

The History of Crime Among People of Indian Origin in South Africa

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ABSTRACT This paper is about stimulating an interest that has been inadequately researched by scholars who study people of Indian origin in different parts of the world. Its focus is on crime and what might be viewed as unsociable behaviour, particularly in the countries where they have settled from the nineteenth century, mainly as indentured labourers. We retrace through a brief historical overview, the paradigms that have been used since the middle of the twentieth century, to describe their uses and limitations in capturing data on the Indian diaspora. Our view is that these paradigms have developed a reputation for producing a generally romanticized view of cultural persistence and adaptation among Indians wherever they settled. While we do not offer an alternate model, out of choice, at this juncture, we stress that one important issue that has not acquired sufficient attention in the research about them is crime. Since Indians have settled and integrated into their host societies, their engagement in mainstream economic and social processes have also brought them to succumb to criminal behaviour that has been precluded from the models that have been used to describe them. It is argued here that new paradigms on the study of Indians overseas begin to focus on this issue as well.

INTRODUCTION

The arrival of indentured labour from India to South Africa spanned over a 51 year period between 1860 and 1911. Their settlement and distribution across the Natal colony was staggered and subject to the economic conditions of the entire British Empire and its relationship to other imperialist forces. Twenty shiploads of Indians were brought to the colony between 1860 and 1866 with a total of 6445 passengers. Between 1866 and 1874 a world economic recession put a halt to the recruitment of indentured labour from India to the Natal colony. By 1874 at least 4000 of these early settlers decided to remain in Natal after their contracts had expired. Between 1874 and 1911 a further 364 ships brought with them approximately one third of Natal's total immigrant Indian population (Henning, 1993). In analyzing the contribution of the indentured labourers to the Natal colony, Henning (1993) cited their discipline and commitment to work in several parts of his book. For instance, on page 65, on issues pertaining to crime, he states: "They (the criminals) bear but a small proportion to the 12000 hard working natives of India who perform such excellent service to employers and Natal generally, a large majority of whom give no trouble from the day of allotment to the day on which their term of indenture expires." 70 pages later, Henning (1993)

raises the point once more through a quotation from an archival source: "Regarding the cultural assimilation of the indentured Indian into British South Africa, there are four facts which emerged clearly. The first is that they were not aggressive or warlike; the second is that they had no political ambitions, thirdly the fact the majority were non-Christians who spoke a variety of languages and whose culture was 'Eastern', and fourthly the strong racial prejudice by the Whites as well as by the black population against them, meant that from the outset, there was never any danger of Indians being assimilated by other cultures. Instead, socially they developed separately as a minority within a minority and as a community within a community, a process which continued for many decades."

Henning's perception of the Indian population is actually an endorsement of a widely accepted belief that Indians are law abiding and subservient to a point that unlawful and violent behaviour are often considered to be exceptional deviations rather than a prevalence of a more widely existing set of problems associated with violence, abuse, fraud and mismanagement. The purpose of this paper is to confront the position adopted by Henning and a large segment of South Africa's population through evidence that raises questions about the prevalence of this view. It will aim to address the following questions that

are fundamental to our understanding the history of crime committed by Indians in South Africa: How has research on Indians since the period of indentured labour in the 19th century portrayed them? How have the historical definitions of crime impacted upon people of Indian descent in South Africa? How has the nature of crimes committed by Indians changed over time? And what other areas may be availed to anthropologists through this paper, to break away from the conventional socio-cultural research approaches on Indians to bring new insights into their settlement outside India?

CONCEPTUALISING CRIME

The settlements, economic contribution and socio-cultural reproduction of customs and tradition among people of Indian origin in host countries have been largely the domain of anthropologists and sociologists. Numerous theories, derived largely from a romanticized perspective of Indians as 'loyal hard workers', were produced among them to grasp and explain the nature, pace and dynamics of settlement and adaptation. For instance, Klass (1961) used the cultural persistence model to explain the settlement pattern of the Indian immigrants in Trinidad. The adaptationist model was used by Meer (1969), Jain (1970) and Mayer (1973) to capture the reproduction of socio-cultural patterns that marked both change and continuity in South Africa, Malaysia and Fiji respectively. Drummond's (1980) cultural continuum model and Jayawardena's (1980) approach through the use of ethnicity as an explanatory tool in Guyana and Fiji have added to the list of paradigms that were used to describe the dynamics of Indian relationships in host countries during the colonial and post-colonial eras. While each study focused upon different host societies and different socio-political dynamics, two common threads emerge from them. First, each of the models is an attempt to demonstrate ethnic exclusivity through cultural persistence among people of Indian origin. While there is an implicit admission in each of these papers of the changes that Indian settlers had to face against the impossibility of recreating village based structures from rural India, the idea of cultural persistence is the most prevalent descriptive factor. And second, each of the models has an in-built assumption that reifies and reinforces the notion of continuity and precludes

an understanding of other realities such as crime, legitimately recognized violent criminal behaviour among them and perceived criminal behaviour especially as viewed by the colonists to maintain their hegemonic positions.

Historians as well used archival material to reconstruct the first arrival of Indians to their new destinations to disseminate knowledge of these records to a wider readership. In South Africa researchers have approached the topic of Indian indentureship and settlement in similar ways (Bhana and Pachai, 1984; Meer, 1980; Sawant, 1994; Henning, 1993; Badassy, 2005). In an incisive account that exposed the realities of the hardships that Indian indentured labourers had to endure, Meer (1980) summarised the role of the Sardar and the colonial employer as exploitative and manipulative. She pointed out that "opportunities for the frugal comfort were few for the standard practice was to work the labourers from dawn to sunset, Sundays included. Having provided the workers with rations and secured their labour, the planters were insensitive to all else. Their main concern was to economise labour. They saved on rations by reducing them to half on the slightest pretext, by replacing the portion of the stipulated rice with mealie meal, and meeting their complaints by arguing that mealie-meal was better for them and by refusing rations to non-working women and children though they were entitled to these by law. They saw their workers as a crucial but vexatious part of the estates productive equipment, draining for all sorts of unnecessary concession at their expense. They refused them permission to leave the estates, grudge them their wages and devised ingenious means to deprive them of these, with justice through a rate of fines." Bhana and Pachai (1984) later strengthened Meer's (1980) analysis by also noting that "The indentured Indian had a harder time adapting and adjusting to new realities and circumstances. The documents recapture incidents of misery that accompanied indenture. The conditions were harsh and restrictive in many cases, not too far removed from slavery. There are complaints of low wages, long hours, low rations, inadequate attention to social and medical needs and of beatings. The system worked heedless of human feelings." Collectively, these circumstances demonstrate the potential for unsocial and criminal behaviour among people of Indian origin when they first landed in South Africa. In an analytical account on "...crimes

against Masters and mistresses by their Indian domestic servants, Natal 1880-1920", Badassy (2005), stated that "Indian domestic servants, expressed their frustration in the form of alcoholism, the excessive use of dakkha 2, petty theft, forgery, perjury, arson, physical and indecent assaults, rape and poisoning. These crimes were acted out in different settings, at different times, with different energies, agendas and motives. These crimes against masters and mistresses were the physical production of despair, anger and sometimes as acts of escapism and revolt."

While these were crimes that were either of a fraudulent or physically injurious nature committed by indentured Indian labourers, there were also many other incriminations that were arguably more questionable than outright criminal. Since the earliest days of the indentured labour, "crimes" by Indians had more to do with the rigidities of control and exploitation than with violence or other forms of generally unacceptable behaviour. In terms of their contracts, indentured labourers were not allowed to leave the estate without the permission of the master. Meer (1980) argued that while most workers tolerated the conditions of their indenture, others reacted by committing suicide, absconding or going on strike. It was the interests of the colonists and the plantation owners that enjoyed priority over the interests of the indentured labourers – whose legal representation was initially determined by the local colonial officers. Meer pointed out that though technically they could take their complaints to the magistrate, few succeeded and most found that such a step only compounded their plight. Two forms of unacceptable behaviour featured regularly during the early years of indenture viz. drunkenness and insubordination. In reference to this, Meer (1980) declared that it was the voice of the planters in the guise of an objective judicial commission that stated: "Punishment in case of insubordination demands the deepest consideration of the Commission and cannot be too strongly urged. The present law is wholly inadequate to this as while it offers itself great protection to the Coolie, it is insufficient to that of the masters. The present system of prison discipline appears rather to encourage than to prevent insubordination and it is not an infrequent occurrence for the coolies to defy their masters on being threatened with imprisonment stating that the hours of work in jail are less than those on the estate, the work generally lighter and the

food the same, the only real punishment being the loss of a few days wages, for the moral conviction of the Coolie is so low that he is little at all affected by the disgrace of being placed in jail." Another form of punishment was flogging, as Henning (1993) quoted from an archival source: "There are also, I hear, a system of flogging Coolies being now generally adopted, of which in most cases, I think the Coolies are afraid to go to the magistrate to complain, for fear of the consequences to them on their return from making such a complaint."

Although such issues initially prevailed, the burgeoning economy of the colony that was then Natal required greater relaxation of the conditions in order to attract more labour from the Indian sub-continent. By 1872, through a Commission of Inquiry, a few changes were introduced, securing "Coolies 3" from arbitrary deductions and punishment by flogging for petty breaches and allowing them better access to medical attention. The office of the "Coolie Agent" was converted into that of the "Protector of Indian Immigrants", which also noted that the term "Coolie" was unacceptable and that they were to be henceforth referred to as Indians. However, the term "protector" was ambiguous and the role of the officer in charge hardly ever converged with the expectations of the meaning of the word. This was shown up by 1884 when archival material in the "Burgess versus the Protector" incident demonstrated the clandestine role of the Protector of Indian Immigrants. Burgess was reported to have challenged the Protector through very pertinent questions:

Does the protector support Indian complaints of ill-treatment?

Why does he not take steps to do something about it?

Why employers are never brought to trial? On this issue he cited that in 1883 there is not a single case in which an employer of Indians was defendant.

Will Indians not lose faith in the ability or willingness of the Protector to protect them?

Will the estate not continue their unjust treatment of the Indian? (Henning, 1993)

In this brief historical overview, the conditions to which Indians were exposed during colonialism urges a more critical review of what is criminal, how laws are subject to change as political systems evolve and how people integrate into mainstream society that not only induces

behavioural change but also changes in the types of crime that is committed.

DEFINING CRIME

Since this paper is a critical account of how crime was viewed in the colonial era and how it manifests under contemporary conditions among people of Indian origin, it would be helpful to first delve into a brief deliberation on historical and contemporary definitions and debates on crime. While the words 'crimes' and 'criminal' spontaneously conjures up images of behaviour that is injurious and unlawful, they are however subjective concepts that must take into account historical processes and contemporary realities. Legislative apparatuses have varied and undergone significant changes over centuries and often reflect the interests of controlling elites at particular historical junctures. As political formations undergo adaptation and transformation under ever-changing global movements, laws on crime and criminal behaviour are equally subject to redefinitions and change. As early as 1933 Micheal and Adler (1933) felt that "the most precise and least ambiguous definition of crime is that which defines it as behaviour which is prohibited by the criminal code." This definition is neither neutral nor critical. Hence it found support in a more conservative definition of crime by Tappan (1947) when he stated that "crime is an intentional act in violation of the criminal law (statutory or case law), committed without defense or excuse and penalized by the state as a felony or misdemeanour." However, a more challenging definition was produced in the same period by Sellin (1938: see Coleman and Norris, 2002) when he pointed out that the criminal law only reflected the values of powerful interest groups, even in democracies, which very craftily bypass the moral codes that are normative within the general population. Coleman and Norris convincingly point out that what is defined as criminal could vary over time and between different societies, making crime and the criminal a very slippery subject matter for the social scientist. They argue that social scientists should be using concepts that had a universal nature, rather than ones which had a different meaning – depending upon the particular society and historical period.

Coleman's and Norris's definition is a result of more assertive and confrontational debates that gained currency after the Second World War

when racism and civil rights became the focus of attention, especially in heterogeneous societies. By the 1970s national governments and their regional and local structures were being challenged on racist intentions and on legislation more profoundly than ever before. For instance, Schwendinger and Schwendinger (1970) asserted that social organizations as well as individuals who violate basic human rights are criminal. Their position is entrenched in this statement: "Individuals who deny these rights to others are criminals. Likewise, social relationships and social systems which regularly cause the abrogation of these rights are also criminal. If the terms imperialism, sexism and poverty are abbreviated signs for theories of social relationships or social systems which cause the systematic abrogation of these rights, then imperialism, racism, sexism and poverty can be called crimes according to the logic of the argument."

CRIME AND INDIANS IN SOUTH AFRICA

In a survey 4 that was carried out November-December 2005 in three police stations in Indian dominated suburbs, at least 15 questions were put to appointed representatives in each police station. Our fourth question viz. "what are the types of crimes committed by Indians in your jurisdiction?" aimed at the crux of this research. Two of the suburbs, Chatsworth and Phoenix, were first built by the city of Durban Municipality in 1960 and 1975, respectively. They started off as areas for low-income earners but also had sections in which lower middle-income groups built their individually designed houses. The third area was where the Sydenham Police Station monitored not just its immediate area but also neighbouring districts such as Sherwood, Clare Estate, Asherville, Reservoir Hills and Overport. All of these districts are characterized by middle-class housing that is individually owned and designed. In all of these jurisdictions, squatter settlements emerged as a growing phenomenon of post-apartheid settlement patterns. In Durban, now part of the bigger Ethekwini Municipality that extends over much larger areas to the north and south coasts, these settlements have especially grown in Indian dominated suburbs. Surveys with residents more often than not blame escalating crime rates on the informal settlements.

It was learnt during the interviews that in 1998 a Crime Information Analysis Centre (CIAC) was

formed through an appeal from the South African President to target the most troublesome areas in the country, to analyse the nature of the crimes in each jurisdiction and to combat contact crime by between 7% and 10%. However, a moratorium was placed on the release of statistics on crime because of its perceived impact on tourism. By this time it became a widely known fact that crime in South Africa had soared to above the average internationally known norms. By 2004 the state had identified 63 police jurisdictions in the country where contact crimes were extremely high and Chatsworth was included among them. The area size of Chatsworth is approximately 45km (square) with a population of about 146 000 according to the last Census Survey done in 2001. The population to police ratio is 973:1 and its 15 sub-units are bordered by at least 11 informal settlements, 3 of which are substantial in size. Police records reveal that 80% of the reported crime emerges from units 7, 9, 11 and Shallcross, which borders with two of the biggest and most notorious squatter settlements viz. Bottlebrush and Welbedacht. The implication here is explicit in that the perpetrators of crimes are mainly from CIAC the African dominated squatter settlements. The has revealed that 90% of the priority crimes, mainly armed robbery, housebreaking, car-jackings and murder are committed by Black African males. Information from complainants demonstrated that the perpetrators either seek refuge in these squatter camps or in the nearby low-income Black housing areas of Klaarwater, Marianhill, St. Windolins, Kwadangezi, Umlazi, and Lamontville 5.

Among the crimes committed and reported by Indians, it was common assault, assault in the nature of Greivous Bodily Harm, domestic violence, abusive behaviour induced by high alcohol consumption, illicit sale of liquor and drugs and drug abuse. Incidents such as murder, car thefts, thefts from cars and house breaking were reported on a much lower scale than the other crimes. Two of the areas showed a consistency in crimes that are reported on a daily basis, while the third revealed a significantly higher number of crimes that were reported. While the Chatsworth and Sydenham Police Stations reported an average of 30 and 35 crime reports per day, the Phoenix Police Station reported an average of 100 reports per day 6. In an interview with one of the senior officers, it was stated that during apartheid Indians were

not permitted to own firearms, they showed far stronger family values then, with a strong proclivity towards avoidance of aggression and costly and embarrassing legal encounters. However, since race is no longer a determining factor in gun ownership, more Indians acquired ownership of guns and more shootings have been reported, as one of the officers' statement indicated: "Now there are more firearm related crimes. Years ago one might say that the Indians were more placid – Mahatma Gandhi type attitude. Now Indians are physically stronger – rather than talk themselves out of fights, they get into fights." 7

However, such a generalized response on the Indian population as passive and non-challenging is unconvincing and inaccurate when viewed against the realities of their history in South Africa. The attacks against their exploitative colonial employers, the aggression that they had to show against Africans in the 19th century when they first settled in Natal, participation in political activities – specially since Mahatma Gandhi, contact sports – particularly in boxing and wrestling since the 1930s up to the 1960s, karate during the 1970s and 1980s, soccer and cricket almost throughout their settlement period and the extensive existence of gangs and violence throughout their history in South Africa, are illustrations of their wantonness to integrate and be part of their wider society. By its very nature, colonialism was based on a system of such ruthless exploitation that it ought to have hardened the temperaments of the indentured Indian, even if they were originally placid and docile. But the table below for instance indicates that Indians, who comprised less than 2% of the Natal population, had crimes reported against them that were disproportionate to its size 8.

Every suburb and low income housing areas have become noted for their participation in soccer and the gangs that emerge around their teams. If soccer matches did not often end up as violent contestations between opposing sides, shielded by supporters who formed their gangs, then such opposition was often directed towards gangs from the Coloured and African communities 9. While Indians have often been noted to submit to aggressive behaviour especially to people of other race groups, in larger numbers and through aggressive leadership of gangs, they have built up an equally strong image of challenge and notoriety in numerous places in Durban. For

Table 1: Number of crimes committed by Indians 1880-1915

<i>Year</i>	<i>Total no of criminal cases</i>	<i>No. of Crimes committed by Indians</i>	<i>% of crimes by Indians/ total no of crimes</i>
1880	131	21	16.03
1881	138	31	22.46
1882	137	27	19.70
1883	160	34	21.25
1884	149	28	18.79
1885	142	28	19.71
1886	158	22	13.92
1887	159	20	12.57
1888	119	18	15.12
1889	118	16	13.55
1890	123	13	10.56
1891	84	11	13.09
1892	149	28	18.79
1893	83	23	17.71
1894	99	17	17.17
1895	72	12	16.66
1896	97	15	15.46
1897	56	7	12.50
1898	155	21	13.54
1899	135	21	15.55
1900	149	11	7.38
1901	316	18	5.69
1902	173	23	13.29
1903	168	39	23.21
1904	160	43	26.87
1905	181	49	27.07
1906	155	42	27.09
1907	126	36	28.57
1908	144	38	26.38
1909	150	56	37.33
1910	94	40	42.55
1911	87	46	52.87
1912	69	44	63.76
1913	59	30	50.84
1914	69	33	47.82
1915	40	26	65

Source: Pietermaritzburg Archives Repository (PAR). Attorney General's Office, 1/2/1-1/2/5. Registers of and Indexes to Criminal Cases tried before the Supreme Circuit and District Courts, 1851-1917.

instance, between 1940 and 1970 central Durban became notorious for gang related activities perpetrated by mainly the so-called Crimson League and the Salots, while Johannesburg had its own "Indian dacoit" notoriously known as Sheriff Khan - who was believed to have controlled a large coterie of subservient supporters¹⁰. There are reports from people who remember these gangs as deliberately wanting to dress themselves and emulate the activities of the Chicago gang leaders of the 1930s and 1940s, such as Al Capone and John Dillinger. Big American cars, Stetson hats, Bostonian shoes and pin stripe suits were characteristic features

of especially their weekend outfits. Among these gangs, extortion, trading in drugs, gambling syndicates and theft in much bigger ways than housebreaking and pick-pocketing characterized their operations. Their influence spread to the low income townships where gang formation became an almost inevitable corollary in the absence of proper infrastructure and productive pastimes for youth and community development during the apartheid era. In each of the units of Chatsworth and Phoenix as well as in the middle class Indian areas, gang formation has become a normative manifestation.

One of the perennial and growing problems among these gangs is substance abuse, particularly in drugs. Our eighth question: "Is there a drug problem in your jurisdiction?" - was not only answered affirmatively but also emphasized in ways that was meant to communicate the enormity of the problem. Each of the responses from representatives of the three police stations provides a glimpse into the problems of drug abuse among people of Indian origin in contemporary South Africa:

"Yes, the drug issue is high. It is a sore issue in Phoenix."

"Yes, extremely rife – throughout the Chatsworth area. Chatsworth is regarded as a drug Mecca. The common drug is dagga, heroin and mandrax. Heroin is commonly known as sugars. About a year ago, schools have become infested with drugs. The latest craze is that heroin 'sugars' is being consumed by children as early as 9 to 16 years."

"Sydenham is a drug haven. Over the years the drug syndicates have gained momentum.... There are well known drug dens but they operate in a very clever way i.e. the actual drug lord doesn't touch it. He has people working for him – called runners. A lot of man-hours are spent just monitoring the activities at the drug dens. We have a target that every month we have to make drug arrests and drunken driving arrests."

Wife battery, domestic violence, abusive relationships, stealing from home to provision the payment of drugs, broken families and divorce have become regular features of Indian homes. While these are ramifications of broader community as well as international problems, the focus is still largely on the home and the disruptive effects they have on them. But with the rise of affluence among segments of the Indian population and the reproduction of

poverty among Indians over the generations, other types of crime such as fraud, tax evasion, family murders for the purpose of insurance collection or inheritance, importing and wholesaling of drugs and kidnapping has also featured increasingly in the media over the last decade. This has also become a source of wide concern within the Indian population, as conversations in social and family gatherings often reveal.

Recent Crimes and Statistics

Statistics on contemporary crimes in South Africa over the decade between 1995 and 2005 have listed five categories viz. economic, aggressive, sexual, narcotics and other 11. The tabulated information of these categories of crime also has a racial breakdown in terms of the conventional South African method of classification (Asian, Black, Coloured and White 12), of crimes committed. Each of the tables reveals that crimes committed by Indians are significantly lower than those committed by other racial groups in the country.

The comparatively smaller number of crimes that are committed by Indians is partly in keeping with their relatively small size in relation to South

Africa's total population. The annual total of these five categories of crimes ranged from the lowest of 513 to 778 (in 2003) in the ten year period, producing an average of 739.4 offences per annum. 513 was the figure for 1995, which increased by an average of more than 50% in this ten year period, with the recording of 730 of these crimes in 2005. When analysed in terms of crimes per thousand or per million in each population group, crimes committed by Indians still rank among the lowest among the four-fold race groups that have identified above. But the nature of the crimes and the media coverage that they received highlights the extent to which Indians are involved in activities that are not popular among the romanticised notions of the value systems with which they came to South Africa.

In terms of ranking from the highest to lowest number of recorded offences, they descended in the following order: aggressive, economic, sexual, narcotics and other. All of these crimes are shunned within the Indian population by the strength of cultural and religious value systems and through historical experiences of survival through hardship, endurance and perseverance. This is one of the reasons why crimes committed by Indians tend to grip public attention in different ways than it does with similar crimes committed

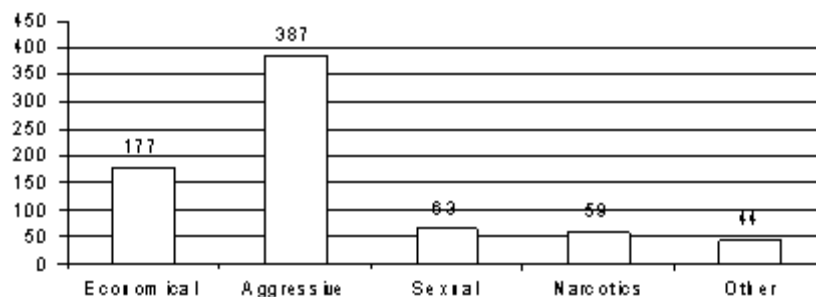


Fig. 1. Indians in Custody 2005

Table 2: Indians in Custody 2005

2005	Asian	Black	Coloured	White	TOT
Economical	177	34930	9000	1305	45412
Aggressive	387	74528	15196	1240	91351
Sexual	63	21656	4584	376	26679
Narcotics	59	2917	1050	233	4259
Other	44	6205	1561	194	8004
TOT	730	140236	31391	3348	175705

Source: Department of Correctional Services Annual Report 2005

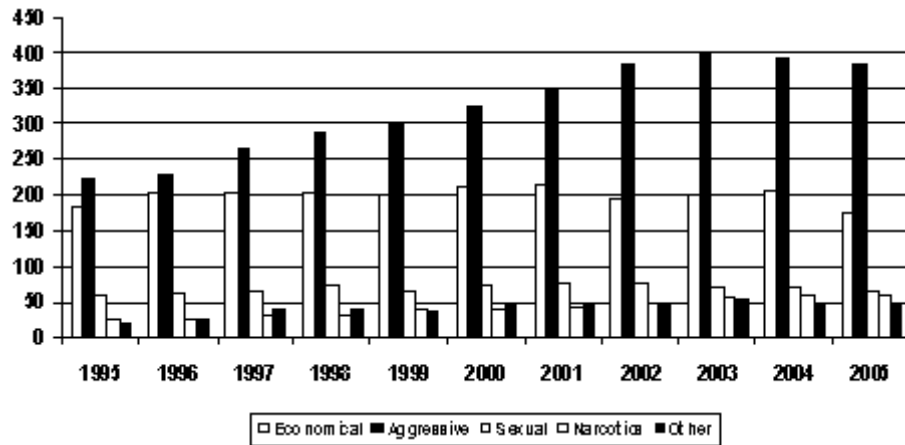


Fig. 2. Averages for Offender Statistics – Indians 1995 – 2005

Source: Department of Correctional Services Annual Reports 1995-2005

by people of other racial groups. As the eastern normative practices of self-control over emotion, anger, greed and lust continue to be battered by increasing liberalization and westernization of values, crimes that Indians were once purported to be scarcely embroiled in are becoming an increasing phenomenon. In many ways two extremes are largely, though not solely, responsible for acts of aggressive behaviour and economic crimes respectively viz. the paradoxical opposites of unemployment and poverty, and rising affluence.

During 2005 at least ten criminal cases made headlines in South African media reports, also reflecting the extent to which Indians were integrated into South Africa's mainstream economic and political life. In five of these ten cases convictions were made and five were still in the process of trial. Each of the five convictions varied in character and nature of the crimes. Four were committed in and around Durban and one was committed in Johannesburg. A 15 year old girl was sentenced to 36 months of correctional supervision for arranging the murder of her grandmother when she was 12 years old; a 29 old man was jailed for life with two accomplices, one of whom also received a life sentence and the other 20 years imprisonment, for murdering a schoolgirl who was pregnant with the first character's child; an owner of an investment company was jailed in the Commercial Crime Court for defrauding scores of investors of more than twenty million rands (approximately US\$3,4); a 35 year old man was jailed for life for shooting

dead his crippled wife; and a 23 year old man was jailed for life for kidnapping a young White woman, receiving a ransom of R50 000.00 from her father and then murdering her. In the five cases that are pending trial, two are for murder, two are for fraud – in one case for over eighty million rands (approximately \$US12.5) and the other for 75 383 counts of medical aid fraud, and one for contravening the Human Tissue Act – in which several Indian medical personnel were charged with attracting poor Brazilians as organ donors to South African private hospitals for a paltry reward. Most of these donors' organs were for the benefit of recipients from Israel.

CONCLUSION

It is implicit from the evidence above that people of Indian origin in South Africa have gone a long way since indentured labour. The quotation from Henning (1993: 165) that Indians could not be assimilated into either the White or African population groups might possibly hold true in that colonization precluded participation in economy on equal terms to Whites and apartheid insulated each group through restrictive legislation such as the Group Areas Act – that precluded the existence of non-racial residential areas. But economic and social interactions induce inter-dependence in ways that ensures the filtering of values and influences from one community to another. From 1860, the worst crimes that were committed by the indentured were more petty than serious. For instance,

trespassing through private property, insubordination towards or deserting an exploitative employer was serious enough to warrant punishments such as lashings or reductions of rations. Gradually, stress, uncertainties about their future and frustration with their conditions of employment led to increasing consumption of alcohol and dagga, as well as suicides. This also gave way to more heinous crimes of assault and a few incidents of murder. As agitation against Indians by Whites increased in the latter half of the nineteenth century, their levels of political involvement among Indians also increased. Political crimes committed by Indians, particularly against the state for its discriminatory laws are extensive and are widely documented. However by the mid-twentieth century when Indians had become increasingly involved in sport, increased their education levels, began contributing more extensively to the economic welfare of the country and widely engaging in gang related activities, they became equally known for criminal activities in ways that were no different from other classified racial groups. The list of cases in the last paragraph above is an indication of the fraudulent nature and ferociousness of the crimes that are now being committed by people of Indian origin. These crimes beg for more extensive investigation into levels of unemployment among Indians as well as the reasons for engagement in crimes from which a widely held perception in South Africa appears to exonerate Indians. The levels of crime in the areas of murder, rape, fraud, assault and women and children abuse need to be looked at comparatively and per thousand in each of the respective population groups in order to acquire a more accurate perspective of crime among Indians. But very importantly, focus needs to be placed on two issues. First, it should focus on how individuals are affected through the erosion of the extended and joint family systems as institutions of social security and familial support groups, either during periods of hardships or in periods of venturing into big business deals. Second, it should also place equal emphasis on how value systems among Indian people have changed over time and to what extent what is considered to be “traditional”, “conventional”, “cultural” or “religious” can still serve a purpose in a rapidly changing world. The role of anthropologists, specialists on the study of people of Indian origin and other social scientists is indispensable in this situation.

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NOTES

- 1 Anand Singh is Professor of Anthropology and Shanta Singh is a lecturer in Criminology at the University of KwaZulu-Natal, Howard College Campus. We would like to thank our spouses respectively, Jayshree Singh and Dr Suren Singh for their support.
- 2 Marijuana, which grows very favourably in the Natal (now KwaZulu-Natal province).
- 3 The word is not intended as a pejorative reference, but is used only to depict the relationship between employer and employee in that period.
- 4 Done by Dr Shanta Singh as part of a capacity building exercise in research.
- 5 Interview with Chatsworth police 21 December 2005
- 6 Interview with Phoenix Police Station, 8 December 2005
- 7 Interviews on these types of questions were done at the Sydenham, Phoenix and Chatsworth police stations on 2, 8 and 21 December 2005.
- 8 We are mindful of the fact that what was deemed criminal then among Indians by the colonists is unlikely to be considered as such presently. But what it reveals is less than a docile and placid attitude.
- 9 Based upon Anand Singh's personal recollection of events in the 1970s and 1980s in contact sports.
- 10 Often referred to by elderly people who have vivid memories of Indian gangs and who reject the notion of the Indian as placid
- 11 It has been quite a task to acquire definitions for each one of these crimes that are listed here. Several state organs have been contacted for them but to no avail.
- 12 It was the Population Registration Act of 1950 that was used to uphold this breakdown – which served as one of the pillars of apartheid.

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