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1980
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THE ROLE OF THE LABOUR BUREAUX IN SOUTH AFRICA:

A Critique of the Riekert Commission Report.

D.C. Hindson

> . . . it seems to us Natives that you want our labour, but as soon as you have finished with us you want us removed so far away from you that you do not want to see us until certain hours when you again want our labour. We are just so many horses that have to be stabled after they have been working — just as though we are not human beings.
> Union of South Africa, *Report of the Native Economic Commission*, 1930-32, U.G. 22. of 1932, 220.

Following the Riekert Commission Report[2] and the subsequent White Paper[3] which appeared in 1979, important changes of a certain kind may be expected in South Africa's labour bureaux system. Only the main outlines of the proposed changes are described in the recommendations of the Commission Report. The details have yet to be fully worked out. For the final official blueprint it is necessary to await the outcome of the report of the Public Services Commission and a round of Parliamentary debates on the proposed Employment and Training Act and the Black Community Development Act.[4]

In the meantime the State in its day-to-day running of the labour bureaux and other machinery of control has not stood still. It has already taken practical steps towards implementing some of the Riekert recommendations. The 'moratorium' on illegal workers, which ended in October 1979, was a step towards increasing control over this section of the workforce, something the Commission felt was an essential pre-requisite for implementing its more liberal recommendations. More recently desultory attempts have been made to relax the 72-hour restriction on Africans remaining in the towns without special permission, one of the most important 'liberalising' measures recommended by the Commission. The tentativeness of the State over the 72-hour restriction as compared with its eagerness over registration of illegal workers gives a foretaste of what may be expected from the new dispensation.[5]

The object of this paper is to advance the understanding of the role of the labour bureaux system in South Africa through an analysis and critique of the Riekert Report and especially those of its recommendations which deal with the labour bureaux and legislation governing their operation.

The paper is divided into four main sections. The first discusses approaches that have already been adopted in the analysis of the labour bureaux system and shows in fairly abstract terms how the approach and method of analysis in this paper differs from these. In the second section the status and role of the Commis-

sion itself as a particular mechanism of the State is briefly discussed. This paves the way for section three, where there is a discussion of the contents of the Report. Section three, which is the longest, is divided into three parts. The first deals with the 'points of departure' of the Report, the second with the proposed changes in the legislation governing the operation of the labour bureaux and their relation to government departments. The last section discusses the adequacy of the Riekert proposals in coming to terms with certain underlying contradictions which have developed during the process of capitalist expansion in South Africa.

Existing Approaches to the Anaylsis of the Labour Bureaux

Existing analytical approaches to the labour bureaux system fall roughly into three categories: liberal, Marxist, and apologetic. Of these only the first two will be referred to in this section since we are concerned here with the critical analysis of the system.[6]

Writers in the liberal academic tradition, most of whom have worked within the framework of neo-classical economics, have in general criticised the labour bureau system in terms of its failure to operate as a mechanism of allocation of labour. In their argument the commitment of the labour bureaux to the function of the influx control has resulted in a mis-allocation of labour between regions, sectors and occupations in 'the economy'. They argue from this that the bureaux have the effect of lowering the productivity of labour and thus reducing the economically attainable levels of output and economic growth. The pursuit of influx control as a means of furthering the goals of apartheid is seen to be in opposition not only to the interests of the economy in general, entrepreneurs and labourers, but more particularly to those expanding and progressive sectors, such as manufacturing industry, which are denied free access to African labour. The interests of employers in these sectors in particular, also the interests of the economy as a whole, lie in the conversion of the labour bureaux system into an efficient mechanism of labour allocation, and the abandonment or at least downplaying of their influx control function.[7]

The distinctive feature of this approach is its concentration on market relations, on the sphere of circulation of labour. Here it finds a real though limited contradiction between the tendencies of capitalist expansion in the various branches of production as expressed through the labour market, and the operation of the labour bureaux. However, by perceiving all relations essentially through the lens of the market, there is a tendency to invert the real relation between production and the sphere of circulation, so that the latter determines the former. What is not more than limited contradiction is presented, in this approach, as a fundamental opposition between the State and the economy, between the interests especially of the manufacturing sector and the State.

In diametrical opposition to this, most writers in the Marxist tradition have presented the labour bureaux as functioning unproblematically in the intrerests of capital by guaranteeing a cheap and politically weak African workforce, and/or as functioning to resolve competition between fractions of capital over supplies of African workers by allocating these supplies according to the political force exercised by them within the State. No contradiction is found between the labour bureaux functions of labour allocation and influx control. The bureaux function

in such a way as to meet both the immediate economic interests of capital through the exercise of their labour channelling function and its political interests by locating the industrial reserve army in the rural areas, where it becomes weak and isolated, through the exercise of influx control. Furthermore, influx control is functional to capital in so far as it reduces the cost of reproduction which would have to be met if workers and their families were to live permanently in the town.[8]

A feature of these writings, as well as those of the liberals, is that they do not draw a clear distinction between the legislation and the machinery of control. Very often the arguments are supported by reference to the legislation or to statements by administrators about the formal objectives of the system and thus the official perception of the bureaux attaining all objectives simultaneously and unproblematically is reproduced.

In contrast to the liberal approach the distinctive feature of most Marxist writings is their attempt to analyse the direct connection between the operation of the bureaux and relations in the immediate sphere of production — relations of exploitation. No attention is given to their effects on labour market conditions — it is merely assumed that the market is superceded by bureaucratic labour allocation. The basic argument advanced is that the labour bureaux system makes it possible for capital to maintain a high level of exploitation of African labour by weakening workers in their relations with employers at the work place and guaranteeing the reproduction of cheap labour-power by enforcing the system of temporary migration.

This approach has the merit of relating state intervention to the fundamental processes of production and reproduction in the social system. But the explanation advanced is reductionist. It fails to grasp what is peculiar to the functions of the labour bureaux, namely that they relate to the management and control of the labour market and only in this way, indirectly, have an impact on the immediate sphere of production and on the manner in which labour-power is reproduced.

The limitations in existing Marxist analyses arise out of their debate with liberal writers over the question of the functionality of the apartheid State to capital. Liberals said that apartheid was in opposition to the economy, economically irrational, and would frustrate economic growth. Marxists replied that the apartheid State was an instrument of capital and facilitated capitalist expansion. Where liberals saw monolithic irrationality, Marxists saw monolithic and noncontradictory functionality. They simply inverted the liberal position. In doing so they also unwittingly helped to reproduce one important aspect of the State's projected image of itself. They found a consistency and coherence in the apartheid State's programme and policies where in reality there was only the appearance of consistency, where fundamentally the State merely contained and reproduced, both within itself and in society, the contradictions of capitalist production and the chaos of its markets.

In the approach adopted in this paper it is the contradictory containment and execution of both the allocation and influx control functions within a single specialised apparatus of the State, the labour bureaux, that becomes the focus of attention. The analysis proceeds neither by attempting to play down the direct economic role of the labour bureaux in allocating workers or the real conflicts that exist between efficient execution of the labour allocation function and effective control over the movement of Africans to the towns and their conditions of urban residence. Instead, this conflicting co-existence of functions and its

significance in the functioning of the labour bureaux both in relation to the State's overall programme and in direct relation to classes and class interests becomes the subject matter of analysis.

Priority has almost always been given by the labour bureaux to influx control and expulsion measures rather than labour allocation. The labour allocation function, the provision of so-called employment services, has characteristically been subordinated to control over movement and residence. The problem is therefore to explain the nature and significance of the containment of these contradictory functions within this apparatus as well as the subordination of allocation measures to other more direct forms of control. This takes us to the general question of the status of contradiction within the State and its connection with the class character of the State.

In the approach adopted here the State is seen as both a material condensation of class relations and as a mechanism of containment and management of class contradictions.[9] These two aspects must be amplified.

First, as a material condensation of class relations the State reflects, but is not directly reducible to, class relations. It is not a simple microcosmic representation of those relations. In order to achieve its functions of maintaining the cohesion of the social formation, of securing the conditions of reproduction of the relations of domination and subordination under capitalism, it cannot simply appear to stand apart from the classes in combat, but must in reality operate to some extent independently of them. The State has an organisational form, mode of operation and independence of action, in short, an 'institutional materiality', which gives it a relative autonomy in relation to classes in society. Its power derives from and is determined by class power but it exercises this power relatively independently of those classes.[10] How relative this autonomy is, is a question which must be answered concretely in each circumstance with due regard to both the limits imposed by the particular forms of capital accumulation and the struggles to which these give rise.[11]

Classes may be 'present' within the State apparatuses 'directly' or only 'at a distance'.[12] The latter concept attempts to grasp the case where classes have effects on the internal organisation and functioning of the apparatuses but where they are physically absent as a class within the apparatus. The notion of 'presence at a distance' is of particular importance in South Africa given the 'racially exclusive'[13] character of the South African State. Formal exclusion in this sense does not, however, mean that the effects of popular class struggles are not felt within even the most repressive branches of the State. The question that needs to be answered is how these effects are transmitted to the apparatuses and how they are translated into the terms of their operation. These questions cannot be satisfactorily answered within the confines of this paper, but certain steps in this direction are offered in the section dealing with the proposed modifications in the Bantu Affairs Administration Boards.[14]

The second aspect of the character of the State which must be amplified is that relating to the role of the State in containing contradictions, in maintaining the conditions (economic, political and ideological) which are necessary to the further development of capitalist production relations. It is at this point that the approach adopted in this paper departs most decisively from existing work on the labour bureaux system and the State in South Africa. The crucial point here is that the State has the effect not only of containing these contradictions but also of

reproducing them within its own structures, its mode of operation, its programmes and policies.

The contradictions reproduced within and between State apparatuses are not microscopic repetitions of the contradictory development of capitalist production relations. They take a form which is specific to the organisation, functional specialisation and logic of operation of the State itself. Furthermore, they are expressed and develop differentially within and between branches of the State according to the degree of presence, or absence, of the dominant and dominated classes in those apparatuses. In other words the contradictory character of the apparatuses, the weight given to the various aspects of their practical operation depends upon their history and characteristics as centres of the execution of class power.[15]

A further point must be made. The State in the execution of its functions of containment of class contradictions not only reproduces these contradictions in refracted form within its own material structures, but it reproduces the contradictions amongst classes themselves. At one level this is obvious. In securing the conditions of the further development of capitalist production relations, it also secures the conditions for the further development of classes and hence class contradictions. However, there is a more specific issue to be considered. In so far as it contains contradictions in certain spheres, the tendency also occurs for further problems of containment to spring up elsewhere. Thus the very programmes which the State formulates can in their own right give rise to the development, even if displaced and transformed, of these contradictions. There is in other words a tendency for the programmes and policies of the State to confound themselves. Previous writers have often ignored or underplayed this aspect of the South African State's policies, thus lending them an undeserved credibility.

What has been established so far is not more than a general tendency. Contradiction and crisis do not arise merely out of the inevitable unfolding of immutable laws, nor does the State's policy inevitably confound itself. It is the action of classes in struggle, the action of agents 'distributed' into class places and hence subject to, but also capable of transforming these laws, that determines whether the tendencies present in the State's programmes come to the surface. It is the intensity and forms of struggle which determine the manner of expression of contraditions in the State, whether this happens through the exposure of mutually inconsistent policies, the development of intra-and interdepartmental tensions and struggles or a more profound restructuring of the various State apparatuses and the relations between them.[16]

For the purposes of this paper it is necessary to take the analysis one step further. Here we are concerned not so much with the State as a whole but with a particular apparatus of the State. It is therefore necessary to identify the more specific functions of this apparatus. In the case of the labour bureaux their primary, direct, role is to manage the process of circulation of labour, the labour market. Concretely, this involves management of the movement of workers between individual capitals and between non-capitalist and capitalist production units. It has the geographical dimension of management of movement between the countryside and towns and between different towns.

But the manner in which this process is managed in South Africa is governed by the particular role of the labour bureaux in the State's policy of containment of the contradiction between the sphere of production and that of reproduction.

The labour bureaux system does not function in the first place to contain contradictions arising directly out of the relations between capital and labour in the immediate sphere of production. For this there is the entire superstructure of Industrial Councils, the Wages Board and so on. It acts in the first place to contain the contradiction between capitalist production and its conditions of reproduction, which in South Africa has involved a degree of maintenance of precapitalist forms of production.[17] However, its functions do not relate to all aspects of this contradiction but are rather directed to the management and containment of the manifestation of this contradiction on the market for African labour — the simultaneous growth of shortages of African labour and the structural tendency for capital to generate a growing surplus polulation.

The contradiction in the functioning of the labour bureaux arises fundamentally from their dual role in containing the tendency of capital to undermine its general external conditions of production and in securing the immediate requirements of capital in the form of free and readily exploitable labour-power. In South Africa state intervention in the social reproductive process before World War II gave priority to the maintenance and reproduction of migratory labour, but after the war it was re-designed to ensure the reproduction of differentiated labour, temporary migrants and a growing settled urban proletariat. In performing this dual function the labour bureaux, along with other associated state apparatuses, helped reproduce the central contradiction between capital and labour through the management and displacement of contradictions in the labour market — the reduction of labour surpluses in the towns and their displacement to the countryside, the African Reserves and neighbouring countries.

In performing this function, the system failed to escape the effects of labour market contradictions. In attempting at one and the same time to act as a mechanism of recruitment and allocation of labour, on the one hand, and as a mechanism of influx control and expulsion, on the other, it reproduced within its own material composition the conflicts it sought to manage and contain. These were expressed as conflicts between the labour placement and influx control functions, which were performed by competing sub-apparatuses of each bureaux.

The particular expression of these contradictions in the functioning of the labour bureaux, the degree to which priority has been given to one or other objective and even the degree of incompatibility of these objectives of influx control and labour allocation, varied both historically and between regions and individual bureaux. These variations are a result of the forms and intensity of the struggles not only between the different partners of capital which have laid claim to African labour-power through the labour bureaux but also of the dominated African masses who have resisted labour bureau controls. The limited reformist adaptations made to the system at various historical points have always been preceded by intense direct struggle against passes and registration by Africans, and by struggles between capitals over the allocation of African labour.

But the system has also been shaped historically by another form of struggle, the temporary retreat of the individual migrant worker from wage labour and capitalist exploitation in the towns to his home in the countryside. It is the removal of the materials basis supporting this practice, the growth of monopoly capitalist relations in industry and the related development of struggles in the workplace and at the site of reproduction, in the townships, that has called into question the character and role of the labour bureaux system in the current period.

The Character and Role of the Riekert Commission

The Riekert Commission, like the labour bureaux system with which we are concerned, is itself also an apparatus of the State. What are its distinctive characteristics?

Like many commissions set up during phases of heightened contradiction and crisis, this one may best be described as a conciliatory and deliberative branch of the State's ideological apparatuses. The chairman and his panel of expert advisors are in the nature of hired philosophers of the State. The Commission was conciliatory in so far as it presentated itself as standing apart from both the State and classes in society, willing to lend an impartial ear to any of the parties at odds, including the State as just one of the many parties. It was deliberative to the extent that it weighed up the evidence in a way that was intended to appear objective and formulated a plan intended to resolve disputes, correct errors in the system and lay a foundation for future order and development. This plan was then presented to the governing power for its further consideration.

These characteristics enabled the Commission to perform at least two distinct functions. The first was that of deflecting demands made at the high point of crises, in the heat of the moment, away from their object — the State, branches of the State or capital itself. This was done by giving apparently impartial attention to the grievances expressed by the various parties and by holding out the promise that they would be taken into account by the State in the near future.[18]

The second, more profound and long-lasting function of the Commission was to re-organise ideological relations amongst classes. A Commission sets the terms of the debate within society in much the same way as its own terms of reference are set for it by the State.

Re-organisation of ideological relations in the case of the Riekert Commission took the form of an attempted accommodation of apartheid and free-market ideology. The re-assertion of free market ideology in the discourse of the State reflected a changed balance amongst the dominant classes and in particular the growing pressure of monopoly capital within the State.

The accommodation of apartheid and free-market ideology acts to organise the relations amongst the dominant classes, and to disorganise those amongst the dominated classes. In relation to the latter the Riekert recommendations represented a particular expression of a class strategy — the strategy of division of the African working class into rural and urban components and the limited incorporation of the African petty bourgeoisie into the processes of urban political reproduction.

It is not only in the realm of ideas that the Commission played a role in re-organising class relations. A primary function was to present a blueprint which endorsed the re-organisation of those relations as expressed within the State. The re-structuring of the machinery of control over the reproduction and allocation of labour proposed by the Commission involved also the re-structuring of class relations within the State.

Now, it is important before turning to the detailed proposals put forward by the Commission to stand back and perceive it in relation to other attempts on the part of the State to re-structure itself and its relations to society. The Riekert Commission proposals formed only one part of an overall re-consideration of relations amongst the dominant classes and only part of a concerted re-

consideration of strategy towards the popular classes. It is common knowledge that whereas the Riekert Commission addressed itself to the sphere of reproduction and circulation of labour, its twin, the Wiehahn Commission[19], was concerned to order the direct relations between capital and labour at the place of work.

But this was not all. The struggles emanating both from the workplace and from the site of reproduction, from the factories and the townships of South Africa, represented only one manifestation of a regional and world re-alignment of forces. The South African State is forced increasingly to consider not only the political conditions for the further development of capital within South Africa, but also in the Southern African region as a whole, and even further afield. The formal recognition of this is captured in the two notions of a 'total strategy' and a 'constellation of states'. The former arises out of the need to formulate a political programme covering all spheres and levels of society in the face of mounting conflict within and outside of South Africa's borders. The notion of a 'constellation of states' arises from the tendency of South African based capital to operate across national boundaries on a sub-continental level and the necessity to secure its conditions of reproduction at this level.

Here a word of caution is needed. The State has not only to manage contradictions but also to present itself as capable of managing them. The formulation of a coherent overall strategy is an essential part of this. The State must present coherence and certainty where fundamentally it is capable only of containing and reproducing the relations which give rise to incoherence and uncertainty. Thus it is essential not only to look for and find the coherent side of the State's strategies, their internal logic and guiding objectives, but also to seek out and expose the side which is incoherent, inconsistent and filled with contradiction.

During the phase of capitalist expansion and stabilisation in the 1960s the aspect of coherence in the apartheid State's policies had a real foundation. It was based upon the suppression of popular class struggles and the organisations which led them in the 1950s. In the present period of economic stagnation and de-stabilisation, the incoherence of the State's policies, and the conflict-ridden character of the apparatuses which execute them, all of which are always latent, manifest themselves at every level from the lowest rungs of the State bureaucracies to the highest points of its executive branches, from the petty official to the Prime Minister. Now more than ever is it inexcusable to present the South African State as a monolith.

A Critique on the Riekert Commission Report

The limits within which the Riekert Commission was prepared to contemplate reform in the system of labour control were set in the first paragraphs of the Report. Here already can be found the ideological expressions of fundamental contradictions and the attempt to contain them. The most obvious of these is the conflict between the liberal ideology of the free market and the apartheid ideology of total control over the movement and exchange of labour.[20] Others, which are discussed in the course of analysis of the specific recommendations are between racial discrimination/non-discrimination in legislation and machinery, centralisation/decentralisation of controls and the withdrawal of repression/increase in repression associated with the control apparatuses.[21] The intellectual task of the Commission was to accommodate within a single coherent framework these con-

traditions, as a foundation for the drawing up of its blueprint.

The terms of reference of the Commission dictated that it should investigate legislation, regulations and administrative practices relating to 'any *economic* aspect of the utilisation of manpower, with a view to the elimination of bottlenecks, and other problems experienced by both employees and employers in the utilisation of labour'[22] (emphasis added, D.H.). The Commission took it that its brief was 'to make recommendations for the improvement, moderisation and reform of the existing official institutional and statutory framework of the labour market in South Africa, with a view to the better utilisation especially of Black manpower . . .'[23] With this as the primary aim it adopted the following fundamental principle:

> The effective functioning of the free labour market mechanism should be the object to be achieved by, among other things, strategic direct and indirect Government intervention with a view to the elimination of existing market failures, and by non-intervention where labour market results cannot be significantly improved.[24]

This is a crucial point of departure. It implies that free play should be given to the market mechanism subject only to intervention where this fails to give economically optimal results, that is, the greatest possible level of efficiency in the utilisation of manpower. But what of the political implications of the operation of a free market, what of the fate of those apartheid institutions set up to manage and constrain the movement of workers? The Commission gives only this answer:

> The political factors underlying the legislation to which the Commission's terms of reference relate fall out of the scope of the Commission's enquiry.[25]

All of the apartheid State's control apparatuses are thus treated only as 'labour market institutions'.[26] It is in this way that the Commission attempts to leave outside of its scope of enquiry the question of the relation between the labour market and the political character of the institutions of apartheid. The conflict between free market and apartheid idiology, as well as the real, though limited, contradiction between market forces and the operation of the machinery of labour control are obscured by declaring politics to be outside the scope of its concern.

However, the contradiction does not occur only at this level. The notion of a free labour market, while it refers to a real phenomenon is no less impregnated with ideological significance than that of total labour control. This raises a further question: What role does the notion of 'free labour market', especially in its contorted embrace with that of 'total labour control', play in obscuring the character of emerging relations of production and reproduction that underlie and determine relations of exchange?[27] This is dealt with in a later section of the paper. Here only the more general effects of the accommodation between liberal and apartheid ideology will be brought out.

First, the accommodation has the effect of masking the emergence and consolidation of relations of intensive exploitation in production, as well as the associated forms of monopoly capital.[28] The renewed emphasis on free competition hides the re-assertion of monopoly capitalist interest within the State since

the mid-1970s. Furthermore, the fact that the concept of freedom of movement is restricted to only one part of the African workforce, to the so-called 'settled urban Black', hides an important change in the character of the African working class. It obscures the fact of the advanced stage of proletarianisation of that section of the workforce, the temporary contract worker, which is excluded from this freedom of movement.[29] For these workers the full force of movement controls remain, as does the ideology of separate development and independent Black States which justifies these controls.[30] Apartheid ideology denies the existence of this proletariat as part of capital's industrial reserve army and hence the necessity to secure the conditions of its reproduction.

A further effect of the co-existence of liberal and apartheid ideology in this form is to help make possible the continued exclusion of the African popular classes from direct participation within the primary centres of power of the State's juridico-political apparatuses. This continues to apply to Africans defined as part of the 'settled urban population', and also, with renewed force, to those defined as only 'temporarily present' within the towns. Whereas in the past Africans were defined by the State as South African non-citizens, they now become non-South African citizens, that is, citizens of other nation States.[31] Homeland relations with South Africa become international relations, the problem of homeland development one of foreign aid.

There are two kinds of recommendations in the Riekert Commission Report: those involving changes in the legislation and regulations governing the labour bureaux, and those involving a re-structuring of the bureaux themselves and their relation to other branches of the State's administrative bureaucracy.

The legislation and regulations provide only a formal framework, a charter for the running of the bureaux. The bureaux are the means of executing that part of the State's programme which is formalised within the legislation. This distinction is no less important than that between the State and classes in society. If the State is a condensation of class relations, at one remove from those classes, then legislation is a distillation of the class relations expressed within the State and is, as it were, at two remove from the underlying class relations. Thus the task of deciphering class relations from their formal refracted expression within law is doubly difficult. Furthermore, legislation has its own relative autonomy. This can be seen from the fact that the practical operation of a State apparatus may remain unchanged despite a change in the legislation, and *vice versa*. The existence of 'dead letter' legislation is a well known phenomenon. This is an obvious point, and yet few attempts have been made in the analysis of the bureaux to distinguish clearly between these two aspects.[32] The legislation has often been taken to represent the actual functioning of the labour bureaux.[33] With these provisos in mind we turn to the proposed changes in the legislation in this section, and leave the question of changes in the machinery of control to the next.

For convenience, two categories of recommendations may be distinguised: those aimed at relaxing controls over movement and residence for certain sections of the urban work-force and their families, and those aimed at intensifying controls over other sections.

The liberalising recommendations of the Riekert Commission are aimed specifically at increasing the intra-urban mobility of a section of the urban African population which qualifies under Section 10 (1) (a), (b) and (c) of the Black (Urban Areas) Consolidation Act of 1945.[34] Sub-Section 10 (1) is framed in the

negative.[35] It states that 'No Black shall remain for more than 72 hours in a prescribed area . . .', that is, in an urban area within that part of South Africa defined as the 'White area', unless that person meets certain conditions. Thus no African has an absolute right to remain in an urban area, but only a qualified right.[36] As is well known, a person defined as a Black may qualify under Section 10 (1) (a) if that person has, since birth, resided continuously in that area; under (b), if the person has worked continuously in that area for one employer for not less than ten years or has lawfully resided continuously in the area for not less than fifteen years; and under (c) if the person is the wife, unmarried daughter or son under the age when he is liable to pay tax, and that person has entered the area lawfully. A further legal category is introduced under Section 10 (1) (d). This is the residual category of 'any other Black'. Exemption for people defined as 'any other Black' is conditional upon permission being granted by a labour officer at the labour bureau. This permission is subject, in the case of workseekers, to the availability of employment, non-availability of suitable local labour and to the availability of suitable accommodation.

The reforms in the system of labour controls advocated by the Riekert Commission are directed at the conditions of registration of workers and employers at the labour bureaux. These are as follows:

1. No obligation should be placed on either workers to register themselves as workseekers or on employers to register vacancies.[37]

2. Workers who qualify under Section 10 (1) (a), (b) or (c) should be given a standing authorisation to change employers without reporting to a labour bureaux, subject to registration of the employment contract by the employer.[38]

3. Section 10 (1) (a), (b) and (c) qualifications should be transferable from one urban area to another, subject to the approval of the labour bureaux concerned and the availability of approved housing.[39]

In addition to these measures relating to the individual worker, the Commission recommended that Africans with Section 10 (1) (a), (b) or (c) qualifications should be allowed to have their wives and families join them, if approved housing was available, irrespective of the area of origin of their families.[40] All these recommendations were accepted in the White Paper.[41]

At the outset it should be recognised that these recommendations do provide for a degree of liberalisation of the movement of the section of the urban African workforce which has the legal qualifications. This increased mobility would place them at a relative advantage on the labour market and would undoubtedly over time strengthen the tendency already present for this section of the workforce to occupy the better paid, more skilled places in production, including the expanding category of supervisory, clerical and technical places.[42] This would also tend to deepen lines of division between strata of the African working class within the sphere of production.

Increased freedom of movement for individuals qualifying under Section 10 (1) (a), (b) and (c) also has a direct significance for the African urban petty bourgeoisie, both old and new, as well as the rapidly expanding category of

Africans occupying positions within the lower and middle echelons of the State local government bureaucracies.[43] In conjunction with other measures proposed by the Commission such as the relaxation of controls over traders,[44] over building and home ownership,[45] and the participation of Africans in municipal affairs and administration,[46] restricted relaxation of intra-urban movement and residence controls constitutes a blatant attempt not merely to accommodate, but to nurture the growth of an African urban petty bourgeoisie, or what is popularly referred to in South Africa as a 'Black middle class'.[47]

The intention of dividing the African population is a feature which permeates the entire report — it is the major objective of the Riekert strategy in relation to South Africa's popular classes. The strategy may well be full of inconsistencies and limitation but it is essential to recognise that it provides for, and builds upon, an existing material foundation in order to maintain and deepen divisions not only between sections of the popular classes but also, importantly, between strata of the working class itself. The strategy is not just a new cloak for the old apartheid system. Having acknowledged this it is now necessary to consider some of the many limitations built into these liberalising measures.

Even for those who are intended to benefit from relaxation of registration requirements, the advocated changes do not constitute a radical departure from previous practice. It is notorious that despite the regulations, workers with Section 10 (1) (a), (b) and (c) qualifications were in the practice of registering contracts of employment only after having entered into them and that enforcement of registration of vacancies has always been extremely difficult. Even in the case of employment of Section 10 (1) (d) workers, employment contracts were in many cases merely rubber stamped after the worker had been engaged, and not before. This is to say nothing about the large numbers of workers in illegal employment in the towns who fail to pass through the registration machinery at all.[48] As regards registration of Section 10 (1) (a), (b) and (c) workers, the Commission's recommendations to a large extent regularise what was wide-spread practice. This may well help to remove some of the arbitrariness with which labour bureaux officials apply the regulations to this section of the workforce.

This relaxation of registration requirements only applies in its pure form to movement *between* prescribed areas *within* a given Bantu Affairs Administration Board. Movement from one Board area to another, which was ironically more difficult for a person with an (a), (b) or (c) qualification than for one with a (d) qualification,[49] is made easier under the Riekert proposals, but still subject to the authority of the labour bureaux concerned and the availability of housing.

The qualification that free movement between Board areas should be subject to housing availability is extremely important. Given the massive shortage of housing for Africans in all the major urban-industrial areas it could act as a severe constraint on the freedom of Africans to move.[50] For a large proportion of Africans, freedom to move between Board areas will be conditional upon employment and the provision of housing by their employers.

While unemployment and housing shortages remain chronic features of urban life in South Africa, this conditional freedom will be meaningful primarily for employers wishing to move their workforce from one Board area to another, and only to a limited extent to individual Africans.[51]

Now the crucial point to understand about the Riekert recommendations is that even this limited relaxation of controls is entirely conditional upon the in-

creased efficiency and severity of controls over the section of the urban African population not considered to be 'established' in the towns. It is useful to quote the Commission at some length on this:

> Owing to the potential extent and nature of the migration of Blacks from rural areas to urban areas, serious social and sociological welfare problems will arise in urban areas in South Africa for both the established populations in the urban areas, White, Coloured, Asian and Black, and the new entrants if the migration process is left uncontrolled . . . it will give rise to large scale unemployment in urban areas, lower wages and a threat to the interest of established inhabitants . . . Control over the rate of urbanisation is, in the light of circumstances in South Africa, an absolutely essential social security measure.[52]

Thus in equal measure to the attention given to the manner in which measures could be relaxed for the 'established' urban African population, the Commission gives attention to means of increasing the efficiency and severity of control over those defined as 'not established'. There are two broad categories of such controls: influx control measures and expulsion measures. In order to grasp why this distinction in control measures exists it is necessary to identify the categories of Africans who do not qualify under Section 10 (1) (a), (b) or (c). The residual of these categories, 'any other Black', has two sides to it, a positive and a negative one. We have already mentioned the positive side: this refers to Section 10 (1) (d) Africans. The negative side of this residual category is what the law in South Africa defines as 'illegal Blacks'. That is, Africans either illegally employed or illegally resident in South Africa. Influx control measures attempt to control the movement of 'other Blacks' into the towns, expulsion measures provide the means for dealing with those who have evaded the influx control measures, 'illegal Blacks'.

Influx control measures may be divided into three areas, those applied to physical movement, to employment contracts and to residence in the towns. The major thrust of the Riekert proposals on influx control was to drop the 72-hour restriction on Africans remaining in the towns, a measure applied largely to control physical movement, and intensify controls over employment and residence.

The 72-hour control, when first introduced in 1952, was labelled the 'Gestapo measure.[52] The reason for this is that it provided for unrestricted powers of arrest over Africans remaining in an urban area without authorisation and placed the onus of proof that a person was entitled to remain in the area on the accused. It is a blatantly racially descriminatory measure.

The proposed lifting of the 72 hour restriction has a number of implications arising from the manner in which this control has traditionally been exercised. First, the control has been applied by officials of the BAABs and the South African Police in the form of street, bus and railway station checks and road blockades. It is a mass measure which necessitates the production of the pass book as the basic means of ascertaining the legal status of an individual. It allows for little discrimination amongst categories of individuals. This means that large numbers of Africans who qualify under Section 10(1) (a), (b) and (c) are forced to carry their pass books and are subject to the effect of controls, including imprisonment,

if they fail to produce passes. This is despite their status as 'established urban dwellers'.[54]

Lifting the 72-hour registration is thus a vital part of the general strategy of the Commission to provide for finer discrimination between sections of the African population in the towns. Recent events have shown how difficult this is for the State. This difficulty makes it all the more imperative, given its insistence on the maintenance of control, to intensify control measures in the spheres of unemployment and housing.[55]

Controls over employment also have a physical dimension. They shift the locus of the exercise of control to the workplace. But registration of service contracts may equally well be associated with the exercise of controls *outside* of the workplace. Registration, and particularly the permanent record of this (or the absence of such a record) in an individual's book, is an important means of establishing the individual's right to be in an area, wherever the control is applied. The Riekert Commission Report recommended that the onus should be on the employer to ensure that his workers were registered. This recommendation, and the fine for illegal employment of Africans, was accepted in the White Paper and has already been instituted. On the other hand, the suggested dropping of fines imposed on Africans found working illegally was not accepted by the White Paper.[56]

It remains to be seen whether the imposition of heavy fines on employers will continue and whether this will have the intended effect of eliminating unlawful employment. If previous experience is anything to go by, it seems likely that pressure from employers to relax these controls will in time prove overwhelming.[57] Despite fines, the temptation for employers to take on illegal workers will continue to be very great, given the extremely weak position of such workers. For their part, workers, who are, in ever-increasing numbers, faced with unemployment and starvation, have little choice in the matter. They will continue to seek employment, despite the laws.

In so far as controls at the workplace prove ineffective, it is the place of residence to which attention is most likely to be drawn in implementing influx control measures. Here a distinction must be drawn between control of illegal residents in the white suburbs and control in the townships and squatter camps. In the former, as mentioned in the first lines of this paper, there has already been an attempt to apply the Riekart proposals, apparently with some degree of success.[58] In the latter a very different set of problems arises. First, controls cannot be exercised under present circumstances in the townships without this having a direct impact on householders. Many householders depend upon renting out space to paying tenants or house relatives not in possession of the necessary permits. There is no reason to believe that night pass raids on this section of the population will be any better received than road blocks and street searches.

Thus it is that the very shift in the form and locus of influx control which the Riekart Commission believed was an essential pre-requisite for liberalisation in other spheres, had embedded in it the seeds of its own failure. It may well be that it is ultimately in the townships that influx control will be most vigorously applied. If so, then it is precisely the section of the population that the Commission was most concerned to placate which will be most severely affected.

Of the battery of expulsion measures[59] available in the Urban Areas Act, two in particular are important in bringing out the intentions of the Riekart Commis-

sion. These are Section 14, which provides for 'Repatriation of Blacks who remain in prescribed areas' and Section 29 which provides for the 'Manner of dealing with idle or undesirable Blacks'.

Section 14 is the primary mass expulsion measure applied by the courts. In evidence put before the Commission the measure was described as 'an exercise in futility'. It entails great expenditure, and those 'repatriated' under this measure 'are often found to be back at the place from which they were repatriated before their conductors'. Its failure to contain illegal employment and residence is attributed to the fact that fewer and fewer suitable places can be found to which people can be 'repatriated'.[60] In effect mass expulsion under Section 14 increasingly involves no more than the forced perpetual oscillation of a fully proletarianised workforce unable to obtain the necessary permits to work and reside in the towns and yet unable to survive without wage labour there. The Commission's position on this section is important:

> The Commission cannot, in the light of its recommendations in connections with influx control . . . recommend the repeal of Section 14 of the Act. Justice can be done to the section only if there is dynamic development of the Black States, stricter action is taken against employers unlawfully taking Blacks into employment and residential control is efficiently applied.

Furthermore, the Commission recommended that:

> It should also be possible to apply the repatriation procedure without the commission of an offence being a pre-requisite, in the case of persons who are in the area concerned without having residential qualifications and who are working in that area without authorisation.[61]

Far from seeking a means of dealing with the underlying causes of the movement of workers to the towns, the 'exercise in futility' is to continue to be the major means of dealing with those who attempt to by-pass the influx control measures.

The other important expulsion measure is Section 19 of the Urban Areas Act. This section provides for the arrest of any African suspected of being idle or undesirable. An 'idle person' is a 'Black' who though capable of being employed is normally unemployed, has failed to accept employment offered to him by a labour bureaux or has failed to keep such employment for a specified length of time. The definition of 'undesirable' is equally wide-ranging and includes people convicted of brewing or supplying intoxicating liquor, public violence, possession of a firearm, injury to property and so on. A person declared to be an idle or undesirable person by a Bantu Affairs Commissioner may be ordered to be detained in a retreat, rehabilitation centre, farm colony or rescue home or similar institution or sent to a rural village or settlement.[62]

Section 29 is a measure which has had as its primary objective the control of a particular strata of the urban proletariat, the lumpenproletariat. Its practical application has, however, never achieved the fine discrimination intended by the law. This is in part because the real boundaries between the lumpenproletariat and the active and floating industrial reserve armies are never clear or fixed.[63] This is a strata of the proletariat which is continously being swelled by the growth

of unemployment amongst urban workers, as well as by workers entering the towns from the countryside who, after periods of employment, find themselves falling into the same category.

In a High Court ruling on the application of this section in 1940, the following observations were made: '. . . the provisions of this legislation are drastic and give extra-ordinary powers to magisterial officers of a kind unknown to any system of jurisprudence and . . . in consequence, it is the court's duty to narrowly scrutinise proceedings purporting to be taken under them in order to see that the proceedings conform to the terms of the statute'.[64]

Like Section 10 of the Urban Areas Act this measure has been used as a means of mass arrest. But its use as a means of mass conviction and expulsion has been much more circumscribed. This is not simply a question of reluctance on the part of the courts to apply hasty convictions under a draconian law.[65] The difficulty also stems from the growing size of the industrial reserve army in the towns and the rapid proleterianisation of the rural workforce. This has meant that deportation to a rural area has on its own become an inadequate means of securing the control of the deportee. Increasingly the rural village or settlement, in order to perform its function of control, has had to be replaced by rural prisons or work-colonies. These are the 'rehabilitation centres' that the Commission discovered were 'over-full'.[66] Thus effective application of Section 29 in the present circumstances of South African development requires an expansion of the entire infrastructure of direct repressive control normally associated with prisons.

The Riekert Commission recommended that Section 29 be replaced by the application of the appropriate measures under the Abuse of Dependence-Producing Substances and Rehabilitation Centres Act of 1971.[67] This is in line with its strategy of relaxing controls which have an adverse effect on the 'established' sections of the urban African population. It also accords with its attempt to deracialise the legislation.

But the removal of Section 29 may prove difficult. The White Paper gave only qualified acceptance of the idea.[68] Like the 72-hour restriction, Section 29 is both embarrassing for its blatantly repressive and racist character, and an extremely powerful control measure. Its repeal will be conditional upon more vigorous and efficient controls being applied in other spheres.

Of all the changes contemplated by the Riekert Commission those relating to the restructuring of the State control apparatuses are potentially of the greatest significance in determining the character and future role of the labour bureaux. These changes are not fully spelt out by the Commission (which left the detailed restructuring of the system to the Public Service Commission). It is therefore necessary to rest our analysis and comments on the blueprint contained in the report.

The most important single recommendation put forward was that involving the transfer of control over the labour bureaux from the Department of Plural Relations and Development (PRAD) to the Department of Labour.[69] The Department of Labour was not, however, to take over the running of the bureaux entirely, it was merely to oversee this running. In practice the bureaux would continue to be run by the Bantu Affairs Administration Boards on an 'agency' basis.

Now, it is important to note that the loss of the labour bureaux by PRAD was intended to be simply one slice in a thorough carving up of that department resulting in the redistribution of its so-called 'functional functions' to other

departments. All 'labour functions' including employment services and training were to go to the Department of Labour and all 'law functions' to the Department of Justice. PRAD was to retain essentially two transitional functions:

1. 'the constitutional development towards independence of the Black States, and the administration of the Black States'; and

2. the administration of 'Black Communities' in the White areas.[70]

In attempting to understand the significance and limitations of these recommendations it is necessary to focus on the character of the Bantu Affairs Administration Boards (Boards or BAAB's), which provide the over-arching apparatuses responsible for the running of the labour bureaux as well as the administration of almost all facets of the lives of urban Africans outside of the immediate sphere of production.[71]

The establishment of the BAAB'S in 1971 took place at the end of a long phase of economic stabilisation and at the highest point in the development of authoritarianism in the apartheid State. The Boards were in essence a product of pressures emanating from capital, particularly industrial capital, for a restructuring of relations of production and reproduction which had been thrown out of joint by the previous phase of expansion and the growing inappropriateness of the State's reproduction policies. This fact, that the Boards rose essentially from the demands of capital in a phase when the popular African classes were weak and disorganised, has indelibly marked the structure of the Boards. It is this which accounts for the absence of any form of democratic representation within the Boards, even of the limited kind which had existed when labour bureaux were under the white local authorities. It accounts in particular for the total absence of any form of representation of the African urban classes within the apparatuses.[72]

This characteristic of the BAAB's, their divorce from the expression of local class interests accounts for their monolithic aspect and juggernaut pursuit of the apartheid programme. In relation to the labour bureaux it helps to explain the strict subordination of the labour allocation function to that of influx control, and the consequent frustration of employers and despair of workers.

The relative impermeability of the BAABs to changes in the balance of local class forces has a contradictory effect. In periods of stabilisation it appears to enhance the power of the State and help carry forward its programme. But in periods of de-stabilsation, the impermeability becomes a barrier to accommodation and adaptation to these changed forces and thus threatens the cohesion of the State.

It is in the light of these observations that the Riekert proposals should be understood. Recognising the relative incapacity of the BAABs in their existing form to adapt to changing class forces in the mid-1970s, the Commission recommended that the activities of the Boards, particularly the labour bureaux system, should be decentralised.[73] Decentralisation meant a move to the townships of labour bureaux offices. More importantly it meant increased accountability of the Boards to the Community Councils. The precise form in which this is to be organised is not spelt out, but the direction of change intended is clear: the Boards, the Commission argues, should *inter alia* be engaged 'in the development of the Community Council system and the administration of Black residential

areas in co-operation with Community Councils for as long as may be necessary . . .'[74]

Decentralisation of the labour bureaux is just one aspect of the proposed re-structuring of the apparatuses. As important as this is the transfer of ultimate control over the running of the labour bureaux to the Department of Labour. The significance of this proposed move was that it was intended as a step towards de-racialisation of the labour bureaux. The Department of Labour has traditionally been associated with the execution of legislation such as the Wages Act,[75] which is less explicitly racist than legislation executed by PRAD.

There is, however, a deeper underlying motive. This is the attempt to improve the employment service functions of the labour bureaux and to down-play their directly repressive functions. Improvement of the labour allocation function of the labour bureaux in the urban area has a direct economic significance in so far as it increases the mobility, and hence the efficiency of allocation, of the urban workforce. The down-playing of the repressive function of the urban bureaux and their proposed specialisation in the provision of employment services for workers and other classes of urban Africans qualifying under Section 10 (1) (a), (b) and (c) is yet another facet of the attempt to deepen the divide between sections of the African population.

The potential affects of these proposals, if implemented should not be underestimated. They point towards the creation of a dual labour bureaux system, the one essentially concerned with providing employment services for individuals from all racial groups who have the requisite qualifications, and the other with the increasingly strict enforcement of influx control measures on those without these qualifications.

The foundations of this dualism are extended in a further proposal of the Commission, which is that 'assembly centres' be established at suitable places on the borders between South African and the 'Black States'. These centres, to be run by the BAABs, are intended to regulate the recruitment, registration and terms of sojourn of Africans from the 'Black States' wishing to take up employment and residence in the rest of South Africa.[76]

It is now necessary to show the limitations built into these measures. As regards the attempted separation of control and allocation functions through the creation of a dual labour bureaux system, this can do little more than transform the contradictory internal functioning of the labour bureaux into a contradiction in the relations between apparatuses. To the extent that this separation is achieved, and this is itself doubtful, it may be expected that increased tension in the relations between the Department of Labour and the Bantu Affairs Administration Boards will develop.

There is a further reason to suspect that little in the way of real change either in the form of increased mobility or in the form of decreased repression will come from these proposals. The reason is that it is precisely these apparatuses which are most responsible for the execution of the repressive and racially discriminatory policies of the State that are left intact by the Riekert proposals. The Bantu Affairs Administration Boards are old dogs which do not easily learn new tricks. Left structurally intact, as the proposals suggest they should be, their chances of becoming non-racial, benevolent welfare apparatuses serving the 'Black Communities' in the 'White areas' are small. As regards their activities in the rural areas and especially at the proposed 'assembly centres', they were never intended

to do anything other than increase the full range of repressive controls over the disqualified African population.

Conclusion

The discussion in the preceeding section has been limited to an analysis of the proposals put forward by the Riekert Commission for changes in the legislation and machinery of control over the African population in South Africa. An attempt was made to show the class intentions behind these proposals, particularly the intentions of the dominant classes in relation to the popular African classes. In addition, the internally contradictory character of the proposals was discussed as well as the self-imposed limits on their scope of application. In view of these limitations it is extremely doubtful that even the narrow reforms desired by the Commission will be secured.

These are limits imposed within the terms of reference of the Commission. In order to understand the more fundamental limits it is necessary to step outside of the Commission's terms of reference. This allows us to see that its attempts to resolve the underlying contradictions currently developing within South Africa do little more than reproduce them in a different form.

The attempt to resolve the mounting crisis of unemployment, or, more fundamentally, of reproduction of the workforce in the towns, does little more than displace and re-create the problem in the rural areas of South Africa and in its neighbouring countries. Furthermore, with every widening of the gap between the material conditions of the urban workforce and that of the excluded proletariat, the pressure, both from capital and from the excluded workers themselves, to break the legal barriers against employment and residence in the towns increases. This in its turn threatens the very section of the workforce which is the object of the protective measures. Thus the categories imposed by the State, Section 10 (1) (a), (b), (c) and (d) workers, 'illegal' and 'legal blacks', are themselves undermined by the necessities of the further development of capitalism. Capital, in short, continuously tends to undermine the forms of containment of its own contradictions.

But there is no inevitability in this process. These are contradictions which may just as well continue to be effectively managed as give rise to further crises and restructuring. The intentions contained in the Riekert proposals may or may not be carried through. What will decide this is not their contradictory character so much as the course of the struggle for and against their implementation.

Notes

1. I wish to thank the Labour Research Committee, which has recently completed the first detailed empirical study of the labour bureaux in the rural areas, for valuable discussions on the subject. I am also greatly indebted to those who attended the seminars I gave in mid-April 1980 in Cape Town, and particularly to Mike Morris and Johnny Myers for invaluable discussions on a number of theoretical issues. These discussions did not always end in agreement and I must emphasise that I alone am responsible for what is contained in the following pages.

2. 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)* (Chairman: P J Riekert) R.P. 32, 1979.

3. Republic of South Africa, *White Paper on the Riekert Commission Report*, WP T-1979.

4. The Riekert Commission suggested that these proposed Acts replace the Black Labour Act, No. 67 of 1964 and the Blacks (Urban Areas) Consolidation Act, No. 25 of 1945. R.C. para. 67.

5. See for example *The Sunday Times*, 4.11.1979, 'The Human Tide', and *The Daily News*, 20.2.1980, 'Piet Koornhof's Egg Dance'.

6. Of the apologetic works, those of P J van der Merwe are the best known. These include 'Die Bantoe-Arbeidsmark in Suid Africa', D Phil., University of Pretoria, 1971; 'The Economic influence of the Bantu Labour Bureau system on the Bantu Labour market', *South African Journal of Economics*, 39, (1969), and 'Black Employment Problems in South Africa', paper delivered to the Unemployment Workshop, Development Studies Research Group, University of Natal, March 1979. Professor van der Merwe's D Phil. thesis appears to have provided a good part of the intellectual and empirical foundation for the Riekert Commission Report. He was one of the 'expert advisors' to the Commission and has written an article commenting on it: 'An Analysis of the Report of the Commission Inquiry into Legislation Affecting the Utilisation of Manpower', *Finance and Trade Review*, XIII, (1979).

7. These comments express what appears to me to be the main thrust of the liberal argument. They do not appear anywhere in this precise form, but occur as elements of arguments in many articles and books. Of these, the following are of importance: S T van der Horst, 'The Economic Implications of Political Democracy', Supplement to *Optima*, June, (1960): *African Workers in the Town* (Cape Town 1964) and for the pre-Apartheid period: *Native Labour in South Africa*, (London 1942). G V Doxey, *The Industrial Colour Bar in South Africa* (Cape Town 1961). W H Hutt, *The Economics of the Colour Bar* (London 1964. Elements of this argument are present in F Wilson, *Migrant Labour in South Africa* (Johannesburg 1972) and, in a different form, in B S Kantor and H F Kenny, 'The Poverty of Neo-Marxism: The Case of South Africa', *Journal of Southern African Studies* 5, (1976). Orthodox economics does not automatically lead to the argument that apartheid controls frustrate growth. See S Siebert and A Guelke, *Is State Control of Labour in South Africa Effective?* (London 1975).

8. Here again, I have attempted to draw out only the main features of the Marxist approach and do not do justice to the full complexity of the writings of each author.It will be seen that although I criticise one aspect of these writings, my own work rests upon what I regard to be the major advances in a number of them. The writings that are particularly important for the present discussion are H Wolpe, 'Capitalism and

Cheap Labour-Power in South Africa: from Segregation to Apartheid', *Economy and Society*, 1, (1972): M Legassick, 'Capital Accumulation and Violence, *Economy and Society*, 3, 3 (1974) and 'Legislation, Ideology and Economy in Post-1948 South Africa', *Journal of Southern African Societies*, 1, (1974). Of those who emphasise the importance of fractions of capital as political forces within the State see in particular D Kaplan, 'Class Conflict, Capital Accumulation and the State', D Phil., University of Sussex, 1979 and M Morris, 'The State and the Development of Capitalist Social Relations in the South African Countryside: A Process of Class Struggle', submitted for D Phil., Politics, University of Sussex, 1979. R Davies, 'Capital, the State and White Wage Earners', Ph.D. Thesis, University of Sussex, 1977.

9. The analysis in the following sections has been developed on the basis of a reading of Marx's *Capital* and the work of Poulantzas and Hirsch in particular, in the light of my empirical work on the labour bureaux in South Africa. It represents the first steps in an attempt to integrate and concretise their abstract analysis in the context of the labour bureaux system in South Africa. The most important writings are *Capital*, Vols. I and III, (London 1974); N Poulantzas, *Political Power and Social Classes* (London 1976) and *State, Power, Socialism* (London 1978); J Hirsch, 'The State Apparatus and Social Reproduction: Elements of a Theory of the Bourgeois State', in *The State and Capital.: A Marxist Debate*, eds., J Holloway and S Picciotto, (London 1978).

10. The notion of 'relative autonomy' is developed in N Poulantzas, *Political Power*, and further developed through the concept of 'institutional materiality' in N Poulantzas, *State, Power*.

11. This question is put in E La Clau, *'The Specifity of the Political: The Poulantzas-Miliband debate', Economy and Society*, 4, (1975).;

12. Poulantzas, *State, Power*, 152.

13. The 'racially exclusive' character of the South African State is analysed in Kaplan, 'Class Conflict' and Morris, 'State and Countryside'.

14. I wish to thank Johnny Myers for discussion on these points. He did not agree with me.

15. The notion of 'power centres' comes from Poulantzas, *Political Power*, 115-7.

16. I wish to thank Mike Morris for discussion on these points.

17. See Wolpe, 'Capitalism and Cheap labour-power'. Wolpe's periodisation needs modification in the light of recent findings on African agricultural production in the Reserves. A dramatic change in the pace of proletarianisation in the Reserves after the 1960s is suggested by Charles Simkins' findings in 'Agricultural Production in the African Reserves of South Africa', 1918-1969, Development Studies Research Group, University of Natal, Pietermaritsburg, December, 1979.

18. There can be specialisation in these functions between Commissions. The Cillie Commission, Report of the Commission of Inquiry into the

Soweto Riots (Chairman P M C Cillie, R.P. 106-1979, looked into the direct causes of the 1976 urban riots, while the Riekert Commission was given the wider question of the restructuring the State control apparatuses. It is probable though that the Riekert Commission has had more of an impact in deflecting current demands than the Cillie Commission, due to the widespread interest it has generated and its more prompt appearance.

19. Republic of South Africa, *Report of the Commission of Inquiry into Labour Legislation*, (Chairman: N E Wiehahn) R.P. 97, 1979.
20. There is a similar contradiction in the Wiehahn Report between the principle of 'free association' and the attempt to restrict the application of this principle to 'local' urban workers.
21. Riekert Commission, Chapter 1.
22. Riekert Commission, para. 1.1.
23. Riekert Commission, para. 1.8.
24. Riekert Commission, para. 1.9. (1).
25. Riekert Commission, para. 1.9. (0).
26. All legislation and institutions are discussed under the titles 'Labour Market Institutions' and 'Labour Market Measures' in South Africa. Riekert Commission, Ch.3 VI and VII.
27. Free market idiology, a progressive force at its historical inception now re-asserts itself in a reactionary role in many capitalist countries. In Britain it is used to rationalise the slashing of welfare expenditure under the present conservative party leadership. In South Africa, arriving belatedly, it gains an unwarranted credibility by contrasting itself to apartheid.
28. There is also the continued reproduction of non-monopoly capitalist forms of ownership and extensive forms of exploitation.
29. Simkins, 'Agricultural production'.
30. See the sections of the Report dealing with recruitment from 'Black States', Aid Centres, Unlawful Employment and Influx Control, Riekert Commission Ch.4 II, 3, 9, 10 and Part III, 1.
31. Bantu Homeland Citizenship Act, 1970.
32. Of the existing critiques of the Riekert Commission the most comprehensive is that of the Wages Commission entitled *Riekert, Don't worry everything's okay*, S.R.C. Press, University of Cape Town. This was a timely debunking of claims to reformism in the Report. As an analytical work it suffers from the failings of earlier Marxist writings discussed above. Other critiques are to be found in the *South African Labour Bulletin*, 5, (1979), and *Work in Progress*, 9, (1979).
33. For those involved in the formulation of policy, and in ensuring that it is executed the distinction is seldom lost. See H Verwoerd's speech to the Annual Congress of the Administrators of Non-European Affairs of

South Africa, 1952. 'There is a comprehensive programme for dealing with the urban Native and the problems created by his residence in the urban area. That programme has been translated into the Natives' (Urban Areas) Consolidation Act, 1945 . . . Deviation from this programme causes confusion especially where a local authority follows a course of its own. This is at all times strenuously resisted.' Quoted in G Davis *et al*, *Urban Native Law* (Port Elizabeth 1959), foreward, (vi).

34. Act No. 25 of 1945.
35. Section 10 (1), Act 25 of 1945.
36. F B Du Randt, *Manual of Bantu Law*, (Port Elizabeth 1971) 126.
37. Riekert Commission, para. 4.105(f) and para. 4.105(g).
38. Riekert Commission, para. 4.105(1).
39. Riekert Commission, para. 4.205(e).
40. Riekert Commission, para. 4.205(c).
41. White Paper p.3-4, I, 7 and p.6 II, 1.
42. C E W Simkins and D C Hindson, 'The Division of Labour in South Africa', *Social Dynamics*, 5, (1979).
43. The characteristics of the new and old petty bourgeoisie are analysed by N Poulantzas, *Classes in Contemporary Capitalism*, (London 1975).
44. Riekert Commission, para. 5.27 and para 4.232.
45. Riekert Commission, para. 5.136.
46. Riekert Commission, para. 4.421 (viii) and para. 4.422-4.429.
47. Riekert Commission, para. 6.34.
48. P J van der Merwe, 'Die Bantoe Arbeidsmark'; W van Breda, *The Employment Process*, Personnel Research Division, University of the Orange Free State, 1975 and Riekert Commission, Ch.4 II, 7 on labour bureaux.
49. Riekert Commission, para. 4.387 (b) (iii).
50. This restriction is intended to apply to all workers, irrespective of race, Riekert Commission, para 4.281 (b).
51. The South African Federated Chamber of Industries has consistently, since the early 1950s, appealed to the State to allow them to move workers more freely between prescribed, and, later, Bantu Affairs Administration Board areas. See for example SAFCI memo to all Constituent Organisations 17.3.1954, memo to Non-European Affairs Committe, 19.4.1956, memo on discussion with the Deputy Minister of Bantu Administration, 5.9.1968.
52. Riekert Commission, para. 4.204 (d) and (f) and also Riekert Commission, para. 4.152 (c) on the necessity to prevent unlawful employment.
53. House of Assembly Debates, 19.6.1952, col. 8676.

54. Riekert Commission, para. 4.162-170.
55. *The Daily News*, 20.2.1980.
56. White Paper, I, 10, p.5.
57. After the passing of the Native Laws Amendment Act No. 46 of 1937 a similar intensification of controls took place, but this lasted only until the beginning of World War II.
58. This information is based on personal discussions with householders who have been affected. It is fragmentary.
59. Provisions for expulsion, which is referred to as 'removal' or more euphemistically, 'repatriation' exists in Sections 10, 14, 28, 29, *bis* and 38 of the Urban Areas Act.
60. Riekert Commission, para. 4.146.
61. Riekert Commission, para. 4.28 (a). Despite the ambiquity in the statement, the intention is clear.
62. Act No. 25 of 1945, Section 29.
63. Marx, *Capital*, Vol. I, Chapter 25.
64. Du Randt, *Manual of Bantu Law*, 81.
65. C Munro, 'Influx Control in Johannesburg — an adjective appraisal', *Journal of Law Students' Council of the Witwatersrand*, 4, (1972). See also Riekert Commission, para. 4.234.
66. Riekert Commission, para. 4.235.
67. Riekert Commission, para. 4.244.
68. White Paper, II, 5, p.7.