

Lineaments of the Political Geography of State Formation in Twentieth-Century South Africa

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Abstract As a step towards framing an understanding of the politics of the South African transition and the prospects for democracy in that country, this paper asks the question: what kind of state is it that is being transformed? It offers the argument that we should conceptualize the history of state formation within the territory that is presently called South Africa in terms of three inter-related trajectories: imperial, national, and urban. By doing this, it is argued, the dimensions of key obstacles in the path of democratic national governance understood as 'legacies of apartheid' become clearer as the new leadership of the state strives to establish new forms of rule. Understanding the history of the imperial state system, as well as stressing the distinctiveness of the urban domain, adds to the well-attested story of racial exclusion in the national state and enables a clearer appreciation of matters such as the status of women, the mobilization of ethnic nationalism, problems of crime and civil disorder, and the new forms of politics that are emerging as local ANC notables become agents of the state in black townships and rural areas.

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Introduction

If we are to understand the character of political transformation in contemporary South Africa, the first question that needs to be addressed is this: What kind of beast was the South African state? Or to put the matter somewhat differently: How was political subjection in the south of Africa organized during the twentieth century?¹

This paper argues that the history of political subjection of Africans by people of European descent in South Africa should be delineated into three distinct trajectories of state formation within a regional political economy: a system of imperial rule; a national state system; and a system of urban governance. These trajectories have now converged in the creation of a democratic national state incorporating all adult citizens in the political community. But this convergence is not simply the removal of an anomalous situation where an industrializing society was governed by a racially-exclusive state nor the creation of a 'normal' political order in which a singular nation is ruled by a representative national government.

The argument presented here disaggregates the structure of domination from the racial monolith usually implied by the term Apartheid, or the earlier incarnation of 'discrimination' which South Africans refer to as the era of Segregation. It also presents a way of conceptualizing the formation of the state outside the teleological

framework implied by narratives of national liberation. By doing this, it suggests, the character of the power relations shaping the organisation of rule in the past can be better delineated, and their implications for the future as a new kind of African state comes into being can be better grasped. For legacies of the history of political subjection remain, posing major obstacles in the path of establishing 'normal' systems of rule conventionally associated with the liberal democratic states that provided models for the new constitutional order. Principal amongst these, this paper suggests by way of conclusion, are forms of subordinating women, ethnic nationalism, residues of the imperial order such as 'communal tenure, Traditional Leaders and Customary Law, and patterns of township life entwining an abiding alienation from public institutions with a paradoxical dependence upon state-provided services in a context of chronic insecurity.

Clearly it is impossible to 'prove' these propositions in any comprehensive way in the space available. Nor, given the magnitude of the literature on South African history and politics, is it possible to categorize and critique all the relevant writing. Rather than attempt the impossible, then, this paper outlines some of the main features of this approach to understanding state formation in the south of Africa and suggests how placing a greater emphasis on the 'imperial' and 'urban' dimensions of political subjection might throw light on aspects of the above-mentioned 'legacies of apartheid' which are difficult to account for within a conventional framework of politics within national states.²

Three Trajectories of State Formation

The first domain of political subjection was within an overarching imperial system: a set of relationships between a dominant center founded on imperial British might exercising suzerainty over a set of peripheral geo-political entities founded on indigenous polities, or, rather, what remained of indigenous polities at the end of the nineteenth century's wars and conquests. This imperial system was fashioned in the first decades of the twentieth century in an endeavor to unify systems of 'Native Administration' and solve problems of land, labor, and legitimation which were called the 'Native Question,' the central discursive framework of state formation. This imperial structure, formed as much through recognition of the practicalities of governance of 'Native Tribes' and the requirements of colonial legitimacy as the need to coerce and control African labor, shaped the possibilities of governance of Africans until 1994, including those who fell outside the geographical territories originally known as 'Native Reserves' and, subsequently, 'Homelands' and 'National

States.³ Two aspects of this history should be emphasized: first, the development of relations between center and periphery as a *state* system; second, the relatively autonomous histories of state formation in the peripheral 'Homelands.'

In relation to the domination of Africans by people of European descent, the imperial system should be seen as having both historical and analytical priority in relation to explaining other features of domination. For not only was the imperial system instituted first, but until the 1990s, when the governing authorities in concert with their African nationalist partners decided to attempt to dismantle it, the logic of the imperial scheme determined the shape of policy in relation to Africans particularly in the absurdities of the notion of 'temporary sojourner' for urban Africans and the horrors of forced removals of 'Black Spots' and 'Surplus People' of the apartheid era. By 'imperial' here, I do not mean to refer simply to Imperial Britain, under whose auspices this state system was created. Nor do I mean to endorse the 'Colonialism of a Special Type' thesis of the African National Congress and the South African Communist Party which posits the analogy between European colonialism elsewhere and the domination of black people as a singular racially-oppressed nation.⁴ Rather, the term 'imperial' refers to a set of structured relationships between a central power and a set of peripheral and geographically distinct states or state-like entities.

Understanding the formation of the imperial state can help us better to situate the puzzling fact that while there has been no shortage of white racists in South Africa, and while on occasions nationalist politicians have spoken of a '*Swart Gevaar*' or 'Black Peril' in order to mobilize electoral support amongst white voters, the state was never organized in terms premised upon notions of the inherent and permanent racial inferiority of Africans.⁵ Now that the oppressive systems of apartheid are being dismantled, it is possible to focus serious attention on the character of these 'imperial' relationships without fear of endorsing the oppressive designs of racial domination.

The second domain of political subjection is to be found in the formation of a democratic national state. Fashioned under British auspices in the period before Union in 1910 from the two Crown Colonies and two Boer Republics that were unified after the South African War, this national state embodied a political community founded, on the one hand, upon notions of the rights of English men celebrated in the Cape Liberal tradition ('equal rights for all civilized men' in Rhodes's famous phrase), and the principles of national self-government sanctified in the Boer Republics. Initially established as a political community of white male property owners with a small African electorate in the Cape along with 'Coloureds' who met the property and education qualifications, the boundaries of the political

community contracted and expanded throughout the twentieth century. Within the national state, Government was always representative and the community which was represented was spoken of as the 'South African nation.' While it was not until 1968 that the parliamentary electorate became exclusively white in complexion, the ruling notion of the nation was a mixture of racial (white) and ethnic (Afrikaner) exclusivity. African property-owners included in the Cape Franchise were excluded in 1936, white women and indigents were included in 1930 and 1931, 'Coloureds' were excluded in 1956 and then included again in 1983 with the racially exclusive tri-cameral parliament. Finally, in 1994, all adults resident within the borders of South Africa were admitted to full citizenship. Africans have now been admitted to the political community, and their representatives occupy the offices of Government, on terms of citizenship and procedures of governance indigenous to the traditions of modern states. There is nothing particularly 'African' about the present arrangements of rule. Whether or not that is a good thing remains to be seen. What is certain is that African forms of life are going to have an impact on political forms within the new dispensation.

The Government in the national state also controlled the imperial center. Imperial affairs – the so-called 'Native Question' – were largely quarantined from 'politics' within the national state. Like matters of foreign policy in liberal democratic states, 'Native Affairs,' or the 'Native Question,' were considered matters upon which the dominant parties should form a consensus and which should be largely the province of the Executive Branch, rather than matters of political partisanship in parliament. From the political and administrative standpoint of the national state, the governance of Africans was the business of a 'state within a state' within which legislative, executive, and judicial powers were fused. Despite the extreme disparity in capacity between the central power and the peripheral powers, despite, too, the undoubtedly fictive quality to much of official discourse on the 'development' of these peripheral regions, the central authorities maintained to the end a commitment to the idea of political relations in this domain as relations between states (or state-like entities in the days of Tribes).⁶

While African political leaders from the very beginning demanded rights of political representation within the national state, it was not until the late 1970s that generalized demands for political inclusion could be said to have animated a broad cross-section of the black population as a whole. From that time until 1994, it can safely be said that all South African politics was the politics of that exclusion. It would be poor history, however, to read this struggle as a long slow awakening to self-awareness of an oppressed nation culminating in

a successful victory in securing their rights. For, if the history of oppression is read in such a way, the question that would need to be asked is: why were the liberation movements so unsuccessful? When telling their story of national liberation from colonialism of a special type, the ANC argues that the suppression of African political demands was achieved through the unbridled use of force by the colonialist power.⁷ Until the 1980s, however, the use of violence by the state was the exception rather than the rule. So the success of racial domination needs to be found in other forms of rule than simple violence, although it should not be forgotten that forms of violence lie at the back of all forms of political rule.

The third domain of political subjection is that of the city. While municipal government for white people was integrated into the structure of the national state from the time of Union, governance of Africans in cities and towns has a distinct history which sets it apart from the history of the national state and the imperial system. At the time of Union, each city enjoyed a degree of autonomy in relation to administering the affairs of African residents to the extent that they were in effect city states. From the 1920s until the late 1960s, the autonomous authority of these municipal regimes was gradually curtailed by the national government which, in the 1970s instituted its own system of direct control of urban African affairs. During the middle years of this century, the old colonial practice of establishing a 'Native Location' where Africans were segregated but in which they were allowed a good deal of freedom to accommodate themselves was replaced by the Bantu Township. The Township, which became ubiquitous by the 1960s, was an urban model in which the state provided housing, infrastructure, and social services to residents while attempting to control their occupancy and movement. In the 1970s and 1980s, the national government endeavored to retreat from township administration, instituting local African regimes and attempting to situate them in the overall structure of imperial rule. In many of the biggest townships, the administrative structures broke down while residents refused them legitimacy as part of their demands for transformation of the national state. The failure of these urban regimes created tremendous problems of social insecurity and left black township populations dependent upon state provided services at the same time as they challenged the very existence of that state.

Related to these three principal domains of political subjection are two others, centered on the mines and the farms, with definite state-like characteristics. Elements of distinctive state-like power forms can be found in mines and farms, particularly when viewed from the perspective of African subjects. I consider these domains state-like because they were territorially-bounded entities founded upon a

local monopoly of violence involving a comprehensive scheme of *political* subjection for workers who were also residents possessing rights akin to some deformed, and extremely limited, kind of citizenship. The white-owned farms resembled, and to a large extent still do, nothing so much as fiefdoms, although the pattern of relations between white farmers and black tenants and workers has varied over time and between places.⁸ On the mines, the migrant labor system and the organization of authority and dispute resolution in the compounds has been, and largely remains, an empire in microcosm.⁹

In relation to the formation of the national democratic state in the new South Africa, the domains of subjection were not as central as the imperial, national, and urban to which we should now devote attention. As the story of the national state has been well told in the literature from a wide variety of political and theoretical perspectives, the discussion below will focus on the imperial and urban domains in relation to the formation of a national state.

The Formation of an Imperial State System

There were two principal sets of reasons for the construction of an imperial state system in South Africa at the time of Union in the first decade of the twentieth century: First, despite the military backing of Britain and the considerable fiscal resources to be derived from the gold mines, the political center – both in its local and British dimensions – lacked sufficient resources to subordinate the ‘Native’ populations of the Union as a whole to direct rule, nor was it considered necessary to do so. Second, the framework of law and administration governing ‘Natives’ had to be justifiable in terms acceptable to ‘opinion’ in Britain while satisfying the labor requirements of the mining industry whose representatives advocated a fundamental refashioning of the ‘deep-seated conditions of Native life’ in the region.¹⁰ The imperial formula for dividing sovereignty into two different categories of subjection – ‘Native’ and ‘European’ – with different structure of law and administration provided a means of satisfying both the practical requirements of policy particularly regarding African labor for the mines and farms, and the demands of legitimacy regarding the proper of treatment of ‘subject races.’¹¹

In 1903, shortly after the conclusion of war between Imperial Britain and the Boer Republics of the South African Republic (Transvaal) and the Orange Free State, Colonial Secretary Chamberlain promised the British public a solution to the ‘Native Question’ in the newly conquered additions to their colonies in the south of Africa and his agents in the south got to work. The actual designing and ordering

of the system of rule was, comparatively speaking, carried out by a mere handful of men – powerfully situated men to be sure.¹² In the years following the Boer War, the men of state were able to create a system of power that would shape and direct the undertakings of all who would follow, making domination seem natural for some and freedom like an impossible dream for others.

The founding moment of this state came on the 19th of March 1903. It was an inauspicious sort of moment, and one not greatly heralded by historians since. On that day, a Customs Union Conference assembled in Bloemfontein under the Presidency of the British High Commissioner, Viscount Milner, resolved

That the reservation by the State of land for the sole use and benefit of natives involves special obligations on their part to the State.¹³

In this resolution, the agents of Imperial Britain expressed the relation between territory and sovereignty in a formula that would continue to govern the structure of rule in the South African state until 1994. Related to this resolution, the Conference also resolved to establish a Commission of Inquiry into the 'Native Question' charged with the task of elaborating this principle of land reservation and political obligation into a unified system of 'Native administration' for the region as a whole. Out of these deliberations came the 1913 Natives Land Act, the rationale for the Native Administration Act of 1927, as well as the basic frameworks governing land and the legitimation of state power into the 1990s. It is this linking of territory and citizenship, land reservation and political obligation, that makes the issue of 'Segregation,' and later, 'Apartheid,' more than just matters of doctrine and policy, that is, modes of *action* by agents of the state. The division of territory and sovereignty was centered at the heart of the *structure* of the state, thereby constraining the possibilities of governmental action and shaping the ways in which agents of state power could think about who they were, what they were doing, and why.

I do not mean to suggest that the decision to embrace this principle of land reservation and divided sovereignty imposed some kind of iron necessity that worked its way through the actions of statesmen independently of their wills, nor am I suggesting that agents of the imperial British state devised a master design for government of South Africa, a blueprint which was mechanically implemented by subsequent technicians of power. Rather, I would suggest, the decision to recognize as political sovereignty the territorial claims of pre-colonial polities, linking those claims – via notions of 'communal tenure' – to forms of citizenship and structures of suzerainty, had consequences with which every subsequent regime has had to grapple. The present regime is no exception.

The most fundamental of these consequences of the imperial formula of divided territory, sovereignty, and citizenship concerned the identification of the essential subjects of state power, that is the naming of 'Natives' and 'Europeans' and the elaboration of procedures for organizing and justifying their differential subjection to the systems of political rule that became known as the South African state. Africans, at least those who were or had been members of Bantu-speaking political communities, were identified as 'Natives' by virtue of being subjects of sovereign polities – 'Chiefdoms' – within distinct territories. 'Natives' were not, however, deemed to be individuals who were, or might be, owners of land. The land was deemed to be owned collectively by all members of a 'Tribe' represented by the trusteeship of a Chief.

The key to the subjection of 'Natives' was the idea of 'communal tenure.' That is, the denial of individual property rights in land became the basis for denying the possibility for Africans of full citizenship, remaining so until the early 1990s. This interpretation of African land tenure was, from the start, a fiction.¹⁴ The emphasis upon communal tenure of landed property served to deny the rights of individual citizenship associated in English experience with ownership of landed property. The 'Natives' were subjected to state power as a collectivity; individuals were subjects by virtue of belonging to the group. In the words of Cecil Rhodes when explaining why individual tenure in land held under his Glen Grey scheme, a land division in the eastern Cape Colony designed to stimulate migrant labor, would not qualify Africans for the vote, they would remain 'in a sense citizens, but not altogether citizens.'¹⁵ By denying 'Natives' the possibility of property ownership in individual tenure, as became the case after the passing of the 1913 Natives Land Act, the possibility of their becoming full citizens according to the model evolved from the aggregation of rights to property was curtailed.¹⁶ Furthermore, as the process of proletarianization developed and as labor markets emerged outside the domains of 'Native' territories, the restrictions on property holding served as justification for restricting citizenship rights in the forms of representation and 'welfare' elsewhere granted to (at least male) workers as soldiers, ex-soldiers, or potential soldiers and owners of property, even if only in their own labor. The division of property ownership also underpinned the division of citizenship understood as the duty to defend the realm. Africans did not gain the right to purchase or sell land in 'White' South Africa until 1991.

The essence of imperial rule is the use of intermediaries between the central powers of the imperial state and subjects in the periphery. These intermediaries typically control autonomous power bases which are capable of resisting to a greater or lesser extent the impositions of the center. They also typically benefit locally in some

way from resources disbursed by the center. Peripheral authorities, then, are different from bureaucrats and other employees of the central power in that they retain significant capacities for autonomous action. In South Africa, the crucial intermediaries were the 'Tribal Chiefs,' who are known today as 'traditional leaders.' Apart from performing essential functions such as allocating land and resolving disputes, they were indispensable for the central authorities in that they embodied the principle of Tribal Law and hence, sovereignty. In many respects Chiefs were more important for what they represented than for what they did. Proof of this can be seen in the fact that when it came to the point of actually doing things in the African rural areas, whether it was 'Betterment' in the old days or 'Development' in the new, Chiefs have typically been bypassed in favor of bureaucrats. But when it has come to questions of maintaining 'order' and dispensing coercion Chiefs have performed crucial roles, symbolic and practical; suppressing resistance while distributing scarce resources.

In the nineteen forties, Afrikaner nationalists began to refashion understandings of the imperial state in the image of heterogeneous cultures striving for self-determination. While proponents of the original imperial schemes of domination went to great lengths to assert the essential uniformity of the 'Native social system' so as to allow of uniform principles of administration, the structure of rule created in the name of homogeneity, particularly the 'retribalisation' policy of the 1927 Native Administration Act,¹⁷ eventually made possible the negation of that principle. By the 1940s, Afrikaner intellectuals imbued with the spirit of ethnic nationalism based upon biblical precepts about the God-given diversity of nations, contemporary anthropological thinking about the distinctiveness of Cultures, and a political project that can perhaps best be described as affirmative action were propounding an image of essential heterogeneity of 'Bantu society.' This approach inverted the relation between people and places that linked sovereignty and citizenship in the imperial scheme. The British version interpreted political sovereignty of the Tribes as deriving from the collective ownership of land held by Chiefs in trust for their people since 'time immemorial.' Consequently, when the British Crown annexed the ancestral land, they also annexed the sovereignty of the Chief, thereby establishing legitimacy for a system of rule in which the Crown adopted the title of 'Supreme Chief' and governed according to 'Tribal law and custom.' Under the nationalist schemes, the rights to land derived not from prior occupancy but from the God-given right of the collectivities they were pleased to describe as 'Cultures.' In this view, Cultures had the right to exist, to develop, and, if they did indeed develop, to determine their distinct destinies as Nations (that is, Cultures with self-awareness). All of this required territory. Thus, the Homeland.

Of the many expressions of the principle of 'Separate Development,' perhaps the most salient to consideration of the organization of political subjection is the Preamble to the Promotion of Bantu Self-Government Act (no.46 of 1959):

Whereas the Bantu peoples of the Union of South Africa do not constitute a homogeneous people, but form separate national units on the basis of language and culture;

And whereas it is desirable for the welfare and progress of the said peoples to afford recognition to the various national units and to provide for their gradual development within their own areas to self-governing units on the basis of Bantu systems of government...

While undoubtedly self-serving, this nationalist image of the world was not entirely absurd. Until they were disabused of the idea, most South African ruling class intellectuals firmly believed in the necessity and desirability of incorporating the High Commission Territories of Bechuanaland, Basutoland, and Swaziland into the territory of the Union in a similar fashion to the South African 'Native Reserves' formalized under the 1913 Land Act. South West Africa, occupied during the First World War and held subsequently under a League of Nations mandate, was effectively a fifth province of South Africa. As the era of decolonization in Africa progressed, and after it became clear that the High Commission Territories were to become independent countries, the South African regime decided to make a virtue of necessity and move toward independence for the 'Native' territories within the Union. Transkei was granted independence in 1976. An independent state of the Transkei probably makes as much sense as an independent Swaziland or Lesotho, but that is not the way the international community viewed the matter of 'sham "independence"'.¹⁸

Despite the moves toward homeland self-government of the 1970s and 1980s, along with the increasing bureaucratizing of the office of the chieftainship that accompanied it, the imperial structure of rule remained. The principle of decolonizing the Homelands was ultimately expressed, in the early P.W. Botha years, in terms of the fantasy of a Constellation of Southern African states.¹⁹ The central authority of Pretoria was exercised in a form of suzerainty over the Homeland Governments which permitted of a considerable autonomy for Homeland regimes in relation to their subjects, while exercising dominance largely through control of finance and the secondment of administrators.

There was rarely any shortage of local notables willing to serve Pretoria's purposes in the Homelands. 'Traditional leaders,' as they are now called, found themselves walking a tightrope between the requirements of their subjects and the demands of Pretoria articulated through the Native Affairs Department. Buthelezi, ever prickly and

self-aggrandizing, was probably the most problematic in the final decades of apartheid. F.W De Klerk, the last National Party President of South Africa, attributes the death of the apartheid dream of separate development in part to the refusal of Buthelezi to accept independence for KwaZulu.²⁰ His ability to use his position as a recognized Chief under the Bantu Authorities system to criticize the apartheid regime was based upon the strength of his autonomous power in Kwa Zulu. That power in turn was coupled with his ability to use resources of the central state to strengthen his local political position. Such relations were replicated across all the Homelands. Even where chiefs were hated by their subjects as stooges of Pretoria they used their access to state resources to build networks of clients and establish a certain degree of autonomy. The tenuous position of the Homeland leader under apartheid was fraught with constant reminders of the limits of his autonomy coupled with insistent pressures from local subjects demanding decisive action to meet their needs and holding their Chiefs responsible.²¹

The fortunes of these peripheral powers waxed and waned along with the ragged and uneven trajectories of capital accumulation, proletarianization, and urbanization in southern Africa. In the 1950s, under the inspiration of apartheid ideology, the central state began to reorganize the chieftaincy in the 'Native Reserves' (an institution resuscitated in the 1930s and 1940s as part of the restructuring of 'Native Administration'). Attempts were made to create the foundations for ethnic national statehood. In the mid-1970s a massive investment was made in building state capacity for direct rule in these peripheral 'Homelands.'²² Ten Legislative Assemblies were established and a sprawling, corrupt, and incompetent bureaucracy was created, intermeshed with the authority of chiefs and 'tribal authorities,' which has become the patrimony of the New South Africa.²³ All politics in these domains was ethnic politics, not in the sense of power relations between groups, but in the organization of rule within these places. Forms of law, even when produced by the Legislative Assemblies, institutions of the 'modern' state within Homelands, rather than by 'Traditional' forms of authority, were imbued with the trappings of ethnic distinction. Throughout the Homelands, the last decades of apartheid rule were marked by increasing hostility, frequently with an inter-generational character, between those who submitted to the rule of 'tradition' and those who rejected 'tribalism.'

While the imperial formula, designated them 'Natives' and the Afrikaner nationalists discovered Nations of Bantu, life created a nation of South African workers. And the workers became ever more numerous. One of the primary preoccupations of policymakers throughout the twentieth-century history of the South African state

has been the question of securing African labor. Indeed, legitimating the coercion and control of African people as a source of labor has been a fundamental factor in structuring the South African state.²⁴ The concern with labor generally had three aspects: firstly, devising strategies and justifications for coercing and inducing Africans to sell their labor in the capitalist economy; secondly, controlling the allocation of labor between sectors of production; and, thirdly, limiting the capacity of workers to organize and reducing the cost of labor.

Central to the story of capital accumulation in the south of Africa is the incorporation of the economies of the 'Reserves' into relations of dependency, serving the 'national' economy in the first half of this century as reservoirs of labor, particularly for the mines, and, in the second half as dumping grounds for 'surplus people' in the national state's endeavor to prevent African urbanization. The key elements of this story are the changing balance of labor requirements between mines, farms, and towns and the fact that in the 1960s and 1970s the regional economy changed from one marked by labor shortage to one of labor surplus. Estimates of black unemployment in the 1970s suggested a vertiginous increase in unemployment, with the rate more than doubling, reaching 23% in the urban areas, higher in the Homelands.²⁵ By the 1990s the general estimates of unemployment were citing a figure of 40% for black people. Consequently, the whole structure of state and labor control from the 1970s, when the emphasis on Homeland self-government and independence began in earnest, came to serve purposes fundamentally different from those for which they were originally intended. The operation of this system became ever more cumbersome and inefficient as the state endeavored to shape labor markets in the name of political order.²⁶

In the 1980s, the whole imperial structure of state began to creak under its own weight of contradictions as the procedures of rule elaborated to govern 'Natives' and control 'Labour' began to fail in the face of overwhelming pressure from people seeking work in towns and cities. The structure of rule was also challenged by the resurgence of urban political and industrial organization in this period as the systems of urban rule collapsed in a context of international condemnation. The image of South Africa as a singular entity, a country possessed of a single state and single (if 'plural' or 'divided') society became too entrenched in national and international political discourse for any regime to resist. Announcing that 'Apartheid is dead,' and proclaiming themselves 'Reformers' the ruling authorities in the National Party endeavored to create a new constitutional framework. The early efforts at reform still centered upon divided sovereignty although desegregating the 'state within a state'²⁷ that had been the Department of Native Affairs and ended upon the

Department of Cooperation and Development. All efforts to avoid incorporating the black working class of the Republic into the political system failed. During the 1980s, as the Government attempted reform, instituting a racially-demarcated tri-cameral parliament for 'Whites,' 'Coloureds,' and 'Indians,' black political resistance escalated, prompting the establishment of a military security network in the heart of the regime.

Today, the territorial reach of the central state encompasses large populations which were formerly in Homelands and remain utterly marginal to the requirements of the formal economy. Three quarters of rural black children live in poverty.²⁸ There is unlikely to be economic growth in the region rapid enough such that these children will ever hold decent satisfying jobs. They will thus most likely remain, and their children too, fundamentally beyond the scope of full citizenship, without even the modicum of power that appends to the position of employee and is amplified through organization in labor movements. Such populations will contribute little to the power or capacity of the state: they will contribute little to the fiscus, nor are they likely ever to be called upon to offer their lives in defense of a national political community. Rather, by virtue of their political citizenship and the claims upon resources that citizenship underwrites, they will constitute a perennial drain upon central resources and pose a risk of fragmenting the centrally formulated image of the Nation.

When the 'enlightened' wing of the National Party began to accept the impossibility of any plausible scheme of 'separate development' in the decade after the High Commission Territories were excluded from the Republic of South Africa and saw the extent of the disjuncture between the geography of the national economy and the political geography of imperial rule they devised a scheme of nine 'Development Regions' to guide state investment and development policy. Perhaps one of the least-remarked developments of the era of 'Reform,' the Development Regions have been incorporated almost unchanged into the new constitutional dispensation as political territories.²⁹ Within the six poorest of these regions, the former Homeland bureaucracies form the backbone of the new democratic regional administration. Traditional Leaders, who were previously paid by the Homeland administrations (supplementing their incomes with tributes and bribes) are now directly paid handsome salaries (equivalent to Members of Parliament) by the central government.

Workers and 'Natives' in an Archipelago of City States

Underpinning both the formation of the national state and the history of the imperial system is the story of the emergence of a multi-ethnic

urban African society dependant largely upon the earnings of wage laborers although including a small number of professionals, a substantial number of small traders along with a somewhat larger number of religious figures and healers. The organization of political subjection in this domain was governed by the fact of the integration of the African working class into the urban economy in a context where both the racist demands of 'White' electoral politics in the national state and the 'tribal' and 'ethnic' identity requirements of the imperial system prevented their being incorporated, until 1994, in representative institutions as full political citizens.

Governance of Africans in urban areas was always a contrary and implausible business. The essential formula for the governing of urban 'Natives' was articulated in 1921 by the Stallard Report.³⁰ Despite the fact that it was always an absurd fiction, Stallard's notion of 'Temporary Sojourner' remained the key to organized political subjection in the urban areas of South Africa until the 1980s. This was so not because it was a blueprint imposed through legislation during that time (although there was indeed an element of that in the Natives (Urban Areas) Act of 1923 as subsequently amended) but because it expressed a logic of relations connecting people, places, and powers within a system of rule elaborated in consonance with the imperial structure spatially located in peripheral rural areas. The formula of 'temporary sojourner' remained relevant through all those years simply because it was the only way in which the circle of political subjection could be squared with the requirements of labor exploitation in a capitalist market economy.

For the first half of this century, outside the 'Native Reserves,' the governance of 'Natives' most nearly resembled an archipelago of city states in a sea of farms.³¹ To refer to urban government in relation to Africans as akin to city states may seem like an exaggeration of the powers made available to local authorities under the Natives (Urban Areas) Acts, especially as those Acts, from 1923, reserved to the Native Affairs Department of the central government supervisory powers over all aspects of urban African administration. But until the Bantu Affairs Administration Boards were instituted in the early 1970s, bringing local administration of Africans under central (racially-divided) control, the towns and cities of South Africa, particularly when viewed from the point of view of Africans, exercised largely autonomous powers regarding entry, residence, and passage that made them virtually equivalent to states.³²

Throughout the twentieth century the relations between central and municipal governments changed regarding 'Native Administration' with the center gradually assuming greater powers in an endeavor to subject urban Africans to direct rule. One way of thinking about this would be to use the analogy of the central state colonizing local

regimes of 'Native Administration.'³³ Both local and national 'Native administrators' were particularly conscious of local autonomy and the lack of national uniformity in matters such as 'influx control' (their quaint term for resisting African urbanization) and housing provision. Throughout the first six decades of Union, the municipal authorities in South Africa tended to be jealous and protective of their autonomy, while the central administrators sought to expand their control by forcing local authorities to adopt national policies. The realities of conflicting realms of power became most apparent after 1948 when the central government became dominated by the National Party with its 'apartheid' program while key municipalities were governed by representatives of the opposition United Party.

With regard to questions of political subjection and the creation of social order, the key element in urban life was the transition from the 'Native Location' of the colonial period and the first half of this century, a segregated area to which Africans (and others) were confined and expected to house themselves and regulate their society as they would, to the 'Black Township' (which began to predominate in the 1940s and 1950s), wherein white authorities built, owned, and operated all aspects of housing, infrastructure, and social services. No sooner had the national Government secured control over Black Townships from White municipalities in the early 1970s, however, than the structure of governance began to collapse. From the early 1970s, the system of urban administration came under ever increasing pressure from the movement of people fleeing rural poverty and the demands of increasingly skilled workers and educated youths in settled urban populations demanding access to the full rights and benefits of civil society which were restricted to white people.

In the face of this failure of direct rule, and in a context where the structure of the imperial system precluded recognition of Africans as full citizens of the national state, the national government attempted to establish autonomous African regimes in Black Townships and institute a system of indirect rule over urban African residents. This endeavor failed when these authorities were unable to establish dominance over urban residents, collapsing completely in the mid-1980s when troops of the national army entered the townships to quell protest, and oppositional political structures emerged claiming to represent urban communities. In the urban resistance struggles that marked the last decades of apartheid, particularly through the boycott movements spearheaded by the Civic Associations, forms of autonomous and oppositional community power emerged requiring the central state to negotiate with African intermediaries. After 1990, these structures of community power became incorporated into the ANC and now serve as conduits for the state into African urban areas. In the late 1980s and 1990s, forms of anarchy, in all senses of the

term, became the urban norm as Black Townships began to be integrated into inclusive structures of city government and their residents admitted to full political citizenship in the national state.

Today, norms of 'community participation' and 'community development' articulated in terms of a state project of reconstruction and development serve to legitimate a new place for intermediary structures in the overall framework of state power. In practice, however, 'community' (as in 'disadvantaged community') is largely synonymous with 'ANC,' for the people who give life and shape to community life, articulate its character and speak its interests are usually the same activists who constitute the ANC (or Inkatha to a much lesser extent) at the local level. This grass roots phenomenon is very new, and quite different from the official face of the ANC at the highest levels, largely because it builds upon old habits of township and rural life and the requirements of loyalty and solidarity underpinning security in those contexts rather than the norms and rules of modern statecraft. It can be both quintessentially democratic and appallingly quixotic and unjust. What remains to be seen is how these structures of power take shape as members of the ruling party become conduits of state-generated resources in local communities.

It was in the cities of South Africa, then, in the early 1970s that substantial populations of black South Africans experienced direct rule by the central state. With very few exceptions, they were not happy about it. At the same time that structures of state power were collapsing and resistance movements spearheaded by young men taking to the street, forms of social authority deriving their legitimacy from claims of 'tradition,' particularly traditions relating to respect for elders and the status of fathers, also lost their hold. In the rejection of that rule, and the failure of other forms of social power to solve the pressing problems of security for township residents, new forms of association emerged, or re-emerged, in the form of youth gangs, crime syndicates, and community Big Men.³⁴ These form the context within which agents of the state and representatives of urban communities must presently operate, setting a premium on the achievement of physical security – something which cannot be guaranteed by the state.

The urban domain should be interpreted in terms of a third trajectory of state formation rather than an area of policy or a 'level' of government such as municipal government because of the particular ways in which state power resolved problems of social order. The governance of urban Africans, while marked by the over-riding imperative of racial exclusion from the national democratic state, was also subject to pressures arising out of the fact that social order in this domain was neither a product of the 'chiefly' authority and 'customary' law (however greatly modified) which, it must be

remembered, prevailed in the Reserves and Homelands more or less successfully to the end, nor was it a product of the complex of market incentives, moral regulation, civic duty and legal procedures that were deemed to apply to 'European' or 'White' civil society.

African urbanization produced social forms in South Africa that were different, and remain different, from both rural black societies and urban white society. Those differences are a product not of 'race' or 'culture,' but of the history of the making of urban areas, which is the history not simply of the exclusion of Africans from a birthright of voting, but of their subjection to, their resistance to, and their refusal of, forms of state power which were, themselves, distinctly urban. These forms of power were both 'traditional' and 'modern,' marked by racial differentiation from the civil society of the national state *and* by ethnic and gender differentiation (both voluntary and enforced) within the urban African domain.

Ultimately it proved impossible for the governing officials of the national state to devise satisfactory ways of meeting the demands of the urban African working class either for labor organization or for political representation while maintaining the racially-exclusive boundaries of the national political community. It remains to be seen whether the new democratic regime can govern this sector in the long term without recourse to institutions which differentiate populations – either officially, or in practice – on grounds of race, or whether institutions and political practices emerging from this sector as a product of its particular history transform the state in ways contrary to those presumed by the political discourses of liberal democracy such as now are installed in the national democratic regime.

Conclusion: Legacies of Apartheid and New Forms of Rule

Because of the blinding obviousness of the racial exclusions in the history of South Africa, it requires some effort to see the project of state formation in any other terms than those of the motives for and the struggle against the exclusion of black people from full citizenship rights. Rarely, however, does the literature on the south of Africa question the presumption of a singular object of analysis – South Africa. This presumption is consonant with current dominance of the national-state focus in both political discourse and social science. Such a focus, however, does little to help us understand the disjunctures between juridico-political categories of citizenship in the current dispensation and the forms of subjectivity that have emerged through the history of political subjection.

Principal amongst these disjunctures is the matter of the status of women. As far as the ruling orders of the state were concerned, the subject of power, the 'Native,' was male. When African women were

referred to in official discourse they were always specified in terms such as 'the Native female' or 'the Native's wife.' In South Africa, as elsewhere, the process of state formation was, as Linzi Manicom has emphasized, 'fundamentally gendered.'³⁵ African women were constituted as perpetual 'minors' under customary law, a set of institutions and discourses directly shaped by the imperial state.³⁶ They were viewed by the white male authorities of the state as being governed by their black fathers and husbands. In other words, they were subject to indirect rule at the level of the household. Nowhere is the significance of the endeavor to create new forms of rule in the new South Africa more apparent than regarding the status of women. While at the level of the state African women are accorded full and equal rights of citizenship, they must still live subject to men, such as my friends in Soweto, who will happily proclaim slogans such as 'No democracy in Marriage,' and 'I am the Government in this house.'

In the politics of 'transition' and 'transformation' in the South African state of the 1990s, there are three sets of issues that seem to me to interfere with the smooth transition to 'normal' governance of the kind presumed in liberal democracies, representing the kind of above-mentioned disjuncture. The first is the stubborn persistence of ethnic sub-nationalisms. Despite the fact that the African National Congress and the National Party both cleave to a vision of inclusive nationalism in which all adult South Africans are members, exclusivist versions of national identity still form a strong basis of organization. While the struggles of the Zulu nationalist Inkatha Freedom Party and the Afrikaner nationalist Freedom Front are currently the most prominent, it remains to be seen what shape ethnic claims will take in regions such as the Northern Transvaal and Mpumalanga where the ANC dominates but where ethnic diversity exists in a context shaped by a long history of imperial domination. Throughout the whole country, the geographical legacy of European conquest and twentieth-century state formation is a marked degree of ethnic segregation. The fact that apartheid was a widely despised system that both imposed and made use of this structure of socio-spatial distribution does not mean that different ways of reading the political saliency of ethnicity will not emerge in the future.

The second set of problems emerges from the socio-spatial and institutional residues of the imperial order. In the case of former-Homeland bureaucracies it was a relatively straightforward matter to decree that henceforward they would serve as part of the administration of the new Regions along with the old Provincial bureaucracies. The institutions of Chiefship, Customary Law, and 'communal tenure,' however, are by no means as simple to integrate into the governing structure of a 'democratic, non-racial, non-sexist,' political order

within a market economy such as is enshrined in the new constitution. To date, the politics relating to these institutions has been largely shaped by the imperatives of gaining the allegiance of Zulu Chiefs as part of a continuing conflict between ANC and Inkatha supporters in KwaZulu-Natal. In the longer term, however, these issues – entering the most intimate fabric of social life and governing matters such as marriage, child-support, the status of women, and access to land and shelter – will shape the character of law and the relation between law as it is writ and life as it is lived, that is to say, the actual content of ‘rights,’ far beyond the confines of the old Homeland regimes. Thus, these institutional forms will affect the character of the new state. There is no guarantee that this impact will be consonant with the precepts of democracy.

Thirdly, the new regime faces problems arising from the alienation of urban African communities from the forms of lawfulness presumed by democratic discourses of citizenship. This is manifest not only in the issues of Crime and social violence which have come to dominate the post-apartheid political agenda, but in the refusal of otherwise ethical citizens to abide by rules (such as those requiring payment of rates and service charges, or prohibiting the customs of corruption) stipulated by lawfully constituted representative governments. Most of the larger townships are dangerous places. In order to secure themselves physically, economically, and spiritually, residents create social networks modeled mostly on the metaphor of kinship and the loyalties of family involving reciprocal rights and obligations. People entering these domains with substantial resources, or residents gaining access to substantial resources such as is happening as the state gears its resources towards programs of development, must protect themselves. They must also establish procedures of distribution that successfully discriminate entitlement amongst people who consider themselves equally needy. In the absence of state capacity to guarantee security, even for its own agents, the only effective means of securing protection in such a context is by building networks of real and fictive kin. Obligations entailed in this process are typically interpreted in terms of variations upon themes of ‘traditional’ familial and kinship duties. If extrapolated into a broader political system, such duties resemble the forms of politics usually decried as ‘pathological’ in liberal-democracy.

Each of these sets of problems or obstacles, can be better understood if the history of state formation in South Africa is conceptualized in terms of three distinct trajectories involving the formation of a democratic national state within an overarching framework of imperial rule with a distinct sub-structure of urban rule. If this is done, the question of transition and transformation in contemporary South Africa becomes one of instituting entirely new forms of rule.

Rule in this sense does not just mean the instituting of new structures of authority and deployment of new resources of power, but the engagement of new subjects of power. The key issue regarding questions of rule concerns the relation between the public domains of state power, where large-scale political integrations are organized within extensive territories, and the domains of everyday life as it is lived in families, communities, and the ordinary encounters among strangers. Or to put the matter slightly differently, the central question of rule is the relation between the government of the self (where 'self' can refer to a variety of entities with identity, such as the Individual, the Family, the Community, or the Nation) and government of the state. When life is lived in ways that can be made meaningful according to principles consonant with the norms and rules governing the expressed purposes of power at the level of the state, of which discourses relating to notions of rights and justice are probably the most important, then we should suspect the presence of direct rule. If there is a substantial disjuncture between the domains of everyday life and the 'public sphere' of the state, then indirect rule, or no systematic rule at all, is probably the best way to describe the relationship between lower level social integrations and the large-scale integration of the state. In South Africa, as this paper has argued, there has long been such a disjuncture between the forms of rule in black South African life and the structures of state power. The question is what forms is the disjuncture taking now that there is majority rule?

Notes

¹ In using the phrase 'the organisation of political subjection,' I draw from Philip Abrams, 'Notes on the Difficulty of Studying the State,' *Journal of Historical Sociology*, 1 (1988), pp.58-89. For a sampling of the immense literature relating to the sort of approach underpinning the arguments in this paper, see: Philip Corrigan and Derek Sayer, *The Great Arch: English State Formation as Cultural Revolution* (Oxford: Blackwell, 1986); Norbert Elias, *The Civilizing Process; Socio - Genetic and Psychogenetic Investigations* (2 vols) (Trans., Edmund Jephcott) (Oxford: Blackwell, 1982) [1st, 1939]; Michel Foucault, *Discipline and Punish: The Birth of the Prison* (Trans., Alan Sheridan) (Harmondsworth: Penguin, 1977) [1st, 1975]; Karl Marx, *Capital* (vol. 1); Nicos Poulantzas, *State, Power, Socialism* (Trans., Patrick Camiller) (London: New Left Books, 1978); Charles Tilly, *Capital, Coercion, and European States, AD 990-1990* (Oxford: Blackwell, 1990); Max Weber, 'Politics as a Vocation', in *From Max Weber; Essays in Sociology* (Trans and Eds, H. H. Gerth and C. Wright Mills) (London: Routledge and Kegan Paul, 1948).

² For an exemplary instance of the sort of analysis that derived from an exclusive focus on the national state domain, see Robert Price, *The Apartheid State in Crisis: Political Transformation in South Africa, 1975-1990* (New York: Oxford University Press, 1991).

³ It is unlikely that much more than half of the African population was ever resident in those areas which were defined as 'Native Reserves,' later becoming 'Bantu Areas,' 'Homelands,' 'Black States,' and 'National States.' In 1905, the South African Native Affairs Commission estimated that half of the 'Native' population lived in the Reserves. [South Africa, South African Native Affairs Commission, *Report of the Commission* (Cape Town: Government Printers, 1905), Vol.1, Annexure 8.] In 1911, the Census estimated that 12.6% of the African population was resident in urban areas. Presumably the rest of the population lived in those rural areas which, after 1913, became known as 'White,' including white-owned farms, crown lands, mission-stations, and African freehold properties. A large part of these people would have been living subject to political authorities deemed 'tribal,' although from the point of view of the state, they would have been considered 'squatters.' [For discussion of this category, see *Politics of Official Discourse*, pp. 50-51.] By 1951, 27.2% of the African population lived in the urban areas, with about 39% in the Reserves. [Union of South Africa, *Union Statistics for Fifty Years, 1910-1960* p. A10.] The Tomlinson Commission, however, was at pains to point out that this was a 'de facto' number, failing to account for the 569,000 persons temporarily absent from the areas then being called 'Bantu Areas': 'It follows from this, that more than half the indigenous Bantu of the Union regard the Bantu Areas as their home.' [Union of South Africa, *Summary of the Report for the Socio-Economic Development of the Bantu Areas in the Union of South Africa* (U.G.61/1955) Ch.13; para.4.] In 1989, the Development Bank of South Africa estimated the total population of the Homelands ('Independent' and 'non-independent') at 15,936,549 of a total African population of 27,542,958, or about 58% of the African population. [Institute of Race Relations, *Race Relations Survey 1989/90* (Johannesburg: SAIRR, 1990), p.35.] By that time large urban dormitory settlements were incorporated in areas designated Homelands within commuting distance of the 'White' cities of Bloemfontein, Durban, East London, and Pretoria. Given that there were no accurate figures for informal settlements in urban areas, not to mention the disarray of Homeland census taking, these figures are unreliable and probably overestimate the rural component. The 1995 Green Paper on Population Policy puts the 'non-urban' part of the total population at 51.7% without specifying race or former homeland regions.

⁴ The argument on imperial rule presented here differs from the 'Colonialism of a Special Type' thesis elaborated by the South African Communist Party in 1962. [See, *The Road to South African Freedom*, Programme of the South African Communist Party adopted at the fifth national conference, reprinted in *South African Communists Speak: Documents from the History of the South African Communist Party, 1915-1980* (London: Inkululeko Publications, 1981); Francis Meli, 'South Africa's Colonialism of a Special Type,' in Lothar Rathman *et al* (eds.), *Colonialism, Neocolonialism, and Africa's Path to a Peaceful Future* [special issue of *asiem, afrika, lateinamerika* journal] (Berlin: Akademie-Verlag, 1985), and Joe Slovo, 'South Africa: No Middle Road,' in B. Davidson, J. Slovo and A.R. Wilkinson, *Southern Africa: The New Politics of Revolution* (Harmondsworth: Penguin, 1976).] The colonialism of a special type thesis was taken up by the African National Congress at Morogoro in 1969, dominated strategic thinking within the movement to the end, remaining central to ANC accounts of its struggle. [For examples, see, Maria van Diepen (ed.), *The National Question in South Africa* (London: Zed, 1988) and the ANC Submission to the Truth And Reconciliation Commission, August, 1996.] In contrast to the CST's emphasis on the colonial subjection of a single African nation, my argument emphasizes imperial rule as a

political relation over a plurality of African polities, rather than seeing colonialism as primarily a matter of economic exploitation of black by white. By emphasizing the structure of political rule, this approach also differs from the internal colonialism thesis as applied to South Africa which emphasizes the articulation of modes of production, capitalist and pre-capitalist. [See, Harold Wolpe, 'The Theory of Internal Colonialism: The South African Case,' in, Ivar Oxaal *et al* (eds), *Beyond the Sociology of Development: Economy and Society in Latin America and Africa* (London: Routledge and Kegan Paul, 1975).]

⁵ See Adam Ashforth, *The Politics of Official Discourse in Twentieth-Century South Africa* (Oxford: Oxford University Press, 1990) and Saul Dubow, *Scientific Racism in Modern South Africa* (Cambridge: Cambridge University Press, 1995), Ch.7.

⁶ Buthelezi's warriors in the 1990s, echoing Trotsky's comment at Brest-Litovsk that 'every state is founded upon force,' remind us of the state-like nature of the descendants of pre-colonial indigenous polities, even after more than a century of subordination to the power of an imperial center.

⁷ For an official version of the ANC's theory of history, see the ANC submission to the Truth and Reconciliation Commission, August, 1996.

⁸ For an account of the complex relations of power and production on South African farms see, Charles van Onselen, *The Seed is Mine: The Life of Kas Maine, a South African Sharecropper, 1895-1985* (New York: Hill and Wang: 1996).

⁹ For an insight into the working of the migrant labor system on the mines, see, T. Dunbar Moodie, *Going for Gold: Men, Mines and Migration* (Berkeley: University of California Press, 1994).

¹⁰ Transvaal Labour Commission, *Report of the Transvaal Labour Commission* (British Parliamentary Papers, Cd. 1896; 1904), para.70. For an account of the relation of British Imperial power and the gold mining interests to the annexation of the Boer republics and the formation of the South African state, see, Shula Marks and Stanley Trapido, 'Lord Milner and the South African State,' *History Workshop Journal*, 8 (1979), pp.50-80.

¹¹ For an outline of the logic of this relationship between labor and legitimacy, see Adam Ashforth, *The Politics of Official Discourse in Twentieth-Century South Africa* (Oxford: Clarendon Press, 1990), Ch.2. For a general statement of principles on 'The Government of Native Races' in the British Empire, see, A. Berriedale Keith, *The Constitution, Administration, and Laws of the Empire* (London: Collins, 1924). For the significance of the 'marriage of gold and maize,' South Africa's answer to the marriage of iron and rye, see, Stanley Trapido, 'South Africa in a Comparative Study of Industrialisation,' *Journal of Development Studies*, 7 (1971), pp.309-320.

¹² See, Shula Marks and Stanley Trapido, 'Lord Milner and the South African State,' *History Workshop Journal* 8 (1979), pp.50-80. Marks and Trapido quote as an epigraph to their classic essay a fawning letter from J.P. Fitzpatrick to Lord Milner, of 22 February, 1905: 'I think some future Mark Twain will fossick about among the foundations of the great future South Africa and write an adaptation of the lines on Italy and Michelangelo: "It seems to me that the Almighty fashioned South Africa upon plans supplied by Lord Milner!"' He wasn't far wrong.

¹³ South African Inter-Colonial Customs Conference (Bloemfontein, March 1903), *Minutes*, 'Native Question,' para.1 [Parliamentary Paper, C.1640].

¹⁴ I know of no better discussion of the political significance of 'communal tenure' than that of A. Berriedale Keith who argued, taking a lead from Maitland against the popular wisdom derived from Maine's view of land tenure in England, that the idea of communal tenure was a nonsense derived

from a confusion of political sovereignty with land ownership. See, A. Berriedale Keith, 'Land Tenure in South Africa,' Letter to the Editor, *Journal of the African Society* Vol. 6 (1906), p.205-206.

¹⁵ Cecil Rhodes, 'Second Reading Speech on the Glen Grey Bill,' 30 July, 1894, in A.P.Newton (Ed.) *Select Documents Relating to the Unification of South Africa* (London: Cass, 1968), p.125.

¹⁶ There were, of course, significant disagreements amongst the ruling orders on the exact form of these arguments, particularly between representatives of the 'Liberal' Cape and the 'exclusivist' north. The Cape 'Native Franchise,' entrenched in the Act of Union (1910), proved an obstacle to the establishment of a uniform system of 'Native' governance precisely because it enshrined the nineteenth-century liberal notions of citizen as property owner. The Land Act was declared *ultra vires* in the Cape because its restrictions on property ownership impinged upon the right of property owning 'Natives' to vote. The Cape franchise was finally removed with the 1936 Representation of Natives Act. See Marian Lacey, *Working for Boroko: The Origins of a Coercive Labour System in South Africa* (Johannesburg: Ravan, 1981) pp.52 ff.

¹⁷ For discussion of this Act and the strategies it invoked, see, Saul Dubow, *Racial Segregation and the Origins of Apartheid in South Africa, 1919-36* (London: Macmillan, 1989), p.87ff, and Marian Lacey, *Working for Boroko: The Origins of a Coercive Labour System in South Africa* (Johannesburg: Ravan, 1981), p.84ff.

¹⁸ See U.N. General Assembly resolution A/RES/31/6 A, 26 October 1976: 'Policies of apartheid of the Government of South Africa - The so-called "independent" Transkei and other Bantustans.' reprinted in United Nations, Dept of Public Information, *The United Nations and Apartheid, 1948-1994* (New York: U.N. 1994) doc. 84.

¹⁹ See, D. Geldenhuys, *South Africa's Black Homelands: Past Objectives, Present Realities, and Future Development* (Johannesburg: South African Institute of Race Relations, 1981).

²⁰ See, for example, the National Party's submission to the Truth and Reconciliation Commission, August, 1996.

²¹ There is very little literature that gives a sense of the experience of apartheid's intermediaries in this system of rule apart from the more prominent Homeland Chief Ministers such as Buthelezi and Mangope, which tend to be either apologetic or accusatory. Most of what is available is decidedly unsympathetic to the plight of the 'traditional leaders.' See, for example, the standard ANC line developed in Mzala, *Gatsha Buthelezi: Chief with a Double Agenda* (London: Zed, 1988). Anthropological studies of the institution of the chieftainship died out in the 1960s. See, for example, David Hammond-Tooke, 'Chieftainship in Transkeian Political Development,' *Journal of Modern African Studies*, 2 (1964), pp.301-320. The most detailed recent study in Edwin Ritchken's University of the Witwatersrand (Political Science) 1994 PhD thesis.

²² Between 1971 and 1976, for example, the number of officers employed by the Department of Plural Relations and Development (the old Native Affairs Department) in the Homelands increased more than threefold, from 21,771 to 69,217. During the same period the expenditures of that Department rose from 6.3% of the total government budget to 8.1%. [Source: Republic of South Africa, *Report of the Commission of Inquiry into Legislation Affecting the Utilisation of Manpower (Excluding the Legislation Administered by the Departments of Labour and Mines (1978)(Riekert Report) p. 77.*] Stanley Greenberg cites figures suggesting that 'in its heyday, the framework of labor control, encompassing the department, but also commuter subsidies,

resettlement costs, decentralization, and assistance to the Bantustans, consumed 3.5 billion Rands, or 14 percent of the entire state budget.' *Legitimizing the Illegitimate: State, Markets, and Resistance in South Africa* (Berkeley: University of California Press, 1987), p.88.

²³ As a leader of the 'new' National Party in post-apartheid South Africa, F.W. De Klerk points to these efforts at state-building in the Homelands with some pride:

Although we were primarily concerned with maintaining our own right to self-determination, it would be a mistake to think that there was not a strong element of idealism in this vision. A number of new cities were built in the states that had been had identified. Ten Legislative Assemblies came into being, each with its own government buildings and bureaucracy. In some instances the infrastructure was quite impressive. Several modern universities were founded – which were formerly dismissed as 'tribal colleges' – but which are now accepted as fully fledged universities. By 1975 some 77 new towns had been established and 130 204 new houses had been built. Between 1952 and 1972 the number of hospital beds in the homelands increased from some 5,000 to 34,689. Decentralised industries were developed and hundreds of millions of rands were pumped into the traditional areas in an attempt to stem the flood of people to the supposedly 'white' cities. It was thought that in this manner it would be possible to accommodate the political and constitutional aspirations of Black South Africans. [National Party submission to the Truth and Reconciliation Commission, August 1994.]

²⁴ For all the defects subsequently exposed, it remains the collective achievement of the neo-Marxist revision of South African historiography in the 1970s and 1980s to reveal the lineaments of labor control and racial policies most clearly. See: Colin Bundy, *The Rise and Fall of the South African Peasantry* (London: Heineman, 1979); Robert Davies, *Capital, State and White Labour in south Africa 1900-1960: An Historical Materialist Analysis of Class Formation and Class Relations* (Brighton: Harvester, 1979); Stanley Greenberg, *Race and State in Capitalist Development: Comparative Perspectives* (New Haven: Yale University Press, 1980) and *Legitimizing the Illegitimate: State Markets and Resistance in South Africa* (Berkeley: University of California Press, 1986); Doug Hindson, *Pass Controls and the Urban African Proletariat in South Africa* (Johannesburg: Ravan, 1987); F. A. Johnstone, *Class, Race and Gold: A Study of Class Relations and Racial Discrimination in South Africa* (London: Routledge and Kegan Paul, 1976); Marian Lacey, *Working For Boroko: The Origins of a Coercive Labour System in South Africa* (Johannesburg: Ravan, 1981); Martin Legassick, 'Legislation, Ideology, and Economy in Post-1948 South Africa,' *Journal of Southern African Studies*, 1 (1974) pp.5-35, 'South Africa: Capital Accumulation and Violence,' *Economy and Society*, 3 (1974), pp.253-291, and 'South Africa: Forced Labour, Industrialisation and Racial Differentiation,' in R. Harris (Ed.), *The Political Economy of Africa* (Cambridge [Mass.]: Schenkman, 1975); Shula Marks and Stanley Trapido (Eds), *The Politics of Race, Class, and Nationalism in Twentieth Century South Africa* (Johannesburg: Ravan, 1986); Stanley Trapido, 'South Africa in a Comparative Study of Industrialisation,' *Journal of Development Studies* 7 (1971), pp.309-320; E. Webster, *Studies in South African Labour History* (Johannesburg: Ravan, 1978); Harold Wolpe, 'Capitalism and Cheap Labour-Power in South Africa: From Segregation to Apartheid,' *Economy and Society*, 1 (1972), pp.425-456; David Yudelman, *The Emergence of Modern South Africa: State, Capital and the Incorporation of Organized Labor on the South African Goldfields, 1902-1939* (Westport: Greenwood, 1983).

²⁵ L. J. Loots, *A Profile of Black Unemployment* (Southern African Labour and Development Research Unit, University of Cape Town, 1978), cited in Greenberg, *Legitimizing the Illegitimate* p. 52. See also, Francis Wilson and Mamphele Ramphele, *Uprooting Poverty: The South African Challenge* (Report for the Second Carnegie Inquiry into Poverty and Development in Southern Africa) (New York: W.W. Norton, 1989), Ch.4.

²⁶ As Greenberg has argued: 'the operation of the labor framework...proved internally contradictory; that is, its successes – the constraints on labor mobility, the bottling up of rural black populations, and the stratification of the African working class – ...only strengthened the forces threatening to undo the system of control...[S]tate efforts to control the labor market ... [were] constantly challenged by black workers, requiring yet more developed forms of state control – only to set in motion yet more determined efforts by workers to circumvent the system.' [Greenberg, *Legitimizing the Illegitimate* p.31.]

²⁷ By the 1950s this was a common description for the structure of 'Native administration.' See, for example, Union of South Africa, *Summary of the Report of the Commission for the Socio-Economic Development of the Bantu Areas Within the Union of South Africa* [UG 61/1955], para. 67;25.

²⁸ Source: The Rural Development Strategy of the Government of National Unity, Ministry in the Office of the President, A discussion document, Pretoria, 12 October 1995.

²⁹ See, W. Cobbett *et al*, 'South Africa's Regional Political Economy: A Critical Analysis of Reform Strategy in the 1980s,' *South African Review*, 3 (Johannesburg: Ravan, 1986); Yvonne Muthien and Meshack M. Khosa, 'The Kingdom, the Volkstaat and the New South Africa: Drawing South Africa's New Regional Boundaries,' *Journal of Southern African Studies* 21;2 (1995), pp.303-322; Helen Zille, 'Restructuring the Industrial Decentralisation Strategy,' *South African Review* 1 (Johannesburg: Ravan, 1984).

³⁰ Regard the Stallard formula:

If the native is to be regarded as a permanent element in municipal areas, and if he is to have an equal opportunity of establishing himself there permanently, there can be no justification for basing his exclusion from the franchise on the simple ground of colour.

Some coloured persons and natives are possessed of property and of brains, and have educational qualifications not inferior to some enfranchised Europeans; many carry on trades and are their own employers, and it cannot be denied that they have special and peculiar needs not presently being met...

If, as we consider, it is to the public advantage that all sections of the permanent community should be represented in government, on what ground is the franchise withheld from the natives? We consider that the history of the races, especially having regard to South African history, shows that the commingling of black and white is undesirable. The native should only be allowed to enter urban areas, which are essentially the white man's creation, when he is willing to enter and to minister to the needs of the white man, and should depart therefrom when he ceases so to minister. [Province of Transvaal, *Report of the Transvaal Local Government Commission 1921* (Stallard Report), para.42.]

³¹ I borrow this description from E.A.E. Havemann, Manager of Non-European Affairs of the Durban City Council, who wrote in 1951 that the 'underlying concept' of urban Native policy was

that each town is, in so far as Natives are concerned, something of a city state, isolated from the rest of the country and vested with powers and responsibilities that are State functions in so far as non-Natives are concerned.

[E.A.E. Havemann, 'The Principles Underlying Urban Native Administration in the Union,' *Race Relations Journal*, 18;1 (1951), p.8.]

³² For the classic survey of urban areas legislation through the 1950s, see Ellen Hellmann, 'The Application of the Concept of Separate Development to the Urban Areas in the Union of South Africa,' in K. Kirkwood (Ed.) *St Antony's Papers* Vol. 10, *African Affairs* No.1 (London: Chatto and Windus, 1961); also, Rodney Davenport, 'African Townsmen? South African Natives (Urban Areas) Legislation Through the Years,' *African Affairs* vol.68, no. 271 (April 1967), pp.95-109. For a comprehensive survey of legislation and policy through to the 1990s, see Paul Maylam, 'The Rise and Decline of Urban Apartheid,' *African Affairs* vol. 89, (January 1990), pp. 57-84. Perhaps the most vivid exposition of the absurdity of the temporary sojourner notion, and the ridiculous lengths that those responsible for 'urban Non-European Affairs Administration' had to go in order to justify themselves, is to be found in an unpublished paper from 1958 by the Director of the Institute for Social and Economic Research at the University of Natal, J.F. Holleman entitled: 'The Tightrope Dancers: Report on the 7th Annual Conference of the Institute of Administrators of Non-European Affairs - Muizenberg, 30th September-3rd October, 1958.'

³³ For a periodization of urban government, see Paul Maylam, 'Rise and Decline,' p.58.

³⁴ For a preliminary discussion of these developments, see my *State Power, Violence, Everyday Life: Soweto*, (Center for Studies of Social Change, Working Paper No. 210, March, 1995).

³⁵ Linzi Manicom, 'Ruling Relations: Rethinking State and Gender in South African History,' *Journal of African History*, 33 (1992), p.461.

³⁶ See, T.W. Bennett, *A Source Book of African Customary Law for Southern Africa* (Cape Town: Juta, 1991).