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The legal abolition of racial discrimination and its aftermath : The case of Swaziland, 1945-1973

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Chapter Nine

Conclusion

This thesis has traced the evolution of Swaziland's racialisation history from the 1840s when interactions between whites and blacks in the country were initiated to the late colonial period. It noted that while these contacts marked the genesis of the evolution of Swaziland's racial history they did not immediately translate to pragmatic racism. Contrary to the prevalent assumption that relations between blacks and whites were from the onset characterized by racial domination in favour of whites, it was observed in this study that the dynamics underpinning these processes initially favoured the Swazi to a major extent, as the arriving whites had to depended on mutual relations with them to pursue their activities in the country. This had to be the case, particularly because the incoming whites did not represent any particular hegemonic front but largely embarked on their adventures as private individuals. It was not until a substantial number of whites, intent on settling in the country arrived that notions of the Swazi as the racial other began to be developed and articulated. Though such ideas and attitudes were not systematically developed they, however, tended to depict the Swazi and their traditions in negative terms. To some extent, these ideas formed the basis for racist attitudes and practices exhibited towards the Swazi for most of the colonial period. Concurrent with this development was the justification for the exploitation of the country's mineral and labour resources over time.

The study commenced by exploring Somhlolo's dream and suggesting that it could be of assistance in interrogating the early history of black and white interactions in Swaziland. This enabled the contextualisation of the historical developments around which these interactions occurred. More importantly the lasting legacy imprinted by the dream not only on the relations between black and whites in Swaziland but also in the country's collective memory was noted. The dream, it was observed, not only prepared the Swazi warmly to welcome their white guests but also promoted harmonious race relations in the country. A brief criticism of the manner in which the dream was communicated was also made; namely that it was targeted at the Swazi only as if harmonious race relations in the

country depended solely on them. This, it was maintained, was tantamount to undermining the reality that harmony between the whites and Swazi could be achieved on the basis of mutual interdependence.

Upon examining the processes that informed the hunter - trader, missionary, sheep grazer and concessionaire frontiers it was maintained that black and white relations during this period were relatively egalitarian. Such a situation as the study noted was largely a product of the power dynamics at play; that the incoming individual whites were few and limited. Despite being drawn from various backgrounds and localities, the neighbouring states they came from also did not necessarily possess any military advantage over the Swazi. Hence the relations forged between the Swazi and incoming whites around this time were largely guided by mutual interdependence.

Although it has been shown in thesis that the prevalent popular white attitudes generally perceived the Swazi and other African people in negative terms there was no evidence suggesting that these were inscribed in the pragmatic black and white relations of the period. Again though some of these attitudes were introduced as official policy during the period of the Triumvirate Government there is no evidence suggesting that they were translated into day to day discrimination in the country's race relations. However, the thesis did point out that in the mining industry which was developing in the country blacks were generally employed in subordinate positions and under harsh working conditions in Swaziland's nascent industrial relations. These were however, a small fraction compared to the total population of blacks in the country. A generalised conclusion about racist practices in the country as a whole based on this single factor could therefore not be reached. Hence the observation that, relations between blacks and whites were relatively egalitarian at least up to the beginning of the twentieth century. Further strengthening this observation was the reality that no formal colonial relations had been established over Swaziland to legalise and promote institutional racism.

The outbreak of the South African War in 1899 also did not fundamentally alter the pattern of relations between blacks and whites in the country. Though there was a concern at the beginning of the war about the participation of blacks, as the war progressed, the Swazi and other blacks joined to fight. Again there is no evidence indicating that the relations between the Swazi and whites during the war were translated into pragmatic racism. Based on these observations it was further maintained that relations between blacks and whites in Swaziland remained relatively egalitarian at least up to the end of the South African War. It was however, noted that one battle in the southern part of Swaziland was an exception to the prevailing pattern of race relations. During this battle the Swazi ruthlessly attacked and killed many Boers in what appears to have been vengeful reaction motivated by grievances the Swazi had harboured concerning the loss of some of their land to Boers in the southern part of the country.

However, with the establishment of colonial rule discriminatory practices and policies were entrenched in various spheres of the country's life. It has also been argued that the assertion of hegemonic control by the colonial state created conditions that were conducive for the breeding of a variety of discriminatory attitudes, practices and policies. As the desire to promote different interests among whites increased blacks became marginalised in various socio - economic spheres. This inequality was largely a product of prejudices imported from the West, and the legislation enacted in the colonial setting. By focusing on the nature of the relations that were forged between the main racial communities within Swaziland, the study observed that relations during the development of colonial rule were skewed in favour of whites, who were being entrenched into a dominant position by the political and socio - economic structures. The racial inequality discussed in the study went through different phases and reached its maturity in the mid-1940s. The thesis has observed that Swazi reaction to discrimination was guided and articulated by the monarchy which had from the 1930s embraced a cultural nationalism that beckoned for the recognition of the rights and interests of the Swazi. This strategy yielded some positive results such as the increase of land for Swazi use and recognition of certain Swazi cultural practices.

As part of the ongoing racialisation, the study noted that at the turn of the twentieth century a category of persons dubbed Eurafricans (Coloureds) emerged as a factor in Swaziland's history. This category occupied a distinct intermediary but often contested position in the country's social pyramid which was mainly used to enhance white supremacy. The study has also shown that Coloured identity and consciousness in Swaziland evolved over time. The identity of this community began to take shape in the early twentieth century when some missionaries began providing separate educational facilities for Coloured children. The main motivation for the provision of the facilities for these children was the sense of moral obligation the missionaries felt for the children with part European parentage. In response to this development the colonial government played a supportive role. Consequently, the Coloured children were socialized to see themselves as neither white nor black, adopted certain habits and lifestyles that characterized them as a distinct category of people.

By the beginning of the 1950s this process of identity formation had produced a group of persons who had not only embraced Colouredness but who also pursued distinct and specific aspirations in the socio - economic and political structures of colonial Swaziland. Though the total number of Coloured people remained relatively small for most of the colonial period when compared to that of blacks and whites, in their fight for space and recognition in different arenas, Coloured persons used "race" to claim a position equal to that of whites and above that of blacks. However, the numerical factor and white / black parentage of Coloured persons were used by some influential figures within the colonial Administration to deny them claims to separate identity and representation.

In articulating their grievances the Coloured appealed to what they perceived to be the virtues of British justice. In their struggle they indicated their belief that such virtues possessed the capacity to protect their group from unfair and discriminatory treatment. Affinities of the Coloured community in Swaziland with that of Cape Coloureds had been in existence in certain forms but the launching of apartheid policies in South Africa and the consolidation of the settler colony in Southern Rhodesia with increased prejudice against non - white people brought the identification of the Swaziland Coloured

community with Coloured peoples in these places to the fore. The Coloured struggle produced sites of contestation reflected in the attitudes of the Swazi traditional leaders, Swazi educated elite and the colonial Administration who were opposed to the recognition of a distinct Coloured identity. However, on the part of the colonial Administration Coloured identity was partially acknowledged in only as far as serving the purposes of reinforcing the myth of white supremacy. In cases where it appeared to pose a threat to this notion it was downplayed using various strategies.

The study noted that discrimination was mostly felt by blacks in industry, on white farms in the south, in the towns– not in Swazi Nation Land. The racial inequality that had developed in the country was unsuccessfully challenged in the post - Second World War era by the Swazi educated elite under the auspices of the Swaziland Progressive Association. Though the struggles of this Association were limited to paper protest, they served to inform the colonial Administration of the awareness of the educated elites about the system of racial inequality and racial discrimination prevalent in Swaziland up to this time. World War II and post - World War II events and politics in the wider world inspired these developments in Swaziland to a considerable extent. Though the paper protest launched by the SPA was not accompanied by corresponding protest action it served to raise a general awareness of the problem of racially discriminatory legislation and practices in Swaziland. The protest launched by the SPA was on some issues equally, upheld by the SNC. Unfortunately, these groups did not combine their efforts in their fight against racial discrimination as each pulled in a different direction in the struggle for power. The protest oscillated between issues that addressed discrimination of Africans and those that celebrated positive relations between blacks and whites in the country. This occasionally implied that the struggle was characterized by contradictory overtones.

Essentially, the struggle lacked strong and clear demands for racial integration and ironically made a case for political representation and provision of social and economic amenities along racial lines. As much as this struggle against discriminatory as well as segregatory legislation and practices served its primary purpose of exposing the evils associated with the domination of one race by another it was deficient in certain crucial aspects as a campaign to move Swaziland towards a new non - racial order. This can be seen among other things, for example, in the SPA's demand that African education be like that of the European instead of calling for racial and social integration in the education system of Swaziland. This observation can also be generally applied to numerous spheres of Swazi society.

Notably, the SPA due to its elitist nature failed to co-ordinate the concerns of the various sections of the Swazi population that were subjected to racial discrimination. This owed largely to the elitist premise on which the SPA operated as it perceived itself as a "mouthpiece" of the masses. This ultimately, led to its failure to translate pertinent concerns into a single national campaign against racial discrimination. This elitist approach, at best, rendered the SPA's campaign against racial discrimination, a paper protest without corresponding practical and strategic protest action.

At the beginning of the 1960s the nature of international relations, anti - colonial politics and changes in British colonial policy among others dictated that legislation outlawing racial inequality be put in place. Developments that embodied dissatisfaction over the ineffectiveness of the legislation included political rallies, industrial unrest and individual actions. Despite the non-racial policies put in place by the post - colonial government discriminatory practices continued to be witnessed in the larger society and particularly in the private sector. It has been maintained in this thesis that deracialisation takes more than just putting policies in place but should include many other material factors such as a high literacy level, a resolved society, an independent judiciary and a wilful co - operation among the major stakeholders.

This study has also shown that the beginning of the 1960s marked a historical watershed in the political history of Swaziland. The world political order and African anti - colonial politics brought about a fundamental change in British colonial policy. The change in colonial policy gave impetus to local political activities leading to independence. The commencement of political activity equally posed a challenge on Swaziland's race relations that subsequently led to lawful abolition of racial discrimination in Swaziland within the first three months of 1962. Since no adequate internal pressure was mounted to compel the colonial government to outlaw racial discrimination in the country, the thesis argued that, as Britain was getting internationally embarrassed about her discriminatory colonial policies she sought to use Swaziland as her model of harmonious race relations. The thesis therefore maintained that the intensification of South Africa's apartheid policies, the changing British imperial policy and politics as well as the changing international diplomacy and wider Asian and African politics in the 1960s unleashed a decisive onslaught on Swaziland's racially discriminating legislation. Though the notion that black - white relations in Swaziland were harmonious had been in existence since the early colonial period, it now served an urgent and specific purpose in British politics, and international diplomacy. The thesis showed how Macmillan's speech which announced changes in British colonial policy triggered the events which led to the outlawing of discriminatory legislation in Swaziland.

The thesis also examined the capacity of the anti - discriminatory legislation to bring about change in society. It was noted that apart from the fact that the anti - discriminatory legislation was to function largely within the mechanism of the colonial administration, it lacked the necessary provisions to redress the question in urban and industrial spaces where a considerable number of Swazis were exposed to discrimination on a day to day basis. This tended to limit its application as it was misplaced. This thesis has shown that the outlawing racial discrimination in Swaziland did not result in the automatic or immediate disappearance of discriminatory attitudes and practices in the country. Moreover, the Northern Rhodesian model upon which the legislation was based, embraced a gradualist approach to dealing with discriminatory attitudes and practices. In reality this approach tended to condone more than condemn discriminatory practises.

As a result, despite the passage of anti - discriminatory legislation in the country, racial prejudices and attitudes persisted largely in covert and subtle ways though at other times in overt and obvious ways often covered in paternalistic undertones.

However, the main political formations that had emerged in the country continued to agitate for a new non - racial order. Swazi traditional authorities and a few white supporters pressed for multi - racialism. The newly emergent modern political parties advocated non-racialism. The condemnation of racial practices was continued by the political formations up to the end of 1962. During this three year period, political party activity was at its formative stage, mainly characterized by organization, the espousing of ideologies and developing their programmes as well as the undermining of discriminatory practices on the basis of race. The issue of racial discrimination was at the centre of these developments and used by stakeholders to agitate for the replacement of the current political power arrangement. Each of the political formations put forward the idea of the kind of society they envisaged under their proposed new political order. Immediately following the abolition of racial discrimination, most of the newly emerged black political parties took a strong stand against discriminatory practices and advocated a non -racial society while maintaining that that ideal had to be translated into practice. The publication of constitutional proposals during this period highlighted that Swaziland was bent on following a political path based on representation along racial lines.

The study noted that dissatisfaction with the passage of the 1962 anti - discriminatory legislation was followed by the outbreak of industrial and urban strikes across the country. Owing to the wave of anti – colonial struggles and nationalist politics that had taken root in most African countries, when the industrial strikes hit a country where labour was barely unionised, nationalist politicians took a leading role in the organisation and representation of labour grievances thus, bringing in the dimension of decolonisation into these unrests. During the 1962 / 3 strikes in Swaziland there was a close collaboration between labour and politics. However, when the strikes hit Swaziland in the 1960s the Conservative Government in Britain was back in power and characteristic of its operations, repressive methods were being used to enforce “law and order”.

Essentially, it has been argued in thesis that the industrial unrest which crippled productivity in major industrial sites in the country was largely a result of discriminatory policies against black employees. Such policies, as has been shown, were intimately tied to the mechanisms and strategies on which these industries were operated. In addition the strike served to fuel anti-colonial sentiments in many parts of Swaziland. The countrywide unrest was, therefore, a reaction to these industrial cultures and general colonial policies.. It has also been pointed out that when workers embarked on strike action they were protesting against racial division of labour that was characterised by a hierarchy where blacks occupied a subordinate position in relation to whites. Under this arrangement blacks lived and worked under very poor conditions compared to their white counterparts. Contrary to the view promoted by government that, relations between the races were harmonious, the Inquiry conducted after the strike warned and predicted that the broader conflict in the race relations of the country and that the recent unrest had not led to any decisive resolution of the matter. These strikes occurred at a time not only when the British sought to use Swaziland as a model for harmonious race relations but also as a case for defending what they considered to have been the virtues of colonialism.

Equally, the subsequent anti - discriminatory official policies put in place during and after the Legislative Council period proved inadequate in dealing with day to day discriminatory practices and policies in industrial and urban places. Consequently, Sobhuza's own approach and that of the post - colonial government in dealing with discrimination were limited. It has also been shown in this chapter that Sobhuza was preoccupied with what he perceived to be injustices imposed on the Swazi by whites. As a result, he mainly focussed on those aspects of discrimination that touched on state power and did not do much to rescue those of the Swazi who were confronted by discrimination on a day to day basis in industrial and urban centres. The constitutional struggles in the 1960s, it was noted, indicated that there was a strong desire by the most influential political formations in Swaziland to safeguard class and racial interests, approach that remained a stumbling block to racial integration.

Despite Swaziland's adoption of an approach contrary to that of South Africa in her race relations there was a sense in which many spheres of Swazi society were left untouched by the anti - discriminatory legislation of 1962 and continued to resemble those of South Africa. This emanated not only from the limited approach which was adopted when discrimination was abolished in the country but also from the lack of political will on the part of the colonial administration as well as lack local pressure for an egalitarian alternative. The view of the colonial officials who first looked into the issue of abolition was that discrimination was unofficial in Swaziland. In preparing to outlaw racial discrimination therefore, only those laws which were suspected of promoting discrimination were tackled to the extent that *de facto* discrimination was largely ignored. One clear principle stood out with regard to discrimination; *de jure* discrimination was abolished. There was however, a wide gap between government policies and actual practice in the larger society with regard to discrimination. Moreover the privileged position of most whites in the political and socio- economic organisation of the country did more to perpetuate than curb discriminatory practices towards blacks. Finally, the thesis hinted that the repressive nature of the post - colonial government towards the political opposition in the country resembled that of many governments in the continent around this time, which continued unchallenged by those who were fighting racial discrimination internationally. This therefore, yielded to a context in which many discriminatory tendencies and practices which were prevalent before discrimination was formally abolished were continued unabated. Neither did the orientation of the UN prove useful in this regard as it tended more to complement than question these approaches. In the final analysis, therefore, the failure to achieve deracialisation in Swaziland owed not only to the lack of political will but also to the inability to embrace a holistic approach.

The thesis has also shown that the INM led government upheld non - racial policies. It notes that with time the government's most influential figures shifted from their initial notion of a "racial federation" to non - racialism. Such, it has been observed was a product of the dynamics of the race question not only within the country but also in the wider world. Although Swaziland's independence constitution granted equality to the people of Swaziland irrespective of race or colour, the continuation of past practices and

policies perpetuated a situation in which wealth, property and certain privileges were still tilted largely in favour of whites. In trying to correct this, for example, among other things the post - colonial government put in place the localisation policy and Land Speculation Act. What the study has found difficult to ascertain is whether such moves were an act of "reverse discrimination" by the black Swazi who formed a majority of the post-independence government.

Finally, the thesis has shown that an underlying grievance existed among Swazi leaders because the British had imposed the Westminster constitution on the country. This was ultimately demonstrated by the king's abrogation of the constitution on 12 April 1973. In doing away with the constitution the king blamed whites for imposing their traditions on Africans. Thus, the abrogation of the constitution, though aimed at the first instance, at silencing those blacks who were in the political opposition, in a broader framework, it had serious reflections on white - black relations not only in Swaziland but in the whole of Africa and abroad. Through the abrogation of the constitution, the king was sending a message to the British and the white international community that their institutions were unsuitable for the Swazi as well as African life, more generally. More importantly, it has been shown in this thesis that despite the putting in place of anti - discriminatory legislation and a non - racial constitution *de facto* discrimination continued. In this chapter this has been partly attributed to the limitations of the abolition of *de jure* discrimination. It has been also noted that the tackling of *de jure* discrimination did not necessarily mean that *de facto* discriminatory practices in many spheres of Swazi society ceased.