", *Jewish Affairs*, July 1942, p7.
[81] "South Africa Must Choose", *Jewish Affairs*, April 1943, p1.
[82] Ibid.
[83] Ibid, p2.
[84] "Positive Principles of Our Fight", *Jewish Affairs*, March 1944
[85] Ibid., p11. (Italics in original)
[86] "Principles of Our Fight: Lively Debate on Board's Nine-Point Programme", *Jewish Affairs*, April 1944, p7.

The 1948 election in South Africa proved a difficult event to navigate for the SAJBD. With the parties divided once again along ideological lines the Board faced a political problem. The SAJBD had from its inception held two positions as fundamental to its organisation. The first was that it sought to represent all Jews and would act in their best interests, while the second was that it was not involved in politics save for matters directly affecting the Jewish community.[90] It justified this saying that despite representing the Jewish community as a singular entity, in political dealings all Jews acted as individuals and not as a part of any collective entity. As such, it would be inappropriate for the Board to take positions on political matters. SAJBD

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[87] "Principles of Our Fight: Lively Debate on Board's Nine-Point Programme", *Jewish Affairs*, April 1944, pp7-8.
[88] Gustav Saron, "The Jew In The South African Scene", *Jewish Affairs*, June 1945, p9.
[89] Ibid., p10.
[90] Shimoni, *Jews and Zionism*, p76.

General Secretary Gustav Saron summed up the position of the SAJBD in 1945 when he declared that the

> Board of Deputies is not a political body. It cannot have a political policy or align itself with any political party. On the other hand it cannot recede from the policy enunciated long ago, that if any political party or person, no matter who it is, has anti-Semitism as a platform, South African Jewry must oppose such a person.[91]

The 1948 election presented the Board with a predicament; the Party led by Malan contained within its ranks individuals that throughout the 1930s had promoted anti-Semitic policies. But in criticising those who had, and were still, nourishing anti-Semitism in South Africa, it could be construed that the Board was advocating by default for Malan's opponent, Jan Smuts.

One way the Board attempted to minimise this conflict was by falling back to general statements supporting "progressive" political parties or criticising those advocating "fascism" without mentioning them by name.[92] The second method was utilising anonymity. Many articles in the pages of *Jewish Affairs* carried no attribution regarding authorship, however, less than a year before the election, it carried an article entitled *My Vote on Election Day,* by "South African", who it stated was 'a well-known South African journalist' who had chosen to remain anonymous as a result of his views. What followed was an overtly political five page manifesto declaring, amongst other things, that a 'direct line of evolution runs from the Hitler worshippers and the anti-Semites to the... propagators of repressionist creeds and the impenitent racial reactionaries of today.' It continued: 'If they ask me to vote Nationalist at the next election – and by this I mean the thousands upon thousands of South Africans who want to find a way out of the morass of sectional prejudice and racial intolerance – they will be asking for a licence to translate the doctrines of race discrimination into the permanent fabric of South Africa's future. And every fibre of my being revolts against that.'[93]

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[91] Saron, "The Jew In The South African Scene", *Jewish Affairs*, June 1945, p9.

[92] "Jews Must Fight for the Rights of All", *Jewish Affairs*, August 1947, p59.

These indirect methods had been made necessary in part by the Board having previously intervened directly in politics and it having backfired. As Gideon Shimoni observed; 'In the 1938 elections the Board openly took a political stand... [it] went as far as encouraging Jews to give financial and campaigning assistance to the United Party's candidates in certain critical constituencies.'[94] This proved to be short-sighted. In 1939 the United Party (UP) fractured after internal disagreement regarding South Africa's entry into the Second World War, and a number of 'candidates who had benefited from the Board's covert co-operation... followed Hertzog into reunion with Malan's party.'[95] With the experiences of 1938 in mind and having done all it could to indirectly exercise any soft power it had, the SAJBD could only hope that enough of their fellow South Africans felt as they did and that the Reunited National Party and its ideologies could be held at bay.

On 26 May 1948, just twelve days after Israel declared independence, South Africa went to the polls. The Reunited National Party led by Dr Malan, despite receiving almost 125,000 fewer votes than the UP, won 70 of the 153 seats in parliament compared to the UP's 65. Thus, in coalition with the Afrikaners Party (with whom they would merge in 1951 and who had won 9 seats), the Reunited National Party were able to form government. As could well have been expected, 'when the sensational news of the... National Party's victory was announced, a cold shiver of shock and trepidation ran through the Jewish community'.[96] It did not take long however for the worst fears of the community to be allayed. As Mendelsohn and Shain observed; 'Within two months of Dr Malan's victory... [a] delegation from the Board of Deputies visited the Prime Minister to discuss Jewish concerns about their place in a Nationalist-ruled South Africa and were assured that the "Jewish Question" would be laid to rest.'[97] Subsequent to this meeting and as an expression of good faith in his assurances, Malan allowed both men and supplies to be sent to Israel in the 1948 war.[98] This was followed by South Africa's recognition of Israel at the United Nations.[99] Four years later, in 1953, Malan would become the first sitting world leader to visit the State of Israel, a move that so enamoured the community's leaders that the SAZF held a banquet in his honour upon his return.[100]

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[93] South African, “My Vote on Election Day”, *Jewish Affairs*, June 1947, p10.
[94] Shimoni, *Jews and Zionism*, p152.
[95] Ibid., p153.
[96] Ibid., p206.

Cause for hope regarding a cordial relationship with, and rapprochement between, South African Jewry and the Nationalist government had been foreshadowed. In the months before the 1948 election there had been signs, however tentative, that Malan was quietly and incrementally moving his party away from the anti-Semitism which had characterised it during the late 1930s.[101] These steps had been viewed sceptically at the time as a result of the influence and role of the Afrikaner press, which had alternated between helpfully facilitating and frustratingly inflaming interactions between the government and the Jewish community.[102] The SAJBD dedicated a significant amount of space in its Report of the Executive Committee (August 1947 - May 1949) to covering the various aspects of the transitional period from pre- to post-1948. It examined the press, including Malan's pre-election interview which was widely published within the Afrikaner press, and hinted at the softening of the Nationalist position on the "Jewish

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[97] Mendelsohn and Shain, *The Jews of South Africa*, p134.

[98] Ibid.

[99] United Nations, Report from the 207th Plenary Meeting available online at <http://www.un.org/en/ga/search/view_doc.asp?symbol=A/PV.207> (accessed 29/03/2015) .

[100] Jewish Telegraph Agency, *"So. African Premier Feted by Zionists; Lauds Israel's "resurrection""*, 28/08/1953, available online at <http://www.jta.org/1953/08/28/archive/so-african-premier-feted-by-zionists-lauds-israels-resurrection> (accessed 29/03/2015).

[101] Saron and Hotz, *The Jews in South Africa*, p386.

[102] Shimoni, *Jews and Zionism*, pp208-9.

Question”. In addition, it noted the Board's delegation to Malan after his election victory, at which he reassured the community leaders that the government 'stood for a policy of non-discrimination against any section of the European population in South Africa' and that he 'looked forward to the time when there would be no further talk regarding the so-called Jewish question in the life and politics of this country.'[103]

These issues exposed the complicated nature of the Jewish community existing on the fringes of “white” society in South Africa in the early years of the apartheid era. They feared a return to the anti-Semitism that had characterised the 1930s and 1940s, and were hesitant to act in any way that might jeopardise its newly found rapprochement.[104] Perhaps the most central pillars in this balancing act was the reaffirmation of its stance of political non-involvement and avoiding the mistakes that had come from violating that dictum in the past.[105] It was, however, complicated by having to navigate the political leanings of individual Jews within the community, both those seeking support for liberal positions, which the Board had broadly and vaguely supported before the election, and who saw apartheid as a fundamentally negative force, and from others who embraced it and the safety and prosperity that came with it. Between these two poles lay a much larger group, uncomfortable with the emerging apartheid regime, but fearful of taking a stand lest they fall foul of that same regime. The Board, insofar as communicating any kind of message that could be construed as even vaguely political was concerned, could not do so without risk of offending those on either end of the political spectrum, thus endangering their position as the representative body of the entire community. This fundamentally crippled the ability of the Board to maintain both organisational hegemony within the community and the ability to speak out, regardless of the opinions of the community it sought to represent.

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[103] SAJBD Report of the Executive Committee, August 1947 to May 1949, p12.

[104] Daniel Mackintosh, “Speaking Out Against Injustice? Re-examining the SA Jewish Board of Deputies response to Apartheid, 1948-1976”, *Jewish Affairs*, Rosh Hashanah 2010, p36.

[105] Reaffirmations of its stance of political non-involvement can be found in respective Reports to the Executive Committee as follows: 1947-1949 p15; 1949-1951 p12; 1951-1953 pp8-9; 1953-1955 p11; 1955-1958 pp7-9; 1958-1960 p9; 1960-1962 p3.

As apartheid unfolded in South Africa, the SAJBD remained organisationally unwilling to deviate from its conscious non-involvement in politics, regardless of the ramifications. However, this adherence was not entirely voluntary. One significant factor in the continued silence of the Board was the vigilance paid to it by the Afrikaner press. Each of the seven Reports of the Executive Committee presented at consecutive SAJBD Congresses between 1948 and 1962 recalls in detail instances in which the Afrikaner press reported critically of the Jewish community.[106] While it is noted that overall instances of such reporting were not common, their inclusion implies the Executive attached significance to their existence. The criticisms appear to coalesce around a small number of recurring topics: the discrimination in or exclusion from collective Jewish communal life of pro-Nationalist Jews, the implication that anti-Nationalist Jews spoke on behalf of the entire community, and that a dual loyalty existed between their fidelity to South Africa and their connections to Israel. Although all claims were said to have been countered by the SAJBD, their continued existence over more than a decade speaks to an ongoing undercurrent of and tendency towards simplistic reliance upon group stereotypes and caricatures, especially within the pro-government Afrikaner press. The impact of these recurring statements in the press, though sporadic, are indicative of a long standing effort on the part of sections of white South African society to maintain a watchful eye over South African Jewry and hold them to account should their commitment to apartheid falter.

A second significant factor in the silence of the SAJBD was the community's Zionism and strong communal connection to Israel. This had been unproblematic under former Prime Minister Jan Smuts, an ardent supporter of Zionism and close personal friend of Zionist leader

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[106] In respective Reports to the Executive Committee these reports can be found as follows: 1947-1949 pp9-13; 1949-1951 p13; 1951-1953 pp9-11; 1953-1955 pp11-12; 1955-1958 pp8-9; 1958-1960 pp14-15; 1960-1962 pp10-14.

Chaim Weizmann.[107] However, in the immediate aftermath of the Nationalists 1948 election victory, the ability of the relationship between South African Jewry and Israel to continue was uncertain. Much to the relief of the community, upon taking office Malan quickly sought to reassure the community there was no threat to the relationship. Domestic political considerations – such as the need for a unified white population to ensure the survival of apartheid – aside, there are at least two other significant factors that contributed to Malan's willingness to facilitate South African Jewry's relationship with Israel. The first is that, in some ways, the development of a specifically Jewish nationalism within the South African context furthered Malan's argument for the “separateness” of groups within South Africa.[108] Secondly, there were those within both the government and press that expressed sympathy with Jewish anti-British sentiment in Palestine, and drew parallels between the Jewish struggle for statehood amongst a hostile Arab population and their own attempts to establish an Afrikaner government in South Africa amongst a hostile native population.[109]

However this perception of solidarity and goodwill between the South African and Israeli governments was to become tumultuous in later years. In the early 1960s Israel began to ingratiate itself with newly independent and emerging African nations, many of which were hostile to the regime in Pretoria. As Israeli academic Naomi Chazan (amongst others) has chronicled, in 1961 Israel had 'joined an anti-apartheid censure initiative in the United Nations. In 1962, this vote was repeated, and by 1963 Israel had withdrawn its diplomatic delegate to South Africa, unilaterally reducing its representation to a consular level.'[110] So unwelcome was Israel's encroachment into the domestic stability of the rapprochement that Gideon Shimoni would later write that it 'was to perturb South African Jewry and trouble the conscience of the community's leaders even more than the concurrent salience of Jewish radicals and liberals in the resistance to apartheid'.[111] This was further exacerbated by Israel's permanent representative to the UN during the period being Michael Comay, a South African Jew who had fought for South Africa in the Second World War and later settled in Israel.[112] This souring of relations between Israel and South Africa, though outside the control of South Africa's Jewish population, nonetheless impacted upon relations between the Jewish community and Nationalist government. It not only caused great consternation among the leaders of the SAJBD and SAZF, but also had tangible ramifications. Foremost of these was the rescinding of the privileged status of transfers of goods and funds from the South African Jewish community to Israel. This placed transfers at the discretion of the Treasury, which in turn denied at least one request, causing further alarm and dismay within the community that it was being blamed for the actions of Israel.[113] While it is also worth noting that the relationship between Israel and South Africa would begin to improve in 1967 and improve significantly after 1973 (including cooperation on their respective nuclear weapons development programs occurring outside the jurisdiction of international monitoring and conventions[114]) the period between 1961 and 1967 exposed the fragility of the rapprochement between the government and the domestic Jewish community, and also the ease with which the Nationalists were able to keep the Jewish community "in check" by exerting pressure upon the community as a whole for the actions of specific Jews or groups thereof.

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[107] Richard P. Stevens, “Smuts and Weizmann”, *Journal of Palestine Studies*, 3(1), 1973, p35.

[108] Dan Jacobson, “The Jews of South Africa: Portrait of a Flourishing Community”, *Commentary,* January 1957, p42.

[109] Richard P. Stevens, “Zionism, South Africa and Apartheid: A Paradoxical Triangle”, *Phylon,* 32(2), 1971, p126.

[110] Naomi Chazan, “The Fallacies of Pragmatism: Israeli Foreign Policy towards South Africa”, *African Affairs*, 82(327), p172.

The SAJBD sought to protect itself and what it saw as the interests of the community it represented by establishing and maintaining a specific approach to issues in South Africa. One of the most commonly deployed mechanisms was the near constant reaffirmation that the SAJBD was non-political in all contexts save for those that directly affected South African Jewry. After one such declaration in May 1951 was met with scepticism from the Nationalist press, the Chairman of the Executive Council of the SAJBD, E. J. Horowitz, stated

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[111] Shimoni, *Community and Conscience*, p46.

[112] Ibid., p48.

[113] Shimoni, *Jews and Zionism*, pp217-219

[114] Polakow-Suransky, *The Unspoken Alliance*, pp7-8.

> The [SAJBD], which is the representative body of organised Jewry in South Africa, is a non-political body. It acts only in matters of common concern to all Jews, and since individual Jews have diversified political opinions, the Board itself cannot adopt a party-political attitude, and does not do so. But clearly the Board's neutrality in party-politics does not imply that the individual Jewish citizen is, or should be, neutral. He has the right of every citizen to support any party he wishes, and no-one would regard his particular political viewpoint as representative of the whole community.[115]

Each of the seven Reports of the Executive Committee reaffirm a similar position on political non-involvement as well as the right of individual Jews to freely participate in politics as individuals.[116] As apartheid continued apace into the 1960s however, two significant challenges would come to face the SAJBD. The first was the international criticism of South Africa by Israel, most notably in a series of votes at the United Nations. This culminated in a vote, supported by Israel, to censure South African Foreign Minister Eric Louw in October 1961 for 'offensive, fictitious and erroneous statements' contained in his speech on South Africa's policy to the General Assembly.[117] Following the vote and sustained criticism at home, the SAJBD issued a statement that, while acknowledging Israel had the right to decide how it voted, criticised Israel for not doing as the majority of other Western nations had and abstaining or absenting themselves from the vote.[118]

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[115] SAJBD Report of the Executive Committee, June 1951 to May 1953, p9.

[116] In respective Reports to the Executive Committee these reports can be found as follows: 1947-1949 p15; 1949-1951 p12; 1951-1953 pp8-9; 1953-1955 p11; 1955-1958 pp7-9; 1958-1960 p9; 1960-1962 p3.

[117] SAJBD Report of the Executive Committee, September 1960 to August 1962, pp10-11.

[118] Ibid., pp11-12.

The second challenge that faced the community and the Board were the actions of people from within the community who tested the boundaries of acceptable behaviour decided by the Board. These people, such as Harry Schwarz and Rabbi Andre Ungar, caused difficulty for the community by drawing potentially unwanted attention to Jews. Harry Schwarz straddled the line between acceptable and unacceptable behaviour in the eyes of the SAJBD perhaps more than any other person. He was a founding member of the Springbok Legion, a union of soldiers founded in 1941 that promoted education and advocated on behalf of servicemen irrespective of race.[119] As a member of the Legion, Schwarz came to know a number of members of the CPSA, including Joe Slovo, with whom he would have a long and close friendship despite strong political differences.[120] In 1951 Schwarz became a founding member and leader of the Torch Commando, a group of ex-servicemen, many of whom had been members of the Legion but who disagreed with growing communist influence within it.[121] The Commando existed for only a few years, but in 1952 had an estimated membership of 250,000 people.[122] The popularity of the Torch Commando can be largely attributed to the political landscape that confronted returned servicemen. As South African poet Christopher Hope observed, 'the men returning from war were... somewhat touchy about the fact that while they had been out fighting the Germans, many Afrikaner Nationalists had been sitting at home knitting socks for Hitler.'[123] After the banning of the CPSA in 1950, the Torch Commando constituted the single largest extra-parliamentary challenge to the National Party, and their actions were extolled by former communist parliamentarian Sam Kahn amongst others.[124] Schwarz was politically active within the UP after the demise of the Commando and his work as a lawyer saw him join the Rivonia Trial defence team in 1963. A decade later he would instigate a realignment of the parliamentary opposition away from the UP by splitting from them over disagreements regarding racial equality.

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[119] Neil Roos, “Education, Sex and Leisure: Ideology, Discipline and the Construction of Race Among South African Servicemen During the Second World War”, *Journal of Social History*, 44, 3(2011), p820.

[120] Brian Pottinger, “The battling ways of airman Schwarz”, *Sunday Times*, 18/11/1990.

[121] Barry White, “The Role of the Springbok Legion in the Communist Party of South Africa's Common Front Strategy 1941-1950”, *Kleio*, XXV, 1993, p100.

[122] David Everatt, *The Origins of non-Racialism: White Opposition to apartheid in the 1950s*, (Johannesburg: Wits University Press, 2009), p35.

[123] Christopher Hope, *White Boy Running*, (New York: Anchor Books, 1989), p228.

[124] Baruch Hirson, *History of the Left in South Africa*, (London: I.B. Tauris, 2005), p139.

In comparison to Schwarz, who suffered no specific repercussions from the Jewish community for his political work, outspoken members of the rabbinate faired quite differently. Though it is generally agreed that little significant opposition to apartheid stemmed from Jewish clergymen, it is worth noting their unique position, as well as some of those few who diverged from the quietest or conformist norm. Regarding the role of the rabbinate Gideon Shimoni has argued that 'concern with moral issues affecting society was universally recognised as the legitimate province of the clergy', and as such 'rabbis potentially enjoyed considerably more leeway' in their ability to articulate criticisms of the racial nature of South African society.[125] The Board, 'ostensibly at least, tended to shift to the rabbinate responsibility for providing guidance on the implications of the Jewish ethos.'[126] Despite this, three significant factors limited the rabbinate's willingness to speak out. The first was their personal view on the issues. Irrespective of outside factors, some Rabbis were likely not sufficiently moved by the situation to protest it. Secondly, despite the Board's deference on moral matters, an understanding of the potential for gentile misinterpretation of a Rabbi's perspective to be representative of the community writ large left them unwilling to completely relinquish their influential position regarding Rabbinic freedom.[127] Finally, even if they were sufficiently moved to protest apartheid and the Board did not stand in their way, the attitudes and reactions of their congregations also served as a potent consideration, as the Rabbi's who follow discovered first-hand.

Chief Rabbi Louis Rabinowitz, although Scottish by birth, shared a family history grounded firmly in Eastern Europe like much of South African Jewry. As Chief Rabbi of South

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[125] Shimoni, *Jews and Zionism,* p277.
[126] Ibid.
[127] Ibid.

Africa for over 15 years, he led the largest Orthodox synagogue in Johannesburg, which counted amongst its membership (and who was for a time president,) Percy Yutar. Rabinowitz was a widely respected yet controversial figure who did not shy away from criticising both apartheid and the stance of the SAJBD towards it. South African journalist and historian Claudia Braude has said of Rabinowitz that he 'drew on Jewish traditions to speak out against Afrikaans nationalism and racism... [He] promoted the need to identify with “the oppressed and the suffering” which, in the South African context, clearly meant those suffering racist, apartheid oppression.'[128] He also clashed with the SAJBD for their timidity regarding criticism of apartheid. Shimoni quotes Rabinowitz as having stated that 'Our concern is with the doctrines of Judaism, not the views of individual Jews... and we betray these doctrines if we do not proclaim that Judaism teaches, without equivocation, the absolute equality of all men before God.'[129] Upon his decision to retire, he said of the SAJBD that 'the caution which the Board has shown in refusing to declare a Jewish ethical attitude... [could be] variously interpreted... as either admirable discretion or reprehensible timorousness', continuing that their actions had meant 'the abdication of any claim to... lead in these matters.'[130]

Chief Rabbi Rabinowitz's *protégé* Rabbi Ben Isaacson was similarly outspoken on matters of race in South Africa. Described by Immanuel Suttner as 'the most controversial of South African Rabbis', Isaacson began criticising apartheid in the late 1950s while holding the position of assistant Rabbi to Rabinowitz at the Great Synagogue in Johannesburg.[131] After clashing with Percy Yutar in Johannesburg (the result of a sermon in which he denounced the governments anti-Semitic attacks on Helen Suzman – who had just split from the United Party – and the SAJBD for failing to defend her[132]) he was relieved of his position and later posted to both Krugersdorp and Bloemfontein from which he continued his outspoken criticism of apartheid. He also drew criticism for his close association with members of the white Congress of Democrats, especially Ben and Mary Turok, whose children Isaacson took in when they both went into hiding.[133] Eventually, after repeatedly coming into conflict with community leaders for his political activities (as well as his refusal to abide by a prohibition on Orthodox Rabbis having any involvement with Rabbis or representatives of Reform Judaism) Isaacson decided in 1965 to leave South Africa for Israel, though he would later return after the Yom Kippur War before finally settling in Zimbabwe.[134]

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[128] Braude, *From the Brotherhood of Man to the World to Come*, p268.
[129] Shimoni, *Jews and Zionism*, p282.
[130] Cited in Shimoni, *Community and Conscience*, p40.
[131] Shimoni, *Community and Conscience*, p565.
[132] Ibid., p570.

However it is Rabbi Andre Ungar who perhaps suffered most greatly. For the most part it was rare for rabbis in South Africa to openly criticise apartheid or comment on matters of race. When they did, the response from the Jewish community was far from enthusiastic.[135] This included the SAJBD which tended to distance themselves from the remarks and not offer any assistance, even to reduce tensions between rabbis and their congregations. Such was the case for Rabbi Ungar, a Hungarian rabbi and Holocaust survivor. After criticising apartheid and finding the Jewish establishment refused to support him, Ungar was deported from South Africa.[136] Regarding his deportation, the National Executive of the SAJBD concluded,

> There is no occasion for the Board to intervene or make a statement. Action was not taken by the government against Rabbi Andre Ungar because he was a Jewish minister. The rabbi did not confine his utterances to the pulpit but went on to the political platform and must therefore bear the consequences as an individual.[137]

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[133] Suttner, *Cutting Through the Mountain,* p575.

[134] Ibid., pp565-566.

[135] Shimoni, *Community and Conscience*, p36.

[136] Ibid., pp36-8; Shimoni, *Jews and Zionism*, pp278-80; Mendelsohn and Shain, *The Jews in South Africa*, p142.

[137] SAJBD, Executive Council Minutes, 12 December 1956, cited in Shimoni, *Community and Conscience*, p38 & Shimoni, *Jews and Zionism*, p280.

Even Rabbi Moses Cyrus Weiler, the senior Reform minister in South Africa and effectively Rabbi Ungars boss, refused to support him.[138] Some two years after Rabbi Ungar was forced to leave South Africa he articulated his position in an article published in *Africa South*. He wrote,

> living in South Africa means as inevitable a contact with the colour question as with the air one breathes or the ground on which one treads. It is both theoretically and practically impossible to opt out, because the very act of refusing to be openly committed amounts to an open commitment on the side of the status quo... It means tacitly appending one's own signature to the decree of race domination.[139]

Ungar argued that even in the worst case scenario, in which 'the vindictive fury of Nationalist reaction [to Jewish opposition] would drive a Jewry thus aligned onto the oppressed, non-white side of the artificial racial fence' it would 'still be favourable... [as] at once South African Jewry would be free from the moral guilt which attaches to all who enforce, connive at or benefit from the present discriminatory, unjust arrangement.' The presence of Jews as fellow-oppressed would also 'give a formidable weapon into the hands of the forces struggling for the ultimate freedom and justice and democracy of South Africa.'[140] Ironically, in 1990 when the President of the South African Union of Progressive Judaism met Nelson Mandela, Mandela singled out Rabbi Ungar for praise for his opposition to apartheid.[141]

When a broader view of the events surrounding the lead up to apartheid are taken into consideration, especially as they relate to South African Jewry, the narrative of Jewish collective inaction becomes more complicated. It is difficult to truly assess, given the inescapability of hindsight, how significant a role those events played in the minds of those charged with custodianship of the community's safety. The domestic anti-Semitism of the 1930s and 1940s, coupled with ill-considered political manoeuvring by the Board in the 1938 election, created a situation whereby outright defiance of the political status quo posed significant potential risks. These risks were likely only magnified by the knowledge of the recent experiences of European Jews during the Holocaust. This is not to say that opposing apartheid would have necessarily entailed such consequences, but that the threat of those consequences existing was in all likelihood a consideration for the Board. Irrespective of the process by which the Board came to its conclusions, its attitude regarding apartheid was further complicated not only by some members of their own community, but by the increase in activity of anti-apartheid groups in South Africa, many of which contained South African Jews. These Jews were overwhelmingly not a part of the established Jewish community and as such it was difficult, if not impossible, for the SAJBD to restrain or influence their behaviour or punish any transgression against communal norms.

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[138] Mendelsohn and Shain, *The Jews in South Africa*, p142.

[139] Ungar, "The Abdication of a Community", *Africa South*, 3, 2(1959), p31.

[140] Ibid., pp37-8.

[141] World Union of Progressive Judaism, '*Tributes to Former President of South Africa Nelson Mandela*', p7, available online at <http://www.wupj.org/assets/news/TributesToNelsonMandela2013.pdf> (accessed 29/03/2015).

Chapter Two: Jews in the anti-apartheid Movement

The established Jewish community, satisfied with the rapprochement reached with Malan, ceased any indirect collective political activity it had been engaged in prior to the 1948 election and returned to its stated status quo of political non-involvement. In practice, this response tacitly encouraged passivity and restricted political dissent. Jews whose political expression failed to conform to the accepted nature and scope of behaviour quickly found themselves facing repercussions, ranging from reprimand to excommunication depending on the form of activity and the individuals position in relation to the overall established Jewish community. In this way, figures such as Helen Suzman and the many South African Jewish advocates were able to take on politically sensitive issues without any loss of standing within the community, while members of radical organisations such as the Communist Party or those who spoke out more forcefully, such as Rabbi Ungar, faced notable opposition. This hostility was at least partially motivated by an understanding amongst the Jewish community that those segments of the South African population who had most vociferously persecuted them in the past did so in part because of the perceived association with communist ideologies to which they were opposed. This resulted in a form of communal self-censorship and policing as a mechanism for avoiding potentially negative attention being drawn to the community by the behaviour and actions of individual Jews.

Jewish over-representation in the South African anti-apartheid movement has been well established.[142] This is noted not only in academic works, but also in community histories and the popular memory and consciousness of many South Africans.[143] Less widely embraced by the Jewish community is the relative inaction of Jews in the face of apartheid and the community's negative attitude toward those Jews who did break with societal norms to challenge the apartheid regime and the racial nature of the state. The over-representation of a minority of the Jewish community in the anti-apartheid movement, though well established in the literature, lacks a concerted examination of the motivations of the individual activists involved and the circumstances which influenced them. Rather, they tend towards a collective examinations focusing on collective rather than individual motivations and factors shaping their beliefs and activities. While many documents – memoirs, interviews and the like – have come someway towards relating individual experiences, few contrast or contextualise these accounts as a way of examining what led Jewish members of the anti-apartheid movement to risk so much for little, if any, personal gain.

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[142] Adler, “South African Jews and Apartheid”, p24; Beinart, “The Jews of South Africa”, p74; Weisbord, “The Dilemma of South African Jewry”, p237; Steir, “South Africa's Jewish Complex”, p137; Israel and Adams, “That Spells Trouble”, p145.

[143] Shimoni, *Community and Conscience*, p73; Mendelsohn and Shain, *The Jews in South Africa*, p145, Suttner, *Cutting Through The Mountain*, p2.

This chapter seeks to explore South African Jewish involvement in radical politics and their motivations for doing so. It will argue, to paraphrase Isaac Deutscher, that the minority of South African Jewry who participated in the anti-apartheid movement were Jewish heretics who transcended Jewry and yet belonged to a Jewish tradition.[144] To do this, the roles various Jews have played in radical movements in South Africa will be examined, showing that few unifying factors, besides a shared commitment to equality irrespective of race, are common amongst them. To better understand the political situation, a brief history of Jewish involvement in radical politics in South Africa is needed, as well as an examination of arguably the most significant catalyst for change in radical politics in South African history, the Suppression of Communism Act of 1950. The Act is significant as it marked one of the first steps by the Nationalist government to marginalise political opponents. It also served as both the framework through which the counter-offensive against the anti-apartheid movement would be conducted, and arguably as the avenue through which Nationalist anti-Semitism would be shifted to a more politically acceptable form – anti-communism.

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[144] Deutscher, *The non-Jewish Jew*, p26.

The symbiotic relationship between Jews and the political Left internationally is well known.[145] It was never all-encompassing, but instead tended to be undertaken by a minority of the Jewish community and a section of the Left, usually ideologically aligned with socialism or communism. Although it is impossible to create an all-encompassing taxonomy delineating the motivations of Jews involved in Leftist groups, a number of themes emerge that are insightful. The first is discrimination, encompassing the experiences of Jews who were repressed, oppressed or discriminated against by virtue of their Jewishness.[146] This was especially salient in the first half of the twentieth century when anti-Jewish sentiment influenced attitudes and policies towards Jews not only among the Axis powers, but also in many Allied countries. Faced with such a hostile society, the Left's advocacy of racial and ethnic equality stood apart. A second theme, and one that is historically contentious to some Jews, is the influence of Jewishness.[147] This can be seen either through direct religious concepts such as *tikkun olam* or *tzedakah* (loosely "healing the world" and "justice" respectively) or through cultural traditions and historical understandings of the negative effects of discrimination. From the position of many marginalised Jews, any group that reflected (or was perceived to reflect) their values and was willing to defend their rights was viewed positively. For them, the Left was a vehicle of change, an often revolutionary political movement that sought a better world in which their circumstances could be improved and institutionalised discrimination and disadvantage overcome.

The length and depth of Jewish engagement with the Left varied depending on a number of factors. In South Africa, engagement began in the late 1800s with small Jewish trade unions and the introduction of socialism and Bundism from Eastern Europe.[148] Despite the over-representation of

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[145] See Mendes, *Jews and the Left;* Lieberman, *Jews and the Left;* Ezra Mendelsohn (Ed.), *Essential Papers on Jews and the Left*, (New York: New York University Press, 1997).

[146] Liebman, *Jews and the Left*, pp3-33; Mendes, *Jews and the Left*, pp5-18.

[147] Ibid.

[148] There is significant overlap between the socialist, Bundist, and Communist aspects of the Jewish Left in South Africa, especially during their peak in the 1930s when many fought alongside each other against proto-fascist groups like the Greyshirts. Although not identical, the translation of especially Bundist ideologies to the South African context is similar to that of Bundist immigrants to the US and Australia. See David Slucki, "Bundists and minority rights after the Holocaust", *East European Jewish Affairs*, 43(3), pp282-296.

Jews among Leftist organisations generally and socialist and communist ones specifically, they constituted only a minority of the broader Jewish community, and their involvement with these organisations was controversial.[149] The Left-Jewish coalition in South Africa, though similar in some respects to other such coalitions globally, was unique. Unlike many countries, South African anti-Semitism did not form the crux of the Jewish-Left relationship. Anti-Semitism, though a factor in drawing Jews to the Left, was never marginalised as it was in other Western countries. Instead, it subsided and transformed most notably into anti-communism. This anti-communism would serve as a political tool for furthering racialism against the non-European majority. In this way, the central organising motivation for the Jewish Left derived from advocacy for the rights of others, namely the non-European community, rather than for their own self-interest and preservation.[150] This externalised motivation is similar to that of Jews in the United States Civil Rights movement where a clear divide existed between Northern Jewry who were generally progressive and supported desegregation, and Southern Jewry who did not.[151] However, no such geographic distinction existed in South Africa and the Jewish community's differences were evident at close quarters.

When talking about a Jewish Left in South Africa, it is important to not only locate it within the broader international Left and international Jewish Left, but also within the South African liberal tradition. This tradition has a long and storied history, albeit one in which it is frequently on the defensive, and is much too voluminous to detail here in full. Instead a thumbnail sketch will be provided to emphasise its importance and to proffer some examples of the links between it and the radical tradition that sat alongside it. These traditions in some ways compete with each other, but are also affected by similar forces – both internal and external – which inhibit them. Arguably their most significant departure was over their fundamental approaches to affecting change. While those in the radical tradition were more often associated with revolutionary postures and approaches, those in the liberal tradition were more likely to advocate for reform rather than revolution.

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[149] See Mendes, *Jews and the Left*, ch4.

[150] Suttner, *Cutting Through the Mountain*, p1.

[151] On the divide between American Jewry see John Fobanjong, 'Local Rifts Over Jewish Support for African Americans in the Pre-Civil Rights Era', *The Western Journal of Black Studies,* 26(3), 2002 and Diner, '"If I Am Not for Myself".

There are a number of highly respected and significant liberals whose contribution to South African political and intellectual life is hard to overestimate. These individuals often coalesced around organisations or institutions that shared their outlook and from which they were able to apply their principles to action. Two such institutions were the South African Institute of Race Relations (SAIRR) and the University of Witwatersrand. The SAIRR, founded in 1929, counted among its members such prominent liberal figures as Edgar H. Brookes, J. Howard Pim, Johannes du Plessis, Alfred Hoernle, Donald Molteno, C.T. Loram and J.D. Rheinallt Jones. The latter two of whom had also co-founded the Johannesburg Joint Council of Europeans and Africans in 1921, a similarly liberal organisation which spawned other such councils around South Africa. For many years the SAIRR was supported politically by Jan Hendrik Hofmeyr, who had in his twenties taken over as head of the South African School of Mines, changed its name to the University of Witwatersrand and begun advocating an educational paradigm that 'should know no distinction of class, wealth, race or creed'.[152] Wits University as it would become known was also home to a number of notable South African liberals including the widely respected authority on law, race and labour relations Julius Lewin, Arthur Kepple-Jones, who is perhaps most remembered for his 1947 book *When Smuts Goes*, a dystopian account of a post-UP South Africa led by Afrikaner Nationalists and the famed anti-apartheid politician Helen Suzman. Suzman, along with Hofmeyr are perhaps the two most well know liberal politicans in South Africa, but they are by no means their sole representatives. In addition to Suzman and Hofmeyr one can add Harry Schwarz, the South African Labour Party (1910-1958), and also the multi-racial Liberal Party (1953-1968) amongst whose founding members were Alan Paton, Leslie Rubin and Margaret Ballinger.[153] Rubin and Ballinger were both Native Representatives (1954-1960 and 1937-1960 respectively), a role introduced to compensate Cape Africans for their loss of (qualified) electoral franchise in 1936.[154] Other notable liberal Native Representatives include J.D. Rheinallt Jones (1937-42) and former CPSA member Hyman "Hymie" Basner who replaced him (1942-1948).

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[152] Alan Paton, *Hofmeyr,* (London: Oxford University Press, 1964), p81.

[153] In addition to the Labour and Liberal parties, one should also include Suzman's Progressive Party, Schwarz's Reform Party, their combined Progressive Reform Party (later the Progressive Federal Party) as well as a small but vocal caucus within the United Party in the ranks organised parliamentary liberals in South Africa.

A number of links also existed between the liberal and radical traditions that deserve mention. Ruth First co-authored a biography of liberal heroine Olive Schreiner and Helen Suzman taught a number of people at Wits who went on to become prominent in radical groups including Joe Slovo and would later as a politician make a concerted effort to maintain contact with imprisoned anti-apartheid figures of all races. Furthermore, activist and anti-apartheid journalist Donald Woods would become close with Black Consciousness leader Steve Biko before his death in police custody in 1977 and Alan Paton would testify in mitigation at the Rivonia Trial arguing against the imposition of the death penalty. Institutionally, the International Socialist League (ISL) owed its existence to its split from the Labour Party in 1915 over entry into the First World War, Rivonia Trialist Bob Hepple's father was Alex Hepple – the last Labour leader before the party's demise in 1958 – and in 1960 a break-away group from the Liberal Party calling itself the National Committee of Liberation (later renamed the African Resistance Movement) would begin aiding people in hiding in the wake of the Sharpeville Massacre but by 1963 had progressed to acts of sabotage nominally in line with that of the much more radical MK.

Two things must be kept in mind when examining and analysing the legacy of both the liberal and radical traditions within South Africa, however. The first is that overwhelmingly, despite their concerted efforts to change the racialised society in which they lived and their principled opposition to its fundamental tenants, both traditions nonetheless existed within that society and were by virtue of that de jure beneficiaries of the white privilege inherent within it. The second is that arguably the legacy of the white liberal tradition within South Africa belies its actual size and presence in the discourse of the time. Although influential, that influence was limited in both size and scope. This is doubly so for the white radical tradition. Ascertaining statistical evidence to support any conclusion is also imprecise and problematic. An instructive example of this is the CPSA; if we take white (or white Jewish) membership of the CPSA as evidence of influence or power within the organisation, it is difficult to adequately establish with any certainty. Until the 1930s the membership of the CPSA was largely white. But following a conscious decision to reorient towards non-Europeans, recruitment of black and Indian members increased dramatically. This coupled with a series of internal purges and expulsions from within the Party, simultaneously reducing white membership, especially of those in leadership positions. This is only further compounded by the unreliability of early South African communist historiography.[155] Such assertions also assume that their influence extended only as far as their membership. This excludes those sympathetic to their movements, aims or principles, but are unable or unwilling to go so far as to actually join an organisation. This factor only became more salient as the political atmosphere in South Africa became increasingly conservative and reactive and even appearing to be aligned with such liberal or radical movements carried significant potential consequences.

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[154] For a detailed examination of the 1936 legislation that removed individual African franchise in the Cape, see Tatz, *Shadow and Substance*, pp75-91.

Jewish involvement in movements opposed to the racialised nature of South African society long pre-date the struggle against apartheid for which they have become best known. In the late 1890s when Mahatma Gandhi arrived in South Africa, Jews were so prominent in circles in which he moved that he remarked some years later that '[i]n South Africa I was surrounded by Jews.'[156] His innermost circle comprised many Jews; English Jew Henry Polak edited Indian Opinion, the mouthpiece of Indian resistance in South Africa and was regarded as Gandhi's closest friend.[157]

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[155] See Mia Roth, “Eddie, Brian, Jack and Let's Phone Rusty: Is This the History of the Communist Party of South Africa (1921-1950)?”, *South African Historical Journal*, 42(1), 2000.

[156] “Interview to The Jewish Chronicle with Gandhi”, *Jewish Chronicle*, October 2, 1931 available online at <http://www.gandhiserve.org/information/writings_online/articles/gandhi_jews_palestine.html#Interview to The Jewish Chronicle, by Gandhi - The Jewish Chronicle, London, October 2, 1931> (accessed 29/03/2015).

[157] Ramachandra Guhu, “Gandhi's master biographer uncovers an unlikely friendship with an English couple”, *The*

German Jewish immigrant Hermann Kallenbach was one of his closest companions in South Africa and, even after Gandhi's departure, was in regular correspondence for a number of years.[158] Furthermore, Louis Walter Ritch and Sonia Schlesin worked closely with Gandhi as his articled clerk and secretary respectively.[159] However, not all Jews were sympathetic to Gandhi's cause. On a number of occasions the Jewish community went to great lengths to dissociate their interests from those of the Indian community when both were threatened.[160] As a result, sections of the Indian community of which Gandhi and, by extension, his Jewish companions were a part criticised the Jewish community whom they believed 'should recognise an analogy between discrimination [against Jews] in Eastern Europe and the disabilities imposed on Indians' in South Africa.[161]

The first half of the twentieth century saw a range of groups in South African civil society identify with the Left. Many were founded, led or drew membership from South Africa's Jewish community. In 1915, arguably the first significant radical political organisation was established in South Africa; the International Socialist League (ISL). The ISL split from the South African Labour Party after the latter supported South Africa's participation in the First World War.[162] At least one founding member, Gabriel Weinstock, was Jewish, as were other prominent members including Solly Sachs. So pronounced was Jewish participation in the ISL that in 1916 the group began publishing announcements in Yiddish alongside English and Dutch.[163] The following year, a specifically Yiddish speaking branch of the ISL was established in Johannesburg.[164] The significance of the ISL was twofold; organisationally it was 'the main revolutionary socialist

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Independent, 26/10/2013; Girja Kumar, “Bapu and friends”, *Hindustan Times*, 03/04/2011.

[158] GandhiServe Foundation, Letters from M.K.Gandhi, available at <http://www.gandhiserve.org/cwmg/VOL015.PDF> (accessed 29/03/2015).

[159] Mendelsohn and Shain, *The Jews in South Africa*, p98.

[160] Shimoni, *Jews and Zionism*, pp76-80; 90.

[161] Paul Power, “Gandhi in South Africa”, *The Journal of Modern African Studies*, 7, 3(1969), p444 footnote 2.

[162] “The Parting of the Ways”, *The International*, 01/10/1915 reproduced in South African Communist Party, *South African Communists Speak 1915-1980*, (London: Inkululeko, 1981), p18-21.

[163] James Campbell, “Beyond The Pale: Jewish Immigration and the South African Left”, in Shain and Mendelsohn (Eds.), *Memories, Realities and* Dreams, p116.

[164] See Evangelos Mantzaris, “Radical Community; the Yiddish-speaking Branch of the International Socialist League”, pp160-177 in University of Witwatersrand 3rd History Workshop, '*Class, Community and Conflict: South African perspectives*', (Johannesburg: Raven Press, 1987).

organisation active in South Africa in the latter half of the 1910s' and a forerunner of the CPSA.[165] More importantly, it was the first organisation to advocate non-racial trade unionism in South Africa, stating at its first conference on 14 January 1916 that 'we encourage the organisation of the workers on industrial or class lines, irrespective of race, colour or creed, as the most effective means of providing the necessary force for the emancipation of the workers.'[166] Although existing for less than a decade, the ISL's legacy of non-racialism and trade union activism influenced not only the Communist Party, but also the ANC, whose members had been known to attend ISL public meetings.[167]

The late 1940s proved to be a turning point for South African society. Anti-communist feeling amongst English and Afrikaners alike was growing and an ascendant, nationalistic Afrikaner working class took control of a number of important trade unions and reversed years of progressive advances regarding race.[168] Political power was also shifting, culminating in the electoral victory of the Nationalists. This marked the beginning of a period of intense upheaval within the CPSA and for individual Jews associated with it. The CPSA Central Committee said in a statement regarding the election results that '[p]ower has been given to the most reactionary section of the European population. Such a situation is full of danger to the people in South Africa.'[169]

One of the first challenges to the CPSA and the anti-apartheid movement was the Suppression of Communism Act. Brought before Parliament two years after the election, its significance was two-fold. In the first instance it functioned as a principle mechanism of the government for the suppression of extra-parliamentary opposition, restriction of political speech and as a tool for the control and ultimate elimination of the “Red Peril” in South Africa. It was sufficiently broad so as to effectively encapsulate any opposition to the position of the government, irrespective of whether that opposition was communist in nature. As Gideon Shimoni noted, 'this legislation invested the authorities with enormously wide powers to ban organisations... it became possible to ban persons who were in fact avowed ideological opponents of communism but advocated racial equality.'[170] It also reversed the burden of proof, placing the onus on the accused to refute the designation – made at the discretion of the Minister of Justice – who had the final say regardless of the evidence presented in support of the accused.[171]

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[165] Lucien van der Walt, '"The Industrial Union is the Embryo of the Socialist Commonwealth": The International Socialist League and Revolutionary Syndicalism in South Africa, 1915-1920', *Comparative Studies of South Asia, Africa and the Middle East*, 19(1), p5.

[166] South African Communists Speak 1915-1980, Document 10: 'The First Conference of the League - Enthusiasm, Harmony, Diversity', report in *The International*, January 14, 1916.', p26.

[167] Baruch Hirson, 'Syndicalists in South Africa 1908-1917', Postgraduate Seminar, University of London 12/11/93 available at <http://saashadotnet.files.wordpress.com/2012/11/syndicalists-in-south-africa-1908-17-baruch-hirson.pdf> (accessed 29/03/2015).

[168] Muriel Horrell, *South Africa's Workers: their organisation and patterns of employment, (*Johannesburg: South African Institute of Race Relations, 1969), p129; Lewis, *Industrialisation and Trade Union Organisation in South Africa, 1924-55*, p69.

[169] "The Lesson of the Election Result", *The Guardian* 03/06/1948, reproduced in South African Communists Speak 1915-1980, p197.

In addition to its direct political utility, the Act also served as a conduit through which Afrikaner nationalist anti-Semitism could be redirected and re-purposed into a more politically acceptable form. The Afrikaner population was already familiar with the trope of the Jew as communist; not only had it been prominent in Nazi ideology which had inspired much of the Afrikaner nationalist anti-Semitism of the 1930s, but it was prominent in Afrikaner literature of the period and had been expressed explicitly by Nationalist parliamentarians like Eric Louw.[172] Providing further political legitimacy was the fact that anti-communism was now largely bipartisan. Both English and Afrikaner politicians had at different times warned of the perils of communism dating back to the 1922 Rand Rebellion, which was widely reported as being instigated by communists.[173]

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[170] Shimoni, *Community and Conscience,* p20.

[171] See D.S.K. Culhane, “No Easy Talk: South Africa and the Suppression of Political Speech”, *Fordham International Law Journal,* 17(4), 1993.

[172] South African Government Parliamentary Debates 24/02/1939, col:830; Wessel Visser, “Afrikaner anti-communist history production in South African historiography”, in Hans Stolten (ed.), *History Making and Present Day Politics: the meaning of collective memory in South Africa,)*Uppsala: Nordiska Afrikainstitutet, 2007), p308.

[173] See “Call off Rand Strike”, *New York Times* 17/03/1922, “South African Strike Called off by Union”, *Washington Post*, 17/03/1922, and “Three Rand Rebels Executed”, *Washington Post*, 19/11/1922. For a fuller account of opposition to communism in South African Parliament see Andre Van Deventer & Philip Nel, 'The state and “die volk” versus communism, 1922-1941', *Politikon*, 17(2), pp64-81.

After the election, both apartheid as a policy and communism as a threat had been largely used as political tools with which the government and UP could attack each other. Significantly, apartheid as a political issue did not centre around the Nationalists advocacy of apartheid and the UP's rejection of it. Rather the issue was the degree to which different aspects of the lives of the non-white population should be controlled and variously integrated or segregated from that of the European minority.[174] Upon the introduction of the Suppression of Communism Act on 13 June 1950, little difference was to be found between the parties. Despite this, the Nationalists continued, both explicitly and implicitly, to accuse the opposition of being communists or fellow-travellers. The UP argued that government policies provided a fertile environment within which communism could grow.[175]

Opposition criticism, even if motivated by political point-scoring rather than an innate sense of justice, was spirited.[176] UP parliamentarian J.G.N. Strauss described the Act as 'an unwarranted attack upon... the highest legislative body in the country' and 'a grave warning to the country against... dictatorial curtailment of the fundamental rights and liberties of the people'.[177] The next day, after Nationalist criticism that they were soft on communism, Strauss stated that the opposition 'whilst convinced of the necessity of combating communism by legislation, declines to pass the Act because, in seeking to combat communist totalitarianism it creates a Fascist despotism' and 'clothes the executive with unnecessarily wide and despotic powers'.[178] Another opposition member, Abraham Jonker (a former National Party member and would later rejoin the party), stated 'in the future this legislation will be known... as a Hitler act of a Hitler government, the most Hitler-like government we have ever known.'[179]

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[174] See South African Government Parliamentary Debates 26/01/1950, col:140-1.
[175] Ibid.; 30/01/1950, col:312-3, 327-8, 353; 25/04/1950, col:5087.
[176] South African Government Parliamentary Debates 13/06/1950, col:8841-2; 8848.
[177] Ibid., col:8840.
[178] South African Government Parliamentary Debates 14/06/1950, col:8933.
[179] South African Government Parliamentary Debates 13/06/1950, col:8879.

Despite the best efforts of its opponents, the Suppression of Communism Act passed through parliament and became law, ending not only the political career of Sam Kahn, who now became *persona non grata*, but also that of the CPSA. The CPSA – with a Jewish contingent estimated at upwards of 50% of white members – chose to disband and dissolve itself prior to the Act becoming law.[180] Ray Simons recalls in her autobiography the meeting at which the decision was taken;

> The Committee had to decide how best to continue the struggle. Deep- seated loyalties, Communist tradition and fears, and contempt for the oppressors urged members to continue their defiance, but on the other hand would the Party be able to make the transition to illegality without being annihilated? The police had seized Party membership records in 1946 and attempts to create the skeleton of an underground organisation had failed. After years of activity in the full glare of publicity, members could not be expected to adopt illegal methods overnight. Having joined a legal party, was it proper to expect them suddenly to incur the severe penalties prescribed by the Bill without long discussion and preparation, which was not possible in the circumstances? Moreover, and this weighed heavily, the experience of the German Communist Party under Nazi rule had highlighted the difficulties involved in passing from legal to illegal work without pause. Except for [Bill] Andrews and [Michael] Harmel, who voted against, the resolution... was thus passed to dissolve the Party.[181]

For a period of more than a year after the passage of the Act the Communist Party ceased to exist in any organised form. However, by 1952, tentative moves were made by members of the Transvaal branch of the former CPSA to re-connect. These moves would, under much secrecy and security, lead to the formation of the underground South African Communist Party (SACP). These actions were taken at the behest of the former CPSA Transvaal District Committee members, which included a number of highly significant figures in South African communism such as Michael Harmel, Rusty and Hilda Bernstein, Moses Kotane, Yusuf Dadoo, JB Marks, Jack Hodgson, Bram Fischer, Joe Slovo and Ruth First.[182] This represented not only a significant portion of the SACP leadership, but is also in line with previously stated proportions of Jewish participation.

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[180] David Saks, “Sam Kahn and the Communist Party”, *Jewish Affairs*, 51(1), p25.

[181] Ray Alexander Simons, *All My Life and All My Strength*, (Johannesburg: STE, 2004), p196.

It is noteworthy however that not all Jews opposed to apartheid associated themselves with the SACP. Leaving aside those who worked to ameliorate the effects of apartheid through social work initiatives (of which a number of Jewish groups were involved) and focusing specifically on those people who acted in direct opposition to apartheid, it must be acknowledged that the breadth of opposition surpassed that of merely the SACP. In addition to the opposition noted in the previous chapter, a number of other important figures opposed apartheid from outside the communist perspective. One of the most notable examples of Jewish anti-apartheid activism outside of the SACP is Ronald Segal. The son of wealthy parents deeply involved in Cape Town's Jewish community, Segal studied overseas before returning to South Africa and becoming involved in politics in the mid-1950s. In 1956 he launched *Africa South*, a journal which openly attacked the government's apartheid policies and carried articles by numerous prominent opponents of the government from a range of political and ideological persuasions, some of whom were banned persons under the Suppression of Communism Act writing under assumed names. Amongst those to write for *Africa South* were Leslie Rubin, a Jewish UP senator, Walter Sisulu, Ruth First and the aforementioned Rabbi Ungar. Segal was banned under the Suppression of Communism Act in 1959 and the journal was shut down. Upon settling in London, Segal revived the journal as *Africa South in Exile* and continued publishing until the South African Government froze his assets.[183]

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[182] Everatt, *The Origins of non-Racialism*, p81.
[183] Shimoni, *Community and Conscience*, pp106-107.

A second example is Raymond Eisenstein. Eisenstein was a Jewish immigrant from Poland who was arrested and tried as a member of the African Resistance Movement, a group that included socialists and communists but also people associated with the anti-communist Liberal Party and who carried out acts of sabotage not unlike the MK. At his trial, Eisenstein's mother testified that he had been traumatised as a child survivor of the Holocaust and had been 'unduly influenced' into joining the group and undertaking the acts with which he was charged.[184] These people, and others like them, took actions to oppose the government's apartheid policy without an ideological commitment to communism. Despite these figures however, the bulk of radical Jewish anti-apartheid activity centred around the SACP and its affiliated organisations.

The period beginning with the formation of the underground SACP in the early 1950s and ending with the Rivonia Trail's completion in 1964 represented a transitional period not only for South Africa as a nation, but also for the Communist Party and those who associated with it. When the Party was banned in 1950 there was great consternation regarding the willingness of members to continue involvement in the movement given both the explicit exposure Party members had experienced and the harsh penalties threatened against anyone caught continuing such activity.[185] A generational divide can be drawn between members, with the eldest generation the most reluctant to continue. Many had been involved in the Party for decades, some since its founding, but also had established lives and careers. For these people, the risks were severe. Some abandoned politics while others, including Ray and Jack Simons, continued. The second generation were those whose resolve was redoubled by the attempts of the Nationalists to suppress their political activity. Many still risked their careers, but were by and large younger and less invested in their current lifestyles. It is from this group that the majority of the leadership of the SACP would come, including Rusty and Hilda Bernstein and Joe Slovo and Ruth First, as well as the bulk of those involved in the

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184Shimoni, *Community and Conscience*, p68.
185Simons, *All My Life*, p196.

political trials of the early 1960s.[186] The third and youngest generation experienced the period of the 1940s as a political coming of age, becoming involved in the anti-apartheid movement at the beginning of its upheaval. Albie Sachs and Denis Goldberg are two such people, though many others exist. Members who fell into all three of these categories suffered greatly at the hands of the government. They were harassed by the Security Police and a significant number were subject to banning orders which severely restricted many aspects of their lives. As the Truth and Reconciliation Commission would show decades later, leaders were often targets for state sanctioned violence and even assassination.[187] As a result of the restrictions placed upon them and the general air of intimidation, many went into exile. However, this did not guarantee safety or an end to harassment, as evidenced by Ruth First's assassination in 1982.

To gain an insight into the motivations for Jewish involvement in the anti-apartheid movement during this crucial period, the lives of a cross section of its participants will be examined in greater detail. Ray Simons and Solly Sachs both belong to the eldest generation, Joe Slovo and Rusty and Hilda Bernstein to the second, and Albie Sachs and Denis Goldberg to the third and youngest. Ray Simons and Solly Sachs were friends, comrades and Eastern European immigrants – Simons from Varaklan, Latvia and Sachs from Kamaai, Lithuania – and in that sense were much like thousands of other Jewish immigrants to South Africa. Sachs, 14 years older than Simons, came to South Africa first, arriving in 1914. Though biographical information on Sachs is limited, especially in his youth, what is known is that before coming to South Africa Sachs had excelled as a child at Talmudic studies.[188] In 1914, Sachs, his mother, and brother (author Bernard Sachs) arrived to join his father and elder siblings. Sachs' father, an impoverished bootmaker, had become involved in illicit activities in the Johannesburg gold fields and was imprisoned for nine months. After his release, the family moved to Malay Camp, a poor, racially mixed area on the outer edge of Robinson Deep Mine.[189] It was here that Sachs first came into contact with non-Europeans while working in a *kaffireatnik* – a non-European eatery – and came to understand the poverty and systemic, institutionalised disadvantage non-Europeans experienced.[190] At the time, many whites in South Africa did not treat Jews as racial equals, and the Sachs' were targets for anti-Semitism. They were perceived by students and teachers alike to be dirty, to speak with 'guttural accents', and to be generally undesirable.[191] After leaving school, Sachs found himself drawn to socialism and in 1919 joined the ISL before carrying over his involvement into the CPSA.[192] After travelling to the Soviet Union for six months in the mid-1920s to study revolutionary movements and British trade unions, he returned to South Africa and took up positions in a succession of trade unions, culminating in his appointment as secretary of the Garment Workers Union – a largely Afrikaner union – in Johannesburg in November 1928.[193]

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[186] See Everatt, *The Origins of non-Racialism*, p81.

[187] P.G.J. Meiring, “Truth and Reconciliation in South Africa: Jewish Voices and Perspectives”, *Verbum et Ecclesia*, 25(2), p555.

[188] Claudia Braude, *Contemporary Jewish writing in South Africa*, (Lincoln: University of Nebraska Press, 2001), p xvii.

Ray Simons, born Rachel Esther Alexandrovich, became involved in the underground Latvian Communist Party as a teenager. She had received a Jewish influenced, if not strictly Jewish education both formally and informally.[194] In her younger years she identified as a Zionist but was introduced to Jewish socialist thinkers by her father whose ideological sympathies lay with socialism and the Bund. She was in her early teens when her father – who had also taught Russian and run a *cheder* for many years – died.[195] Not long after, she was recruited into an underground study group examining the works of Marx and Lenin.[196] Her membership in the group was the result of her refusal to advocate for the Balfour Declaration. In her autobiography, Simons wrote

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[189] Mendelsohn and Shain, *The Jews in South Africa*, p132.

[190] Ibid.

[191] Braude, Contemporary Jewish Writing in South Africa, p xviii.

[192] Lucien van der Valt, “South African Socialism, 1886-1928”, in Steven Hirsch, Lucien van der Valt (Eds.), *Anarchism and Syndicalism in the Colonial and Postcolonial World 1879-1940,* (Leiden: Boston, 2010), p76.

[193] E.J. Verwey (ed.), *New Dictionary of South African biography Volume 1*, (Pretoria: HSRC, 1995), p221.

[194] Simons, *All my life*, p34.

[195] Mendelsohn and Shain, *The Jews in South Africa*, p132.

[196] Ray Alexander Simons, interviewed by Steven Robins & Immanuel Suttner, in Immanuel Suttner (Ed.), Cutting Through the Mountain, pp24-27.

> The Zionist organisation invited me to take part in a debate on the Balfour Declaration... [they] gave me material to read, and I concluded I could not agree with the Declaration, which supported the establishment of a Jewish state in Palestine. This was not logical to me. Not all Jews could go into Palestine, and what would happen to the Palestinians? So I told the Zionist organisation that I would not support the Balfour Declaration. They pressed me, but I persisted, saying that "If I speak, I speak against it.[197]

As a result of her growing involvement with the communist underground in Riga, her mother believed her to be at risk of arrest and sent her to South Africa to join her brother and sister. Before leaving, however, she undertook educational courses provided by Jewish charity World ORT in Riga. While there, Simons undertook additional education and continued her work with the communist underground including recruiting ORT scholars.[198] When she informed her cell she was going to South Africa, they arranged further underground training for her because of their feeling that even though the CPSA was legal, the time would come when it would be made illegal.[199] She arrived in Cape Town on 6 November 1929 and, five days later, joined the CPSA.[200] Initially very unhappy in South Africa, Simons soon found reason to stay; upon discovering South Africa was 'virgin soil' for trade unionism, she decided 'to stay and help organise the workers.'[201] For the better part of the 30 years that followed, Simons – like Sachs – would divide her time between the CPSA and trade union activities. She was central to the founding of numerous trade unions and the expansion of others both in South Africa and South West Africa but is most well known for her involvement in the Food and Canning Workers Union and as a founding member of the Federation of South African Women.[202]

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[197] Simons, *All my life*, p40.
[198] Ibid., p43.
[199] Ibid., pp44-45.
[200] Ibid., pp44-52.
[201] Ibid., p50.

Both Sachs and Simons grew up with early educations influenced, if not explicitly directed, by specifically Jewish perspectives. Despite this, in their adolescence, the Jewish influence was augmented and eventually overtaken by socialist and communist influences which, although not purposefully devoid of Jewishness, de-emphasised or re-contextualised it in light of other considerations. While the group characterised by Sachs and Simons tended almost exclusively to be born overseas, this aspect became less prevalent in the second group, represented here by Joe Slovo and Hilda and Rusty Bernstein. This generation of activists were likely to be second generation Jewish immigrants. Such was the case for Rusty Bernstein who was born in 1920 in Durban and Ruth First, born in Johannesburg in 1925, both of whom were born to parents who had immigrated from Eastern Europe. However, Joe Slovo and Hilda Bernstein were, like Ray Simons and Solly Sachs, born overseas and immigrated early in life. Slovo left Lithuania when he was nine and Bernstein immigrated from England when she was sixteen. Slovo and the Bernsteins took vastly different paths before coming together as members of the SACP.

For Slovo, the path began with a difficult childhood. His mother died two years after their arrival in South Africa which, combined with the failing of his father's fruit business, began a drawn out family disintegration. Slovo's two siblings were put in orphanages while he and his father lived in a number of Jewish boarding houses.[203] It was in these boarding houses and through a teacher during his final year of school (before dropping out to start work at age 14) that he began his journey to the Communist Party. But, as Slovo writes in his autobiography, it was not a straight path and his politics were formed 'by the bizarre and paradoxical embrace of socialism shared by most of the immigrants who filled the boarding houses in which I lived.'[204] They were 'bizarre', he said, because 'they tended to combine a passionate devotion to the Soviet Union with Zionism and vicious racism towards the majority of the South African population.'[205] Slovo was not unfamiliar with Zionism though, having been a member of *Habonim* in Lithuania ('the Zionist scout organization into which every Jewish child was conscripted'[206]) and later *Hashomer Hatsair* in South Africa ('a Zionist organisation which claimed to be Marxist'[207]). However, as he became more involved in socialist activities he became more uncomfortable with Zionism. He says of his involvement with *Hashomer Hatsair* that there was '[n]ever a word about the black South African proletariat from whose exploitation we were all benefiting in one form or another.'[208] Furthermore, he says,

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[202] Simons, *All my life,* pp16-24; p270.

[203] Slovo, *The Unfinished Autobiography*, pp32-35.

[204] Ibid., p37.

> The combined inheritance of Zionism and boarding house armchair socialism ... and the absence of any relationship with blacks other than in master-servant form, made my transition to real radical politics a difficult one. I well remember the discomfort I felt when I found myself seated between black youths at that first meeting of the Junior Left Book Club.[209]

Hilda Bernstein's initial response to the racialised nature of South African society in many ways mirrors the discomfort felt by Slovo at the book club meeting. Hilda Bernstein was born in London to Russian-Jewish immigrants. Her father, Simeon, was the Russian trade *attaché* to Britain but in 1925 was recalled to Moscow and unable to return. In her late teens, Hilda and her mother emigrated to South Africa. Once there, she became increasingly disquieted with the racial nature of South African society. The situation distressed her so much that after two years she had saved enough money to return to England. There she lived with her sister, Vera, who was a member of the

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[205] Slovo, *The Unfinished Autobiography*, pp32-35.
[206] Ibid.
[207] Ibid.
[208] Ibid., p37.
[209] Ibid., pp37-38.

Labour Party. It is through this connection that Hilda became politically active. The backdrop to her political awakening was the rise of fascism in Germany and Italy, when she 'began to see the future as basically between two alternatives – the threat of fascism or the possibility of communism.'[210] It was through involvement with the Communist Party that she found the solution to the problem that had forced her to leave South Africa – a bridge to the non-European community from which she had been isolated. By the end of the 1930s she had moved back to Johannesburg and in 1941 married fellow communist Lionel "Rusty" Bernstein.

Rusty's involvement in anti-apartheid activism was less straightforward than that of his wife. Born in 1920 in Durban and orphaned at age eight, he was raised by relatives until being sent to a non-denominational Christian boarding school in Natal. After finishing school he began working at an architecture firm in Johannesburg whilst studying part-time. Unlike Slovo and his wife, who were both struck by the pervasive racial divide, Rusty's political activities began with anti-fascist actions in solidarity with the Spanish Civil War. It wasn't until later, after becoming deeply involved with socialism (and later communism) both intellectually and practically, that his ideas about the injustice of South Africa's race problems began to develop.[211] Rusty's dislocation from his Jewishness is arguably the most clear of all of the people discussed here; whether due to his particular family circumstances or ideological beliefs it is impossible to determine with any certainty, but his lack of Jewish identification, though not totally absent, is often noted.[212]

As might be expected for the youngest generation of activists, being a first generation immigrant was no longer the prevailing norm. Both Albie Sachs and Denis Goldberg were born in South Africa – Goldberg in 1933 in Cape Town and Sachs in 1935 in Johannesburg – and both came of age in households that were deeply political. Growing up, Goldberg's parents were socialists; his mother had worked at a Socialist Sunday school in London before Denis was born, and his father, motivated by a desire to not fight for the British Imperial Army in the First World War, had become a merchant sailor.[213] Similarly, Albie's parents were overtly political. His father, the previously mentioned Solly Sachs, and his mother were founding members of the CPSA, and his mother had been the typist for black communist leader Moses Kotane who was at the time the general secretary of the CPSA.[214] Part of both of their political awakenings was their acute awareness of the happenings of the Second World War, of the Holocaust, and of their Jewishness.[215]

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[210] Hilda Bernstein, *The World That Was Ours*, (London: Persephone, 2009), p xi.

[211] Rusty Bernstein, interview with Don Pinnock, 1992, available online at <http://sas-space.sas.ac.uk/4568/2/Hilda_WATTS_Rusty_BERNSTEIN_1.pdf>, p4. (accessed 29/03/2015).

[212] See Glenn Frankel, *Rivonia's Children*, (London: Phoenix, 1999), p49; 149.

Both Goldberg and Sachs experienced anti-Semitism in their youth; Goldberg recounts being threatened with a meat cleaver on his way to school by a local butcher 'shouting that he hated Jews and he would “get me”', and his neighbours' son (an Afrikaner) giving Nazi salutes and declaring '“I'll get you, Jew boy”'.[216] Sachs recalls that it was at high school that his Jewishness became controversial, but it was not because he was Jewish, but rather he wasn't Jewish enough. Having grown up with parents for whom Jewish religious practices were not highly valued or maintained, he recalled that other Jewish students were insistent on keeping kosher in a way with which he was unfamiliar. Sachs recalls that 'what I found again and again is often that the kids who were the most frum and the most concerned... were the meanest.'[217] It would not be until they attended university in Cape Town that they would both be able to fully realise and act upon their political beliefs through an organisation to which they both belonged, the Modern Youth Society. Goldberg describes the Modern Youth Society as having been set up by 'left-wing students at the University of Cape Town who wanted to meet with working class youth' and it was through this group that both would come to be active within the anti-apartheid movement.[218] Both first became actively involved in the movement in the 1950s; Sachs with the Defiance Campaign in 1952 and

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[213] Denis Goldberg, *The Mission: A Life for Freedom in South Africa*, (Johannesburg: STE, 2010), p26; 28.
[214] Albie Sachs, interview with Fran Buntman 23-4 October 1994, published in *Cutting Through the Mountain*, p345.
[215] Goldberg, *The Mission,* p36; Sachs, *Cutting Through the Mountain*, p362.
[216] Goldberg, *The Mission,* p30.
[217] Sachs, *Cutting Through the Mountain*, p347.
[218] Goldberg, *The Mission*, pp48-9.

Goldberg a few years later with the Congress of the People, in which Sachs was also involved.[219]

It becomes clear when examining this cross section of Jewish anti-apartheid activists that there is a wide range of experiences that make generalisations difficult. There is a vast range of upbringings; some, like Ray Simons and Solly Sachs, received some level of specifically Jewish education, while others were entirely devoid of it. Solly Sachs and Joe Slovo had distinctly underprivileged childhoods, while Ray Simons and Hilda Bernstein were (at least comparatively) more affluent. For some (Albie Sachs, Denis Goldberg and the Bernsteins) higher education was almost a given, while Joe Slovo was only able to attend on a scholarship he received as a result of fighting in the Second World War. In some instances, such as those of Albie Sachs and Denis Goldberg, parents and family members were gateways into a political education, while for Joe Slovo and Rusty Bernstein, no such family connections existed. Their experiences of Judaism also differed greatly; the Bernsteins scarcely acknowledged their Jewishness, while others, especially Joe Slovo and Albie Sachs, retained strong attachments to Jewish culture if not religion. Even the respective focuses of individual activists differed within the movement, Solly Sachs and Ray Simons were heavily involved in the trade union movement, Albie Sachs and Joe Slovo were legal advocates, Rusty was deeply involved in the theoretical understandings of communism, and Hilda Bernstein and Ray Simons were driving forces behind women's participation in the struggle.

There are however some similarities that are reasonably constant amongst the Jewish anti-apartheid activists. There was, even in lieu of formal higher eduction in some instances, an intellectualism amongst them; they ran classes, published opinions and engaged deeply with both the theoretical and practical implications of what they were seeking to do. There was also an unease with the racialised nature of South African society and a desire to attempt to address what they saw as an unjust society. This sense of unease, combined with a belief that communism was an avenue and catalyst through which change could be realised, manifested itself in the establishment of a community of activists. The group of activists looked at here, and also others who were not, reflect many of the common themes noted at the beginning of this chapter. Most experienced some manifestation of anti-Semitism at some point in their lives or suffered from oppression and discrimination. Many also manifested an identification with the connections between Judaism and their political beliefs, though they sometimes did so in non-traditional ways. Moreover, they all likened their own experiences with a universalism that rejected discrimination regardless of its target. This allowed them to make a connection many other white South Africans, and many Jewish South Africans, could not: seeing their own plight as being intrinsically linked to that of the subjugated non-European majority. This community served as a microcosm of the society they sought to achieve; it transcended race, religion and class and individual differences ceased to have standing. In both Cape Town and Johannesburg, inter-racial social gatherings, a social taboo and in some instances illegal, were held for members of the community.[220] Work, social, and political hierarchies all transcended racial lines. This counter-community, within which racial equality was realised and common goals pursued, extended well beyond the Jewish members listed here. Not only did it include a significant number of non-European members, but also other whites, both Jews and gentiles. What is notable, however, is the overwhelming prevalence of Jews.

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[219] Madi Gray, interview with Denis Goldberg, available online at <http://www.liberationafrica.se/intervstories/interviews/goldberg/>; Museum of Modern History, interview with Albie Sachs, available online at <http://www.achievement.org/autodoc/page/sac0int-8> (both accessed 29/03/15)

220In Cape Town the Simons house was often the scene of these gatherings, in Johannesburg the both the Slovo/First house and that of the Bernsteins did the same. See Albie Sachs, “Obituaries: Professor Jack Simons”, *The Independent*, 03/08/95 and Frankel, *Rivonia's Children*, p40.

Chapter Three - Rivonia: The Fork in the Road

The raid on Liliesleaf Farm on 11 July 1963 and the trial that followed marked the culmination of a decade and a half of concerted government action against subversive elements within South Africa. After the Nationalists were elected in 1948 – leading for the first time to an exclusively Afrikaner government – it set about enacting a series of laws which had two main purposes. The first was to legislatively enshrine South Africa's racial standards so as to effectively subjugate the “Bantu”. Prior to the 1948 election, many Afrikaners perceived incremental movement towards racial equality was being made in some sections of society, and these laws sought a return to the status quo of white supremacy. With no direct parliamentary representation, this was something non-white South Africans could do little to effectively oppose. The second purpose was to eliminate elements within South Africa that were seen by the government as agitating amongst the “docile natives”. The agitators, viewed sometimes correctly and sometimes incorrectly as communists and “fellow travellers” were believed to be manipulating the non-white majority as a way of fermenting an overthrow of the government.

For many South African Jews the prospect of the Rivonia Trial and what it could mean for the Jewish community posed an ominous threat. This chapter examines a pivotal event – the Rivonia Trial – in which the notion that the “Jewish Question” was no longer present within the South African political landscape was tested. The trial gave the government the opportunity, if it so wished, to present a case arguing the overwhelming prevalence of Jews amongst the white arrestees at Rivonia was emblematic of a specifically Jewish predisposition towards radical political involvement. Such an argument could have led to a reignition of the anti-Jewish feeling seen in the preceding decades. It will be argued that despite having the opportunity, the government (at least officially) did not pursue the issue of the white defendants' Jewishness. Instead, it will be shown that through a number of decisions, most notably the use of Jewish prosecutor Dr. Percy Yutar, the government instead chose to embed its arguments in a narrative of a communist (rather than Jewish) conspiracy, and in so doing retained the status quo relationship with the established Jewish community.

Before examining the Rivonia Trial, it is important to examine the pretext for the shift to violence by the anti-apartheid movement. To do this, we need to go back to almost exactly a year before the end of the Treason Trial. As the Treason Trial dragged on, the anti-apartheid movement had continued to gather momentum. Using civil disobedience and non-violent protests, the anti-apartheid movement sought to pressure the government into changing its policies. These protests, which had been used by the ANC and affiliated groups for decades, reached a climax in March 1960 with a series of significant events. On 21 March a protest organised by the Pan-Africanist Congress (PAC) was held in Sharpeville, a township south of Johannesburg. The PAC, which had splintered from the ANC over the adoption of the Freedom Charter and its advocacy of multi-racial leadership, had called the protest to demonstrate against the Pass Laws, recently extended to include non-white women.[221] Thousands of protesters coalesced at the Sharpeville police station where they were met with violence from police resulting in the deaths of 69 protesters and injuries to some 200 more, most of whom were shot in the back as they fled.[222]

In the wake of the deaths, ANC leaders Chief Luthuli and Professor Z.K. Matthews called for a mass “stay away” on 28 March.[223] This proved successful and two days later the PAC organised another demonstration in Langa, a township east of Cape Town.[224] Like Sharpeville, the protest was met with force, although no one lost their lives. The same day, in response to the events of the past ten days, the government declared a State of Emergency and set about arresting thousands of activists.[225] A number of leaders narrowly avoided being arrested after having gone into exile in the days between the Sharpeville massacre and the State of Emergency. Such leaders included Nana Mahomo and Peter Molotsi of the PAC, Dr. Yusuf Dadoo, chairperson of both the South African Indian Congress and the underground South African Communist Party, and ANC Vice-President Oliver Tambo who was driven across the border into Bechunaland (a British protectorate) by Ronald Segal.[226] Subsequently, the government banned the ANC and PAC, prompting both organisations to transition from legal to underground organisations.

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[221] Frankel, *Rivonia's Children*, p65.

[222] Ibid.

[223] Mandela, *Long Walk to Freedom,* pp281-282

[224] Ibid., p282.

It would be this series of events – the Sharpeville Massacre, the State of Emergency and the banning of the ANC and PAC – that would be the catalyst for the transformation of the anti-government opposition away from non-violence. Thereafter groups would variously advocate indiscriminate violence (such as the armed wing of the PAC – POQO), sabotage (such as MK) or cease articulating objections to the use of violence (such as the ANC), which although seemingly inconsequential, actually represented a significant shift, giving a "green light" for ANC members to join *Umkhonto*. The most significant shift in the movement at this time was the formation of the MK. Representing a joint undertaking by the ANC and the SACP, it began undertaking sabotage operations in December 1961. The MK's manifesto, released to coincide with its first waves of sabotage acts, was explicit regarding the reasons for its formation. It stated

> The time comes in the life of any nation when there remain only two choices: submit or fight. That time has now come to South Africa. We shall not submit and we have no choice but to hit back by all means within our power in defence of our people, our future and our freedom. The government has interpreted the peacefulness of the movement as weakness; the people's non-violent policies have been taken as a green light for government violence. Refusal to resort to force has been interpreted by the

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[225] Mandela, *Long Walk to Freedom,* pp282-284

[226] Shimoni, *Community and Conscience*, p107.

> government as an invitation to use armed force against the people without any fear of reprisals. The methods of *Umkhonto we Sizwe* mark a break with that past.[227]

The decision to resort to force by the MK was carefully curated, as Joe Slovo explained in his autobiography;

> The first phase of armed action in 1961 was a sabotage campaign directed against government installations. Instructions were issued to avoid attacks which would lead to loss of life. No one believed that the tactic of sabotage could, on its own, lead to the collapse of the racist state... it would demonstrate that the responsibility for the slide towards bloody civil war lay squarely with the regime.[228]

The first wave of attacks began on 16 December 1961. Jack Hodgson, Joe Slovo and Rusty Bernstein all took part in the first operations which experienced mixed success. Slovo set out with a rudimentary home-made bomb (constructed by Hodgson) to destroy the Johannesburg Drill Hall, a symbolic target used during the Treason Trial. Slovo narrowly avoided disaster and almost certain death when he was forced to abort his plan after being disturbed before he could plant the explosive.[229] Luckily the timing device, an unreliable acid detonator, had failed and he was able to remove it. The same night, Hodgson, Bernstein and Slovo planted a bomb intended to sever telephone cables connecting Johannesburg and Pretoria. Despite the bombs successful detonation, the phone services between the two cities remained undisturbed.[230] They would later discover that another MK member, Petrus Molefe, had been killed when the explosive he was carrying, of the

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227Umkhonto we Sizwe, Manifesto of Umkhonto we Sizwe, available online at <http://www.anc.org.za/show.php?id=77>, (accessed 29/03/2015).

228Slovo, *The Unfinished Autobiography*, p178.

229Ibid, p180.

230Frankel, *Rivonia's Children*, p81.

same type that Slovo had had at the Drill Hall, exploded prematurely as the result of a faulty detonator.[231]

The sabotage campaign by the MK would continue intermittently for the next 18 months, before ending abruptly on 11 July 1963. For some time, comrades who knew of Liliesleaf, the secret headquarters of the underground movement, had grown nervous regarding safety and security at the farm.[232] This was heightened by the arrests of a trio of underground members who had visited Liliesleaf. In early July, it had been decided that Liliesleaf was no longer safe and frequent visitors including Joe Slovo, Harold Wolpe, Ruth First, Rusty Bernstein and Denis Goldberg should cease meeting there, sometimes multiple times a day, as they had for many months prior. Nevertheless, debates regarding the sabotage campaign needed a resolution, and Liliesleaf was the only place where such a meeting could take place at short notice.[233] So, on the afternoon of 11 July 1963, at what would have been the last meeting at Liliesleaf, Special Branch officers arrived hidden in two delivery vans and discovered a number of high value political operatives and a massive cache of evidence that surpassed all expectations. Among those arrested were Walter Sisulu, arguably the most wanted man in the country after the arrest, trial and imprisonment of Nelson Mandela the year before, Govan Mbeki, father of future president Thabo Mbeki, and Ahmed Kathrada, a senior member of both the ANC and the SAIC. Also arrested were Harold Wolpe, Arthur Goldreich, Denis Goldberg, Lionel 'Rusty' Bernstein and Alexander 'Bob' Hepple; all white South Africans, and all Jewish.

Somewhat ominously, the government in parliament during the month prior to the Rivonia raid appears to have hinted towards the coming crackdown. On 12 June, in response to a question from the opposition regarding members of the liberation movement who had fled South Africa, the Minister of Justice responded

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[231] Slovo, *The Unfinished Autobiography*, p180.
[232] Frankel, *Rivonia's Children*, p102
[233] Ibid., p103.

> Since 1960 approximately 195 leaders and active members of the ANC and the PAC, White and Black, have left the country... *I do not want to say more at this stage than that I think they had every reason to make a quick get-away.* Harmel and Hodgson were leaders of the ANC. They were of course communists, but they were intimately connected with the ANC, and *without giving away anything at this stage I do not think they were very far away from the Spear of the Nation.*[234]

In no other trial in South African history had Jewish participation in anti-state activities been so unmistakable. The pervasive Jewish presence amongst those arrested at Rivonia placed the Jewish establishment in a quandary. It had maintained in the past that there was no single or unified Jewish position towards politics in the country and that each person should act in accordance with their own beliefs. But in the wake of the arrests, it was now being called to account for the behaviour of those with whom they shared little in common other than being Jews. Perhaps hoping to avoid any potential backlash against it, the community leadership distanced itself as much as possible from the actions of those arrested in Rivonia. An editorial in *Jewish Affairs* in October 1963 stated

> It is to be hoped that the dust has settled in the controversy on the question of communal responsibility raised by the activities of certain Jewish detainees under the anti-subversion laws... Attempts were made to impute to the South African Jewish community *en masse* a share of responsibility for the actions and designs of these individuals... Any suggestion of that nature was manifestly unwarranted and untrue... Our communal leaders have made it clear – what should in fact have never been in question – that South African Jewry stands for law and order, that it unreservedly condemns unlawful activities and that individuals who have defied

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[234] South African government Parliamentary Debates, 12/06/1963 col: 7767. Emphasis added.

> the law, whoever they are, should be dealt with by the law.[235]

Similarly, the SAJBD, when asked to provide a statement on the matter by *Dagbeek*, a widely read Afrikaans language newspaper, stated

> The actions of individuals of any section are their own responsibility, and no section of the community can or should be asked to accept responsibility. If individuals transgress the law, they expose themselves to the penalty of the law. The Jewish community condemns the breaking of the law, in whatever section of the population it might occur.[236]

The head of Johannesburg's Reform Congregations, Rabbi Aaron Opher went further in his Rosh Hashanah message when he said

> At this time of rededication, we Jews reaffirm our full loyalty to this blessed land where we and our fathers have found full equality and brotherhood, side by side with out Christian fellow-citizens. We condemn all subversive and unlawful activities, whoever may commit them. We declare that those involved in such activities who are Jews act contrary to Jewish tradition and shut themselves out of the Jewish community.[237]

These comments, along with a number of others, most notably in a series of articles published in *Jewish Affairs* in the months after the raid, sought to distance the community from those Jews arrested in Rivonia.[238] The SAJBD was so determined to distance itself from Goldreich after his escape from jail that it stated publicly that he 'wasn't really a Jew' and offered additional money towards the reward for his capture.[239] The announcement of Percy Yutar, a prominent member of the Johannesburg Jewish establishment, as the state prosecutor for the case may have eased some of the concern, but the general anxiety remained. Yutar himself seemed aware of the concerns surrounding the issue of anti-Semitism. Joel Joffe, one of the Jewish South African lawyers on the defence team recalled in his book on the case,

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[235] "The Problem of Communal Responsibility", *Jewish Affairs*, October 1963, p2.

[236] "'Southern Africa", American Jewish Year Book 1964, p340.

[237] Ibid.

[238] See "Two Problems Relating To "Responsibility"" and "The Problem of Communal Responsibility", *Jewish Affairs*

> As soon as the door was closed he started off on a little song of praise for the police telling me that it was 'quite remarkable. I have been at The Grays for three weeks now, and in all that time I have not heard a single word of anti-Semitism from any of these people.' It didn't seem very remarkable to me... I told him I didn't think an absence of anti-Semitism was cause for special praise. Yutar bridled, saying: 'If you were a policeman, Joffe, wouldn't it make you anti-Semitic to have people like Bernstein and Goldberg going around stirring up the Bantu?'[240]

With Yutar's opening address in late 1963 it became clear that the focus of the trial would be on the defendants' perceived ties to communism rather than on their Jewishness. Throughout the address, as peoples names were mentioned, Jewish and non-Jewish defendants were referred to as 'a named communist', 'another named communist' and variations thereof.[241] Additionally, in giving an overview of the charges being brought against the defendants, the address covered the alleged connection between the ANC and the CPSA. It went so far as to claim 'the aims and objectives of the African National Congress are the aims and objects of the South African Communist Party.'[242]

October 1963; “The Challenge of the New Year”, *Jewish Affairs* September 1963; “Points of View”, *Jewish Affairs* December 1963.

[239] Philip Gillon, “Terror in the old Transvaal”, *Jerusalem Post*, 10/01/1964; interview with Arthur Goldreich, cited in Sasha Plakow-Suranksky, *The Unspoken Alliance: Israel's Secret relationship with apartheid South Africa, (*New York: Pantheon, 2010), p35.

[240] Joel Joffe, *The State vs. Nelson Mandela*, (Oxford: Oneworld, 2009), p15.

[241] Percy Yutar, Opening Address, Rivonia Trial Documents, pp4-6.

[242] Ibid., p16.

These claims that the ANC were communist and had close ties to the Communist Party had been made by the government in parliament prior to the trial, as had the belief that the ANC had always advocated violence.[243] The communist conspiracy they represented also had an international element, placing it decisively within the context of the global discourse of the Cold War and anti-communism. Yutar claimed that 'Moscow had promised the accused every sort and manner of assistance in their campaign, but its co-operation and involvement was not to be revealed or made public'.[244]

The placement of the emphasis on the accused's alleged ideological beliefs rather than their Jewishness was no doubt of additional significance when the broader demographics of the trial are considered. In addition to the indicted defendants, which included three whites, all of whom were Jewish, an additional list of unindicted co-conspirators included the names of more Jews, including Harold Wolpe and Arthur Goldreich (both of whom had been arrested at Rivonia but had escaped custody and fled into exile), Julius First, Michael Harmel, Bob Hepple, Jack Hodgson, Ronnie Kasrils, Joe Slovo, Harold Strachen, and Ben Turok. Should the state have wished to pursue it, the presence of these names could easily have strengthened any potential claim against the Jewish community generally as being an incubator of resistance leaders.

Prosecuting the Rivonia Trial on the basis of the ANC and Communist Party's assumed mutual adherence to communism made sense both legally and politically. Legally, the Suppression of Communism Act was a broad instrument which could be used by the State to build its case and prove guilt. Politically though it had two significant benefits. First, as already noted, it allowed the government to locate the trial within a global anti-communist narrative alongside such trials as the Rosenberg's in the United States nearly a decade earlier. This gave the governments claims an element of international legitimacy that they would otherwise have lacked. In comments reported in the press after the trial, Prime Minister Verwoerd would employ this line of reasoning in rejecting pleas for clemency for the defendants.[245] Secondly, it allowed the government to vicariously leverage the support of the established Jewish community. With both domestic and international vulnerabilities, the government, primarily through a sympathetic press, was able to position the community such that it had to castigate both Israel internationally and Jewish radicals domestically so as to avoid the appearance of disloyalty.[246]

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[243] South African government Parliamentary Debates, 25/01/1963 col:213, 24/04/1963 col:4639-4640, 12/06/1963 col:7769; 7781.

[244] Percy Yutar, Opening Address, Rivonia Trial Documents, p16.

At this point it is worth briefly examining the charges laid against the Rivonia Trialists and the political and legal logic that underpinned them. The government and prosecution were presented with the option of either charging the accused with treason or sabotage. Both charges carried the death penalty, and thus the decision was made on the basis of which of the charges would be politically and legally most beneficial.[247] By this rubric one charge was clearly more favourable. Not only was a charge of treason more deeply steeped in the vestiges of the British legal influence on the South African judiciary, and as such required a higher standard of proof and a drawn out preliminary hearings at which much of the prosecutions evidence would need to be shown, but sabotage, as Glenn Frankel noted 'had only been legislated as a capital offence the previous year [and as such] had certain police-state conveniences courtesy of Justice Minister Vorster and the Nationalist-controlled Parliament.'[248] Furthermore, in line with the burden of proof requirements of the Suppression of Communism Act, 'once a destructive criminal act had been shown to have occurred, the burden shifted to the defendant to prove that the particular deed was not meant as an act of sabotage.'[249]

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[245] "Overseas pleas for Mandela rejected", *Guardian*, 17/06/1964.

[246] The Jewish community's castigation of both Israel and the Jewish radicals in South Africa both occurred within the same time period of 1960-65

[247] Frankel, *Rivonia's Children*, p183.

[248] Ibid.

[249] Ibid.

The ultimate goal of the State in the Rivonia Trial was to prove what it had been unable to in the Treason Trial nearly a decade earlier: that the “Bantu” were under the influence of the Communist Party, and their foremost resistance organisation, the ANC, was a tool of the communists. In his opening statement, Bram Fischer, who was leading the defence while also covertly rebuilding the underground movements of both the Communist Party and MK, sought to show two things – that 'the leaders both of Umkhonto and of the African National Congress, for sound valid reasons... endeavoured to keep these two organisations entirely distinct' and to deny that 'the ANC was a tool of the Communist Party.'[250] Nelson Mandela, in his statement to the court, sought to put the State's claims in historic perspective

> In 1956, 156 leading members of the Congress Alliance, including myself, were arrested on a charge of High Treason and charges under the Suppression of Communism Act. The non-violent policy of the ANC was put in issue by the state, but when the Court gave judgement some five years later, it found that the ANC did not have a policy of violence. We were acquitted on all counts, which included a count that the ANC sought to set up a Communist State in place of the existing regime. The government have always sought to label all its opponents as communists. This allegation has been repeated in the present case, but as I will show, the ANC is not, and has never been, a communist organisation.[251]

Despite being deprived the opportunity to cross-examine Nelson Mandela after his now famous speech, Yutar was undeterred.[252] The defence called only six witnesses, all defendants.[253] Yutar spent a great amount of time in cross-examination, returning time and again over multiple days to the aspect of their testimony or the case against them that he wanted to emphasise. Either by initiative or instruction, Yutar also decided to engage with the defendants on political as well as legal matters. This had surprised the defence, Joel Joffe wrote that Yutar had 'shown himself throughout this case to be a complete amateur' regarding politics, which had led to him 'making political utterances so fatuous and far removed from reality that we knew he had no understanding of the politics of the accused, of their organisations, or for that matter, of South Africa itself.'[254]

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[250] Bram Fischer, Defence Opening Address, Rivonia Trial Documents, p2.

[251] Nelson Mandela, Statement to the Court, Rivonia Trial Documents, p9.

[252] Mandela chose to make a statement from the dock, which due to it not being a sworn statement carries less weight with the judge than if he had given evidence under oath, but it also does not carry a right of cross-examination.

[253] The only defendants who did not testify under oath were Mandela, Elias Motsoaledi and Andrew Mlangeni who all gave statements from the dock, and James Kantor who had been acquitted at the end of the prosecutions case.

After Mandela's statement from the dock, Walter Sisulu took the stand. The defence, in an effort to facilitate a better understanding of the motivations of the defendants and their organisations, asked Sisulu to define his political views. He described them as 'inspired by the desire to achieve national emancipation for the African people from European domination and oppression.' When asked whether he had a predisposition towards capitalism or communism he replied, 'I would rather have the best of both.'[255] Lead council Bram Fischer then allowed Sisulu to explain in more detail his personal and political history, his views on the movement (including the place of communists within it) and its shift to violence. Fischer enquired as to whether there was a specific catalyst for the change in methods, to which Sisulu responded affirmatively, stating that 'Yes, [after] the... Sharpeville and Pondoland massacres, the African National Congress... realised that the policy of non-violence could no longer be completely relied upon.'[256] In light of the changing circumstances, including the formation of other organisations intending to undertake acts of violence, Sisulu believed that 'in the interest of my people it would be better that we should bring about a state of affairs whereby such violence would be controlled.'[257] This reflected Mandela's sentiments the day prior, when he had stated that there had been 'inevitable growth among Africans of the belief that violence was the only way out' and that there was a need to channel that feeling in such a way as to avoid 'a civil war in which Blacks and Whites would fight each other... Civil war would mean the destruction of what the ANC had stood for; with civil war racial peace would be more difficult than ever to achieve.'[258]

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[254] Joffe, *The State vs. Nelson Mandela*, p147.

[255] Walter Sisulu, examination under oath, Rivonia Trial Documents, p2.

[256] Ibid., p10.

[257] Ibid., p11.

Yutar however had a different position regarding the turn to violence. In his cross-examination, spanning multiple days and resulting in a transcript of nearly 400 pages, he returned repeatedly to two central themes; the ANC as a "communistic" organisation, and the sabotage campaign as a campaign of wanton death and destruction. Despite his best efforts however, Yutar was only able to successfully link the MK to one death; that of Petrus Molefe, one of its own members.[259] In attempting to expose the communistic nature of the ANC, the State attempted to argue that the aims and goals of the two movements were the same, that the ANC was infested with communists, and that the Communist Party advocated a policy of violence.[260] Yutar enthusiastically attempted to pursue varying lines of questioning to this end, but was continually rebuffed by the defendants.

One situation that time and again would stymie the State's attempts to induce defendants into naming co-conspirators was their blanket refusal to answer questions that would incriminate or implicate others still in the country. According to Joel Joffe this was 'something new in South African courts, and certainly new as far as recent political trials were concerned.'[261] Sisulu had maintained from the outset that he would not be naming names, stating

> I am prepared to testify in this case in regard to the part I have played... but my lord I certainly would find it difficult to testify or to answer questions relating to my organisation which might lead to the prosecution of my people... I am aware that

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[258] Nelson Mandela, Statement to the Court, Rivonia Trial Documents, p14; p17.

[259] Walter Sisulu, examination under oath, Rivonia Trial Documents, pp58-61.

[260] Ibid., p123.

[261] Joffe, *The State vs. Nelson Mandela*, p167.

> by so doing I might worsen my position, but I find that I can do no otherwise.[262]

From the trial transcript it is obvious that this refusal to answer questions frustrated Yutar and his attempts to expose the alleged communist conspiracy. Unfortunately, given the defendants were already incarcerated, Judge De Wet conceded little could be done to force compliance. The same situation awaited when he cross-examined Lionel "Rusty" Bernstein. The prosecutions desperation reflected the failures of the State in the lead up to the trial. At the time of arrests there had been similar numbers of white (Jewish) communists and Africans. Subsequently however, the white contingent had dwindled; Arthur Goldreich and Harold Wolpe had escaped from Marshall Square Police Station in Johannesburg in August, and Bob Hepple had agreed to become a State's witness before fleeing the country with the assistance of Bram Fischer, later claiming he had 'no intention of testifying against the accused'.[263] Furthermore, James Kantor who had been arrested after brother-in-law Harold Wolpe's escape had been released for lack of evidence. The absence of these four defendants left Denis Goldberg and Bernstein as the only white defendants, and the sole examples of what Yutar had described as 'the vast communistic machine and organisation with all its manifold avenues of co-operation and assistance'.[264]

Of Goldberg and Bernstein, Bernstein was by far the stronger link to the State's communist conspiracy. Despite both Goldberg's parents being CPSA members, Bernstein's testimony showed him to be a committed communist.[265] Furthermore, he had written extensively about communism for numerous publications on matters both theoretical and practical.[266] However it also appeared that again, through intent or instruction, Yutar had been so focused on his admitted communist proclivities that according to Joffe, he 'got so carried away... that he failed at any stage during his peculiar cross-examination to refer to any of the evidence against Bernstein whatsoever.'[267] Furthermore, Joffe argued that as Yutar's questioning continued, 'we could see the judge visibly warming towards Bernstein.'[268]

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[262] Walter Sisulu, examination under oath, Rivonia Trial Documents, p57.

[263] Bob Hepple, Rivonia: The Story of Accused No.11, *Social Dynamics*, 30(1), p194.

[264] Percy Yutar, Opening Address, Rivonia Trial Documents, p16.

[265] Lionel 'Rusty' Bernstein, examination under oath, Rivonia Trial documents, p2; 15; 59.

[266] Ibid., p5.

From the outset of the Rivonia Trial, it had been acutely understood by those on the defence team and the defendants themselves that there was no real prospect for most of them of being found not guilty, simply by virtue of the amount of evidence against them.[269] The focus of the defence at the trial for most of the defendants had been giving a fuller explanation of the actions to which they had admitted guilt. Nelson Mandela, Walter Sisulu, Govan Mbeki and Denis Goldberg all had little chance of escaping a harsh sentence due to the overwhelming nature of the evidence against them. The evidence against the others was less compelling, but considering the legal mechanisms at the State's disposal, it was still unlikely they would be freed. The main goal of the defence – aside from righting the record regarding the reasons for their actions – was to avoid the death penalty. As had been expected, with the exception of Bernstein who was acquitted (though immediately re-arrested), the others were all found guilty and given life sentences. For them, especially Mandela, Sisulu, Goldberg and Mbeki, this was a victory in and of itself.

For the established Jewish community, lead by the SAJBD and personified by Percy Yutar, the end of the Rivonia Trial marked the end of a period of intense apprehension. Though future political trials such as that of Bram Fischer only a few years later would again feature Jewish defendants, sometimes prominently, the situation faced in the Rivonia Trial with its overwhelming over-representation of Jewish participants would never again be repeated. The trial had reaffirmed to the Jewish community that its rapprochement with the Nationalist government was fragile, and that Jewish participation in the anti-apartheid movement was a significant complicating factor in its maintenance. While some opposition to apartheid from within the system (and which sought to temper rather than challenge it) was tolerated, those who stepped outside the confines of acceptable activities risked inciting repercussions, both from the government toward the community and from the community towards themselves and their loved ones. As lead prosecutor Percy Yutar had been able to successfully embody “the good Jew” in the eyes of the government and represent the Jewish community in such a way that it shielded it from much of the potential criticism that could have been levelled against it. As Glenn Frankel has argued, in some respects the Jewish defendants and Yutar represented two traditional Jewish responses to tyranny, the former choosing to oppose the state and the latter defending Jewish interests in the tyrants court, known in the Middle Ages in Yiddish as a *shtadlan* (“Court Jew”). 'By paying tribute or doing favors for the tyrant, the Court Jew sought the ruler's protection for himself and his fellow Jews', Frankel wrote. 'Yutar in effect became the symbolic *shtadlan* for South African Jewry. By prosecuting his fellow Jews, he was providing protection for the larger community.'[270] This role – self-appointed though seemingly tacitly approved of by virtue of the lack of objection from the SAJBD – was not one that sat well with all South African Jews. As Frankel was quick to note, many Jews 'felt moral qualms about apartheid... For them, Percy Yutar's enthusiastic championing of the state was as unseemly as Harold Wolpe and Rusty Bernstein's indefatigable talent for treason.'[271]

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[267] Joffe, *The State vs. Nelson Mandela*, p197.
[268] Ibid.
[269] Ibid,, p145.

The international media played a significant and unique role in the Rivonia Trial. Two specific factors, a South African legal principle know as *sub judice* and the legal restrictions resulting from the Suppression of Communism Act, combined to all but eliminate coverage of the trial from the domestic media. *Sub judice*, a legal principle originating in Britain, dictated that from the time charges were laid, it was improper (and could have led to criminal prosecution) to comment publicly on the case. The issues this created were compounded by press restrictions in quoting or carrying the words of banned persons established in the Suppression of Communism Act.

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[270] Frankel, *Rivonia's Children*, pp181-182.

[271] Ibid, p182.

With James Kantor the only defendant not a banned person, and all trial related information unpublishable, the trial was effectively unreportable domestically. The international press, however, were under no such restrictions. International opinion regarding the trials did not accept the State's narrative of an international communist plot to overthrow the government. International press, such as the *New York Times* in the United States and the *Guardian* in the United Kingdom (published as the *Observer* on Sunday), routinely criticised apartheid and reported frequently on the Rivonia Trial as it progressed with little, if any, sympathy for the government's case. At times they were outright combative, as the *New York Times* was in the following rebuttal to Foreign Minister Eric Louw,

> Foreign Minister Louw of South Africa hints that his country may desert the fight against communism unless the United States and Britain stop criticising its heinous policies of racial segregation... Apparently Mr. Louw believes the United States should confine its information about the state of affairs in South Africa to that supplied by his government. The last thing that seems to enter the Foreign Minister's mind is that, by its adherence to policies that affront all civilised people, South Africa is already giving more aid to world Communism than it is to the free world.[272]

The reframing of the “communist threat” was a recurring theme in the international press. From a narrative that should spur the world to support the apartheid regime – as the government would have had the world believe during the Rivonia Trial – it shifted instead to focus on the ways in which apartheid fostered rather than combated communism. As an editorial in the *Observer* on 19 April 1964 commented,

> If it is left to the Communist powers alone to assist the Africans to bring about the eventual dislodgement of the present regime, it is likely that the regime that

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[272] “Blackmail from Johannesburg”, *New York Times*, 12/09/1963.

> follows this one would be Communist-influenced. This would present the Russians (or the Chinese, or both) with the only industrialised African country. It would also prove to all the coloured peoples of the world that Western support for the rule of the majority ceases when the majority is not white-skinned… If the West fails to see in time that this is a case where self-interest, quite apart from the moral issues, obliges us to espouse the cause of the revolution, the effect on the influence of the West throughout the world may be dramatic.[273]

In the wake of life sentences being handed down against eight of the nine accused, a wave of press coverage began. Newspapers carried editorials discussing the options open to the international community to effectively punish South Africa for jailing the defendants.[274] Others reported on protests against the jailing of those whom the public considered 'heroes and freedom fighters' and 'the George Washington and Benjamin Franklin of South Africa'.[275] Some offered remorseful and reflective profiles, with the authors sometimes having personally met Mandela.[276] Others offered reflections from moral authorities, such as the Archbishop of Canterbury who was quoted as saying 'If [Mandela] is guilty before the existing law, the guilt before Heaven belongs to the policy which the law is designed to enforce. The ideal and practice of apartheid is a denial of God's law'.[277] One even directly addressed the failure of the government's narrative of the case saying,

> The South African Government obviously hoped that the "revelations" at the trial would convince the world that its ruthless laws are justified and must be sadly disappointed by the result. The "Rivonia plot" proved to be no Communist plan to blow up the world, but merely the inevitable efforts of brave and bitter men

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[273] "Harsh Necessity", *Observer*, 19/04/1964.
[274] "South Africa in the dock", *Guardian*, 13/06/1964.
[275] "Verdict in South Africa", *New York Times*, 14/06/1964.
[276] Patrick O'Donovan, "The serene African fighter", *Observer*, 14/06/1964.
[277] Dr. Ramsey: "Pray for Mandela and S. Africa", *Guardian*, 23/06/1964.

> determined to prove the self-evident truth that the colour of a man's skin is irrelevant to his rights to equality in the pursuit of happiness.[278]

None of the coverage, either during or after the trial, spoke of Mandela or any of the defendants as belonging to a worldwide communist conspiracy. Rather, they were spoken of as members of the ANC, supporters of African nationalism or self-determination, or as opponents of apartheid or the racist nature of South African society. On occasion, when Rusty Bernstein was spoken of (almost universally in the context of “the other defendants” - usually referring to everyone except Mandela and Sisulu), he was noted as 'a listed communist', or some variant denoting it as a government imposed label. The lack of notable coverage regarding the communistic aspect of the State's case was reflected also in the records of the House of Commons in the United Kingdom where issues pertaining to the trial were raised on a number of occasions in the weeks prior to the judgement being handed down.[279] It was also implicitly reflected in UN resolutions passed at the time, which were not blocked by communist countries, as would have been expected had they adopted the language that was being used in South Africa at the time.

The Rivonia Trial had shown that the South African Jewish community was not heading for a return to the anti-Semitism felt prior to the election of the Nationalists in 1948. The Israeli press, which one could reasonably assume would be hyper-sensitive to any government scapegoating of South African Jewry appeared to find none. The Jerusalem Post, which for some years had been reporting critically on the apartheid regime, covered the Rivonia Trial in ways all but indistinguishable from other international media (save for references to domestic events). It rarely mentioned communism and similarly failed to note, with very few exceptions, the Jewishness of any of the participants in the trial.

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[278] “Freedom's voice in South Africa”, *Jerusalem Post*, 18/06/1964.

[279] UK government Parliamentary Debates, 13/04/1964 col:4-7; 10/06/1964 col:451-453; 11/06/1964 col:635-639; 15/06/1964 col: 934-937; 16/06/1964 col:1236-1237; 17/06/1964 col:1408-1410.

The Rivonia Trial also showed that even though elements of the Afrikaner press and population may have still held onto vestiges of anti-Semitism, the government was at least pragmatically opposed to this and spoke out against it. This represented a fundamental shift in the political ideology of the government, the effect of which was the support of the South African Jewish establishments status quo. The Rivonia Trial offered the Nationalists the opportunity, had they have wanted it, to pursue a clear anti-Jewish agenda. Such an agenda could easily have roused much of the white (especially Afrikaner) population and heralded a return to the "bad old days" of the 1930s when anti-Semitism was widespread and malignant. Instead, the government, through its actions, including the appointment of Percy Yutar as lead prosecutor, chose a different path. That similar agendas were pursued in subsequent trials where Jews were amongst the defendants speaks to a level of commitment from the government to the maintenance of their relationship with the Jewish community, a relationship which both parties viewed as being in their best interests. That this relationship was viewed critically by Jews outside South Africa, and that the framework within which it existed was rejected internationally, did not deter either the established Jewish community or the government from reaffirming it for decades to come.

Conclusion

The prominent role of a minority of South African Jewry in the anti-apartheid movement, as well as the relative reluctance of the majority to intervene, have both been the subject of previous historical investigations. This thesis represents a limited attempt to examine how both groups, (and to a lesser extent the apartheid government), acted according to the constraints of the conditions within which they found themselves. As creatures bound by circumstance they were subject to political pressures, under which they endeavoured to respond in ways consistent with their own guiding principles and motivations.

The SAJBD, as the leading communal organisation representing South African Jewry, saw itself as having a duty to act on behalf of the community and in its best interests. That South African Jews were not monolithic in their opinions regarding many of the most salient issues facing South African society proved problematic. Whilst members of the community such as Percy Yutar were comfortable with the prevailing racialist social order, others were not. Many were communists or had socialist inclinations and participated in organisations and activities whose primary goals were racial equality and the upending of the existing order. This set the two groups on a collision course with one another. Unfortunately for the Jewish radicals, the SAJBD saw the prevailing social and historical mood of the time as cautioning against decisively and categorically opposing the Nationalist government. What resulted were two increasingly divergent attitudes towards apartheid which reached their nadir in 1963 with the Rivonia Trial in which the extent of Jewish involvement in anti-apartheid (and by extension anti-state) activities was to be prosecuted by one of the leaders of the Jewish community. To the Jewish community, this conflict had the potential to threaten the nascent and frail rapprochement between the community and the government which in the lead up to the Second World War had been associated with many of the racial attacks directed against Jews.

The divergent experiences of the mainstream Jewish community and Jewish radicals, and the nature of South African society under apartheid resulted in the development and maintenance of two separate and mutually exclusive historical narratives. These narratives, and the respective historiographies that developed alongside them, promoted different perspectives on the roles of the Jewish establishment and of Jewish radicals. The "insider" and "outsider" narratives both sought to explain and support their own positions while simultaneously delegitimising that of the other. On one side, authors such as Gideon Shimoni have repeatedly offered apologist accounts of the Board's actions exculpating them of guilt. On the other, authors such as Peter Beinart have said of the SAJBD that its response to apartheid was only acceptable, 'provided that it was also legitimate for Protestant and Catholic institutions in Europe in the 1940s to have cared only about the preservation of Christian life.'[280] This sometimes antagonistic division has led to prolonged historical tension that has persisted long after the fall of apartheid.

Zygmunt Bauman, writing on the ethics of obedience, noted the 'easiness with which most people slip into the role requiring cruelty or at least moral blindness – if only the role has been duly fortified and legitimised by superior authority.'[281] This observation is apt for the Jewish community in South Africa in the time period examined here. The SAJBD, as the leading communal organisation representing South African Jewry, had tasked itself with speaking and acting on behalf of the Jewish community and as such saw itself constrained to acting only in ways that did not risk negative consequences for the community. In the wake of the Holocaust and the domestic anti-Semitism of the 1930s and 1940s, many South African Jews experienced what Chief Rabbi Cyril Harris described as a 'hyper-sensitivity towards survival' which obscured the subjugation and disenfranchisement of the non-European majority.[282] Additionally, failed attempts at political intervention on the part of the Board in the 1938 election, coupled with the post-1948 rapprochement with the Nationalist government and the evolving relationship of both with Israel, encouraged the SAJBD to fall back on political non-intervention as a guiding principle and to abstain from active opposition to apartheid.

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[280] Beinart, "The Jews of South Africa", *Transition*, 71, p70.

[281] Zygmunt Bauman, *Modernity and the Holocaust, (*New York: Cornell University Press, 2000), p168.

[282] Chief Rabbi Cyril Harris, Testimony before the Truth and Reconciliation Commission, 18-11-1999, available online at <http://web.uct.ac.za/depts/ricsa/commiss/trc/jewitest.htm> (accessed 29/03/2015).

In contrast, Jewish radicals and those within the community that spoke out forcefully faced an entirely different set of pressures and constraints. In a period when decolonisation and racial equality were gaining momentum, communism was in its ascendancy, and radical movements within South Africa were steeling themselves against a newly elected government they saw as fascist, it is unsurprising that Jewish radicals would resist attempts to dull their revolutionary fervour. But attempt they did, with both the apartheid government and the mainstream Jewish community attempting through all means available to them. The governments introduction of legislation such as the Suppression of Communism Act made msny of their activities illegal and put them at risk of significant penalty. Meanwhile, the SAJBD and broader Jewish community did all they could to distance themselves from the radicals, often portraying them as insufficiently Jewish or “self-hating Jews” and thus open to abandonment.

Also central in both evolving historical narratives is the Nationalist government. During the implementation of apartheid the Nationalists had found it necessary to temper their overt anti-Semitism. It is a testament to the fragile nature of apartheid that the government which only decades before had been openly anti-Semitic took the decision to seek rapprochement with the Jewish community, even as Jews conformed to virtually all stereotypes that had animated their previous racism. Jews were not only prominent in the Communist Party, but also in business and the media, and their devout Zionism could easily have lent itself to charges of disloyalty to South Africa. In place of anti-Semitism, the government focused on the threat of communism, portrayed as a Soviet (rather than Jewish) threat to South Africa. This was politically useful for the government as anti-communism had currency in the international community and more importantly was able to unite white South Africa; a necessity if apartheid was to survive. Furthermore, for many Afrikaners, the categories of Jew and communist were largely synonymous, facilitating an easy transition for the governments natural political supporters.

The litmus test for this transition came in 1963 when the Security Police raided Liliesleaf Farm in Rivonia, Johannesburg. The white arrestees and defendants at the trial that followed were all Jewish. So too were a significant number of unindicted co-conspirators and defence lawyers. The government, still home to a number of unreconstructed anti-Semites such as Eric Louw, were thus presented with an ideal opportunity to turn against South Africa's Jewish population. Yet, in the political climate of the time (both domestic and international), the government chose to pursue the case on the basis of an international communist conspiracy. The first sign of this was the appointment of Dr. Percy Yutar as lead prosecutor, a prominent member of the Johannesburg Jewish community, who doggedly prosecuted the Rivonia Trial without public mention of the Jewishness of the white defendants.

At the time of the trial, the established community, perhaps fearful of being associated by virtue of race with the Jewish defendants, sought to distance themselves from the events. They forcefully asserted that the Jewish community could not be held responsible for the actions of individual Jews, and went so far as to offer monetary rewards for the capture of Jewish fugitives. This is perhaps the clearest example of the abandonment of Jews by the Jewish community, or the endangerment of the Jewish community by Jewish radicals, that underlie much of the antagonism between the competing historical narratives.

Through the use of a variety of primary sources, many of them neglected by the existing literature, this thesis has sought to show that the mainstream Jewish community, Jews involved in the anti-apartheid movement (and to a lesser extent the apartheid government) all acted according to the circumstances as they existed; their actions either constrained or facilitated by a variety of unique pressures and considerations. The differing experiences of the SAJBD and radical Jews in the anti-apartheid movement spawned two distinct narratives that in turn each developed their own historiographical foundations. These polarised historiographies ignore the circumstantial specificity of the experience of the other while justifying or valorizing their own.

In many ways the historiography of South African Jewry during this period is at an impasse. The significance of this thesis is that it juxtaposes the experiences and narratives of both groups against one another so as to mitigate the "othering" that is so pervasive in the existing literature. The historiographical cannon regarding South African Jewry has been too often driven by personal considerations or affiliations of the authors. This has oftentimes resulted in narrow and myopic interpretations of the historical experience of only a section of South African Jewry to the detriment (and sometimes disparagement) of the other. Such an isolationist perspective serves only to perpetuate ongoing historical disconnections and real world hostilities that still plague the community years after the end of apartheid. The limited contribution this thesis has sought to make has been to propose a way forward for the historiography that moves beyond political divisions and combines aspects of the binary narratives, and in so doing contributes to a fuller understanding and knowledge of the shared history of South African Jewry during the time period under examination.

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