

The Making of An Anti-Apartheid: Archie Gumede, 1914-1998

Qhelani Msweli

Amafa Institute, Seminar Paper, 31 October 2024

Archibald Jacob Gumede, known simply as Archie Gumede, was a prominent human rights lawyer and anti-apartheid activist who played a significant role in the struggle for non-racial democracy and human rights in South Africa. He was born in Pietermaritzburg in 1914, matriculated in 1932, studied at Fort Hare, and qualified as a lawyer. He joined the African National Congress (ANC), was involved in the non-violent protests of the 1950s, and arrested in 1956 in South Africa's iconic Treason Trial. Gumede was involved in education protests in the 1970s, he was a founding member of the Release Mandela Committee, was elected President of the United Democratic Front (UDF) in 1983, was part of the ANC delegation that met with the Apartheid regime in 1990 to negotiate for a peaceful transition and served the ANC government until his death.

Many political biographies and memoirs have been written in the post-Apartheid period. Given Archie Gumede's high profile, the absence of a full-length study is indeed surprising. This study will undertake a critical biography of Gumede, not for the sake of it, but to examine key issues in his life and South Africa's history in this turbulent period. While Gumede's story as one of the early Africans who benefited from higher education and work as a lawyer are essential, this dissertation will focus on other key issues, such as the debate whether one can best capture a life through a chronological narrative or a thematic study, the ANC-Inkatha Freedom Party (IFP) conflict in the 1980s that ravaged KwaZulu-Natal, tension between ANC and UDF members as South Africa transitioned to a non-racial democracy, and who gets to be memorialized in the post-Apartheid period, and why. Why is there no study on Archie Gumede or memorials as many of his contemporaries?

Political biographies have traditionally focused on iconic figures like Mandela, Tambo, and Sisulu, but recent studies emphasize the contributions of women and lesser-known activists, offering a more collective perspective on the anti-apartheid movement. The debate on biography's focus on individuals, as noted by scholars like Mxolisi Dlamuka and Ciraj Rasool, critiques the tendency to isolate key figures from their collective contexts, often attributing societal change to individual will. This study on Gumede will avoid such pitfalls by situating his life within broader societal and political forces.

Archibald Jacob Gumede's life and political evolution can be analysed through the lens of South Africa's complex history of racial oppression and the fight for non-racialism. His upbringing, education, and political influences provide insight into the development of a broader ideology of non-racialism, which came to define his later activism.

Contextualizing Archie Gumede's Early Life

Gumede was born in 1914, at a time when South Africa was becoming deeply entrenched in institutionalized racial discrimination, culminating in laws like the 1913 Land Act, which dispossessed Black South Africans of their land. His father, Josiah Tshangana Gumede, was an influential political figure who led the African National Congress (ANC) during the 1920s and participated in international efforts to oppose discriminatory laws. Josiah's experiences, such as his 1919 trip to the United Kingdom to protest the Land Act, deeply impacted Archie Gumede's worldview, setting the stage for his own fight against racial injustice.

Archie Gumede grew up surrounded by prominent political thinkers like Oliver and Selby Msimang, who were themselves critical figures in the early ANC. This atmosphere exposed him to the core ideas of equality, justice, and dignity for all, irrespective of race. His decision to join the ANC was driven by a deep conviction to continue his father's legacy of fighting against racial discrimination, yet his political journey was marked by a commitment to non-violent resistance and a rejection of racial division.

Educational Influence and the Development of Non-Racial Ideals

Gumede's education at Lovedale Missionary Institute and the South African Native College in Alice placed him in environments that fostered intellectual rigor and political consciousness. Lovedale was a mission school that emphasized Christian principles of equality and justice, which likely resonated with the emerging ethos of non-racialism in Gumede's thinking. His time at Alice further exposed him to a broader range of political and ideological perspectives, reinforcing his commitment to social justice.

The Influence of Political Mentors on Gumede's Non-Racialism

Key political figures played a crucial role in shaping Gumede's non-racialist outlook. Chief Albert Luthuli, a staunch advocate for peaceful resistance, provided guidance and reassurance to Gumede that fighting for justice did not require adopting the violent tactics of the oppressors. This philosophy aligned with the broader ANC stance during this period, where non-violent protest was seen as the moral high ground in the struggle against apartheid.

Gumede's interactions with liberal white intellectuals such as Bram Fischer, Alan Paton, and Peter Brown further solidified his belief in non-racialism. These figures, especially Fischer, a prominent anti-apartheid lawyer, demonstrated that the fight for justice transcended racial lines. Fischer's role in defending many anti-apartheid activists, including Nelson Mandela, exemplified how whites could align themselves with the liberation struggle. Similarly, Alan Paton's advocacy for racial reconciliation and Peter Brown's leadership in the Liberal Party of South Africa (which promoted non-racial democracy) showed Gumede that it was possible to collaborate with people from different racial backgrounds to achieve a common goal.

Non-Racialism as a Principle in South Africa's Struggle for Freedom

In South Africa, non-racialism became a cornerstone of the ANC's liberation ideology, especially under leaders like Nelson Mandela and Oliver Tambo. The belief that people should be judged not by the colour of their skin but by their character and actions was a rejection of both apartheid's racial hierarchies and the idea of racial retribution post-liberation. Archie Gumede embodied this principle in his approach to political activism. Rather than adopting a reactionary stance based on racial resentment, he advocated for inclusive justice, where all races would have a place in a free South Africa.

Gumede's refusal to adopt the "tactics of the other side" indicates his commitment to moral leadership and a belief in the power of peaceful, principled resistance. This aligns with broader African liberation movements that sought to reject colonial ideologies of racial superiority while affirming human dignity and equality. Non-racialism, for Gumede, was not just a political stance but an ethical imperative rooted in fairness and justice for all people.

In 1936, Archie Gumede returned to Natal and worked as a sanitary inspector and health assistant before transitioning into clerical work for various law firms, including his father's, by 1940. In 1949, he became an active member of the African National Congress (ANC) and was appointed assistant branch secretary for the Pietermaritzburg branch, working alongside Selby Msimang. By 1951, he held the role of assistant secretary for the Natal African National Congress (ANC). He led the Natal delegation to the Kliptown Conference:

"I led that delegation because other people who were in leadership positions were under bannings...I was more senior of the office bearers in our branch."

Gumede was very active in Maritzburg gathering the people's claims that was to be used for drawing the freedom charter. During this campaign, he was interviewing people to find out

what sort of future they were anxious to see, what sort of improvements could be made to their localities.

“Reports were submitted to the central committee in Johannesburg where they used the material for drawing the Charter. Well, as far as I can say, it seemed the Charter does contain much of what came from the grassroots. That was a real grassroots account.”

However, Gumede did not participate in the ANC's Defiance Campaign in the early 1950s, as the Natal branch was not yet fully developed. Internal divisions within the Natal ANC, influenced by memories of the 1949 race riots, made some members reluctant to engage with other racial groups, which was contrary to the national ANC's push for non-racialism. Sibongeni Mkhize a historian who has written on the history of the in Natal during the 1950s. His work explores the dynamics within the ANC, particularly the tensions and factions that emerged due to ideological, political, and leadership differences. In the 1950s, the ANC in Natal was marked by internal divisions between conservative traditionalists and younger, more radical members inspired by African nationalism and Marxist ideology. The ANC Youth League, founded by Anton Lembede, played a pivotal role in promoting a radical, Africanist approach, pushing for direct action and a break from colonial structures. This stood in contrast to the older generation's preference for gradual reform and negotiation, leading to ideological tensions within the movement.

Chief Albert Luthuli emerged as a unifying figure during this period, advocating for non-violent resistance while attempting to balance the competing interests of these factions. Although his leadership helped preserve cohesion within the Natal ANC, the ideological differences between the traditionalists and radicals persisted. National developments, such as the adoption of the ANC's Programme of Action in 1949, further shaped these factional struggles. Local issues, including land disputes and rural grievances, added complexity to the situation, intertwining with broader national liberation efforts and deepening the internal conflicts.

The national ANC had adopted a strategy of collaboration with organizations like the Natal Indian Congress and other groups as part of the Congress Alliance to fight apartheid. Yet, tensions within the ANC remained over race, as some factions were uncomfortable working with other racial groups, while others criticized the racial organization of the Congresses, seeing it as counterproductive to true non-racialism. This debate within the ANC eventually

led to a significant split, with figures like Robert Sobukwe forming the Pan Africanist Congress (PAC) in 1959 due to disagreements over the path to African liberation.

In the 1950s, Gumede was active in the Congress of the People, where the iconic Freedom Charter was adopted in 1955. He worked closely with leaders like Dr. Chota Motala, Moses Mabhida, and Harry Gwala. His strong relationship with Chief Albert Luthuli, elected ANC president in 1952, was highlighted when both were charged with treason, though the charges were eventually dropped in 1961 after a lengthy trial.

Gumede also joined the Liberal Party (LP) in 1953, finding its values aligned with his beliefs in non-racialism and equal rights. The LP, considered one of South Africa's first non-racial parties post-1950, sought to bridge the racial divide through legal and constitutional means, though it was critical of more leftist elements within the Congress Alliance. Gumede remained deeply engaged in ANC campaigns against apartheid policies such as the pass laws, Bantu Education, and the exploitation of farm workers, and he was arrested in 1956 as part of the Treason Trial but was released in 1957.

Archie Gumede was arrested in December 1956, alongside 155 other Congress activists, and transferred to Johannesburg to face charges in the preliminary proceedings of the Treason Trial. However, by October 1957, the allegations against him were dismissed. During his time in Johannesburg, Gumede resided in Sophiatown, which he viewed as a crucial period of personal political growth. He engaged in extensive discussions with Congress leaders from across South Africa, deepening his understanding of the nation's political trajectory.

Following his return to Pietermaritzburg, Gumede continued his activism with the African National Congress (ANC) until the Sharpeville massacre in March 1960, after which a state of emergency was declared. During this time, he was among the thousands detained nationwide. Gumede participated in notable ANC campaigns, such as the boycott of Bethal farmers, who exploited prison labour, and the call for a one-pound-per-day minimum wage.

On 25–26 March 1961, Gumede attended the Pietermaritzburg All-In Conference, where Nelson Mandela's unexpected appearance energized the crowd. This event was one of the last major public campaigns of the ANC before its underground shift. In October 1963, Gumede was again arrested under the Suppression of Communism Act and detained without trial for 90 days.

Pursuing his legal ambitions, Gumede enrolled at the University of South Africa (UNISA) to study law. After facing rejection from white law firms, he became an articled clerk at an Indian law firm in Pietermaritzburg in 1958. In 1966, Gumede earned his Attorney's Admission Diploma and was admitted to the bar in 1967, beginning his legal career in Pinetown in 1970.

Gumede's involvement in education reform began in 1976 when he joined the Education Action Committee to address the inadequate conditions in African schools. During the 1976 Soweto Uprising, he worked with the Parents' Committee in Durban, advocating for better education alongside Indian Congress members. In 1979, Gumede co-founded the Release Mandela Committee, which gained international attention for the anti-apartheid cause.

United Democratic Front

In 1983, Gumede participated in the anti-Tricam movement and was instrumental in forming the United Democratic Front (UDF), where he was appointed president alongside Oscar Mpetha and Albertina Sisulu as National presidents during its launch in Mitchells Plain. The UDF was launched at a mass rally over 12 000 people in Mitchells Plain, Cape Town, on August 20, 1983.¹ UDF received significant international support during its struggle against apartheid in South Africa. Various global organizations, including anti-apartheid movements, human rights groups, and governments, expressed solidarity with the UDF's efforts to achieve democracy and human rights. These were SWAPO of Namibia, United Nations (UN), Africa Groups of Sweden, Anti-Apartheid Movement in London and France condemned apartheid, calling for sanctions, boycotts, and other forms of pressure against the South African government. They supported UDF's non-violent resistance and grassroots mobilization, recognizing its role in uniting South Africans across racial and class lines to challenge the oppressive regime.

Archie Gumede also, served as the President of the UDF in Natal region, playing a pivotal role in the anti-apartheid movement during the 1980s. His leadership was marked by a commitment to uniting various groups in the struggle against the apartheid regime. Under his presidency, the UDF in Natal was a vital force in mobilizing grassroots resistance and promoting non-violent protest. He worked alongside prominent figures such as Rev. M. Xundu, who chaired the UDF, and Billy Nair, the vice-chairman. The secretary, Yunus Mohamed, coordinated organizational activities, while Lechesa Tsenoli, the publicity secretary, raised awareness of

¹ The UDF was formed to unite all organisations that believed in a non-racial, free and democratic South Africa, and who opposed the Apartheid constitution as well as the Koornhof Bills.

UDF's initiatives. Victoria Mxenge, a dedicated activist and lawyer, served as treasurer, contributing both to the financial stability and the overall strength of the movement. Together, this leadership team was instrumental in fostering unity among diverse opposition groups and sustaining the fight for democracy.

His leadership in the UDF led to his arrest in August 1984, and following a prolonged sit-in at the British Consulate in Durban, he was charged with treason in December 1985. Although charges against him were eventually dropped in December 1985 due to unreliable witness testimony, the period marked a time of intense state repression, particularly in KwaZulu-Natal.

Despite restrictions placed on him during the State of Emergency, Gumede continued his peace-building efforts, advocating for victims of political violence in Natal. His legal work resumed after the restrictions were lifted in 1990, when the ANC and the UDF were unbanned, signalling the beginning of a new era in South African politics.

Treason Trial, 1985

On 13 December, after a 90-day sit-in, Gumede, Paul David (a discharge Mandela Committee part), and Billy Nair cleared out the office. Gumede and David were quickly captured and along these lines charged with tall treachery. A safeguard application on the sake of the eight charged (Gumede, Mokoena, Nkondo, Mewa Ramgobin, Essop Jassat, Paul David, Naidoo, and George Sewpershad) was denied. When the trial came to court in Pietermaritzburg it inevitably included the sixteen charged. In April 1985 they were allowed safeguard and the trial legitimate started in Admirable. Charges against twelve of the defendants, including Gumede, were dropped on December 9, 1985, after Isaak de Vries, a senior lecturer at the Rand Afrikaans University and a key state expert witness who had testified in nineteen previous trials, collapsed. The evidence of this serial witness was proved to be shallow and groundless.

The state of Emergency of 1985 July to 1986 March did affect the province of KwaZulu-Natal, specifically Pietermaritzburg, to a great extent. Due to the State of Emergency, activists were restricted, and many others went into hiding. Public meetings were banned; however, they were carried out clandestinely in church services, and at university which seemed to be safe places at the time. The ongoing meeting led to many arrests of students from the University of Natal, including members of the Joint Academic Staff Association (JASA) on 12 June 1985.

Several meetings were organised to discuss the imprisonment. The first took place in the Main Science Lecture Theatre. By that night the state of Emergency was declared, and it was revealed

that all those who were arrested under the National Security Act were set free and immediately re-detained under Emergency regulation. As a result, the seminaries went to march on Loop Street Pietermaritzburg police station.

They organised another meeting the following day evening it took place in offices of the Pietermaritzburg Agency for Christian Social Awareness (PACSA) in Berg Street. The meeting by the Detainees Support Group occurred in the educational block at the university to discuss how to show support to their fellow students, lecturers, and leaders. JASA was connected to the UDF, and it held that it was the task of academics to be involved in research and writing that connected with human rights situation.

Gumede attended Moses Mabhida's burial in Maputo, Mozambique, in April 1986, as president of the United Democratic Front (UDF). He met with then-Mozambican President Samora Machel for informal talks while in the country.

The UDF was one of seventeen organizations banned by the South African government on 24 February 1988. At the same time, eighteen people, including Gumede and Albertina Sisulu, were issued bans that limited their travel to specific locations and barred them from participating in political activities. Gumede resumed his legal career and began supporting victims of the Natal violence, which is detailed below.

Gumede participated in several peace initiatives, but it was impossible for him to do so formally due to his 1986 restriction orders. Gumede's constraints were eased once the State President announced in 1990 that the ANC had been de-banned and that the UDF had been freed from restrictions.

Political Violence in KwaZulu-Natal and the Path to Non-Racial Democracy

KwaZulu-Natal experienced significant violence from the mid-1980s, particularly during the negotiation period leading up to the 1994 election. Initially, Inkatha and its leader, Chief Mangosuthu Buthelezi, had a strong relationship with the ANC, even after Inkatha's formal establishment. They maintained a non-violent stance and cooperated with the ANC following its exile in 1960, in opposition to the apartheid regime.

However, tensions arose between the two groups after a falling out at a London conference in 1979-1980, which escalated into violent conflict. Both sides engaged in violent acts, including

assassinations, with the conflict persisting until the ANC slowed its activities in South Africa during the 1980s. Inkatha then shifted its focus to the UDF (United Democratic Front), viewing it as its main opponent. The UDF, a broad coalition of liberation movements and labour groups, had a platform rooted in the belief in ending apartheid and establishing a non-racial democracy.

While the ANC was in exile, the UDF successfully mobilized within South Africa, and when the ANC was unbanned in 1990, it resumed its support for the UDF. This led to further clashes with Inkatha, as the UDF, with its younger and more radical membership, often opposed Inkatha's conservative, traditionalist stance. Inkatha accused the UDF of criminal behavior and instigating violence, while the UDF accused Inkatha of collaborating with the apartheid regime.

In an interview with Pádraig O'Malley, Archie Gumede discussed how the violence was exacerbated by the actions of the Mass Democratic Movement, which sought to dismantle the KwaZulu-Natal government and remove the police force from the region, though these efforts had negative outcomes. As a result, people came to believe that displaying strength and power was necessary for their own security, even though this often-made others feel threatened and insecure.

Around 4,000 people lost their lives due to violence in KwaZulu-Natal, primarily involving conflicts between Black South Africans, particularly the ANC and Inkatha. Some of the violence stemmed from colonial rule in Natal, where the colonial government implemented policies that divided Black people. The Native Administration Act of 1927 aimed to create a uniform system of Black administration across South Africa, while the Trust and Land Act enforced racial territorial segregation. When the National Party came to power in 1951, they abolished the Native Representative Council, which had represented Black South Africans' views, and replaced it with the Bantu Authorities Act. This Act sought to establish traditional tribal governance among African communities.

Chief Mangosuthu Buthelezi assumed leadership of the Buthelezi tribe in the 1950s, following the introduction of the Bantu Self-Government Act in 1959. This Act created regional tribal authorities, including the Zulu territorial authority, which was established in 1970 and later became the KwaZulu Legislative Assembly (KLA) under Buthelezi's leadership. The KLA was given significant administrative and legislative powers. However, the 1959 Bantu Self-Government Act also reinforced racial distinctions between African ethnic groups, as defined by the apartheid regime.

KwaZulu was tasked with addressing the social welfare needs of its permanent population, including providing social pensions and healthcare. Inkatha, under Buthelezi's leadership, also took control of the region's education system. A syllabus was introduced that included a dynamic version of political history and social order, becoming central to the KwaZulu police force's role in maintaining law and order. In KwaZulu, traders and chiefs benefited from Inkatha's policies. However, Inkatha relied more on political diversity and a militarized Zulu ethnic identity to mobilize support.

The National Party (NP) government used policy to retain control over South Africa by manipulating ethnic groups, shaping political directions based on ethnic sentiment. Economic control was exercised through strict regulation of migrant workers, denying them rights. Political control was achieved by using administrative machinery, where state branches acted as extensions of government authority. These branches were granted varying degrees of power depending on their political development under the Homelands Act of 1971.

Archie Gumede highlighted other causes of conflict between UDF and Inkatha supporters. He noted that Inkatha opposed the UDF's formation, fearing it would divide the Zulu nation. Many people supported the UDF for its stance against the tricameral parliament, and its call for mass action during stay-aways. The effectiveness of these stay-aways led to consumer boycotts, increasing Inkatha's hostility in UDF-supporting areas like Umlazi.

As Inkatha grew more aggressive, the UDF took defensive measures, although Gumede pointed out that Inkatha supporters had access to weapons, while UDF members did not. Despite this imbalance, UDF members remained active in areas such as KwaNdengezi and Hammarsdale, driven by their determination to end white rule.

Gumede also held that one of the causes of the conflict was the demand for free education for black children. Inkatha was against such demands since it was in charge of education in the KwaZulu "Bantustan" even though it did not accept independence and did not want to incur additional expense.

Gumede also touched on the ideology of youth: Liberation before Education! Many of the youth concluded that there was no point in getting access to inferior education. It was better to focus their energies on freeing the country politically and then concerning themselves with education. After all, many argued, what was the point when the education they were given was inferior? The result, Gumede argued, was that many young people had no education and instead

got used to a culture of protest and only knew how to protest and obsess with the armed struggle.

According to Gumede, the mass of African people was seeking peace, wanting only to live in harmony. They needed shelter, food, and proper education. However, at this time (the 1980s) they were threatened by terror. He believed that under the majority rule the masses will enjoy a better life because there would be no external forces putting barriers in their path and would be able to change a situation they were living in where their talents were denied. Gumede felt that there could be no progress while there was violence, hence he suggested that 'responsible' people should identify the causes of the violence and explain to their followers why it was in their interests to control and even eliminate violent confrontations.

In an interview on 22 July 1992, Archie Gumede reflected on the political violence in Transvaal and the subsequent efforts to end it. Gumede mentioned that Nelson Mandela (ANC), Chief Mangosuthu Buthelezi (IFP), and F.W. de Klerk came together to call for peace, which led to the National Peace Accord (NPA) signed on 14 September 1991. This accord involved political, religious, business, and civil society leaders and laid the groundwork for a peaceful transition to democracy. It helped facilitate negotiations, improved communication between opposing political parties, and reinforced the transformation of public order institutions like the police and defence force.

Gumede saw the NPA as a positive development, placing limits on violence and fostering political tolerance during the lead-up to the 1994 elections. However, he noted that the negotiations between the ANC and the National Party (NP) were challenging, as both sides realized they could not force the other to abandon their national goals. While many white South Africans opposed the negotiations—58% resisted the idea of working with the ANC—Gumede emphasized that De Klerk was a key figure capable of influencing white people and preventing conflict. He was particularly concerned about the possibility of a hardliner like Dr. A.P. Treurnicht taking power.

Gumede also highlighted the differences between the ANC and the United Democratic Front (UDF) after the ANC was unbanned. The UDF had a broader support base, including many Indians and Coloureds, and was more grassroots-oriented than the returning exiles of the ANC. However, he observed growing fears among minority groups, especially Indians, Coloureds, and Whites, about the consequences of majority rule, predicting they would be unlikely to vote for an African party.

Draft-DO NOT CITE

Finally, Gumede commented on the racialized voting patterns in South Africa, where race largely determined electoral choices. The 1994 election reflected these divisions, with Black people supporting the ANC, while White, Coloured, and Indian voters gravitated towards parties that protected their interests, such as the National Party and the Freedom Front.