

En route to “Dignity Day”: The South African Chinese and historical commemorations

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Commemoration and milestones

Commemoration has been, and still is, one of the many successful sculpting tools in the kit of identity carving. Across disciplines it is held that the most important, and one might add the most effective, strategy “as regards the construction of national identity, [is] undoubtedly *commemorative practices*.”¹ Described as “powerful performative devices which contribute to the collective imagination of the past”,² they take on a range of forms including regular festivities, occasional ceremonies, exhibitions and monuments,³ as well as commemorative publications, celebratory speeches and creative productions. They are at the most essential level an endeavour to preserve in memory through some form of celebration.⁴ The national – or collective – memory upon which these commemorative practices are generally based are held to be “shared by people who ... regard themselves as having a common history”.⁵ However, the “official” national or state commemoration is generally orchestrated by and conforms to the dominant political or ideological interests as “collective representations” that were designed to give legitimacy to the “elites that represent them”.⁶ They look to the past and select milestones that buttress a desired present position of power or current ideological dispensation. These commemorations are often imposed by those in authority and very often take on the form of orchestrated propaganda. This accords with the idea that even “History writing is an important part of a nation state’s collective memory and history is not simply a product of the past, but often an answer to the demands of the present”.⁷

Beyond these dominant or officially sanctioned commemorative performances at national or state level, there are also other commemorations that give voice and place to marginalised groups, including ethnic and gendered minorities. In many cases, the latter commemorations sometimes create, but more often strengthen a feeling of belonging, retaining and endorsing a particular identity often because of its peripheral or threatened status. This assumption accords with the work of early

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1. P. Jedlowski, “Memory and Sociology: Themes and Issues”, *Time & Society*, 10, 1, March 2001, p 34.
2. A. Cossue, “Durkheim’s Argument on Ritual, Commemoration and Aesthetic Life: A Classical Legacy for Contemporary Performance Theory?”, *Journal of Classical Sociology*, 10, 2010, p 40.
3. Jedlowski, “Memory and Sociology”, p 34.
4. *The Concise Oxford Dictionary* (Oxford University Press: Oxford, 1990), p 227.
5. J.R. Gillis, “Memory and Identity: The History of a Relationship”, in J.R. Gillis (ed), *Commemorations: The Politics of National Identity* (Princeton University Press, Princeton, 1994), p 3.
6. Jedlowski, “Memory and Sociology”, p 34.
7. Gillis, “Memory and Identity”, pp 6–7.

twentieth-century French philosopher and sociologist Maurice Halbwachs, renowned for the development of the concept of “collective memory”, when he writes that “the main function of collective memory is actually to permit cohesion of a group and guarantee its identity”.⁸ Put differently, historian John Gillis claims that the “core meaning of any individual or group identity, namely a sense of sameness over time and space, is sustained by remembering; and what is remembered is defined by assumed identity”.⁹ In sum, there are thus two distinct ways in which identities can be expressed, those imposed from without or the top down, and those cultivated from the within, or bottom up.¹⁰

Over the past century, both “memory” and “identity” have been considered as two of the “most frequently used terms in contemporary public and private discourse”,¹¹ and have as a result been criticised as having lost “precise meaning” and even having devolved to the “purest of clichés”.¹² Regardless of this critique, their usage persists within the social sciences albeit in different contexts. They also remain inextricably linked because “the notion of identity depends on the idea of memory, and vice versa”.¹³ In addition, the subjective and changing nature of the two concepts is also implicit. In the introduction to a publication entitled *Commemorations*, Gillis points out that all the contributions to this volume demonstrate that “we are constantly revising our memories to suit our current identities”.¹⁴ Similarly, over time commemorative displays change, meaning different things to different people at different times, as do the orchestrators and elites, indicating that neither memories nor identities are “fixed things”.¹⁵ For the purposes of this article, it is therefore understood that the *selective* memory of *particular* milestones from the past is used to underpin a *chosen* identity in the process of commemoration.

This article sketches the dominant nature of a select number of state commemorations in South Africa over the previous century. In this context, it reflects on the highly contested nature of these, not only from the perspective of those excluded from the activities, but even at times from within the ranks of those supposedly sharing a common heritage. It then looks specifically at the South African Chinese as a minority group on the extreme periphery of society, who were by no means integral to any of the commemorative performances in the former apartheid dispensation’s political hierarchy, yet in post-apartheid South Africa, continued to remain hidden under the new democratic administration. While highlighting the various milestones in the history of the South African Chinese over the past century and a half, this article will indicate that although there were commemorable milestones, it was not until a judicial victory in terms of the acknowledgement of their *discriminatory past* that a section of the South African born Chinese community *chose to select* and commemorate a *particular* day they designated “Dignity Day”.

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8. M. Halbwachs, *On Collective Memory* (University of Chicago Press, Chicago, 1992), as quoted by C. Winter, “Tourism, Social Memory and the Great War”, *Annals of Tourism Research*, 36, 4, 2009, p 607; and Jedlowski, “Memory and Sociology”, p 34.
 9. Gillis, “Memory and Identity”, p 3.
 10. My thanks to the anonymous reviewer for suggesting this point be emphasised more strongly.
 11. Gillis, “Memory and Identity”, p 3.
 12. P. Gleason, “Identifying Identity: A Semantic History”, *Journal of American History*, 69, 4, March 1983, p 913.
 13. Gillis, “Memory and Identity”, p 3.
 14. Gillis, “Memory and Identity”, p 3.
 15. Gillis, “Memory and Identity”, p 3.

This in itself corroborates the persistent stance of the South African Chinese to maintain a low-profile within a relentlessly fractured South African society.

Commemoration and milestones in South Africa

Throughout the previous century white South Africa produced some spectacular examples of commemoration marking “key historical milestones” in renditions of a particular South African past. These included amongst others, the Great Trek (1938/1988), the Van Riebeeck tercentenary (1952), the Dias quinqucentenary (1988) and the centenary of the South African War (1999). A number of academics have scrutinised these events and, pointed to the “huge pitfalls in official commemorative events and their political implications”.¹⁶ It is interesting to note that in most of these events, and even despite the central focus of the celebration, to a greater and lesser degree South Africans who were not integral to the dominant minority directing these performances were often included as accessories to the main cast of protagonists. Regardless, the various celebrations were often contested from within and without.

Albert Grundlingh and Hilary Sapire initially probed the changing dynamics of the Great Trek commemorative celebrations within the context of a predominantly rural and then urbanising Afrikaner society over a period of some five decades. While the 1938 centenary Trek celebrations were heralded as epitomising “successful ethnic mobilisation,”¹⁷ a half-century later, Grundlingh and Sapire concluded that the 150th Trek event, as well as its imagery, had lost much of its lustre and euphoria. In addition, the latter celebration revealed cultural division and a serious degree of detachment within the ranks of Afrikanerdom with two “rival ‘treks’” ultimately emerging.¹⁸ This was indeed significant, because other national commemorative events also persisted in falling short of their intended “nation-building” objectives. Moreover, as regards the inclusion of the broader South African populace in what were allegedly intended as “national celebrations”, neither of the Trek commemorations succeeded. For example, in 1938 the “English speakers were ostensibly included in the proceedings”, but this was mere tokenism as the entire event remained “unmistakably ... an exclusively Afrikaner celebration”.¹⁹ Again, in 1988, in the context of the problems facing the beleaguered white minority National Party government, the central theme of the Trek celebration was “Forward South Africa”. Yet although the rather demure commemorations were said to have “acknowledged the role of blacks both in the original trek itself and in contemporary South African political, social and economic life”,²⁰ the rather apathetic reception to the official ceremonies, indicated that this did not amount to much.

16. Albert Grundlingh and Hilary Sapire as referred to by G. Dominy and L. Callinicos, “‘Is There Anything to Celebrate?’ Paradoxes of Policy: An Examination of the State’s Approach to Commemorating South Africa’s Most Ambiguous Struggle”, *South African Historical Journal*, 41, November 1999, p 389.

17. A. Grundlingh and H. Sapire, “From Feverish Festival to Repetitive Ritual? The Changing Fortunes of Great Trek Mythology in an Industrializing South Africa, 1938–1988”, *South African Historical Journal*, 21, 1989, p 19.

18. Grundlingh and Sapire, “From Feverish Festival”, p 32.

19. Grundlingh and Sapire, “From Feverish Festival”, p 20.

20. Grundlingh and Sapire, “From Feverish Festival”, p 20.

In their work on the commemoration of the 300th anniversary of the arrival of Jan van Riebeeck, Ciraj Rassool and Les Witz also point to the resultant “contestation of images of ‘nationing’”.²¹ In the wake of the 1948 Nationalist Party election victory the celebration of this “milestone” appeared as an ideal opportunity to “[establish] a sense of legitimacy among people who racially designated themselves as white”,²² “to legitimate settler rule”,²³ “to construct a history and identity of whites as whites”,²⁴ while at the same time display the “growing power of the apartheid state”.²⁵ The “visual spectacle” of historical pageantry that this commemoration presented, was contested not only through successful opposition boycotts, but even among those involved in its organisational phases. The “central organisational feature in the making of the Van Riebeeck Festival Fair” held in Cape Town, was the juxtapositioning of “industrial progress” and “the native condition”.²⁶ The “reception of those images”²⁷ resulted in “different meanings [being ascribed to] the events and exhibits” thereby defying all attempts at creating a “hegemonic past” or constructing a “dominant ideological discourse”.²⁸ In addition, epitomising and endorsing the divided nature of the events, “separate pageants ... for the Malay and Coloured communities” were displayed on a separate day in a “lonely and deserted stadium”.²⁹ From Witz and Rassool’s analysis, what was intended as a festival extravaganza fanfare (“skouspel”) degenerated into a festival fiasco.

In his study of the 1988 commemoration of the rounding of the Cape by Bartholomeu Dias, Les Witz explains that this festival – unlike that of the Van Riebeeck event – was “conceived of and planned in very different circumstances than had prevailed when the National Party first came to power some forty years earlier”.³⁰ Instead of attempting to showcase the apartheid state, the National Party was intent on portraying its reforming of apartheid and so the emphasis was on “apartheid South Africa as being constituted by a ‘rich diversity of cultures’ that emanated from the contact and interaction ‘between Eastern, Western and African cultures in this part of the world’”.³¹ This was ironically a foretaste of the conciliatory rhetoric that would increasingly permeate future commemorations, exhibits and displays – including those that fell within the ambit of the “new” South African dispensation when attempts were made to “renegotiate the meaning of the South African past”.³² Yet despite the intentions of a “multicultural imagery” for Dias, it was reported that one

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21. C. Rassool and L. Witz, “The 1952 Jan van Riebeeck Tercentenary Festival: Constructing and Contesting Public National History in South Africa”, *Journal of African History*, 34, 1993, pp 447–468.
 22. L. Witz, *Apartheid’s Festival: Contesting South Africa’s National Pasts* (Bloomington: Indiana University Press, 2003), p 15.
 23. Rassool and Witz, “The 1952 Jan van Riebeeck Tercentenary Festival”, p 467.
 24. L. Witz, “Eventless History at the End of Apartheid: The Making of the 1988 Dias Festival”, *Kronos*, 32, 2006, pp 162.
 25. Rassool and Witz, “The 1952 Jan van Riebeeck Tercentenary Festival”, p 467.
 26. Rassool and Witz, “The 1952 Jan van Riebeeck Tercentenary Festival”, p 454.
 27. L. Witz, “‘n Fees vir die Oog’: Looking in on the 1952 Jan van Riebeeck Tercentenary Festival Fair in Cape Town”, *South African Historical Journal*, 29, 1993, pp 5–27.
 28. Witz, “‘n Fees vir die Oog’”, p 9.
 29. Rassool and Witz, “The 1952 Jan van Riebeeck Tercentenary Festival”, p 459.
 30. Witz, “Eventless History at the End of Apartheid”, p 162.
 31. Witz, “Eventless History at the End of Apartheid”, pp 163–164.
 32. G. Baines, “The Politics of Public History in Post-apartheid South Africa”, in H.E. Stolten (ed), *History Making and Present Day Politics: The Making of Collective Memory in South Africa* (Nordika Afrkainstitutet, Uppsala, 2007), p 32.

had to look “hard and long to find a black face”.³³ For example, in a moment of historic irony, at the re-enactment of the arrival of Dias, the actors who portrayed the indigenous peoples on the beach were a group of whites masquerading in black masks.³⁴ Ultimately, the Dias festival was equally contentious with boycotts and a range of political misgivings. Witz concludes that as a result of “denial, suppression and substitution”, as well as the absence of substantial historical evidence, the Dias festival was “made into eventless history” as the National Party government sought to “promote a multi-cultural re-formed Dias [situated] within a domain called world history”.³⁵

Five years into the transition to the “new” South Africa marked the centenary of the outbreak of the South African War (Anglo-Boer War). This meant that the newly inaugurated African National Congress (ANC) government had to take a stand on an event that has been described as having “assumed a huge place in the ideology and mythology of Afrikaner nationalism”,³⁶ and was flagged as a “seminal event in Afrikaner history”.³⁷ An initial retort on the matter from the ANC member of the Executive Council at a meeting of the Council of Culture Ministers was: “Is there anything to celebrate?”,³⁸ while another ANC councillor responded that “having just got back our dignity there was no appetite for remembering an insular war which has nothing that unites our people”.³⁹ This had after all been an exclusively “white man’s war”⁴⁰ and had remained as such for an entire century in both Boer heritage and British tourist camps. But after much deliberation, and in a new South African spirit of reconciliation it was officially decided by the Department of Arts, Culture Science and Technology to cast it as “one of its eight proposed ‘legacy projects’”.⁴¹ These projects could be seen as “part of nation building and the ‘reshaping of public memory’”.⁴²

The Anglo-Boer War was “transformed” into the South African War, not only to reflect its more inclusive nature, but because it was bandied about as “everyone’s war”.⁴³ In both academic and popular forums, the hitherto generally hidden histories of blacks, coloureds, Indians and women were fore fronted.⁴⁴ What had once been an

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33. Witz, “Eventless History at the End of Apartheid”, p 185.
 34. Witz, “Eventless History at the End of Apartheid”, p 188.
 35. Witz, “Eventless History at the End of Apartheid”, pp 164–193.
 36. Dominy and Callinicos, “Is There Anything to Celebrate?”, p 389.
 37. A. Grundlingh, “Reframing Remembrance: The Politics of the Centenary Commemoration of the South African War of 1899–1902”, *Journal of Southern African Studies*, 30, 2, June 2004, pp 359–375.
 38. Dominy and Callinicos, “Is There Anything to Celebrate?”, p 389.
 39. *Cape Times* as quoted by B. Nasson, “The War One Hundred Years On”, in G. Cuthbertson, A. Grundlingh and M. Suttie (eds), *Writing a Wider War* (Ohio University Press, Athens OH, 2002), p 10.
 40. J. Matshikiza, “It was a White Man’s War”, *Mail & Guardian*, 15–21 October 1999, p 26.
 41. E. Brink and S. Krige, “Remapping and Remembering the South African War in Johannesburg and Pretoria”, *South African Historical Journal*, 41, 1999, p 418.
 42. P. Davison, “Museums and the Reshaping of Memory”, in S. Nuttall and C. Coetzee (eds), *Negotiating the Past: The Making of South African Memory* (Oxford University Press, Cape Town, 1998), as quoted by Brink and Krige, “Remapping and Remembering”, pp 418–419.
 43. L. Witz, G. Minkley and C. Rassool, “No End of a [History] Lesson: Preparations for the Anglo-Boer War Centenary Commemoration”, *South African Historical Journal*, 41, 1999, pp 377, 380; Nasson, “The War One Hundred Years On”, p 10.
 44. M. Suttie, “Rethinking the South African War, 1899–1902: The Anatomy of a Conference”, *South African Historical Journal*, 39, November 1998, p 144.

imperial war became “placed in a genealogy of liberation struggles”⁴⁵ with hints of a “bi-racial nationalism” of Boer and black suffering “at the hands of an alien Empire”.⁴⁶ Grundlingh highlighted the extremes of some of these commemorative efforts with his reference to a “symbolic inversion” at the official launch of the centenary commemorations in Brandfort in the Free State province: “young black girls were dressed up in white bonnets and Voortrekker dresses to represent Boer women, while black boys were put on display in red coats and ‘Bobby’ helmets to represent British soldiers”.⁴⁷ Instead of being “written out of the past as a divider of races, [the war was] being inscribed into the past as a lesson of racial unification.”⁴⁸ Despite, or perhaps because of, the official orchestration of events, the commemoration was also marred by degrees of resistance and an academic call to “boycott”,⁴⁹ while for others it merely remained a tangential “white man’s war”.⁵⁰

When considering these iconic “national” commemorations of twentieth-century South Africa, it becomes apparent that various attempts were made to cast “other” role players or “onlookers” into the production (reproduction) of the past. The farcical and superficial nature of much of this “recasting of history” for prevailing “political agendas”⁵¹ is blatantly evident throughout the examples cited above. The very nature of these events also goes some way to explain why certain minorities are neither co-opted nor voluntary participants in the “official” mainstream celebrations of a so-called collective memory. It is to one of these minorities, the South African Chinese, who remained totally outside the parameters of these “national celebrations”, to which the article now turns.

South African Chinese commemoration

The South African Chinese are one of the country’s smallest minorities and one that has, for the most part, been relegated to the periphery of South African historical discourse. While it is obvious that the Chinese have not played a pivotal role in the mainstream of the South African past, the recent more prominent global position of the People’s Republic of China, along with certain local judicial developments,⁵² has highlighted the extreme ignorance that persists regarding this small community’s place in South Africa’s history.

For the most part, besides passing references to the Chinese indentured labourers (1904–1910), the Chinese remain unrecorded in general South African academic history texts.⁵³ In some of the recent more popular regional publications the

45. Witz, Minkley and Rassool, “No End of a [History] Lesson”, p 374.

46. G. Cuthbertson and A. Jeeves, “The Many-sided Struggle for Southern Africa, 1899–1902”, *South African Historical Journal*, 41 November 1999, p 5.

47. Grundlingh, “Reframing Remembrance”, pp 363–364.

48. Witz, Minkley and Rassool, “No End of a [History] Lesson”, p 374.

49. Witz, Minkley and Rassool, “No End of a [History] Lesson”, pp 384–6.

50. Matshikiza, “It was a White Man’s War”, p 26.

51. Baines, “The Politics of Public History”, pp 167–182.

52. K.L. Harris, “The Chinese Crisis, BEE and the Past”, Unpublished paper presented at the Historical Association of South Africa Conference, Rhodes University, July 2008.

53. See for example: R. Ross, *A Concise History of South Africa* (Cambridge University Press, Cambridge, 2008), pp 84–85; H. Giliomee and B. Mbenga (eds), *New History of South Africa*

Chinese do feature – probably because they add a little “colour” to the narrative – but they are often still relegated to “side-boxes” or abbreviated inserts.⁵⁴ To date, only four monographs have appeared on the Chinese in South Africa – Peter Richardson’s historical study, *Chinese Mine Labour in the Transvaal* (1982); Linda Human’s sociologically-based and government initiated and sponsored survey, *The Chinese People of South Africa* (1984); Melanie Yap and Dianne Leong Mann’s community history, *Colour Confusion and Concessions* (1996); and Yoon Jung Park’s sociological study *A Matter of Honour: Being Chinese in South Africa* (2008).⁵⁵ As commemorative works, the publication by Yap and Mann probably stands alone in an attempt at this. But as poignant testimony to the place of the Chinese in South Africa, as well as their insular situation, only a limited number of books were produced by an overseas publisher because no local publisher would publish it.⁵⁶

However, this hidden history has probably more to do with the negligible size of the Chinese populace and their own preference to maintain a low profile, than it does with neglect on the part of historical and other academic fraternities. The local community’s invisible stance is very much in line with overseas Chinese communities in other parts of the world, where because of their already precarious and often invidious positions within their host societies, they were, and in some cases still are, reticent to draw unnecessary attention to themselves.⁵⁷ It therefore follows that when it comes to public commemoration, the Chinese have chosen to remain obscure, particularly in a country where for more than an entire century they have remained in a precarious position.⁵⁸ They were, for example, the first identifiable community in South African history to be singled out and discriminated against in a “blatantly racist manner” through the Chinese Exclusion Act (1904),⁵⁹ were required to register and carry a certificate with identification marks in terms of the Asiatic Amendment Acts (1906 and 1907);⁶⁰ were classed as “prohibited immigrants” and disallowed entry to

(Tafelberg, Cape Town, 2007), no reference; L. Thompson, *A History of South Africa* (Jonathan Ball, Johannesburg, 2007), p 141.

54. See for example: N. Brodie (ed), *The Joburg Book: A Guide to the City’s History, People and Places* (Pan MacMillan, Johannesburg, 2008), pp 65–67, 118–120, 136; N. Worden, E. van Heyningen and V. Bickford-Smith, *Cape Town: The Making of a City*, (David Philip, Cape Town, 1998), pp 18, 26, 54, 56, 65.
55. P. Richardson, *Chinese Mine Labour in the Transvaal*, (London: Macmillan Press, 1982); L. Human, *The Chinese People of South Africa* (Unisa Press, Pretoria, 1984); M. Yap and D. Man, *Colour, Confusion and Concessions: The History of the Chinese in South Africa* (Hong Kong University Press, Hong Kong, 1996); Y. Park, *A Matter of Honour – Being Chinese in South Africa* (Jacana Media, Johannesburg, 2008). For a discussion of the latter two texts see K.L. Harris, “Confusion, Honour and Heaven: Being Chinese in South Africa”, *African Historical Review*, 41, 2, 2009, pp 116–128.
56. K.L. Harris, “The South African Chinese: A Community Record of a Neglected Minority”, *South African Historical Journal*, 36, 1997, pp 316–325.
57. K.S. Wong, ‘Three Transformations of Culture: Three Chinese Views of America’, *American Quarterly*, 48, 2, June 1996, p 8; Yap and Man, *Colour, Confusion*, p 382.
58. For an overview discussion of this see K.L. Harris, “The Chinese ‘South Africans’: An Interstitial Community”, in L. Wang and G. Wang (eds), *The Chinese Diaspora: Selected Essays, Volume 2* (Times Academic Press, Singapore, 1998).
59. *Statutes of the Cape of Good Hope 1902–1906*, The Chinese Exclusion Act, No. 37, 1904; see Harris, “The Chinese ‘South Africans’”, p 279.
60. *Transvaal Government Gazette*, Volume 52, Asiatic Law Amendment Ordinance, No. 29, 1906; *Statutes of the Transvaal*, Asiatic Law Amendment Act, No. 2, 1907; see K.L. Harris, “Gandhi, the Chinese and Passive Resistance”, in J. Brown and M. Prozesky (eds), *Gandhi*

South Africa without proof of prior residence in line with the Immigrant's Regulation Act (1913);⁶¹ were classified and reclassified as a sub-group of the "coloured group" according to the Population Registration Act (1950);⁶² were proclaimed and de-proclaimed in terms of the Group Areas Act (1951);⁶³ and only received the right to vote with the majority of South Africans in 1994.

Compounding this situation is the ambiguous position as regards the respective South African government's relationship with, on the one hand, the Republic of China (on Taiwan), and on the other, the People's Republic of China, in both the apartheid and post-apartheid periods.⁶⁴ China's first official relations with South Africa dates back to the turn of the twentieth century, when under Imperial Chinese authority, a Chinese consul-general was despatched to the Transvaal Colony for the "proper supervision and protection" of the indentured Chinese labourers introduced to the Witwatersrand gold mines.⁶⁵ In 1905 the Chinese Emperor extended the jurisdiction of the Chinese consul-general to the "non-indentured" or free Chinese in South Africa.⁶⁶ After the demise of the Manchu Dynasty in 1911, and the establishment of the Republic of China in 1912, the position of the Chinese consul-general continued intermittently until the mid-twentieth century change of government in South Africa and China. The 1948 apartheid government adopted a "wait-and-see" stance as regards the 1949 People's Republic of China (PRC), but allowed representation of the Republic of China on Taiwan (RoC) to remain.⁶⁷ In 1967, for primarily economic reasons, the South African government reciprocated this ongoing representation of the RoC by opening a consulate in Taipei. Eventually, in 1976, for pragmatic political reasons, the increasingly internationally ostracised South African government formalised official diplomatic relations with the RoC.⁶⁸ This remained the "official" connection to China until the end of the twentieth century, when in 1998 the new democratically elected South African government switched allegiance and established

and South Africa: Principles and Politics (University of Natal Press, Pietermaritzburg, 1996), pp 76–89.

61. *Statutes of the Union*, Immigrant's Regulation Act No. 21, 1913; see K.L. Harris and J. Ryan, "Chinese Immigration to Australia and South Africa: A Comparative Analysis of Legal Control", in E. Sinn (ed), *The Last Half Century of Chinese Overseas* (Hong Kong University Press, Hong Kong, 1998), p 375.
62. *Statutes of the Union*, Population Registration Act No. 30, 1950; see K.L. Harris, "'Accepting the Group, but Not the Area': The South African Chinese and the Group Areas Act", *South African Historical Journal*, 40, May 1999, pp 187–188.
63. *Statutes of the Union*, Group Areas Act No. 41, 1950; see Harris, "'Accepting the Group, but Not the Area'", pp 179–201.
64. K.L. Harris, "Changing Face: The 'Two Chinas' in 20th Century South Africa", Unpublished paper presented at the International Society for the Study of Chinese Overseas, Beijing University, July 2007.
65. National Archives of South Africa, Pretoria (hereafter NA), Transvaal Archives Depot (hereafter TAD): Cd. 1945, *Correspondence re the Introduction of Chinese Labour to the Transvaal*, February 1904, p 3.
66. Public Record Office in the UK, subsequently called National Archives (hereafter PRO): Colonial Office (hereafter CO) 291/89 no. 4902/05, Chinese Consul General, 13 February 1905.
67. NA, Central Archives Depot (hereafter SAD): Secretary of Foreign Affairs (hereafter BTS) 72/142/1 vol. 2, July 1964.
68. G. Lin, "The Relations between the Republic of China and the Republic of South Africa, 1948–1998", PhD thesis, University of Pretoria, 2001, pp 81–82.

official diplomatic relations with the PRC.⁶⁹ Given the associated internationally and politically related connotations, this diplomatic conundrum placed additional pressure on the local South African Chinese community in terms of their allegiance and position within the broader South African population.⁷⁰ Moreover, this also led to certain divisions within the society itself.

Thus for the most part of the twentieth century, it has been politically expedient for the South African Chinese to maintain an inconspicuous position and thus commemoration of any sort has been for the most part very much an in-house low key affair.⁷¹ A few cultural occasions are marked within smaller pockets in of the community in disparate regional areas primarily to bolster the immediate or local cohesion of the small inward-looking community.

Within the confines of their relatively small regional clubs and associations,⁷² the different Chinese communities have, and continue to, celebrate some of the major traditional festivals: the Chinese New Year (celebrated between 21 January and 19 February); the Double Ten (10 October) marking the anniversary of the establishment of the Republic of China in 1911; the spring and autumn tomb-sweeping day festivals (April and August) when cemeteries are visited and tribute is paid to the dead; as well as the annual Dragon Boat festival (April).⁷³ In a section of Human's dated 1976/1977 survey on South African Chinese "Religion and festivals", it was also found that the celebration of the latter was often a generational affair and that the younger members of the community appeared less inclined to participate.⁷⁴ Also, the larger Chinese celebrations were primarily embassy-related affairs that were obviously always directly impacted upon by the incumbent diplomatic representative, be it the RoC or the PRC.⁷⁵

However, the prevalence of these relatively subtle commemorative practices, one could argue, permitted what Halbwach termed some sense of "cohesion"⁷⁶ among the Chinese community without making them politically conspicuous. Moreover, the celebration of the traditional (worldwide) Chinese festivals also probably guaranteed a degree of what Halbwach termed "identity"⁷⁷ and possible cohesion with a "Greater China". This was however practised in a very diffuse manner which was in effect compounded by the prevalence of the "two Chinas" and in the concomitant inherent division within the South African Chinese community's own heritage and allegiance.

69. C. Alden, "China and South Africa: The Dawn of a New Relationship", *South African Yearbook of International Affairs, 1998/1999* (South African Institute of International Affairs, Johannesburg, 2000), p 89.

70. For a detailed discussion of this, see Harris, "Changing Face".

71. Some members of the small Johannesburg Chinese community participated in the 1960 Union Festival celebrations by parading a float through the city streets and setting up a stall at Zoo lake. See Yap and Man, *Colour, Confusion*, p 383.

72. M. Lok Fat, "Chairlady's message", *Transvaal Chinese Association Newsletter*, July 2008, p 1.

73. Yap and Man, *Colour, Confusion*, pp 14, 192, 215, 227, 238; Human, *The Chinese People of South Africa*, pp 70–74.

74. Human, *The Chinese People of South Africa*, pp 73–74.

75. Harris, "Changing Face".

76. Halbwachs, *On Collective Memory*.

77. Halbwachs, *On Collective Memory*.

South African Chinese historical milestones

In the light of the fact that this small minority has not received much attention in terms of its history and much misinformation exists as regards its place in South African society, a brief overview follows. The arrival of the very first Chinese in South Africa can be traced back to the early days of the Colonial Cape, but the ancestors of today's South African Chinese date back some four or five generations to the mid-nineteenth century. They arrived as part of the wider global Chinese diaspora and settled mainly in the coastal towns of the Cape and Natal.⁷⁸ Their numbers were gradually augmented at the time of the late nineteenth century mineral discoveries of diamonds and gold, with many of them gravitating to Kimberley (1867) and the Witwatersrand (1886), not to mine – as this was prohibited by law⁷⁹ – but to set up service businesses. Those Chinese who settled in the Zuid-Afrikaansche Republiek (ZAR), as members of the “native races of Asia”, were denied citizenship and ownership of fixed property according to Law 3 of 1885,⁸⁰ and in 1893 another resolution specifically decreed that the Chinese had to carry a special annually renewable pass costing £25.⁸¹ In 1891 the Orange Free State Republic (OFS) had also introduced similar discriminatory legislation to prevent the entry of “Arabs, Chinese coolies or other Asian coloureds” into the territory.⁸² The latter legislation remained on the law books for just under a century, only being repealed in 1986.⁸³

After the South African War (1899–1902), a new and different wave of Chinese came to South Africa. The British colonial government and mining magnates in the Transvaal devised a scheme to introduce Chinese indentured labourers to resolve the desperate state of the mining industry (1904–1910). These Chinese were imported under stringent regulations⁸⁴ and after the expiration of a three-year contract with an option of renewal for a further two years, they were repatriated back to China. Although these Chinese were only a “temporary expedient”⁸⁵ and did not have the option to remain in South Africa, their arrival had serious long-term repercussions for the free Chinese community in the country. In 1904, the Cape authorities introduced the Chinese Exclusion Act that prohibited the entrance of Chinese into the colony. It required all resident Chinese to apply for “Certificates of Exemption”, to register with the district magistrate, notify and re-register if they moved to another area and apply to renew the permit annually.⁸⁶ This legislation remained on the law books until 1933 when, under the exclusive and stringent nature of the revised immigration legislation, the government could confidently repeal the Chinese Exclusion Act.⁸⁷

78. Yap and Man, *Colour, Confusion*, pp 32–40.

79. *Statute Laws of the Transvaal 1839–1910*, Law No. 15 of 1898, sections 130–131.

80. *Statute Laws of the Transvaal 1839–1910*, Law No. 3 of 1885.

81. *De Locale Wetten en Volksraadbesluiten der Zuid-Afr. Republiek, 1890, 1891, 1892 en 1893*, Artikel 4353.

82. *Wetboek van de Oranjevrijstaat, 1891*, Hoofdstuk XXXIII.

83. *Statutes of the Republic of South Africa*, Matters Concerning Admission to and Residence in the Republic Amendment Act No. 53 of 1986.

84. *Ordinances of the Transvaal*, Labour Importation Ordinance No. 17, 1904.

85. Harris, “Gandhi, the Chinese and Passive Resistance”, p 72.

86. *Statutes of the Cape of Good Hope 1902–1906*, The Chinese Exclusion Act No. 37 of 1904.

87. *Statutes of the Union of South Africa*, Immigration Amendment Act No. 19 of 1933.

In addition, in the Transvaal Colony, as “Asiatics”, the Chinese along with the Indians, were subjected to various legislation introduced in 1902 and 1903 to prevent the return of “undesirables”.⁸⁸ This entailed the issuing of permits and trading licences along with proof of pre-war residence. In 1906 the requirements of this legislation became more stringent with the promulgation of the Asiatic Registration Act, that was to become known as the “Black Act”.⁸⁹ Besides the registration of all Asians over the age of eight, a certificate requiring finger and thumb prints, along with bodily identification marks, became mandatory. It was at this point that the Chinese launched a passive resistance movement against the government under the leadership of Leung Quinn, at the same time as Mahatma Gandhi’s *satyagraha* commenced. Both the Chinese and Indian communities, along with their respective leaders, rallied against the authorities and suffered similar indignation and punishment.⁹⁰

After the founding of the Union, there was a move to end Chinese immigration to South Africa through the Union immigration legislation of 1913, which incorporated all the intrinsic features of the former regions’ existing laws.⁹¹ All Asians were classified as “prohibited immigrants” and the dwindling number of Chinese now became dependent on natural growth. However, this did not signify the end of exclusion and discrimination for second and third generation Chinese South Africans. Under the evolving apparatus of the segregationist and apartheid state, the Chinese were relegated to a “non-white” status along with the majority of the country. Again, this was in keeping with the late nineteenth and early twentieth century treatment of overseas Chinese communities in other colonial destinations such as the United States of America, Canada, New Zealand and Australia.⁹²

As already mentioned, at the onset of apartheid the Chinese were classified as a sub-category of the more inclusive “coloured” group and treated as such for all purposes of the law.⁹³ However, their relatively small numbers proved problematic for the architects of apartheid as they battled to enforce a viable division and separation for the Chinese in terms of group areas, trading rights, public amenities, education, health and so forth. As a result, their existence within apartheid South Africa was manipulated by concessions, permits and government permission, while they remained disenfranchised and on the periphery of society.⁹⁴ In one particular instance regarding the Chinese, the apartheid Minister of the Interior exclaimed that “the position is in reality so complicated that this legislation is not workable”.⁹⁵ Speaking of the Chinese community almost a half century later, Nelson Mandela inadvertently concurred with this view by stating that it was “because of its small size and its own

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88. *Ordinances of the Transvaal*, Indemnity and Peace Preservation, Ordinance No. 38 of 1902; *Ordinances of the Transvaal*, Peace Preservation Amendment, Ordinance No. 5 of 1903.
89. *Transvaal Government Gazette*, Asiatic Amendment Ordinance, No. 26 of 1906; *Statutes of the Transvaal 1907*, Asiatic Law Amendment Act No. 2 of 1907.
90. Harris, “Gandhi, the Chinese and Passive Resistance”, pp 69–94.
91. *Statutes of the Union*, Immigrants’ Regulation, Act No 21 of 1913.
92. See Harris, “The Chinese ‘South Africans’”.
93. Proclamation 46 of 1959.
94. Reflected in the title of the South African Chinese community’s history project: Yap and Man, *Colour, Confusion*.
95. M. Horrell (comp.), *A Survey of Race Relations in South Africa, 1966* (SAIRR, Johannesburg, 1967), p 123.

insistence on human dignity, [that the Chinese had] helped expose the twisted logic of apartheid”.⁹⁶

With the transition to a democratic South Africa in 1994, the Chinese found themselves again on the “wrong side” of the law. While the new political dispensation sought to rectify the injustices of the past in various sectors, the Chinese were excluded, because they were apparently not regarded as “formally disadvantaged”.⁹⁷ For example, in terms of the legislation dealing with affirmative action - the Employment Equity Act⁹⁸ (EE Act) and the Broad-Based Black Economic Empowerment Act⁹⁹ (BBBEE Act) – “black people” was understood to refer to “Africans, Coloureds and Indians”.¹⁰⁰ Given their past history, the Chinese presumed they fell within the ambit of the law, but gradually became aware that in terms of employment equity, preferential shares, trading rights and general economic empowerment, this ruling did not apply to them.¹⁰¹ After a protracted period of correspondence with and requests to a range of government divisions by the Chinese community, the Department of Trade and Industry stated that for the purposes of broad-based black economic empowerment the “definition of ‘black people’ excludes the classification of Chinese people as ‘black’”.¹⁰² In addition, the Minister of Labour, Membathisi Mdladlana, retorted: “individuals or groups have the right to seek clarity or legal recourse via the Courts”.¹⁰³

Thus, after eight years of submissions, and with no other alternative, the Chinese Association of South Africa (CASA) decided to take legal action. The case was assigned to the legal firm Edward Nathan Sonnenbergs and human rights advocate George Bizos was appointed to appear on their behalf.¹⁰⁴ An application was launched in the Pretoria High Court against the Minister of Labour, the Minister of Trade and Industry and the Minister of Justice and Constitutional Development. On 18 June 2008 a High Court ruling stated that the South African Chinese “fall within the definition of black people in the Constitution” allowing them to “now enjoy the full benefits of black economic empowerment (BEE)”.¹⁰⁵

It is important to note that the percentage of South African Chinese that would benefit from this ruling was marginal. As one journalist aptly responded: “There are only about 10 000 in this country, including children. That’s hardly an army capable

96. Nelson Mandela as quoted in Y. Park, “Equity and South African Chinese”, *South African Labour Bulletin*, 31, 3, July/August 2007, p 38.

97. *Sunday Independent*, 1 August 1999; The Chinese Association (Gauteng): *Newsletters*, August 2000; June, July, August 2002.

98. *Government Gazette*, 400, 19370, No. 55 of 1998: Employment Equity Act, 1998.

99. *Government Gazette*, 463, 25899, No. 53 of 2003: Broad-Based Black Economic Empowerment Act, 2003.

100. *Government Gazette*, 400, 19370, No. 55 of 1998: Employment Equity Act, 1998, chapter 1, p 6.

101. For a detailed discussion of this, see Harris, “The Chinese Crisis”.

102. V. Whyte, “Too ‘Yellow’ to Gain from BEE”, *Business Day*, 30 November 2005, p 14.

103. Edward Nathan Sonnenbergs, “Chinese Association of South Africa: Chronological Timeline”, 2008, p 2.

104. B. Terblanche, “Chinese Fight to be Black”, *Mail & Guardian*, 14 December 2006, p 10.

105. S. Masombuka, “SA Chinese now Qualify for BEE”, *Sowetan*, 19 June 2008, p 4; SAPA, “Chinese Qualify for BEE: Court Rules”, *The Pretoria News*, 19 June 2008, p 4; Masombuka, “SA Chinese now Qualify for BEE”, *Sowetan*, 19 June 2008, p 4.

of invading the empowerment opportunities".¹⁰⁶ For the Chinese this ordeal was "not an attempt to target the benefits of black economic empowerment",¹⁰⁷ but rather about a "lack of recognition and clearing up of the misconceptions of the historical injustices the South African Chinese faced".¹⁰⁸ CASA chairperson Patrick Chong stated that the court decision "recognised the need for human dignity for the Chinese people, who didn't fit in under apartheid ... or after 1994."¹⁰⁹ The South African Chinese were ultimately "recognised as part of the rainbow nation".¹¹⁰

A South African Chinese commemoration

Given the chequered history of the South African Chinese, the question arises, "What is there to commemorate?"

The sporadic arrival of the Chinese in South Africa from the late seventeenth century through to the mid-nineteenth century was a small and intermittent affair with relatively little consequence.¹¹¹ However, the impact of the arrival of the 63 659 Chinese indentured labourers in 1904 on the Transvaal gold mines was of numerical,¹¹² political and economic significance. A century ago, dramatic political mileage was made of the pending introduction of the Chinese labourers by both Liberal Party politicians in England and the leaders of the Het Volk party in the Transvaal Colony.¹¹³ Moreover, the economic impact of the Chinese on the production of gold was phenomenal, surpassing the pre-war production records.¹¹⁴ Yet while the advent of the Chinese indenture scheme was marked by a local and international furore at the start of the twentieth century, the centennial anniversary of this event in 2004, was starkly silent. Yet despite – or perhaps because of – the prevailing invidious position of the Chinese in South Africa today, the small indigenous¹¹⁵ Chinese community let it pass, uncelebrated and unmentioned. Perhaps because of the misnomer in popular consciousness that the South African Chinese are

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106. W. Khuzwayo, "Debate over Hue of SA Chinese is a Shade out of Proportion", *The Star*, 7 July 2008, p 14.
 107. V. Chong, "Chinese in Court Case have been South Africans for Generations", *Cape Times*, 27 June 2008, p 8.
 108. U. Ho, "Chinese Locals are Black", *Business Report*, p 1; J. Gerardy, "Wrongs of Past Made Right", *Saturday Star*, 21 June 2008, p 8.
 109. Ho, "Chinese Locals are Black", *Business Report*, p 1; Gerardy, "Wrongs of Past Made Right", *Saturday Star*, 21 June 2008, p 8.
 110. Chong, "Chinese in Court Case have been South Africans for Generations", *Cape Times*, 27 June 2008, p 8.
 111. See K.L. Harris, "Anti-Sinicism: Roots in Pre-Industrial Colonial South Africa", *African and Asian Studies*, 9, 2010, pp 213–231.
 112. It is interesting that in the short span of a half dozen years, more Chinese indentured labourers came to the Transvaal gold mines than the total number of slaves that arrived in the Cape for a period of two centuries.
 113. K.L. Thorpe, "Early Strikes on the Witwatersrand Gold Mines, 1886–1907, with Specific Reference to the 1907 Strike", MA thesis, University of Stellenbosch, 1986, pp 75–86.
 114. Richardson, *Chinese Mine Labour in the Transvaal*, p 180.
 115. "Indigenous Chinese" is a more recent term used to denote the difference between those Chinese who have been in South Africa for three to four generations, descending from Chinese who immigrated here from as far back as the mid-nineteenth century, as opposed to the later immigrants from Taiwan or the more recent arrivals from the People's Republic of China.

descendants of these indentured labourers, it was probably felt to be more expedient to not draw undue attention to an issue that might further compound their position.

This silence is in marked contrast with the South African Indian community who this year have embraced the 150th anniversary of the arrival of the Indian indentured labourers in Natal. Admittedly, unlike the Chinese labourers, the Indian labourers were not all “temporary and transient”¹¹⁶ with many of them becoming the ancestors of today’s South African population. Through the printed media, television coverage and academic conferences, the South African Indians have used the occasion to claim and emphasise their place in the history of South African society.¹¹⁷ In addition, the international Indian community has also celebrated the occasion by, for example, holding the tenth convention of the Global Organisation for People of Indian Origin (GOPIO) in Durban around the theme “Turning historical adversity into advantage”.¹¹⁸

In 1993, the Indian South African community embraced the centenary of Gandhi’s eviction from a train in Pietermaritzburg as a marker of another historical milestone worthy of commemoration.¹¹⁹ While admittedly Gandhi assumed enormous international stature, his Chinese counterpart in the passive resistance movement, Leung Quinn, has remained uncelebrated. The same applied to the 2007 centenary of *satyagraha* and the concurrent Chinese passive resistance. At the time, a Chinese servant Chow Kwai For, who had submitted to re-registration, committed suicide because he felt he had been degraded. He was “hailed as a martyr to the cause” by his fellow countrymen in the early twentieth century, who held a large traditional burial service and paid for the erection of a tombstone on his grave.¹²⁰ This still stands in the Chinese section of the Braamfontein cemetery,¹²¹ yet his memory and his story remain uncelebrated and are confined to segments within the community itself.

It is therefore noteworthy, that given these various potentially celebratory milestones in the South African Chinese past, the community should have only recently chosen to celebrate the anniversary of their 2008 High Court victory. In 2009, one year after the court ruling, the Chinese community held a discreet and unassuming event at the Pretoria Chinese School to “celebrate, honour and thank” those who had been involved in the eight year legal battle. The celebration was attended by a handful of invited individuals and about 200 Chinese guests from the Gauteng region who bought tickets to attend. The function took the form of a traditional Chinese “Da Binlo”, or Chinese hot-pot luncheon, held within the confines of the Pretoria Chinese School. Members of the Chinese community, as well as other speakers, addressed the audience, highlighting the importance of this day in terms of their long and beleaguered position within over a century of South African history.

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116. For a detailed comparative discussion of Indian and Chinese indentured labour see forthcoming article K.L. Harris, “Sugar and Gold: Indentured Indian and Chinese Labour in South Africa”, *Journal of Social Studies*, November 2010.
 117. South African Broadcasting Corporation Television periodically screens an “advert” highlighting the occasion, 2010.
 118. Global Organization of People of Indian Origin Convention, Durban, March 2010.
 119. J. Brown, “The Significance of Gandhi Today”, *South African Historical Journal*, 29, November 1993, pp 229–233.
 120. The Chinese Association (Gauteng) *Newsletter*, 8 September 2003; Yap and Mann, *Colour, Confusion*, pp 148–149.
 121. E. Itzkin, *Gandhi’s Johannesburg* (Wits University Press, Johannesburg, 2000), pp 46–47.

Key figures within the community were honoured and applauded for their tireless battle, as were the legal firm who took on the case as well as Advocate George Bizos, who presented the case in the High Court. Similarly, the speakers also thanked the Chinese community for their unwavering support in what had been a very tough battle – a battle that had thrust them into unwanted media spotlight, at times contentious and sensational, for years.¹²²

At the event, the commemoration, which it was indicated would only be honoured every five years, was designated “Dignity Day”. It would:

celebrate and commemorate the BEE landmark High Court ruling of June 18th 2008 at which Chinese South Africans were recognized as fully-fledged citizens.¹²³

There was no media coverage of the commemoration at all – neither in the local press or on television, nor was it reflected upon in the regional Chinese newsletter. While political sensitivities and possible repercussions go some way to explain this low key, almost sombre, commemoration, the historically invidious position of the Chinese South African community probably says more. On the other hand, perhaps the cohesion that this shared discrimination, and the recognition thereof through the court case and the commemoration of “Dignity Day”, will “permit cohesion” as Halbwach claims. In a sense, this deduction also aligns with the words of Saul Dubow, in a chapter in a book on the meaning of collective memory in South Africa, when he concludes “the struggle *for* South Africa has long been, and continues to be, a struggle to *become* South African.”¹²⁴ For the South African Chinese this was thus a day worth commemorating – even if only intermittently. It was a *particular* milestone which they *selected* from the past to underpin a *chosen* identity, one which they believed had finally dignified their position in South African society, a day on which they became inconspicuously South African.

Abstract

Not unlike most marginalised minorities within South Africa and throughout the world, the South African Chinese community have remained insular and on the periphery of mainstream national South African commemoration. However, unlike other marginalised South Africans, this situation has been perpetuated beyond the old South African dispensation into the new. The fractured nature not only of South African society, but also of the Chinese community itself, along with the changing relations with the Republic of China (on Taiwan) and the People’s Republic of China partly accounts for this hiatus. While historical milestones of their presence in South Africa have gone uncelebrated, it was the recognition of their status as “black” which heralded a significant celebratory commemoration. In June 2009 the Pretoria Chinese

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122. Anon., “Are Our Chinese Black Enough for Empowerment?”, *Business Times*, 29 June 2008, p 13; U. Ho, “Chinese Locals are Black”, *Business Report*, 19 June 2008, p 2; V. Ndlovu, “Chinese Not Black”, *Sowetan*, 20 June 2008, p 3; M. Pheko, “Black Judgement Subjects Chinese to Animosity, Not Equality”, *Sunday Times*, 23 June 2008, p 23; Anon., “Labour Minister Rockets Chinese”, *The Star*, 25 June 2008, p 5; B. Ngqiyaza, “Anti-Chinese Comments Ignite Row”, *Pretoria News*, 26 June 2008, p 3; Z. Mkhize, “Our Fight is Finally over”, *You Magazine*, 10 July 2008, pp 58–59.
123. Ticket for the Dignity Day Celebration, Pretoria Chinese School, 28 June 2009.
124. S. Dubow, “Thoughts on South Africa: Some Preliminary Ideas”, in Stolten (ed), *History Making and Present Day Politics*, p 72.

Association celebrated “Dignity Day” to commemorate the first anniversary of their victory in the Pretoria High Court. After over a century of discrimination since the arrival of their ancestors, the South African Chinese community embarked on a successful legal battle against four ministerial departments to contest their exclusion from the Employment Equity Act 55 of 1998 and the Broad-Based Black Economic Empowerment Act No. 35 of 2003. This article focuses on this event, while at the same time traces the milestones within the history of the Chinese in South Africa that have, to date, remained uncelebrated.

Opsomming

Onderweg na “Waardigheidsdag”: Die Suid-Afrikaanse Chinese en historiese herdenkings

Soortgelyk aan baie ander gemarginaliseerde minderheidsgroepe in Suid-Afrika en regdeur die wêreld, het die Suid-Afrikaanse Chinese gemeenskap afgesonder en op die periferie van hoofstroom nasionale Suid-Afrikaanse herdenkings gebly. In teenstelling met ander gemarginaliseerde Suid-Afrikaners, het hierdie situasie egter van die ou Suid-Afrikaanse bedeling na die nuwe voortgegaan. Die verdeelde aard van nie net die Suid-Afrikaanse samelewing nie, maar ook van die Chinese gemeenskap self, tesame met die veranderende verhoudinge met die Republiek van China (op Taiwan) en die Volksrepubliek van China, is gedeeltelik verantwoordelik vir die hiaat. Terwyl die historiese mylpale van hulle teenwoordigheid in Suid-Afrika nie herdenk is nie, was dit die erkenning van hulle status as “swart” wat ’n betekenisvolle feestelike herdenking ingelui het. In Junie 2009 het Pretoria se Chinese Vereniging “Dignity Day” (Waardigheidsdag) gevier om die eerste herdenking van hulle oorwinning in Pretoria se hooggeregshof te herdenk. Na meer as ’n eeu van diskriminasie sedert die aankoms van hulle voorvaders, het die Suid-Afrikaanse Chinese gemeenskap ’n suksesvolle regstryd teen vier ministeriële departemente onderneem om hulle uitsluiting van die Wet op Gelyke Indiensneming No. 55 van 1998 en die Breë-Basis Swart Ekonomiese Bemagtiging Wet No. 35 van 2003 teen te staan. Hierdie artikel fokus op hierdie gebeurtenis, maar kyk ook terselfdertyd na die mylpale in die geskiedenis van die Chinese in Suid-Afrika, wat tot op hede ongeveer gebly het.

Key words

Affirmative action; broad-based black economic empowerment; commemoration; employment equity; milestones; minority; post-apartheid; South African Chinese community.

Sleutelwoorde

Regstellende aksie; Breë basis swart ekonomiese bemagtiging; gelyke indiensneming; herdenking; minderheidsgroep; mylpale; post-apartheid; regstellende aksie; Suid-Afrikaanse Chinese gemeenskap.