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TITLE: Popular Representations of Black Women on the Rand and their Impact on the Development of Influx Controls, 1924 -1937

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Popular Representations of Black Women on the Rand and their Impact on the Development of Influx Controls, 1924-1937

Kathy Eales

White administrative policy towards black women in the 1920s and Thirties reflected the dualism of contemporary representations of women. On the one hand, black women in white-designated areas were frequently described as whores; on the other, they were inscribed in the lore of nurturant, inviolate womanhood. Similarly, formal native policy floundered indecisively between calls for strict pass and influx controls for women, and appeals to the stabilising and rehabilitative powers of black wives and mothers. This papers calls for an acknowledgement of the metaphoric weight of prevailing white representations of black women in the development of urban native policy on the Reef in the 1920s and Thirties.

The reports, correspondence and actions of the state's administrative officials suggest a definite congruence between their perceptions of black women in white-designated areas and the ideas put forward most coherently in Jean-Jacques Rousseau's Emile: women removed from their 'natural state' of harmony and innocence were ruled by wild sexual passions and required firm restraint if the morality of the broader community was not to be tainted. A Johannesburg sanitary inspector noted in 1928 that

> [t]he great majority of the native female population appear to earn their livelihood by prostitution and illicit liquor ... the majority are not only a menace to health but a burden to the community by reason of their filthy, lazy, drunken and immoral habits.'[1]

This perspective was neither uncommon,[2] nor confined to the white public. Traditional authorities,[3] black journalists[4] and black fiction[5] all helped bolster the presumption that most ur-

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1 Transvaal Intermediate Archives, Records of the Johannesburg City Health Department, SGJ 968, File 7, 'Malay Location', Report of Divisional Inspector A Beale to Medical Officer of Health, 12.5.1928.

2 Compare the following assessments:

> 'Particularly is the large influx of women a danger and a menace to society and the fair name of Johannesburg. They are either liquor sellers or prostitutes, or are living an illegal life with a man.' [E.O. Leake, chairman of the Johannesburg Native Affairs Committee, quoted in Union Government, Report of the Select Committee on Native Affairs (SC 6a-'29), Minutes of Evidence, p5.
>
> '[T]he morals of female servants are usually undermined within a short time of their arrival in the larger towns and they either fall into habits of prostitution ... or they become thieves and receivers of stolen property or dealers in illicit liquor.' [UW, AD 1433, Records of the Joint Council of Europeans and Natives, Correspondence File Cj 2.1.5, HG Falwasser, Acting Director of Native Labour to MOH, 12.5.1925.]

3 'The young girls, they seem to run to town only with one object, to become pregnant, and to come home and be confined.' - Chief Mamogale of Bethany in CAD, K357, Evidence before the Committee appointed to Enquire into the Pass Laws, 1920, p.23.

4 In late 1923, for example, Umteteli wa Bantu - the Johannesburg mouthpiece of the black elite - ran an essay competition on 'The Dangers of Town Life.' The winner of the #1 first prize ad-

ban black women were whores. Women in domestic service - the sector most exposed to the Johannesburg's white denizens - were singled out for particular attention:

> 'If mothers saw their nurse girls' surroundings and knew of their diseases, they would abandon their pleasures and nurse their own children rather than allowing them to run the risks they do. Your washing is done by people often rotten with venereal disease and your milk and meat may at any time be infected.'[6]

It would be unrealistic to imagine that these perceptions did not influence the strategies officials formulated to manage the presence of black women in white-designated areas. And, indeed, two examples from the mid-1920s support this argument.

Part I: The Twenties

In 1924 Bloemfontein's Town Council approached its Pretoria and Johannesburg counterparts to caucus support for an amendment to the 1923 Urban Areas Act which would permit medical examination of all African women entering an urban area for infectious or contagious diseases. Sporadic outbreaks of infections diseases like typhus, smallpox or plague were common in South Africa at the time - 133 people died of plague on the Highveld in the first three months of 1924[7] - and, given the limitations of Western medicine in the early 1920s, the need for vigilance and prophylactic action was widely accepted. Examination for contagious diseases - primarily gonorrhea and syphilis - was a more contentious issue, requiring intimate scrutiny and blood tests. Without question, there was a need for widespread VD testing and treatment;[8] however, as VD had long since transcended all colour bars, screening would have to, too, to be effective.

Appeals for compulsory medical examination of African women had a long and checkered history. In his report on urban areas, Stallard, for example, had called for health checks in part as a

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ran an essay competition on 'The Dangers of Town Life.' The winner of the #1 first prize addresssed his comments to women newly arrived in town, and exhorted them to 'keep your hands so full of work that the Devil will have to display his "situations vacant" column to someone else.' See Umteteli wa Bantu 10.1.1925.

5 'Loose, morally depraved women, who parade the Township with uncovered bosoms; clothed in dirty robes. Women whose sole aim in life is to get money at whatever costs or hazards, their chiefs traps or snares for obtaining this filthy lucre from the gullible mine boys and unwise educated people being their strong drinks and prostituted bodies.' - RRR Dhlomo, An African Tragedy (Lovedale Press, 1931) p5.

6 Lieut. Col. FA Saunders - 'an eminent physician' - quoted in The Star, 13.5.1920.

7 Rand Daily Mail, 3.4.1924

8 It was reliably estimated that more than 15% of all African patients coming for treatment at Johannesburg clinics had VD; Report of the National European-Bantu Conference 1929, (Cape Town, Lovedale) p187.

deliberate form of harassment to deter African women from going to the towns.[9] A clause in the 1923 Natives (Urban Areas) Act provided for medical examination of all Africans entering an urban area, but regulations promulgated under the Act specified men only. When Durban officials queried this wording in March 1924, inquiring eagerly whether they were empowered to examine women, the Secretary for Native Affairs replied emphatically they were not. The SNA underlined his point: 'male natives only are here referred to in view of the strong objection of natives to the medical examination of their women'. Administrative officials had already had a taste of this protest in Durban between 1917 and 1920 in response to the borough's abortive attempts to examine incoming women for VD.[10] After the Smuts government lost power, the Bloemfontein city council was quick to test the new Hertzog administration for signs of a policy change.[11] It pressed for an amendment to the Urban Areas Act's health check clause to include women,[12] and caucused support from the Johannesburg and Pretoria city councils.[13] After extended debate, and with evident regret, the Johannesburg council decide against backing Bloemfontein. It was anticipated that the measure would prompt more problems than it would solve, and secondly - Porter having contradicted his earlier arguments - examination for VD on women's arrival in town was now felt to be largely a waste of time as 'immorality' was said to take place only once women were living and settled in town.[14]

Bloemfontein's hopes were stillborn. After meeting a deputation of Bloemfontein and Pretoria councillors in December 1924, Hertzog announced his decision in early January: 'the time is not ripe for the employment of forcible methods in this connection.' He acknowledged the weight of African opposition.[15]

Two issues emerge at this point. The first relates to the seriousness with which white officials viewed black male opposition to any kind of 'tampering' with 'their women'. It highlighted the uneasy relationships between the colonised and the coloniser, encapsulated in a warning by the Bishop of Pretoria to health officials in 1919 that 'tampering with the natives' land or their

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9 Union Government, Report of the Transvaal Local Government Commission (TP1-'22), para 279.

10 See Debra J Mackenzie, 'A Social History of African women in Durbanm 1920-1950', unpublished M.Soc.Sc. dissertation, University of Natal, 1984, pp. 51-53, 107.

11 See RDM 2.9.1924.

12 CAD, MPA 3/200, File 1924-25, Town Clerk, Bloemfontein, to Town Clerk, Pretoria, 14.7.1924.

13 The Star 1.9.1924; RDM 2.9.1924.

14 The Star 1.9.1924.

15 MPA 3/200, File 1924-25, SNA to Town Clerk, Pretoria.

womenfolk will lead to serious trouble.'[16] The inference was that women were the inviolate property of men, and that the alienation of further rights of property from African men by officials of the white state was not a step to be taken lightly. What should be noted at this point are the references to 'our women' and 'their women'. A succinct illustration of this was the alleged response of a Communist Party activist to a proposal - soon dropped - by Oswald Pirow, Minister of Justice, in 1929 that the amended Urban Areas Act should provide for health checks for women: 'The government can go to hell. Let Pirow's wife be the first to be examined.'[17]

The second issue relates to contemporary white perceptions of black women. The popular characterisation was along the line that most black women in white-designated towns had succumbed to their passions and, in lapsing into immorality, contracted VD. This endangered their employers - actual or potential - and, in particular, innocent white children. Hence the call for VD examinations. The significance of this is that in calling for VD checks, white authorities explicitly acknowledged the sexuality of black women. Middle-class white women, conversely - the stratum which generally married Native Affairs officials and bureaucrats - were universally perceived and portrayed as non-sexual. As the role and behaviour of this stratum was the dominant model, black women were rendered aberrant.[18]

In this context, health checks for black women hinged on a symbolisation of women as evil - they were both immoral, in that they engaged in sex outside of marriage, and they were a contaminating presence. As one commentator put it,

> [t]he most serious problem concerning urban areas is the increased flow of ... unattached women into the towns to earn the wherewithalls of life by doubtful means, and incidentally to add to the demoralisation and pollution of industrious Bantu workers.[19]

This notion of women as pollutants was not unusual, particularly as venereal diseases were commonly believed to be something one caught from women. Ellen Hellman, for example, reported that VD was known colloquially in Johannesburg's yards in the early Thirties as 'sickness from women', and was said to be caused by 'the bad blood of a woman' which a man absorbed during sex.[20] Similarly, the Transvaal Council for Combating Venereal Diseases - a body dominated by eugenicists - launched an education campaign in 1922 with a poster showing the face of a man gro-

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16 CAD, GNLB 183, File 915/14/103, 'Pamphlets on Venereal Disease', The Bishop of Pretoria to the Secretary, Transvaal Council for Combatting Venereal Disease, 29.4.1919.

17 'Thibeli', quoted in GNLB 399, File 55/1: 'Communism in the Union', Senior Inspector, Johannesburg CID, to the Deputy Commissioner, SAP, Pretoria, 17.12.1929.

18 This in turn buttressed perceptions of white middle class women as ideals of feminine purity.

19 H Selby Msimang, in Umteteli wa Bantu, 2.4.1927.

20 Hellman, Rooiyard: a sociological survey of an urban native slum yard (OUP, Cape Town) 1948, p106.

tesquely ravaged by syphilis. 'This is a picture of the face of a man who has the dreadful disease known as syphilis', ran the caption on the English version. 'Loose women give this disease.'[21]

Ironically, though, the very characterisation of women as whores carried within it the seeds of its own negation. The term 'whore' is meaningless except in juxtaposition with notions of chastity, monogamy and pious propriety, just as 'light' is meaningless without evocation of 'dark'; one cannot posit the one without the other.[22] The meaning of the marked 'whore' is thus contingent on its opposite, the unspoken, absent, unmarked 'pious wife'. In the Twenties, both were powerful symbols; yet, powerful though these two poles were, they counter-balanced one another and effectively paralysed concrete action.

A second example illustrating the pertinence of sexuality in analyses of black women's administration is the issue of night passes. At the instigation of the Minister of Justice, Tielman Roos, night passes for African women were introduced in Johannesburg in 1925.[23] Although the broad aim of the curfew was to keep Africans indoors at night, there was an important distinction within that. Directed at black men, the curfew aimed to limit crime and trouble and encourage reasonable rest so that labourers would be fresh for work the following day.[24] For women, it aimed 'to prevent immorality'.[25] Arguably this revealed more about white men's assumptions than black women's

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21 GNLB 183, File 915/14/103, 'Transvaal Council for Combatting Venereal Disease', poster, 'A Warning to Your Friends!', c.1924.

22Roman Jakobson, theorist of this conception of binary opposition, devised his framework in the context of linguistic analysis. However, his conception of a special form of opposition, the marked/unmarked relation, is clearly pertinent beyond an explication of the functions of phonemes and morphenes:

> 'every single constituent of any linguistic system is built on an opposition of two logical contradictories: the presence of an attribute ("markedness") in contraposition to its absence ("unmarkedness").

[Elmar Holenstein, Roman Jakobson's Approach to Language: Phenomenological Structuralism, Transl by C Schelbert and T Schelbert (Bloomington, 1976), pp 121-136, and passim. Many thanks to Slo Slonimsky for this reference.

23 See Kathy Eales, 'Patriarchs, passes and privilege: Johannesburg African middle-classes and the question of night passes for African women', in Bonner, Hofmeyr, James and Lodge (eds) Holding their Ground: Class, Locality and Culture in 19th and 20th Century South Africa, pp105-140.

24 CAD, 357, Godley Commission, Evidence of the Johannesburg Chamber of Commerce; Union Government, Report of the Interdepartmental Committee on the Native Pass Laws, 1920 [UG 41-'22], o14, paras 59-62.

25 The Star, 19.1.1924; UWL, Pim Papers, A 881, D Steyn, Prime Minister's Secretary, to the Secretary, Johannesburg Joint Council, 22.1.1925.

conduct and, given the endemic characterisation of black women as prostitutes, it was not altogether surprising. But one can take this concern about black women's morality a step further and suggest it related also to unstated but implicit fears of miscegenous sex.

'Immorality' was a word much used in the mid-1920s, particularly given parliamentary debates between 1924 and 1927 around the passage of what became the 1927 Immorality Act, which outlawed sex between white men and black women.[26] Tielman Roos, initiator of the women's curfew, in fact piloted the Immorality Suppression Bill through parliament and initiated a survey of miscegenation in 1925. His information led him to conclude that 'the evil' was widespread on the Reef; he noted with distaste that 'many white men prefer intercourse with a native woman.'[27]

Popular abhorrence for miscegenation may be explained at a number of levels. The crudest held that blacks were racially, socially and morally inferior to whites and thus any white man who had sex with a black woman debased himself and risked lowering the 'respect' of the black races for the white. Other objections were rooted in eugenics, which held that the genes of the races should be kept apart and pure to develop the optimum stock. Some, like Sarah Gertrude Millin, believed that only the weak and degenerate could even contemplate miscegenous sex.[28] At the other end of the spectrum were those who saw black women as the romanticized 'noble savage' - like Foulata in Rider Haggard's King Solomon's Mines - both morally acceptably and sexually attractive. JM Coetzee comments:

> As such, she constitutes a threat to colonial society, for she may both displace the white woman as a sexual partner for the white man and produce unwanted half-caste offspring. For this reason ... it becomes imperative that the alluring black woman should always be beyond the reach of her white lover.[29]

The following complaint by a Native Commissioner to his superior officer may not have articulated the problem in quite the same way, but the issues are clearly related:

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26 The Transvaal Immorality Ordinance, 46 of 1903, prohibited sex between black men and white women, largely to curtail the clientele of white prostitutes. An Immorality Suppression Bill was introduced in parliament in 1924 'to prohibit unlawful carnal connection between white and coloured persons'. As this did not outlaw sex between white men and African women, it was referred for redrafting. See CAD, JUS 1/600/23 Part 1, 'Immoral Relations between Europeans, Natives and Asiatics', Mrs MC Burgers to the Minister of Justice, 3.9.1925.

27 Ibid, Memorandum by Tielman Roos, 16.10.1925.

28 See Cecily Lockett, 'The black woman in South African English literature', in (1988) Journal of Literary Studies 4 pp24-6; J M Coetzee, 'Blood, Taint, Flaw, Degeneration: The Novels of Sarah Gertrude Millin' in J M Coetzee, White Writing: On the Culture of Letters in South Africa, (Yale) 1988, pp136-63.

29 JM Coetzee, 'Blood, Taint, Flaw, Degeneration', p26.

> '... the indiscriminate wandering about of native women without passes in towns and villages at night is a danger to certain European males whose strength of character cannot resist the temptation thus hurled at them.'[30]

Underlying this alarm at the incidence of sex between white men and black women in a race- and class-based social hierarchy was the notion of reciprocity: 'If your men may with impunity go with ours [our women], why may not ours go with yours?'[31]

Just as in 1913 when it was suggested that the way to lower the incidence of rape of black women was a curfew to keep them inside at night,[32] so the remedy for the increasing visibility of black women in white-designated areas in the mid-1920s was to restrict their mobility at night so as to protect white men from 'temptation'. This desire by white officials to trammel the evidence of black women's sexuality reflected a broader initiative to assert control in the growing disorder of urban African administration.

Between 1924-29, Johannesburg experienced an unprecedented surge in industrial development and commercial expansion with the result that jobs for African men were relatively plentiful.[33] At the same time, acute rural distress impelled many towards the cities in the wake of drought, deteriorating conditions of labour tenancy and anti-squatting drives.[34] Consequently the late 1920s witnessed a rapid acceleration of black settlement on the Rand. Employers based wage levels on the putative needs of migrants and refused to raise them, arguing that the main result of an increase would be that 'the native would work for a shorter period than at present; and that presently the native labour available to industry in the Union would be reduced'.[35] The consequences of this policy weighed particularly harshly on African families living in town. Urban

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30K 357, Evidence before the Pass Laws Committee', Native Commissioner, Zeerust, to SNA, 6.2.1920.

31 Ibid., p8, para 17, quoted from the Natal Native Commission of 1906-1907, paragraph 60. This quote is the classic rejoinder in a colonial context to Claude Levi-Strauss' formulation of marriage as the circulation of women between social groups contingent on reciprocity; see Claude Levi-Strauss, Structural Anthropology (New York, 1967) pp58-9.

32 Union Government. Report of the Commission Appointed to Enquire into Assaults on Women [UG 39-'13, p35, para 185, read in conjunction with p27, para 133 and p28, para 139 (1).

33 The Transvaal as a whole experienced a 25% increase, from 34 908 in 1924/5 to 43 601 in 1929/30; most of this was concentrated on the Rand. See annual reports of the Department of Trade and Industry, 1924-1930.

34 Umteteli wa Bantu, 29.1.1927, 5.3.1927.

35 Union Government, Report of the Economic and Wage Commission (UG 14-'26) p38, para 58. Five years later Johannesburg's Joint Chambers of Industry and Commerce were still using this argument.

living costs were relatively high, particularly as import duties were levied on consumer durables like clothing and blankets to shelter nascent local industries.[36] At a time when conservative estimates set the cost of supporting a four-member urban African family at #6.11.8 per month - excluding medical care, education or clothing - the average wage for non-mining African urban workers was #4.2.0.[37] As one observer noted, 'they are paid as natives but they have to buy as white people.'[38]

Despite the growth in demand for men's labour, the number of jobs for women did not increase significantly in the Twenties, and certainly not in proportion to the expansion of Johannesburg's black female population. Although more employers were hiring black women as domestic servants, black men still dominated over 70% of the domestic service market in 1931.[39] Women's wages, between #1 and #3 a month, with food and lodgings, were roughly half the value of those paid to men.[40] Given the deficit between wages and need, informal and illicit activities played a crucial part in urban African subsistence. Laundry work and liquor selling were the most popular options as both, being home-based, facilitated child-care.[41] Notwithstanding the steady growth of family settlements, women supporting themselves through prostitution and liquor selling remained the most visible sector of Johannesburg's black adult female population, said to number 15 000 by 1927.[42]

The growth in black female settlement was viewed with alarm by Johannesburg's municipal officials for two reasons: first, the steady growth in the number of female 'undesirables' was said to contribute to vice and crime in the city; secondly, the growing female sector increased the municipality's liability for providing family housing:

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36 Neil MacVicar, 'Health Conditions among the South African Natives' in JD Taylor (ed), Christianity and the Natives of South Africa, (Lovedale, 1928) p20.

37 Evidence before the Native Economic Commission, Box 10, Memorandum by Archdeacon Hill, p3.

38 Neil MacVicar, 'Health Conditions ...', p22.

39 Women were said to comprise just over a quarter of Johannesburg's 26 000 domestic workers. ENEC, Graham Ballenden, p7 712.

40 UW, Karis and Carter Microfilm Collection, Reel 13B, 2:LI 1:41/2, Secretary, Industrial and Commercial Workers' Union, to the Special Committee, House of Assembly, May 1925; 'The employment of native girls trained in domestic service at native training institutions' in South African Outlook, 2.1.1932, p8.

41 See Eales, 'Patriarchs, passes and privilege', pp107-10.

42 GNLB 370, 51/27/25, 'Hospital Survey Committee', DNL to SNA, 28.2.1927; UW, AD 1715, 13.13, Annual Report of the Helping Hand Club, 1928, p2.

'The crux of the situation was really the female, who was usually in industrial areas for unlawful purposes, and it was they and not the males who were crowding out accommodation.'[43]

One consequence of the extremely low wages paid to black workers was that white ratepayers were obliged to subsidise black housing. Municipalities, consequently, were less than generous in their provision of black municipal housing. However, by the late 1920s many local authorities were beginning to acknowledge the need to improve black amenities, if only to contain disease and political ferment. A more immediate incentive was the relation between regulated housing and influx control.

The 1923 Natives Urban Areas Act did not provide for influx control; local authorities' jurisdiction under the Act was limited to regulating African's conduct once they had entered the urban area.[44] The only means by which municipalities could attempt to limit their liability for providing black housing was to limit new black settlement. Without formal influx controls, this was not possible; the only regulating measure available was proclamation under the Urban Areas Act, which would set aside a given area for the exclusive use of one racial group, and compel Africans to live in a specified compound or municipal location. Once proclaimed, access to compound or location housing would be contingent on the local authority's permission, and that permission would depend on whether accommodation was available to them. Thus, by limiting the provision of township accommodation, the theory was that local authorities could regulate new settlement. However, proclamation was not permitted until alternative accommodation had been provided for those who would be displaced. Without the means to limit new settlement, Johannesburg's municipality argued, it was unable to catch up with the backlog in housing, and would never be able to provide sufficient accommodation to meet the requirements for proclamation;[45] newly-arrived families, meanwhile, whom the council would eventually have to house, were free to settle

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43 UW, AD 1433, Ac 2.1 'Minutes of a Conference of Native Affairs Officials, Municipal Representatives and Location Superintendents, Johannesburg, 5 & 11.9.1924'.

44 Despite the Act's stated aim - 'to provide for the regulation of the ingress of natives into and their residence in proclaimed areas'. For a discussion of the limited powers contained in the Act, see the decision in the case of Shadrack Kutu v Rex (1930 TPD), when Justice Saul Solomon ruled that powers conferred in Government Notice 1546 of 1924 were ultra vires; regulations 1 and 17 were not an amplification of powers in the Act, but additional to it and therefore exceeded the authority of the law. Section 7 the 1930 Urban Areas Amendment Act closed this loophole weeks later. It provided for influx control for women, but not for men. Thus, contrary to the popular wisdom which holds that African men were subject to influx control from 1923, they were in fact exempt de jure until the 1937 Native Laws Amendment Act and de facto, on the Reef, until the late 1940s. Women, conversely, were subject in law to influx control from 1930, although this was not enforced until the mid-Fifties. See JUS 802 1/568/23, 'Regulations under the Natives (Urban Areas) Act, 1925-31'; UW, SAIRR Basement Files, AD 1715, File 5.21, 'Influx Control', memorandum on Kutu v Rex; Interview with WJP Carr, Johannesburg, 12.1.1989.

45 Union Government, Select Committee on Native Affairs, 1929 (SC 6a-'29), Evidence of Graham Ballenden, pp5-6, Cooke, 11-12, 52.

in any unproclaimed area. Without influx control, the municipality was destined to labour like Sisyphus without ever completing its housing programme. Accommodating single men was no problem, argued Johannesburg's Manager of Native Affairs, Graham Ballenden. What was needed was some check on the influx of women and families.[46] Indeed, by the end of the Twenties a vocal lobby group was calling, with increasing vehemence, for influx controls for black women.

Space does not permit an adequate discussion here of the evolution of the 1930 Amendment of the Urban Areas Act. Suffice to note that the mining and agricultural sectors were increasingly concerned about their labour supply, and were not opposed to the notion of regulating the flow of labour.[47] Both sectors supported the replacement of black male domestics with women - yet recognised that if African women were encouraged to seek domestic work in towns, inevitably many would stay there, 'increasing detribalisation'.[48] This had dire implications for the future of industries dependent on migrant or rural labour, and thus a government committee appointed to assess the Union's labour resources recommended stricter controls over the terms on which African women lived and worked in town.[49] Organised industry and commerce, conversely, had little time for any scheme that might impede their quest for the cheapest labour, and even less for notions of 'civilised labour.[50] Quite possibly they supported Kadalie's view that 'civilised labour' was a misnomer - 'they are not poor whites but lazy buggers'.[51]

Officials of the Native Affairs Commission - entrusted with formulating native policy in the best interests of all Africans - opposed blanket controls on influx into urban areas, self-consciously citing 'the modern view that legislation should not be passed to prevent the free flow of labour to centres of employment.'[52] It acknowledged that while urbanisation was a worldwide

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46 Ibid, Ballenden, p4.

47 The Star, 25.6.1928; Union Government, Report of the Inter-Departmental Committee on Labour Resources in the Union, p7 para 22; Union Government, Report of the Cost of Living Commission (UG 36-'36), p17.

48 Report of the Inter-Departmental Committee on Labour Resources in the Union, 1930, p15, para 89.

49 Ibid, p16, para 91.

50 Bill Freund, 'The social character of secondary industry in South Africa, 1915-1945', p14.

51 JUS 268, 3.1064/18 Part 3, SP Bunting, 'Statistics of South African Labour: A report to the R.I.L.U.', p6.

52 NTS 179, 1/1929/F438, 'Report of the Native Commission on the Amendment to the Natives (Urban Areas) Act, 1923', Metford, Secretary of the NAC, to the Minister of Native Affairs, 23.11.1929.

phenomenon, the situation in the Union was slightly different as black urban wage levels obliged local authorities there to house locally-employed urban Africans. For this reason it accepted that some kind of check was legitimate to limit municipalities' housing responsibilities. Noting that as soon as single men 'linked up' with women, families were created who then had to be housed as a unit, it recommended that municipalities should only be compelled to house the families of Africans employed in the urban area, and that women authorised to live in urban areas should be registered.[53]

The Commission's support for a form of passes for women was unprecedented, and highlighted the seriousness with which the settlement of women in urban areas was viewed. At the same time, though, its recommendation was phrased in extremely defensive, apologetic tones, alongside an acknowledgement that the measure would be opposed strongly by Africans, given their belief in 'the sanctity of their woman-kind'.[54] Accordingly, the commissioners made a concession: no African woman would be compelled to carry the document, and any European official who doubted her credentials could take her name and address and make the necessary enquiries himself.[55] With this concession, the potential effectiveness of the proposal in a densely-settled, largely unproclaimed urban area - such as Johannesburg - was instantly negated.

The amending Bill had a rough passage through parliament, with both Labourite and Nationalist members accusing Hertzog of abandoning the principle of the 1923 Act and permitting 'unregulated swamping' by blacks in white-designated areas. Hertzog responded by quoting the British historian, Thorald Rodger, at them: 'the rush to the towns ... cannot be stopped.'[56] He opposed influx control, and argued that the remedy lay in improving African agriculture.[57] The fact was that in the late Twenties, when the amending Bill was drafted, SA's secondary industrialisation, particularly on the Rand, was taking off. Its growth was contingent on a plentiful supply of cheap labour, and the 'surplus' of black labour alleged by many farmers to be lounging on the Rand was grossly exaggerated. Politics and rhetoric notwithstanding, it seems reasonably clear that Hertzog had little desire to deprive this nascent industry of its lifeblood. As Cooke, Director of Native Labour in Johannesburg, argued late in 1930, it was 'a dangerous thing' to check the stream of labour to the towns, 'as the labour stream, when once stopped or defected, takes a long time to get back to normal.'[58] For this reason, the government chose to address symptoms of disorder with more specific prophylactics. In response to the rise in national urban militancy in the mid- and

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53 Ibid., para 21.

54 Ibid., para 27.

55 Ibid., para 28.

56 House of Assembly Debates, 30.1.1930, col 221.

57 Ibid.

58 GNLB 403, 56/11 Pt 2, Cooke to D Penry Roberts, 18.12.1930.

late Twenties, Pirow, for example, included an anti-sedition clause in the 1927 Natives Administration Act, while an amendment to the Riotous Assemblies Act sanctioned the deportation of 'agitators'.[59] It is in this context of determinate action that the 1930 Amendment's clauses relating to women must be seen.

Section 12(a) of the 1923 Urban Areas Act, as amended in 1930, now required women entering an urban area to provide documentary proof, issued by the urban local authority, that accommodation was available for them there, and to produce that document on demand to an authorised officer. No certificate would be issued to a legal minor without the consent of her guardian, nor to any woman going to join her husband or father unless she could prove he had worked in the area continuously for at least two years. In this way, the amendment aimed to curtail the settlement of women and families in white-designated areas in order to limit the growth of the permanent urban African population.[60]

Ironically - given their clamour for wider powers over women - Reef municipalities did not implement the new influx controls for women, nor for a further 27 years. In part, the reason for this was technical, stemming from the loose wording of the 1930 Act. The first formal draft was rejected as ultra vires for making no exception for exempted women; then there was a dispute over the precise identity of 'the urban local authority' cited in the Act. And how was a woman to satisfy this body that her husband or guardian had been employed in the city for two or more years? How were police and other officials to distinguish between new arrivals and other women who might have arrived before the promulgation of the Act?[61] Given these and other difficulties, several Reef municipalities - Johannesburg, Randfontein, Brakpan and Benoni - rejected the proposed regulations as 'absurd' and 'impracticable'.[62]

In part, this empirical explanation explains why the influx controls were not utilised; the wording of the 1930 Amendment had been carelessly drafted and no watertight regulation proved possible. This raises larger questions. Was it not possible to amend the 1930 Amendment when these flaws were discovered? Was the government not serious about checking the influx of women in 1930? It it was not, why did it go through the motions of promulgating unworkable legislation? And how

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59 Edward Roux, Time Longer than Rope, pp159, 228.

60 Note that this establishes conclusively that legislation providing for influx control for women existed before similar legislation for men. The reason for this was that the existing pass laws were believed to provide sufficient control over the activities of men in urban areas. No similar system of documentation existed for women, and thus a prior constraint was felt necessary.

61 GNLB 404, 56/35B, 'Proposed Amendments to Regulations Published under GN 1546/24', SNA to DNL, 18.9.1931, DNL to SNA 12.12.1932; JUS 802, 1/568/23, SNA to Secretary for Justice, 4.6.1931.

62 GNLB 404, 56/35A, Town Clerk, Johannesburg, to CNC, 13.10.1931, Town Clerk, Brakpan, to CNC, 20.10.1931, Town Clerk, Randfontein, 27.1.1932, DNL to SNA, 30.11.1932.

did Hertzog envisage his segregation policy panning out if there was no check on the settlement of families in white-designated areas?

One route out of this morass is to return to the basic premises of this paper. Much as the government and its officials might have wanted a more efficient urban order, with fewer African families and fewer 'unattached' women, it was not yet prepared to follow through on the logic of its policies. As Will Carr, first superintendent of Orlando, commented, when asked about the absence of influx controls of women in this period -

> There was a desire to do it, and a realisation of the need for it, but to do it - that was a different matter.[63]

This paper argues that that 'different matter' related to white officials' ambivalent perception of black women. They might have been 'natives', possibly undesirable and immoral, but they were also women. That last factor held them inviolate from the workings of the pass laws, and without formal documentation, influx controls were not viable.

Part II: The Thirties

The single most dramatic fact of native administration on the Rand in the 1930s was the surge in the size of the black population. Between 1932 and 1936, Johannesburg's black population soared from an estimated 150 000 to nearly 250 000.[64] Contrary to white opinion, Africans were moving to white towns not through perversity, but because of an often-complex erosion of their ability to subsist in rural areas. The scale and nature of calamity varied across region and between individuals, but the basic themes were often the same: drought - stretching in some areas from 1927 to 1934 - plagues of locusts and crop diseases, and deteriorating conditions of service for farm labourers. However bleak the chance of formal urban employment, the towns at least promised relief through activation of kin networks and less innocent variants of resource redistribution. A feature noted by several observers was the growing tendency of male work-seekers to arrive in town with their families - rather than making preliminary forays to seek work and find accommodation.[65] Indeed, it was the scale of family settlement that distinguished the Thirties from any preceding decade. In mid-1935 Ballenden estimated 89 000 African people were living under conditions of family life in Johannesburg. Of this number, he estimated 46 000 were under 21; the majority, he concluded grimly, would marry and bear children in the city.[66]

Despite widespread retrenchment and shutdowns in local enterprises, overall the Depression had little impact in lessening the number of new families coming to Johannesburg.[67] At the Depres-

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63 Interview with WJP Carr, Johannesburg, 12.1.1989.

64 The Star 27.7.1936

65 ENEC, Box 10, Statement by Graham Ballenden, p2.

66 ibid, p149.

67 Ibid.; Minute of the Mayor, 'Annual Report of the Native Affairs Department' (hereafter 'Annual Report') 1933, p126.

sion's nadir a record 11 000 men a week were applying for work-seeking passes.[68] Occupancy statistics in municipal hostels and compounds showed an unprecendented 469-man drop by mid-1932, chiefly among laid-off and jobless migrants who returned to other homes.[69] There was no comparable decline in family settlement. For the first time, Ballenden noted, Africans from Natal were bringing their families to the Reef on a large scale, whereas before settled families had belonged primarily to the seSotho and siXhosa language groups.[70]

The Johannesburg municipality was ill-equipped to deal with the scale of the influx. Its powers and resources were limited, and it was obliged to resort to ineffective ad-hoc measures to contain the consequences of demographic pressure. In crude outline, it resorted to three expedients: an appeal for a policy of local labour preference, deportation of 'undesirables', and a determined attempt to clear its housing backlog so as to peg the scale of black urban settlement. None achieved any measurable degree of success, and by the mid-1930s, despite nearly a decade of formal slum clearance programmes, crowded shanty settlements in and around the city still housed the majority of Johannesburg's poor; what had shifted dramatically was their scale. Most of these dwellings, declared a shocked city councillor in 1935, had degenerated into 'horrible holes of death, horrible holes of incubation and plague.'[71] Nor could the council wash its hand of this 'squalor and filth and sordidness'.[72] A municipal enquiry in mid-1934 revealed a mire of corruption and a policy of willful neglect. Aside form a network of bribery by landlords extending into the Native Affairs Council itself, Public Health Department officials acknowledged their reluctance to compel landlords to provide adequate sanitation and water, lest conditions improve sufficiently to thwart subsequent attempts to declare the property a slum and proceed with demolition.[73]

Black women, as the least welcome and allegedly most expendable sector of newcomers to the city, were the focus of considerable antipathy from local authorities. Quite apart from the pressure they added to demands for housing and amenities, they were held responsible for a disproportionate amount of vice, crime and 'immorality' in the city. 'Undesirable' women were made answerable for the growing number of migrant workers who severed their ties with the rural areas

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68 JM Young, The Question of Residence of Natives in Urban Areas and Certain Proposed Amendments of the Natives Urban Areas Act No 21 of 1923 (hereafter the Young Report), 1935, p14.

69 Minute of the Mayour, 'Annual Report', 1932, p109.

70ENEC Ballenden p8 309.

71 Quoted by Major FJ Roberts in House of Assembly Debates, 3.5.1935, col 6385.

72 GNLB 405 59/93, Native Commissioner, Johannesburg, to Chief Native Commissioner, Witwatersrand, 8.11.1935.

73 Johannesburg Municipality, Commission of Enquiry into the City of Johannesburg Public Health and Native Affairs Committees (Murray-Thornton Commission) 1935, p17.

and settled in the cities; they were blamed for urban vice and violence through their active propagation of illicit liquor; and their settlement in towns was held up as the major index of black permanent urban settlement, in contempt of Stallard's policies. Men, as temporary workers, regulated through pass controls, were welcome in the cities; women, subject to few administrative controls, were not. For these and other reasons, provision for stricter regulation of black women in the Bill to amend further the 1923 Urban Areas Act came as no surprise in the mid-1930s. More surprising, perhaps, was the ambivalence with which these measures were received.

Approaches to 'the native question'

Two dominant models informed approaches to native policy in urban areas in the 1930s. Both supported the limitation of black urban settlement; at issue was the best means to achieve this, and what degree of permanent settlement to permit.

The key reference point for all issues of 'native policy' in the Thirties was the massive Report of the Native Economic Commission, released in 1932. Organising the report around the question of how best to lead 'the native population' *'onward step by step in an orderly march to civilisation'*,[74] its chairman, John E Holloway, mapped out a new way forward; adopting the watchword of the chief government ethnologist, GP Lestrade, Holloway lauded 'adaption' - whereby the state would forge a new 'Bantu future' for the 'native races' through 'joining what was good, or merely neutral, in the Bantu past with what was good in European culture.'[75]

Shying away from the crudities of Stallardism, the report blamed the 'grave ills of urban housing, administration and native morality' on casual 'rural' labourers working in the towns. These labourers, who retained a base in rural areas, undercut 'urbanised' workers who were entirely dependent on their wages for their living. Holloway's remedy was to call for the rehabilitation of the rural areas; were rural subsistence to be made more viable through further grants of land and improved agriculture, fewer Africans would look to the cities for survival. As the urban labour reserve declined, wages would rise and a more stable, skilled - and less volatile - black urban workforce would emerge, better able to defend itself from the competition of migrants; in turn, this would deter most casual workers from even seeking work in town. Accordingly, state policy, he argued, should aim to give 'more permanence, more stability to the various classes of labour', and reduce its casual nature.[76]

Opposing this model of market forces and rural rehabilitation regulating influx were the Stallardists, who called for formal controls to keep urban black settlement in check. Its most vocal proponent in the 1930s was George Heaton Nicholls - SAP MP for Zululand, and the dominant

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74 Report of the Native Economic Commission (hereafter NEC Report) p3 para 14.

75 Ibid, p31 para 200.

76 NEC Report, p80 para 557. In itself, this idea was not new - see The Report of the Economic and Wages Commission, 1925 UG 14-'26, paras 127-32, and the Report of the Interdepartmental Committee on Labour Resources in the Union, 1930, An 89-'31, paras 64-70.

member of the Native Affairs Commission in the Thirties - who mobilised eugenic principles to embellish Stallard's hoary maxim. While urbanised 'so-called detribalised' Africans were indeed living permanently in 'European towns', Nicholls maintained stoutly that 'the soul is the soul of the native; the clothing is that of the white man'.[77] For their own good, Africans should be deterred from settling in European areas, and provision of amenities there should be kept to a minimum lest they attract yet further settlement. The key, then, was to institute active measures - influx controls - to regulate the size of the black urban population until such time as the reserves were sufficiently developed to hold and sustain their inhabitants.[78] Without this, he predicted genetic and political disaster.[79] Indeed, he argued, influx control was more vital to the future of South Africa than issues of land or political representation. 'The towns', he told parliament in 1937, 'constitute the front trenches of our position in South Africa. It is in the towns that siege is being made against our civilised standards.'[80]

The final form of the amending Bill was primarily the creation of Heaton Nicholls and Charles Stallard, and was propelled rapidly through a parliament already exhausted by a lengthy session. It was presented primarily as a welfare measure that would ease the lot of 'the native', and as 'the greatest New Deal which has ever fallen to the lot of any nation.'[81] As the Minister of Native Affairs, PGW Grobler, explained,

> 'this drift to the towns has not only thrown the labour market into a state of chaos, but it is one of the things that is undermining the morality and family life of the natives.'[82]

Enacted as the 1937 Native Laws Amendment Act, it promised to eject the urban surplus holding down wages, secure the livelihood of those already there, and protect rural innocents who were not, after all, suited to urban life anyway. To curb the manifest ills of the illicit liquor trade, municipalities were now obliged to choose between limited but legal domestic brewing - which, most recognised, would be virtually impossible to monitor - and municipal beer canteens. Tipping the scales in favour of municipal beer was the fact that all proceeds from the sale of municipal liq-

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77 G Heaton Nicholls, The Problem of the Native in South Africa, Johannesburg 1935, p5.

78 See The Report of the Native Affairs Commission, 1936, UG 48-'37, pp5-14, for a more generalised exposition of Nicholls' views. This report is noteworthy primarily for the gloss of coherence it paints over many years of confused and contradictory policy.

79 See G Heaton Nicholls, The Native Bills: Being an Address before the Bantu Studies Group of the University of the Witwatersrand, September 1935, Durban, 1935, pp4-9.

80 House of Assembly Debates, 4 May 1937, col 6 100.

81 Heaton Nicholls, The Native Bills, p21.

82 House of Assembly Debates, 5.4.1937, col 4 219; 'Lack of control in urban areas has led to the ruin of natives morally', declared another member, WH Rood - House of Assembly Debates, 4.5.1937, col 6 074.

uor would be paid into a Native Revenue Account, administered by the local authority and used to subsidise urban welfare projects.[83]

The means to this new order lay in influx controls. Any local authority would be permitted to institute a ban on further settlement through an elaborate regime of passes and permits - should local conditions warrant this. Provision was made to control the ingress of both men and women into an urban area;[84] all men entering the proclaimed area had to register within a prescribed time, obtain a document certifying that they had been granted permission to be there, and present this document on demand. If, on the basis of figures revealed by a new bi-ennial census, the local authority could claim a surplus of labour, permission to enter could be refused and a document issued to that effect. Similar measures existed for women, who could now be required to produce their enabling certificate on demand. Accommodation permitting, however, a woman would not be refused entry provided she could prove her husband, or if unmarried, her father, had lived and worked in the area for at least two years.[85]

In summary, the 1937 Act recognised the permanence of a limited sector of the urban working class,[86] made provision for its stabilisation through limiting the size of the labour reserve and encouraging a local labour preference, and instituted a scheme - paid for by urban blacks - to subsidise the costs of its reproduction. The majority of urban workers it defined as temporary and subjected to a harsh regime of pass controls and permits. For the first time, the local authority was not obliged to provide adequate or sufficient accommodation for the existing population before barring further settlement.

Yet the influx control provisions of the Act were not implemented on the Rand for some time,[87] despite its reputation as the centre most in need of them. Several factors account for this. Draft regulations were drawn up in terms of the Act, but were never finalised to the satisfaction of key

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83 In a cynical abuse of the notion of welfare, housing was targeted as the priority here.

84 In terms of a clause in the 1930 Urban Areas Amendment Act, proclaimed urban areas which had met their black housing commitments could apply for a temporary ban on new settlement; by 1935, only 12 municipalities had been permitted to exploit this provision. Of these, the two largest were Bloemfontein and Kroonstad, both distinguished by 'excessive influx' but negligible industrial growth. The 1930 amendment aimed no higher than orderly housing; the 1937 amendment sought control over the settlement and mobility of the urban labour force as a whole. - See Young Report, p23.

85 In principle, this was a significant step towards limiting family settlement.

86 In effect, it affirmed a policy of local labour preference.

87 Influx controls over the entry of men into Johannesburg were implemented only in November 1948, and then in terms of an amended version of the 1937 Act. WJP Carr, 'South Western Townships - Soweto: Its Creation and Development', unpublished manuscript, 1988, pB7.

officials.[88] Parallel to this was the outbreak of the Second World War and Smuts' tactical retreat on the subject of passes for Africans in the interests of domestic stability. Even before the war, however, industrial development absorbed most 'surplus' male labour. There was thus no urgent imperative to control the influx of black men in urban areas. The same could not be said of black women; family settlement continued to accelerate, as did urban settlement by single, displaced or marginalised women who did not necessarily engage in formal wage labour.

Despite the overt 'surplus' of black women, no pass checks, pass laws, permits or certificates of permission were sanctioned for women under powers provided by the 1937 Act. The Governor General replied to the persistent requests from local authorities to implement the provisions of the Act by saying that he was not prepared to 'discriminate between the sexes' by introducing influx control for women only.[89] This echoed the qualms of other high-ranking officials, including Fred Rodseth, Inspector of Urban Locations:

> '...this would be embarking on a new and distasteful policy as far as Natives are concerned and one which it is assumed the government will not introduce at this stage.'[90]

Commenting on the major influx of women to the Rand in the mid- to late-Thirties, the Chief Native Commissioner of the Witwatersrand underlined the need for pass controls for women; yet he qualified this:

> While their presence may and does act, in some measure, as a safety valve, there can be no question that the uncontrolled prostitution, coupled with the traffic in liquor, constitute a grave social problem and are the direct consequences of considerable lawlessness. [Yet it] ... would require close study and delicate handling to avoid unpleasant repercussions, as Natives of all grades of society and shades of opinion would bitterly resent the application of the pass laws to their women.'[91]

The same themes of unease at the further infringement of black men's rights over black women by white men, and official squeamishness at the idea of subjecting black women to an unpleasant sanction, explored above, operated here. But a new dynamic, specific to the 1930s, was overtaking their pertinence.

Black Women and the Symbolism of the Family

The reluctance of the state's leading Native Affairs officials and municipal officials to compel African women to carry passes was rooted, at least in part, in the growing power of the symbolism of

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88 JUS 802 1/568/23 part 3, 'Draft Registration Regulations', SNA to Secretary for Justice, 21.9.1939.

89 Quoted by Andre Procter in 'Class Strugge', in Bozzoli (ed) Labour, Townships and Protest, p70.

90NTS 4151 11/313, Untitled memorandum to the committee version of the amending Natives Urban Areas Bill, August 1936.

91NTS 7725 File 166/33, Chief Native Commissioner to the Director of Native Labour, Witwatersrand, 27.6.1939.

'the family'.[92]

Various writers have pointed out that in times of social stress and change, 'the family' attains heightened significance, representing an obvious model of traditional, ordered society with its patterns of established authority and dependence.[93] In South Africa, the Thirties witnessed one of the greatest periods of flux and change in the history of white settlement. At one level, it was a period of severe economic depression, accompanied by accelerated urbanisation and then rapid industrial growth; at another, it was profoundly affected by the Report of the Carnegie Commission of Investigation on the Poor White Question and its disturbing conclusion that 'the problem of the poor whites' was 'the acute manifestation of influences and conditions generally prevalent in our social structure'.[94] In this context, the repeated stress of secular and religious authorities on the rehabilitative value of sound family life, and particularly on the 'uplifting power' of women, is not without precedent. The Carnegie Report, for example, was particularly insistent on the valuable contribution women could make to the uplift of their families and nation:

> The welfare and progress of poor families is influenced by the activities of the women to a degree that is not always realized. Our measures of social welfare ought therefore to be designed far more with reference to the women and their power of raising the social level of the family. A system of adult education ought to devote earnest attention to the mothers and daughters of indigent families. They should be trained not only in matters of health and nursing and the care of infants, but also in the economics of housekeeping and the upbringing of children.'[95]

'Home-training', argued the report, was of the utmost importance to the individual and to the state. In the formulation of the Carnegie report, the health of the family was an issue of national interest and concern. It was a responsibility assigned to women.

At one level, this faith in the family was metaphorical. A broad range of interest groups viewed the family as a representative microcosm of society and, indeed, its nucleus. Miriam Janisch, prominently involved in welfare work amongst Africans in Johannesburg, put it this way:

> Psychologically no less than biologically the family is the vital nucleus of society. Hence a people which has surrendered courage, perseverance and fidelity in their most intimate relations is little likely to bring those indispensable virtues to the aid of any wider community. Citizenship literally begins at home.[96]

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92 References to 'the family' are not intended to imply in any way that the institution is either universal or uniform.

93 Jeffrey Weeks, Sex, Politics and Society: The Regulation of Sexuality since 1800 (London, 1981), p58; Thorne and Yalom (eds) Rethinking the Family: Some Feminist Questions contains a number of useful essays on the subject.

94 Report of the Carnegie Commission (Stellenbosch, 1932), Vol Vpvi.

95Ibid, pxv.

96 Janisch, preface to **Should Bantu Marriages be Registered**, Johannesburg, 1942.

Reform of family structures into units resembling the hegemonic white middle-class norm was obviously in the interests of the ruling classes, both in terms of transmitting and reproducing values deemed valuable to the reproduction of the status quo.[97] This had as much a political as a functional significance. In South Africa, in the decade after the Rand Revolt, assertion of ruling class hegemony was a significant imperative.

The racial politics of the Union at the time, however, infused local notions of the family with a number of subthemes which were pivotal in the prevailing rhetoric of native administration. The first was a sense of 'moral panic', focused on the perceived rapid deterioration of urban black family stability and sexual mores. Here 'the family' highlighted both the problem and the arena of reform. The second, a theme articulated most clearly by the Native Economic Commission, assigned the family a new significance in both rural and urban native administration. Traditional lines of obedience, authority and submission within the black family should be consolidated and entrenched in rural areas, argued Holloway, in order to halt further 'detribalisation' and its concomitant, urban settlement; in urban areas, familial stability was imperative if the urban black working mass itself was to be stabilized. The third was a direct legacy of the Carnegie Commission, which defined the 'healthy' family as that which did not burden the state. In this regard, the state responded to the rising prevalence of infant mortality, malnourishment, juvenile delinquency and destitution with interventions through new social welfare machinery which aimed to teach the poor how to fend for themselves. Each of these three areas will now be examined in more detail.

i) Moral Panic

In his seminal study of changing family forms and norms in Britain, Jeffrey Weeks draws on Stan Cohen's notion of 'moral panic':

> Societies appear to be subject, every now and then, to periods of moral panic. A condition, an episode, person or group of persons emerges to be defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media; the moral barricades are manned by editors, bishops and politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved are evolved, or (more often) resorted to; the condition then disappears, then submerges or deteriorates ... Sometimes the panic is passed over and forgotten, but at other times it has more serious and long term repercussions and it might produces changes in legal and social policy or even in the way in which societies perceive themselves.'[98]

Weeks develops the notion by arguing further:

> The moral panic crystallises widespread fears and anxieties, and often deals with them not by seeking the real causes of the problems and conditions which they demonstrate, but by displacing them on to 'Folk Devils' in an identified social group - often the 'immoral' or 'degenerate'. Sexuality has a peculiar centrality in such panics ...'[99]

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97 See for example, Louis Athusser's 'Ideology and ideological state apparatuses' in Lenin and Philosophy and Other Essays, London 1971.

98 From Folk Devils and Moral Panics (1972), quoted in Weeks, Sex, Politics and Society, p14.

99 Weeks, Sex, Politics and Society, p27.

In the Thirties, and particularly in Johannesburg, the growth of the urban African working class triggered an unmistakable bout of moral panic; the panic itself focussed on the 'she-devils'[100] - black women living outside conventional family forms and supporting themselves through the sale of liquor and casual sex - yet included in its ambit the wider population of Johannesburg's sprawling slums.

The number of treatises, expert commissions and special reports on urban black settlement and the breakdown in accepted norms of family life in the Thirties attests to widespread concern over the social evils spawned by industrial development in the country. A number of factors account for this concern: the coming-of-age of the first generation of black settlement in Johannesburg; the emergence of a grouping of individuals concerned for 'native welfare' who cohered around the secular Joint Council Movement and church-based philanthropic movements; the lessons of the Carnegie Report and the Great Depression - and particularly its documentation of racial mixing in the lower strata of white society; and, most significantly perhaps, a sense across a broad spectrum of opinion that the country had taken a wrong turning in becoming dependent on cheap black labour to power its economy. Concern over mounting evidence of impoverishment, illegitimacy, 'vice', juvenile crime and the breakdown of respect for established law and order were summed up most succinctly in the comment of Ray Phillips, an American missionary active amongst Johannesburg's urban poor, that 'the heart of the native question is the heart of the native'.[101]

One striking illustration of this new interest in the moral welfare of 'the native' is the extent of white public alarm over the trade in illicit liquor. A 1935 report on the issue by a high-profile independent commission of inquiry - whose representatives included the South African Temperance Alliance, church officials, a police colonel and members of the Johannesburg Joint Council - drew particular attention to the allegedly close link between liquor and licentiousness. 'Prostitution and drinking go hand in hand', it argued. 'The Native customer, after drinking his fill, will make advances to the women around him; nor will he fail to find a woman around him who will, for 2/6, accede to his request.'[102] Moreover, the liquor trade was said to be the cause of 'many young girls going wrong morally.'[103] Alongside casual sex were other vices: rioting, fighting, crime, gambling and juvenile delinquency; all had consequences for efficiency, absenteeism and the spread of venereal disease.[104]

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100 A phrase used in a contemporary newspaper report to describe 'undesirable' black women in Johannesburg.

101 Ray Phillips, The Bantu are Coming: Phases of South Africa's Race Problem, London 1930, p85. Emphasis in original.

102 **The Illicit Liquor Problem on the Witwatersrand** Report of the unofficial commission appointed by the SATA and the SAIRR, May 1935, p 17.

103 Ibid, p18.

104 ibid, pp18-20.

Also symptomatic of prevailing public sentiment was the emergence around this time of a new literary genre, characterized by the moral decay of the protagonist after exposure to the vices of the city; William Plomer's Ula Masondo[105] and R R R Dhlomo's An African Tragedy[106] are probably the best known of these 'Jim-comes-to-Joburg' stories. Again and again, the novellas pointed to ruin through drink, depravity and disease. All shared a common denominator: the black temptress who woos rural innocents from the path of righteousness and light.

As far as white observers were concerned, the rising incidence of venereal disease and illegitimate births suggested only one thing: a severe breakdown in the morality of 'the native races'. Detailed investigation by urban research workers suggested that roughly 60% of all black children born on the Rand in 1934-35 were born outside the bounds of formal wedlock, a phenomenon that varied little over distinctions of class.[107] Eileen Krige, a social scientist doing fieldwork in Pretoria's townships, noted that unmarried Church members who fell pregnant had to go through six months of purification classes before their children would be accepted into the church; so common was the phenomenon by the mid-1930s that these classes had become 'almost a functional constituent of, or a necessary prerequisite to, the baptism of the child.'[108] Furthermore, 'practically every girl has one or more children before marriage, a state of affairs that is found even in the best homes, including those of pastors and school teachers.'[109] Inevitably, these figures were linked to the 90% increase in conviction statistics for 'native crime' between 1930 and 1940, a figure which translated into more than 700 convictions per day.[110] While the majority were technical offences, juvenile offenders constituted an increasing - and 'alarming' - proportion;[111] Ray Phillips blamed 'the lack of wholesome home life', and quoted the Johannesburg's Native Affairs Department's annual report: 'the tendency has been observed in recent years for the family of a juvenile delinquent to consist of a mother and children.'[112]

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105 First published in 1926.

106 First published in 1931.

107 Eileen Krige, 'Changing Conditions in marital conditions and parental duties among urbanised natives', in Africa, January 1936, pp1-23, p4.

108 Ibid, p6. One contributing factor was the fact that the average age of marriage was rising, largely as a consequence of poverty and an inability to afford the wedding celebration. - See DW Shropshire, Primitive Marriage and European Law, p22.

109 Krige, 'Changing conditions', p4.

110 Cited in Ray Phillips, The Rising Tide of Native Crime: an Address to the Rotary Club of Johannesburg, 7.5.1940, Johannesburg, 1940.

111 Minute of the Mayor, 'Annual Report', 1939, pp249-50.

112 Ray Phillips, The Rising Tide of Native Crime p ; UW, SAIRR Basement Papers, AD 1715, Johannesburg Joint Council memorandum on 'Native Juvenile Destitution and Delinquency', 1936.

Sexual and family decorum were considered a vital part of social stability.[113] All seemed in jeopardy.

ii) The family in service of native administration

In his massive Report of the Native Economic Commission, Holloway spelled out a new credo of administration. The key premise was 'adaptation' - the process of 'taking out of the Bantu past what is good, and even what is merely neutral, and together with what is good of European culture for the Abantu, building up a Bantu future.'[114] Effectively Holloway called for the selective retention of aspects of African traditions and authority structures deemed expedient for the preservation of good order and efficient administration by whites. As he put it, this required intervention to 'make the dead hand of tribalism relax its grip to convert tribalism into a progressive force; to set the Native mass in motion on the upward path of civilisation.' This would be achieved through 'utilising existing institutions as the stock on which to graft the scion of progress.'[115] In this scheme, he singled out chiefs for special attention, given their potential strategic value in the government's dealings with Africans.[116] More pertinent here, though, is his concern for 'adapting' African family mores.

On the basis of extensive information about the jurisprudence of African law and society solicited by the Commission in its inquiry, Holloway concluded that 'the laws governing tribal life are mostly the laws governing family life.'[117] Thus, he argued, lobola and its sanctions lay at the heart of the social integrity of 'the Bantu people':[118]

> The whole social structure of the Abantu rests largely on lobola, since it is an integral part of their life; the social life of families is concentrated around lobola. Through it, inter-tribal relations are established by the marriage of Chiefs and of their sons and daughters with person of the blood from other tribes. In the same community it establishes an even closer bond, between various family groups. The tribe is a 'large family' consisting of an organised community of families.'[119]

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113 A point made by Weeks, Sex, Politics and Society p.28.

114 NEC Report p31 para 200.

115 Ibid, pp12-3, para 82, p31 para 204.

116 Ibid, p33 para 215.

117 Ibid, p103, para 704.

118 Ibid, pp102-5, paras 704-19.

119 Ibid p102 para 704.

Consequently lobola should be encouraged, welcomed and in fact registered wherever possible.[120]

Holloway's advocacy of lobola illuminated the twin thrusts of his report. He called for reform of the political economy, through vigorous attention to the development and rehabilitation of the rural areas and reserves; here lobola was the cement which gave discrete communities their coherence and protected them against detribalisation. Alongside this he called for reform of the moral economy. Lobola had 'a far-reaching wholesome effect on the morality and character of the society, the tribe, family and of invidivuals'.[121] To prove his point he cited the fate of 'detribalised Natives' who no longer honoured the custom: denationalization, spiritual decline, disintegration of family ties, 'neglect of what is right and becoming in their society', and 'a forsaking of tribal moral law, leading to moral straying and collapse'.[122] The weakening sanction of lobola contributed to a widespread decline in parental authority, which was alleged to explain the flight of young people to the towns and its consequences - 'detribalization and a great deal of immorality.'[123]

The rationale beneath this drive for a new moral economy had several elements. First, one should not lose sight of the sense of responsibility many officials of the state shared for the fate of the 'childlike races' - in itself a manifestation of the pervasiveness of the idiom of the family. However patronising, arrogant or paternalistic their presumptions may have been, the earnestness with which many state officials and ideologues shouldered the white man's burden requires formal acknowledgement. A second feature related to pure expedience: diminished 'detribalisation' would retard large-scale urban settlement, safeguard the return of migrant workers to their rural kin, and provide for the care of the aged and infirm.[124] A third reason weighed in somewhere between these two extremes: stable communities, respectful of law and authority, facilitated orderly administration. At issue, as Holloway pointed out so clearly, was whose law and which authority.

According to the NEC Report, the key to a healthy future for all in South Africa lay in the rehabilitation of the African family. The degeneration of morals and authority structures would be checked, as would the breakdown in customs that bound together the remnants of traditional rule. At the same time, Holloway made no attempt to mask his conviction that Europeans were the only grouping with a claim to civilization on the sub-continent. Not surprisingly, then, those element of

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120 In this he went beyond the parameters of the 1927 Native Administration Act, which called for customary marriage to be recognised only for the purposes of succession and inheritance; registration was simply not at issue.

121 NEC Report. p103 para 707.

122 Ibid, p105 para 717.

123 Ibid, p7p para 41.

124 Ibid, pp142-143, paras 988-90.

indigenous culture which found favour with the commissioners were those most easily assimilated into the world view of men whose beliefs were moulded in the shadow of Queen Victoria. Holloway's depiction of the benefits of lobola, for example, revealed more about his own assumptions than the realities of the custom he described: lobola 'upholds the worthiness of the woman in society',[125] '...guaranteeing wifely conduct',[126] 'holds high the rights and authority and dignity of the head of the family'[127] 'rears a wall against divorce' and 'proscribes licentiousness'.[128] All were values that typified the idealised white middle-class family, headed by the stern but benevolent pater familias and kindly, submissive wife.[129] It entrenched an authority structure founded on the Victorian model of God, King and husband in a world where all knew their place in a divinely-sanctioned hierarchy.[130]

iii) The Burden of the Poor

Addressing parliament in mid-1935, Boksburg North's MP, Colin Bain-Marais,[131] put his finger on the nub of the perceived problem of growing black impoverishment and apparent demoralisation: 'The native population is in grave danger of degenerating into a useless community and will then become a burden on the European section.'[132] A decade earlier William Ballinger had noted that more chilling yet than the sight of poor whites drifting destitute towards the towns was the spectre of poor blacks.[133] The poor whites had turned to the state for aid; could the state cope with the scale of imminent black need?

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125 Ibid, p103 para 704.

126 Ibid, p103 para 705.

127 Ibid, p103 para 706.

128 Ibid, p103 para 708.

129 The real give-away was the report's assertion that the payment of lobola determined the legitimacy or otherwise of children. 'Legitimacy' was a matter of legal pertinence only where rights in private property were at issue. In a labour intensive economy based on communal access to resources, on the other hand, children were a valuable asset. The notion of illegitimacy, per se, was virtually unknown; if a man's children were not claimed by him, they remained an asset to the maternal grandfather's household.

130 See Jane Lewis Women in England 1870-1950: Sexual Divisions and SocialChange (Sussex 1984) Ch 3, pp75-144.

131 He described himself as 'Independent' until 1939, and then joined the UP.

132 House of Assembly Debates 10 April 1935, col 4719.

133 Saul Dubow, 'Race, civilisation and culturre: the elaboration of segregationist discourse in the inter-war years' in Marks and Trapido, The Politics of race, class and nationalism, pp71-94, p75.

The Carnegie report on 'the poor white problem' outlined very clearly its view of an appropriate state response: emphasis on material assistance was inappropriate, and such charity merely demoralised the destitute individual further through undermining initiative, pride and independence. Greater attention should be paid to social education instead of elaborate relief schemes. Education and, in particular, 'home-training' for women and their daughters, was now 'of the utmost importance to the individual and to the state.'[134] M E Rothman, organising secretary of the Dutch Reformed Church's South African Christian Women's Association, and author of a section of the Carnegie report, attributed the 'retrogression' of large sectors of the poor white population to inadequate performance of the duties and functions of mothers. Consequently she defined, in some detail, the responsibilities of mothers - efficient utilisation of the resources provided by the father, child-bearing and rearing, and home and social training of the young.[135] In this scenario, 'those homes are of the most value to the state in which both parents carry out fully their respective duties and functions, and understand and supplement those of the other.'[136] The ideal was now the development of healthy, self-sufficient families who, from generation unto generation, would not become a burden on the state.[137]

To accomplish these aims, the report called for the co-ordination of governmental relief work and social education through a single state agency.[138] In large part, this precipitated the formation of a Social Welfare Department within the Department of Labour in 1935, and an autonomous Department of Social Welfare in 1937. Consequently the state now began to intervene on an increasing scale in the regulation of family life, through a bevy of social workers, educators and welfare programmes. Moreover, official perceptions of 'the family' were becoming increasingly monolithic and less sensitive to the cultural specificities of the communities they embraced.

By the mid-1930s, then, notions of the 'family', had acquired a discreet but distinctly political undertone. Inevitably, the desirable family form was that which most closely resembled the nucleated structure of the white middle-classes. Within this, women, as mothers, were assigned a prominent role.

At a municipal level, this altered representation of women was appropriated with vigour by Native Affairs officials in Johannesburg. With funds anticipated from municipal beer sales, Johannesburg established its own municipal Non-European Welfare Department in 1937. If an important thrust

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134 M E Rothman, 'The Mother and Daughter in the Poor Family' in Report of the Carnegie Commission, Vol V, p171.

135 Ibid, pp171-2.

136 Ibid, p171.

137 Ibid.

138 135.

of native affairs policy in the Thirties was the stabilisation of the urban African population, an obvious starting point was the family and, within that, the role and status of women. In a classic exposition of 'adaptation', JD Rheinhallt Jones declared at a 1937 conference on urban juvenile delinquency:

> It is our duty to a dependent race and in our own interest to see that this family life, this essential foundation of the community, should be preserved in its healthiest form.[139]

One aspect of this 'preservation' undertaken by the municipality's new social welfare officer, Miriam Janisch, involved an attempt to neaten the landscape of urban connubium by discouraging informal 'vat-en-sit' relationships. Another aimed to foster domestic respectability through the achievement of 'one man, one wife, one house'.[140] Other initiatives included knitting and cooking classes in Orlando and the establishment of 'mother and housecraft clubs' in a number of municipal townships; given the fact that gastro-enteritis was the biggest killer of African babies on the Rand and that women were cutting back on breast-feeding so as to resume paid employment sooner,[141] this concern for the quality of maternal care was not inappropriate. More broadly, though, the welfare section aimed to provide women with useful homely skills to make them more competent home managers, equip them to make do on meagre incomes, and wean them from less savoury pastimes like liquor brewing - which were not merely illegal but fostered contempt for the law among their children.[142]

These welfare classes were, for the most part, designed to help urban wives improve their management of domestic affairs. The only skills offered were those that equipped them for domestic service, or for the private application of those skills at home. Indeed, the fact that poverty obliged the majority of mothers to work, either as breadwinners or to supplement household income, was commonly seen as a factor contributing to juvenile delinquency, through the mother's neglect of her children. Ellen Hellman, for one, campaigned vigorously for better wages for men, declaring they were the essential prerequisite to the reform of urban black family life:

> If we are to effect any rehabilitation in the Bantu family life, [we must] begin by improving the economic state of that family. We must release women from this onerous burden of wage-earning. We must not allow ourselves to go on thinking that the Bantu wife and mother can support her family and effectively perform the duties of wife and mother.'[143]

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139 AD 843, B9.5, Rheinhallt Jones, 'Notes on Natives in Urban Areas', 1937.

140 UW AD 843 B56.4, 'Conference on Native Juvenile Delinquency', address by Ballenden, quoting Mrs Helene Henderson, Janisch's deputy.

141 UW, Xuma Papers, ABX340718, Paper presented by AB Xuma at a New Education Fellowship Conference, Johannesburg, 'Changes taking place in the health and diet of Natives in Urban Areas and their Effects', 18.7.1934.

142 See for example, Minute of the Mayor, Annual Report, 1937, p248.

143 AD 843, B56.4, 'Urban Juvenile Delinquecny Conference', 1938, address by Ellen Hellman. In a 1936 study, Hellman found that two-thirds of a sample group of one hundred black mothers in Johannesburg were wage-earners; 'acute distress' was apparent in families where a woman not work as a result of pregnancy or sickness. - Problems of Bantu Youth, p20.

On a wider level, too, black women in the late Thirties were being included in white middle-class discourse on the proper deportment of a good wife. The director of a 1937 survey of family income in Alexandra Township, for example, refused to include black women's contributions to family budgets on the grounds that 'I do not consider that in any scheme of existence a wife, or at any rate a mother, should be required to produce a taxable income'.[144] At a time when most of a women's adult life corresponded to the years of pregnancy and child-rearing, and when it required the co-operation of everyone within the household to support a family, it was appropriate that the notion of a family wage for a single breadwinner should be viewed as extremely desirable.[145] Yet there was an ugly corollary to this view that women should not work outside the home. In Ballenden's opinion, access to an income afforded women an undesirable taste for independence:

> 'Circumstances necessitate the almost general employment of married women who, as they frequently earn more than their husbands, rebel against their control ... Children brought up in such an atmosphere have little respect for their parents or for established law and order.[146]

In sum, by the late Thirties, an extraordinarily broad range of social problems found their fulcrum in the need to 'adapt' and reform the role of black wives and mothers. More significant here than the impact of these developments on African men and women was their impact on white policy makers. Pre-existing ambivalence about what was reasonable and acceptable in the treatment of African women was now compounded by black women's increasing incorporation into the symbolic order of the middle-class WASP family, and their increasing representation as wives and mothers rather than the shadowy domestic appendages of units of male labour. Only this can explain effectively the persistent diffidence of native administrators in carrying their policies through to their logical conclusion by enforcing the pass regulations they had devised, with such deliberation, for women.

In practice, draft regulations were drawn up to implement the influx control provisions of the 1937 Native Laws Amendment Act. These were discussed in June 1938, but were returned for redrafting on a number of counts.[147] The draft service contracts fared little better; a revision published in 1940 was still deemed inadequate. As one administrator noted tersely, the only way to enforce these rulings would be to register women's service contracts, like men's - yet 'there would un-

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144 AD 843, B74.5, HJ Falwasser, 'Memorandum on Alexandra Township', 1937.

145 Eli Zaretsky, 'The Place of the Family in the Origins of the Welfare State', in Thorne and Yalom, Rethinking the Family, p216.

146 The Star, 21.1.1940. Presumably, then, in the interests of good citizenship, women owed it to their impressionable children to conform to a model of meek motherhood. And, extrapolating from Ballenden's stated beliefs, there are substantial grounds to argue that the maintenance of African women's subordination in the home was viewed as an essential component of maintaining the subordination of blacks as whole.

147 Johannesburg City Council, Minutes of Meetings, 28.6.1938.

doubtedly be objection to this form of pass.'[148] One could argue therefore that while officials of the state were serious about restricting the free movement of black women in urban areas, they were hampered by the legal niceties of bureaucratic red tape. This explanation, however, is unsatisfactory. If these officials had been more determined in their efforts, they could have made considerably more progress before Smuts declared his moratorium on all pass laws in 1943. More to the point, this line of argument ignores the ongoing reluctance of officials to subject women to the pass laws.

Conclusion

Calls for increased control over black women on the Rand were prompted by two main issues: the growth in black urban settlement, and its concomitant housing requirements, and the parallel increase in the number of women living in town whose activities were deemed undesirable by the authorities. Alongside the development of prison colonies and stricter deportation provisions for black women to deal with conspicuous offenders was a broad-ranging prophylactic policy which aimed to restrict black female settlement itself in the towns to a minimum.

Despite an absolute growth in the 'undesirable female' sector in the 1930s, urban administrators and native affairs officials in the Thirties were obliged to acknowledge the existence of other social problems associated with rapid urbanisation in a context of inadequate wages and social services. The result was the emergence of a new representation of black women in the minds of officials, alongside earlier versions, which credited African women with extraordinary powers of rehabilitation, directed inwards on family and home. Through the bolstering of lobola in the reserves, women would safeguard the return of their migrant husbands and ensure the survival of customary law; in the cities, their talents as steady homemakers would help stabilise the lives of working men and conserve the resources of the state; as more diligent mothers, they would take greater care in curbing the lawlessness of their children. The power of these prescriptions centred the weighting between good wife and whore. There would be no passes for urban black women until the symbolic fulcrum itself was recast.

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148 TAD, WRAB 210/1 'Regulations governing Service Contracts', April 1940. See also JUS 802, 1/568/23 part 3, 'Draft Registration Regulations', SNA to Secretary for Justice, 21.9.1939.