Advocate HJB Vieyra (1902–1965) and his contribution to the Roman Catholic Church's stance on apartheid[1]

Mark James
School of Religion and Theology, University of KwaZulu Natal,
Scottsville, South Africa

Abstract

Advocate Herbert Joseph Bernard Vieyra (1902–1965) was a prominent Roman Catholic lay leader who contributed to the Church's response to apartheid. He was prominent in assisting the Catholic bishops in formulating their responses to apartheid legislation and was greatly involved in the Joint Catholic Council for Africans and Europeans (JCCAE). Vieyra strongly believed that lay Catholics needed to be involved in the social and political arena of their faith. He advocated that the dignity of every human being had to be upheld, especially in the face of government legislation that denied that black people shared this God-given dignity. The limitations of Vieyra's leadership were evident in the JCCAE's response to the Defiance Campaign. But despite his shortcomings, Vieyra remains a pioneering lay Catholic who involved himself in social issues of South Africa at a time when most white Catholics implicitly supported the Nationalist government's apartheid policies.

Introduction

In 1958, ten years after the establishment of apartheid by the Nationalist government, Colin Collins (1958:59–65), a priest working at the Catholic Bishops' Conference, called on laity to involve themselves more fully in the socioeconomic issues facing the country.[2] He advocated that Christ should be carried into every sphere of life, particularly those in which people spend most of their time − the family, work and broader society. Specialised groups, he believed, should be established to evangelise the economic, cultural and political spheres of society. His lament was that most Catholic Action organisations[3] left the socioeconomic environment untouched and that "without such a plan the Church will not progress in this country" (Collins 1958:65). In this article, I will highlight the contribution made by Advocate (later Judge) Herbert Vieyra, a pioneering lay Catholic and member of the

Dominican Third Order.[4] His involvement in social issues within the Roman Catholic Church was realised as an advisor to the Catholic bishops on social matters and chairing the meetings of the Joint Council for Catholic Africans and Europeans (JCCAE).

The Catholic laity's response to apartheid

Colin Collins' lament that Catholic organisations neglected facing socio-political issues of the country was an indication of the ineffectiveness of Catholic Action in South Africa. This was hardly surprising when one considers the Bishops' Conference's conciliatory approach to the government's apartheid policies. The Conference chose a path of negotiation and moderation in order to safeguard the interests of the Church.[5]

However, in 1939 Bishop Hennemann of Cape Town had issued a letter highlighting the problems of racial segregation. He followed this up with a pastoral letter, written on 2 September 1948, addressed to all the clergy of his diocese. In this letter he condemned the Nationalist government's apartheid policy as "noxious, unchristian and destructive" (Hennemann 1985:219).

In 1949, Bishop Hurley wrote a series of articles in the *Southern Cross* under the general title of "Catholic Action in South Africa", calling for more radical action against the Nationalists.[6] In these articles he sought to clarify for laity the political laws being promulgated by the new government and outline an appropriate Catholic response. Hurley was totally opposed to the colour bar and felt that he would be betraying his mission if he did not speak out against it.

> Apart from the involvement of Catholic Action in charitable and humanitarian organisations, Bishop Hurley also stressed the need for the Catholic laity to involve themselves in the political sphere (Abraham 1985:32).[7]

The first lay Catholic organisation to issue an uncompromising statement against apartheid was the Catholic Men's Society of Pietermaritzburg in August 1948.[8] In April 1949, the Joint Council for Catholic Africans and Europeans (JCCAE) in the Johannesburg vicariate organised a week of debates and talks around the theme of "Promoting inter-racial harmony".[9] The JCCAE was similar to the Joint Councils for Europeans and Natives, established by liberals in urban areas in 1921. These liberal structures were formed as a response to the Hertzog government's attempts to entrench segregation through new legislation.

> Membership of these Joint Councils comprised liberal professionals, African politicians, academics, clergy and welfare workers. Their primary concern was to deal with issues of social welfare, to build bridges between whites and blacks and to influence government policies (Dubow 1990:4).[10]

The JCCAE met for the first time on 20 February 1941, in the presbytery of the Cathedral in Kerk Street, Johannesburg. Herbert Vieyra, a Dominican tertiary, was elected as its first president, and the priests appointed to the Council were Terence Kelly OMI, Patrick Whelan OMI and Maurus Revill OP. This organisation was a subcommittee of the Catholic Federation, the association of all the lay organisations, established in the Johannesburg vicariate[11] in 1926. By 1949, the JCCAE comprised forty black members and twenty-five white members, who were actively organising talks, discussion groups and adult education on sociopolitical issues in the vicariate. This organisation enjoyed the active support of Patrick Whelan, when he later became the bishop of the Johannesburg vicariate.

Other lay organisations like the National Catholic Federation of Students (NCFS), a federation of Catholic university student societies, responded to this call too. In 1953 they criticised apartheid policies in their newsletter, arguing that "discrimination on racial grounds was INADMISSABLE [*sic*]" (Egan 1991:8).[12] They not only made statements but also embarked on many relief or charitable projects. NCFS members taught in adult night schools in Langa, near Cape Town, as well as in Johannesburg and Pietermaritzburg. They started a bursary scheme to help disadvantaged black students. Many white students were politicised through their contact with black students at university.

> Through meeting black students on the politically "neutral" ground of their faith, they were able to form friendships, gain insights into apartheid's indignities and become its staunch opponents (Egan 1991:7).

The Kolbe Association also debated issues regarding apartheid. This was an organisation of Catholic intellectuals brought into existence by the NCFS. It was another Catholic Action initiative for "Catholic graduates and professional people, banded together, irrespective of race, to assist one another in Christianising the milieu in which they find themselves".[13]

The Association was also a federal structure with groups in the major city centres. The first joint meeting was held in October 1950 in Pietermaritzburg between representatives of the Johannesburg and Pietermaritzburg branches. An annual winter school was mooted at this meeting and continued for many years in Mariannhill. Fr Pat Holland OMI, a lecturer at

the Oblate of Mary Immaculate Scholasticate in Cleland, Pietermaritzburg was one of the major driving forces behind the Association. The theme of the 1952 Winter School was entitled "The racial situation". Advocate Vieyra was among those who presented papers. In March 1957, the Separate University Education Bill was introduced to Parliament (Abraham 1985:113) and the National Executive of the Kolbe Association also voiced its opposition to this legislation.[14]

The Catholic African Union (CAU) was another vehicle by which African people were able to express their concerns about segregation and apartheid. Hurley (Henriques 1996:33) recalled that many concerns were raised during the congresses of the CAU, some very revolutionary, but were dampened down by the clerical control of the CAU.

These organisations were the exception. Many church people, including priests, believed that the Church had no role to play in politics.

> I remember that in the youth club we were planning talks, we used to get together and we wanted to plan a talk, someone would come in and talk about apartheid and the priest said "No, that's politics. You can't talk about politics in any way" and I remember that we were fed up about that but that's as far as it went … It may be difficult to believe but it was just regarded as another world.[15]

This was the context in which Herbert Vieyra became instrumental, as a leading Catholic, in shaping the Church's views on apartheid.

Herbert JB Vieyra (1902-1965)

Herbert Joseph Bernard Vieyra was born in Johannesburg on 17 September 1902 of Jewish parents who had emigrated from the Netherlands in 1896. His father, Barend Vieyra, is considered one of the greatest gymnasts in early South African history and made invaluable contributions to the development of the sport in the country (Leverton 1987:842–843).

HJB Vieyra was educated at Marist Brothers' College in Koch Street, Johannesburg, where his father was the first gymnastics instructor. He quailfied as a lawyer in 1927, after studying at the University of the Witwatersrand, and became an advocate twenty years later. He made legal history in the first year of his practice by establishing for the first time that marriage by proxy was valid in South Africa. In 1959 he was offered the Chair of Law at Rhodes University but declined this offer. He was made a judge of the Supreme Court in 1962 (Goodman 1969:173–180).

After his twenty-first birthday, contrary to the desires of his family, Vieyra converted to Catholicism. He was the only member of his family to

change his religious beliefs. This caused him to be estranged from his family for many years. He married Enid Seeligson, a young Jewish woman, but their engagement took place only after her conversion to Catholicism. After her death in 1953, he married another convert, Elfrieda Langenhorst, in 1955.[16]

Vieyra was one of the founding members of the Wits University Students' Catholic Society in 1931.[17] He also became a member of the Catholic Federation of the Transvaal vicariate in the same year.[18] Vieyra was the legal advisor to the Administrative Board of Catholic Bishops. In the 1930s he was involved in drafting the constitutions of the newly formed Pius XII College in Roma, Basutoland[19] and was later appointed to the Board of the College.[20] He was also legal advisor to the Regent of Basutoland, while the Paramount Chief − later King Moshoeshoe II − was still a minor.

In 1935 he became a Dominican tertiary in Boksburg. He was received by Fr Maurus Revill and assumed the name of Bro Martin de Porres. Throughout his life he remained a dedicated tertiary, first in Boksburg and then later of the Johannesburg chapter. He attached himself to the Dominican Order, or Order of Preachers, as a tertiary because he recognised the importance of spiritual formation in the life of a lay apostle. He was also concerned that Catholic laity involved themselves in social action. This is evident in a talk he gave to Wits students at the Catholic society in 1949. He outlined his perspective on the lay apostle. The first requirement for a lay apostle was spiritual formation. Secondly, knowledge of philosophy was fundamental to understanding one's faith. Thirdly, he emphasised the need for public speaking. Those with this skill would be able to share their faith with others.[21]

Vieyra's participation in the first "shoe party"[22], organised by the Community of the Resurrection − an Anglican religious order − in Rosettenville in 1949, showed that he saw the importance of ecumenical cooperation in opposing apartheid. Vieyra gave a talk entitled "The present conflict in morality", and other speakers included Fr Trevor Huddleston on the "Colour Bar" and the "Christian doctrine of man" and Dr Keppel Jones on "Apartheid".[23]

Vieyra and apartheid

Vieyra had his own personal views on apartheid, which he expressed in his talks and papers. Integral to his perspective was the emphasis he gave to the human dignity of every person. In an address to the Council of the Catholic Federation entitled "Law and the will of the people" Vieyra argued that human beings were endowed with intelligence and will and so were capable of acquiring knowledge and make judgements about life. Thus people are endowed with dignity and rights. These inalienable rights are:

> The right to existence, to dignity, sustenance, worship, to integrity, use and normal development of his faculties, to work and the fruit of work, to private ownership of property, to marriage and the procreation and education of children and to association with his fellow man.[24]

Vieyra was critical of those who denied the dignity of the human person. In two letters written to the editor of *The Catholic Times*, a newsletter started by the Oblates of Mary Immaculate, he clarified his views. The first letter is entitled "Why the natives should be educated". In a report that appeared in the *Volksblad* and then reprinted in *The Star*, the writer asked: "Why must 'we' pay for Native education?" Vieyra responded by saying that people who ask these questions never ask themselves why white children should receive a school education.

> Surely the only reason is because there is a fundamental right in all human beings, because of their very nature, to develop their faculties. That is why there is a right to education … In a developed society, such as our own, it is necessary that the State should help to complete the task … Our society in the Union does not consist merely of so-called whites … the blacks and coloureds also are members of that society.[25]

In the second letter he tackled the problem of police torture.

> Our courts are too frequently the scene of enquiries into the conduct of those whose duty it is to keep the public order and to bring suspects to justice. Torture has been used … and in particular in their relations with Africans, too many policemen have behaved merely as barbarians devoid of any natural virtue. They have been guilty of crimes that cry to heaven for reparation … this disease in the body of men who are policemen is but a symptom of the society in which they live, a society which … has lost its sense of … fundamental values, in particular, the worth of the person and the rights and duties that stem from that worth and the fact that all of us have a right to enjoy and a duty to protect.[26]

He criticised the government and Parliament when it considered itself as absolutely sovereign and above God's natural law, as he believed was the case in South Africa. In doing so, the government places the "will of the people above God's will" and Parliament is then in danger of passing laws regardless of whether or not they are just.[27]

His criticisms were directed towards his fellow Catholics too. In an article entitled "Catholic apartheid", Vieyra criticised white Catholics who paid lip service to their Catholic beliefs. On the one hand, they professed belief in the God-man who died for all and yet denied the equal dignity of all people. He accused them of being nominalists and voluntarists who gave too much credence to the differences between people rather than honouring their Catholic belief that "men of every colour and condition should be designated by the same word 'man'".[28]

Vieyra protested against the injustices in society and was often called upon to advise the Catholic bishops in developing their response to the Nationalist government's social engineering programme.

Vieyra and the bishops

As the bishops' legal advisor, Vieyra was part of a delegation comprising Bishop Whelan and Fr Finbar Synnott OP, which presented the Church's position, in favour of establishing trade unions for black workers, before the Industrial Legislation Commission in January 1949 (Abraham 1985:90).[29] The Nationalist government did not accept this and passed the Native Labour (Settlement of Disputes) Act in 1953. This Act excluded black workers from joining white or coloured trade unions and prohibited them from going on strike. Instead of recognising African trade unions, the Act set out a completely separate procedure for resolving labour disputes between black workers and their employers. The legislation was intended to uphold the colour bar and prevent Africans from access to the same jobs and rights as whites (Ncube 1985:82-84).

In November 1949, Vieyra was again part of another official delegation consisting of Bishops Riegler and Whelan that appeared before the Eiselen commission in Pretoria to present the church's view on African education.[30] The government wanted the churches to hand over their mission schools to the government, which the Church was loathe to do.

Vieyra attended the SAIRR Conference on the Bantu Education Act with Bishops Hurley and Riegler as well as many priests and black and white Catholic laity (Abraham 1985:66).[31] This meeting sought to formulate ways to respond to these new laws. The Catholic bishops had already decided to resist this Act by refusing to hand over their mission schools to the government. On 14 April 1954, the *Southern Cross* reported that the government had decided to halve subsidies for mission schools in retaliation for the Church's decision to retain full control of its schools. The Johannesburg Catholic Federation, the JCCAE and the Kolbe Association rejected the government's justification for reducing the subsidies. They challenged the government, arguing that the money belonged to the taxpayers and not the government, which therefore did not have the right to an unfettered say in the

way the money should be used.[32] In December the bishops launched a nationwide campaign to establish an education fund to save the schools. After an intensive fundraising campaign, over a million pounds was pledged and £756 540 was collected (Brain 1997:205). The Liberal Party's newsletter *Contact* commended the church for this action saying:

> Nowadays it is often argued that European South Africans are quite prepared to support policies of racial discrimination and will continue to support them until they find their pockets are affected. It is a relief to find this cynical suspicion refuted, at least in part. Here is a case where a great number of Europeans have shown themselves quite willing to put their hands into their pockets in order that children of another race should not be discriminated against.[33]

On 21 November 1952, Vieyra also appeared before the Tomlinson Commission with Archbishops Garner and Hurley, and Bishops Riegler and Whelan to present the church's position in relation to influx control. Unfortunately, there is no documentation available on the contribution made.

His greatest contribution was to the Joint Catholic Council for Africans and Europeans and it is to this organisation that we now turn.

Vieyra and the Joint Catholic Council for Africans and Europeans

Vieyra was elected the first president of the Joint Council for Catholic Africans and Europeans (JCCAE),[34] a subcommittee of the Catholic Federation, on 20 February 1941. It was a position he was to hold for many years.[35] The JCCAE was structured to facilitate interracial cooperation within the church and met at the Village Main mission, Johannesburg on the fourth Sunday afternoon of each month. Vieyra outlined the work of the Council to:

> hear the difficulties of the Africans in many spheres, endeavour to advise them and to enlighten them by having at each meeting a lecture or discussion. When necessary we interview the police authorities, transport controllers, municipal departments, in an effort to better conditions. We are already known to the Department of Native Affairs and are invited to give evidence before commissions. We aim at developing "cells" of the Council in all Native townships, where grievances may be discussed and remedied locally or brought to the central body for action.[36]

- The JCCAE and trusteeship

The patronising and paternalistic attitude prevalent among white liberals of the period was based on the belief in the innate superiority of Western civilisation and moderate political reform. The liberal Joint Council structures, upon which the JCCAE was modelled, encouraged paternalism as a political strategy. Albert Hoernlé, a professor of philosophy at the University of the Witwatersrand and a co-founder of the South African Institute of Race Relations (SAIRR),[37] described how these Joint Councils functioned.

> The first [impression] is of the value of the contributions which the Native members are capable of making, once they have gained the confidence to speak their minds without hesitation. The other is of the practical leadership of the White members − the inevitable result of the fact that any practical steps to be taken involve, as a rule, interviews with White authorities, or some other action in the White world. There the White members of the Council "know the ropes", as no Native can know them. Whites can best judge what procedure and what arguments are most likely to be effective; and the presence of Whites on a joint deputation to White officials generally secures a better hearing for the Native case. The White members of these Councils act as a sort of bridge between the dominant and the dominated sections. They offer a unique channel for the practice of the spirit of trusteeship (Hoernlé 1945:97).

Trusteeship was the name given to the liberal spirit by which it was believed whites should benevolently govern the indigenous black people. It was a concept initiated by the Treaty of Versailles after the First World War. Many of the German colonies were given to the victorious Allies to be governed as mandates. The League of Nations insisted that these countries promote the welfare of the indigenous people as they were considered to be a "sacred trust of civilization" (Hoernlé 1945:57). This idea was encouraged as a way to avoid the exploitation and oppression of these peoples and their countries by those given these mandatory powers.

In the South African context, Alfred Hoernlé (1945:98) defined trusteeship as "the sense of moral responsibility, in the dominant White group, for the welfare of all these non-European groups over whom it exercises dominance".

Black people were seen as being placed in the trust of their white rulers. They were children placed in the caring hands of parents. It was the duty of the whites to look to the best interest of their wards. Liberals, like

Hoernlé, believed this was a benevolent and better alternative to white colonial domination and exploitation.

> Even if we say that the central core of trusteeship is the paramountcy of the interests of the wards, it still remains true that it lies with the White trustee to define what interests are to be made paramount, and in what way. It is possible − and it is the present practice in some Missions − to concentrate on the "saving of souls", and to define this "spiritual" interest of the Native wards in such a way that the system of White domination is not challenged (Hoernlé 1945:62).

The final aim of trusteeship varied among liberals between permanent trusteeship for wards; acculturation and common citizenship of wards; and the independence of wards in their own self-governing community. Hoernlé (1945:99–102) dismissed the first option as undesirable and the second as impractical, but favoured the third one. This proposal was not that different from the later Nationalist government's homeland system.

Not all liberals subscribed to the practice of trusteeship. Vigne (1997:88–89) makes the interesting distinction between the "social liberal" and the "militant liberal" that emerged in the 1950s. Both types of liberal repudiated the colour bar and the repressive apartheid legislation which maintained it. However, the "social liberals" preferred to work through the SAIRR, social welfare and church bodies. These organisations tended to do things for African people rather than with them. In this sense, Vieyra was a "social liberal". He was a committed member of the SAIRR and named as a member of the Institute's editorial committee for the 1949 manual.[38] He never became a member of the Liberal Party or engaged in public protest against apartheid, Vigne's criterion for a "militant liberal".[39] In contrast, African Catholic leaders like Anton Lembede and Solomzi Ashby Peter Mda abandoned liberal political ideas altogether for the more militant and confrontational politics of the ANC Youth League.[40]

Many white clergy or laity were reluctant to get involved with activist political organisations like the ANC or the Congress of Democrats because they were considered too militant, revolutionary (Henriques 1996:35) and communist-inspired.[41] Participating in the politically moderate SAIRR was a much safer option because there was less danger that the political engagement would get violent.

- The JCCAE and race relations

Under Vieyra's leadership, the social liberal agenda of the JCCAE predominated. In July 1949, the JCCAE organised a workshop on how to improve race relations within the country. An outline of the talks presented

gives an indication of some of the debates that took place within the JCCAE. Ninian McManus, a Dominican priest, spoke on "The nature of man and his place in God's universal plan", while T. Gilooly spoke on "Communism". Vieyra invited Mrs Hoernlé, the wife of the late Alfred Hoernlé, to attend this meeting. She challenged Walter Barker, who gave a talk sympathetic to the Nationalist party's apartheid policies. Oliver Clark OP spoke on native housing from the missionary's point of view. In the same meeting, Vieyra made an appeal that domestic workers, artisans and factory workers be invited to the JCCAE meetings because most African members were teachers.[42]

On 24 May 1950, the JCCAE held a conference at Village Main, attended by 283 people, to discuss the issue of African education.[43] Bishop Whelan opened the conference with Mass. The speakers were Otto Brückl, BA, of the JCCAE and a member of the Wits Students' Catholic Society and Richard Msimang, BComm, the vice-chairperson of the JCCAE. Brückl said that university education was vital for African people to become leaders and professionals. He suggested that more money should be made available to assist Africans with university education. Msimang had more fight in his presentation. He said that the fundamental understanding of education in South Africa was clouded by two factors: firstly, that certain job opportunities, due to the racial stratification of the society, were open only to one race group and not another and secondly, the clash of cultures, with one being more advanced in its material and intellectual resources than the other, which was only starting out. Education was a battleground for vested interests, and the education system was not determined by purely educational considerations. He said that many Europeans were threatened by African competition.

In the discussion that ensued, Fr Finbar Synnott OP picked up on the problem of job reservation, adding that:

> for the next decade, it would be better to concentrate on the three Rs and to fit Africans for adaptability to factory or other jobs available to them, than to give them higher education, with its attendant frustration when they found it was of no practical use to them.[44]

He did go on to qualify this statement, adding that exceptions could be made for those brilliant few. However, the focus of the whites on the JCCAE did not appear to be primarily focused on challenging injustice but on how to encourage Africans to accommodate themselves to the law of the land.

Prior to the issuing of the "Statement on race relations" by the South African bishops in June 1952, which was the first time an official church body had publicly criticised the apartheid policies (Abraham 1985:41),

Vieyra and the JCCAE organised an Inter-racial Justice Week, a few months earlier in March.

> The Joint Council was convinced that white Catholics were equally guilty of perpetuating race prejudice as were other white South Africans. The chairman of the Joint Council, Adv. HJB Vierya, in an address to the Catholic Federation, called on the Catholic laity consciously to change their attitude to people of different race. He held that Christian realism, recognising as it did the dignity of all men, should determine the relations between white and black (Abraham 1985:41).

While the JCCAE, under the leadership of Vieyra, was vocal in calling white Catholics to conversion and even protesting against apartheid's diminishment of the human dignity of black people, they never engaged in active resistance to this system. This became quite evident in their response to the Defiance Campaign, a more militant challenge to apartheid, launched by the African-led political organisations, namely the African National Congress (ANC) and the Pan-Africanist Congress (PAC).

- The JCCAE and the Defiance Campaign

The unity of the JCCAE was threatened when they discussed the contentious issue of how the church should respond to the Defiance Campaign. In 1952, the ANC and the Communist Party launched the Defiance Campaign, a civil disobedience campaign, to protest against the National Party's passing of discriminatory legislation. They called on black people to defy these unjust laws. Over 8 000 people were arrested for defying the laws on curfews, passes and separate amenities. The government passed the Criminal Law Amendment Act of 1953 to forbid these civil disobedience campaigns (Worden 1994:100).

On 31 December 1952, the *Southern Cross*[45] reported on Bishop Whelan's address to the JCCAE on the principles which he felt should govern the Catholic attitude to the Defiance Campaign. Many black members were dissatisfied with this statement. African members believed the Defiance Campaign was the inevitable result of the long-endured indignities and repression suffered by black people in South Africa. Bishop Whelan's views, however, carried the day and the following resolution was passed:

> This Council is presently not in agreement with the Defiance Campaign as it is not satisfied that it is conducted without hatred because there is no strong moral probability that such a campaign will be able to achieve a new order in society, more in accord with justice and charity.[46]

It is not clear what Vieyra's personal standpoint was on this matter but it is probably accurate to assume that he concurred with Bishop Whelan. While he could criticise Parliament for passing unjust laws, it is unlikely that he would have encouraged open confrontation with the government. In his leadership position within the JCCAE he most probably supported Bishop Whelan's views on the Defiance Campaign and, consequently, opposed those of the black members of the Council.[47] Whelan and many of other Catholic bishops were wary of directly challenging government policies or encouraging laity to defy apartheid, because they were afraid of the consequences for the church's mission in an already hostile environment for Catholics.[48]

> Our attitude seemed to be that in this way we could avoid stirring the *Roomse gevaar* fires and earn acceptance among Afrikaners while nevertheless proclaiming some acceptable Christian criticisms of racial injustice (Hurley 2006:93).[49]

While the JCCAE survived this crisis and continued to meet in the Johannesburg diocese, this conflict highlighted the ineffectualness of African participation on the Council. It also displayed the limitations of the predominant social liberal position within the Church and its failure to develop a more active strategy to oppose apartheid.

The disagreement within the JCCAE regarding its response to the Defiance did not seem to affect the growth and expansion of the organisation. A new cell group was started in Alexandra,[50] and by 1956 there was talk of establishing one in Orlando, Soweto too. The organisation did not change significantly and it addressed such issues as "How to ask for better wages" and ensuring Africans received just wages.[51]

Vieyra finally resigned from the Catholic Federation and the JCCAE in 1958. The leadership of the JCCAE was taken over by Colm O'Connor.[52] Vieyra resigned because he wanted to dedicate himself to building up the Johannesburg branch of the Kolbe Association. This he did until his appointment to the bench of the Supreme Court in 1963.[53] Tragically, he died of a heart attack on 15 December 1965 at the age of sixty-three.

Vieyra – "a living influence"

In 1957, Vieyra gave a talk to the Kolbe Association which summed up his life. He spoke about the importance of Catholic laity to be a living influence for the faith. It was essential that they not only believe but also live the faith.

The way to be a living influence to the world, Vieyra (1957:98) argued, was to ensure that every human person's rights were respected by promoting what he called "the brotherhood of man" and by living humbly and courageously in the service of God.

Conclusion

Vieyra tried to embody this challenge to be a "living influence" in his own life. However, the JCCAE's refusal to support the Defiance Campaign highlighted the limitations of his social liberal approach to politics. It is interesting to note that AP Mda, whose theological views were similar to those of Vieyra − emphasising the dignity of the human person − underwent a shift from a liberal political perspective to a more radical African nationalist perspective. Both men were anti-Communist but Mda's disenchantment with liberalism came as a result of a general disillusionment with the idea that a political system controlled by whites would bring about the transformation required by black South Africans (Edgar 2005:151–156). Vieyra never recognised the limitations of his own political perspective and eventually accepted working within the apartheid system as a judge of the Supreme Court.

Despite these shortcomings, Vieyra was a pioneer lay Catholic who involved himself in social issues, when many other white Catholics implicitly supported the apartheid policies of the Nationalist government. In doing so he anticipated the call of the Second Vatican Council (1962–1965) within the Roman Catholic Church, which called upon the laity to participate in the evangelising mission of the church by involving themselves in the sanctification and transformation of the society in which they live.

Works consulted

Abraham, G 1985. *The Catholic Church and apartheid*. Johannesburg: Ravan Press.

Brain, J 1997. "Moving from the margins to the mainstream": The Roman Catholic Church, in Elphick, R & Davenport, R (eds.), *Christianity in South Africa: a political, social and cultural history*. Cape Town: David Philip & Oxford: James Currey.

Collins, CB 1958. Catholic Action and socio-economic environment. *The South African Clergy Review* 11(4), 59–65.

Dubow, S 1990. Liberalism and segregation revisited, in *The societies of Southern Africa in the nineteenth and twentieth centuries*, 15. Collected seminar papers 38, 1–12. The Institute of Commonwealth Studies, University of London.

Edgar, R 2005. Changing the Old Guard: A.P. Mda and the ANC Youth League 1941–1949, in Dubow, S & Jeeves, A (eds.), *South Africa's 1940s: worlds of possibilities*, 149–169. Cape Town: Double Storey.

Egan, A 1991. *The politics of a South African Catholic student movement, 1960–1987*. Cape Town: The Centre for African Studies.

Goodman, I 1969. *Judges I have known*. Cape Town: Legal & Financial.

Hennemann, F 1985. Two letters of Bishop Francis Hennemann, in The Theological Advisory Commission, *The things that make for peace: a report to the Catholic Bishops and the Church in Southern Africa*. Springs: Theological Advisory Commission of the Southern African Catholic Bishops' Conference.

Henriques, AC 1996. Transcript of interview conducted with Archbishop Denis E Hurley, in the appendix to *The Catholic Church in the culture of apartheid: the case of Catholic laity in Natal (1948–1965)*, 30–43. Unpublished master's thesis, University of Natal, Pietermaritzburg.

Hoernlé, RFA 1945. *South African native policy and the liberal spirit*. Johannesburg: Witwatersrand University Press.

Hurley, DE 2006. *Memories: the memoirs of Archbishop Denis E Hurley OMI*. Pietermaritzburg: Cluster.

James, M 2008. *The history and spirituality of the lay Dominicans in South Africa, 1926–1994*. Unpublished master's thesis, University of KwaZulu-Natal, Pietermaritzburg.

Leverton, BJT 1987. Barend Vieyra, in Beyers CJ (ed.), *Dictionary of South African biography, vol 5*, 842–843. Pretoria: Human Sciences Research Council.

Ncube, D 1985. *The influence of apartheid and capitalism on the development of black trade unions*. Johannesburg: Skotaville.

Synnott, F 1958. The nature and necessity of Catholic Action. *The South African Catholic Review* 11(4), 5–12.

Thomas, D 2002. *Christ divided: liberalism, ecumenism and race in South Africa*. Pretoria: University of South Africa.

Vieyra, HJB 1952. The notion of absolute sovereignity, in Holland, P (ed.), *Kolbe Winter School: selected papers*, 56–65. Durban: Kolbe Association of South Africa.

Vieyra, HJB 1957. Living influence, in Holland, P (ed.), *The Christian in the crisis of modern Africa*, 93–99. Pietermaritzburg: Kolbe Association of South Africa.

Vigne, R 1997. *Liberals against apartheid: a history of the Liberal party of South Africa, 1953–68*. London: Macmillan.

Worden, N 1994. *The making of modern South Africa: conquest, segregation and apartheid*. Oxford: Blackwell.

Endnotes

[1] This article was part of my Master of Theology thesis entitled: *The history and spirituality of the Lay Dominicans in South Africa, 1926-1994*, supervised by Professor Philippe Denis, Department of History of Christianity, School of Religion and Theology, University of KwaZulu-Natal, Pietermaritzburg.

1 Colin Collins became national chaplain to the National Catholic Federation of Students (NCFS) in the 1960s and was also a founder member of the University Christian Movement (UCM), an ecumenical student movement. The NCFS developed a more social action consciousness during Collins' tenure as chaplain (Egan 1991:34–38).

2 The term "Catholic Action" was used exclusively for those lay organisations that engaged with socioeconomic and political issues and the transformation of society. This was a specialised focus for these groups, which were mandated to help the church hierarchy with their apostolate to the world. At the World Congresses of the Lay Apostolate in 1951 and 1957, Pius XII broadened out the idea of Catholic Action to make it synonymous with what had previously been understood as the lay apostolate. See Synnott, F 1958. The nature and necessity of Catholic Action, *The South African Catholic Review,* 11(4), 5–12.

3 The Third Order of St. Dominic, Tertiaries or lay Dominicans are an organisation of lay people affiliated to the Dominican Order, a religious community of friars within the Catholic Church.

4 Abraham (1985:26f) writes that the Apostolic Delegate Archbishop Lucas is reported to have assured Prime Minister Malan that the Church would act according to negotiation and moderation rather than in an underhand way.

5 *Southern Cross*, 20 July 1949 and 17 August 1949.

6 Also see *Southern Cross*, 27 July 1949; and Bishops' meeting of 8 November 1949 (Bishops' Conference Archives [BCA], Pretoria, Box: AV1).

7 *Southern Cross*, 11 August 1948. For further information on this parish-based society for Catholic men, see Kinna, TE, The Catholic Men's Society, in *The South African Clergy Review*, 3(3) November 1950, 79–82.

8 *Southern Cross*, 6 April 1949.

9 The Catholic version was based on a similar model. Also see Rich, PB 1984. *White power and the liberal conscience*, 10–32. Johannesburg: Ravan Press.

10 Prior to the establishment of the Catholic hierarchy in South Africa in 1951, the areas administered by bishops were called apostolic vicariates. After 1951 these vicariates were divided into dioceses.

11 For a succinct analysis of the NCFS's intellectual challenge to apartheid, see Egan, A 1999. Catholic intellectuals, in Brain, J and Denis, P (eds.), *The Catholic Church in contemporary South Africa*, 320–323. Pietermaritzburg: Cluster.

12 Craighead, DH, The apostolate of the intellect: The Kolbe Association in 1952, in *Southern Cross*, 10 December 1952.

13 *Southern Cross*, 8 May 1957.

14 Interview with Albert Nolan, in the appendix to James, M 2008. *The history and spirituality of the lay Dominicans*. Unpublished master's thesis, University of KwaZulu-Natal, 49.

15 See *Southern Cross*, 14 November 1956.

16 See *Southern Cross*, 27 June 1956.

17 See *Southern Cross*, 28 October 1931 and 26 July 1933. The Catholic Federation was set up by Bishop O'Leary in 1926. The Federation was an umbrella body comprising all Catholic lay societies and sodalities. See Brain, J 1991. *The Catholic Church in the Transvaal*. Johannesburg: Missionary Oblates of Mary Immaculate, 209. According to Brain, its objective was to promote the welfare of Catholics and the Church.

18 See Constitution of Pius XII University College, pp 12 and 15 (BCA, Box: 1, File: Statistics of Catholic Education, 1963).

19 *Southern Cross*, 17 January 1951.

20 *Southern Cross*, 24 August 1949.

21 *The Star*, 7 February 1955. "Shoe parties" were monthly talks on different theological and political themes held at St Benedict's house in Rosettenville. They were called shoe parties because the meeting room at St Benedict's battled to accommodate the large number of people who attended them, as in the nursery rhyme about the old woman who lived in a shoe. Sr. Maureen Harrison OHP, interview conducted in Johannesburg on 18 January 2007.

22 "Programme for the first shoe party, 1949" (Saint Benedict's Archives, Rosettenville, Johannesburg).

23 *Southern Cross*, 9 May 1956.

24 *The Catholic Times of South Africa*, 19(7), July 1954, 2–3.
25 *The Catholic Times of South Africa*, 19(12), December 1954, 3
26 *Southern Cross*, 1 August 1951.
27 *Southern Cross*, 7 May 1952. I have chosen to keep the original words of the quoted text and not paraphrase it in favour of more inclusive language.
28 *Southern Cross*, 19 July 1950.
29 See Bishops' meeting of 16 August 1949 (BCA, Box: AV1). For more information on the Roman Catholic Church's response to the introduction of Bantu Education (see Hurley 2006, 96-118).
30 *Southern Cross*, 13 August 1952.
31 *Southern Cross*, 19 January 1955.
32 *Southern Cross*, 28 December 1955.
33 *Southern Cross*, 19 March 1941.
34 *Southern Cross*, 3 September 1952.
35 *Southern Cross*, 7 April 1952.
36 The SAIRR was essentially a research body on race relations in South Africa. It was started in 1929. For more information on the SAIRR, see Rich, P 1981. The South African Institute of Race Relations and the debate on "race relations", 1929–1958, in *The societies of Southern Africa in the nineteenth and twentieth centuries*, 12, 77–89. Institute of Commonwealth Studies, University of London.
37 See *Southern Cross*, 27 April 1949.
38 Members of the Liberal Party directly challenged the Nationalist government using both parliamentary and extra-parliamentary methods. A few even engaged in armed resistance to apartheid.
39 For an interesting introduction to the politics of AP Mda, see Edgar, R 2005. Changing the Old Guard: A.P. Mda and the ANC Youth League 1941–1949, in Saul Dubow and Alan Jeeves (eds), *South Africa's 1940s: Worlds of possibilities*. Cape Town: Double Storey, 149–169.
40 Communism was considered a major problem for the Church during the 1950s, particularly in Europe. Many articles in the *Southern Cross* were devoted to the dangers of communism. Further research is required to understand the extent to which many white bishops and prominent Catholics were hesistant to support the ANC during this period because they were aligned with the South African Communist Party.
41 See *Southern Cross*, 6 April 1949.
42 See Village Main Annals, entry for 24 May 1950, 174–175 (King William's Town Dominican Sisters' Archives, Johannesburg, Box: St. Thomas Training College, Village Main, JHB) and *Southern Cross*, 5 July 1950; 12 July 1950 and 19 July 1950.
43 *Southern Cross*, 19 July 1950.
44 *Southern Cross*, 18 February 1953.
45 Interracial Council not in agreement with the Defiance Campaign, in *Southern Cross*, 18 February 1953.
46 *Southern Cross*, 28 January 1953.
47 The Christian Council of South Africa (CCSA) did not support the Defiance Campaign either. In January 1953, the Executive of the CCSA issued a statement stating that while it had sympathy for "non-European Christians" it felt "bound to point out that obedience to the law is a Christian duty, and that disobedience is only justified when such obedience involves disobedience to the dictates of conscience" (Thomas 2002:138). Thomas suggests that the lack of official church support for the Defiance Campaign reflected white liberal church leaders' ambivalence or even hostility towards African nationalism.
48 Seeking acceptance meant compromise. It was only with the Namibia Report, published in 1982, that the bishops openly challenged the Nationalist government regardless of the consequences. A court case was opened against Archbishop Hurley for criticisms made against Koevoet atrocities in Namibia in 1983. Charges were eventually dropped. See SACBC 1989. *The Bishops' speak, 3, 1981-1985*, 43–44. Pretoria: SACBC.
49 *Southern Cross*, 5 September 1956.
50 *Southern Cross*, 17 April 1957.
51 *Southern Cross*, 10 September 1958. The Catholic Federation was disbanded in 1967 and probably the JCCAE along with it. Also see *Southern Cross*, 14 June 1967.
52 *Southern Cross*, 14 August 1963.