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The discourses on the right to housing in Gauteng Province, 1994-2008.

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CHAPTER FOUR

THE ESSENCE OF APARTHEID

4.1 Introduction

The different research questions I asked about rights discourse in the post-apartheid transition project are influenced by two themes central to understanding the essence of apartheid ideology and policies, and what those policies meant for the disenfranchised in terms of acquiring housing. Apartheid emerged from the victory of white settlers in an interracial competition for land, and the subsequent 'problem' of white governments of what to do about the black majority's presence in the territory whites claimed for themselves. These themes are the myth that the land claimed was empty, and the policy principles about housing provision for blacks in 'white' areas.

4.2 Rightful claims to an 'empty land'

Historians (Marks 1980 and Nigel Worden1994:5-6) contend apartheid ideology was supported by a mythical history of South Africa as once being an "empty land" into which whites migrated and legitimately came to control the land and resources. The myth contends descendants of European colonists (Dutch, French, and later British) who had begun a permanent settlement from 1652, after their initial contacts with the indigenous settlers in the vicinity of the Cape and their subsequent subjugation, moved into an "empty land". Some white thinkers developed several myths (see Thompson 1985) about South African history to support and legitimate the social and political structures that dominated non-whites and which protected white rule in South Africa. Stellenbosch

University academic NJJ Olivier's views epitomised support for apartheid and expressed the empty land fallacy thus:

> "In the beginning of the 17th century the greatest portion of the southernmost part of the African continent was practically uninhabited. When the Dutch colonists settled at the Cape in 1652, the migrating Bantu tribes had scarcely crossed the northern borders of what is today the Union of South Africa. In course of time the east and northwardly expanding White colony had to meet the southwards-moving Bantu tribes, and eventually at the end of the 18th century, they met, and clashed, in the eastern parts of the present Cape Province. It is, therefore, a complete fallacy to state that the Bantu in South Africa have a stronger aboriginal claim to this country than the Europeans: the Bantu were at the time as much foreigners to this country as the Whites were. Equally fallacious is the prevailing assumption that the Bantu had to part with this land under duress, and that the whites stole their land from them; in this connection the Whites in South Africa have a record far superior to their brethern [sic] in North America!" (Olivier 1954:1-2)

Such views legitimised white politicians' claims to land in a later period of consolidation of white rule across South Africa. Prime apartheid ideologue, HF Verwoerd (1961), propagated a version of the myth which claimed, subsequent to the simultaneous settlement of the land, clashes did occur between black and white over the borders of their respective territories in the nineteenth century, but, since the passing of that era, in the twentieth century, descendants of the white settlers who had conquered a greater part of the empty territory generously ceded land to the 'Bantu'.

From the early part of the twentieth century both black and white liberal, radical and Marxist professional historians produced scholarly research that attempted to write South African history from the viewpoint of the subordinated black

groups as well as to disseminate to the international community their viewpoint on the consequences of white racial domination and oppression. They used archaeological evidence as proof of settlements dispersed across the southern African interior predating the arrival of Europeans. Wilson and Thompson (1969) claimed archaeological data pointed to the presence of hominids across parts of South Africa at least two million years back, to the existence of tool-making cultures at least 44, 000 years back, to evidence of the Khoi and San ancestors' presence at least 11, 250 years back, and the presence of the Nguni, Tsonga, and Sotho language ancestors in the south eastern and north eastern parts of the country long before the arrival of white settlers. From the initial settlement of Dutch traders in 1652, then French Protestants and British in the eighteenth and nineteenth century, whites expanded their settlement into the interior from the late eighteenth century and clashed with African people in several wars over control of the land; African chiefs often permitted whites the use of land in terms of African traditions of land use, but whites were accustomed to the notion of the exclusive right of individuals over a piece of land (Wilson & Thompson 1969:268). Whites occupied and set up governments in different parts of South Africa; sometimes they obtained land through cordial arrangements with African chiefs, but they also often directly clashed with African traditional states for tracts of land or settled on land uninhabited by Africans (Davenport 1977:43-93; Maylam 1986:2-67; Worden 1994:5-33).

Post-apartheid state departments disseminate a revised history (see *A short history of South Africa*. nd) which states that archaeological studies prove modern humans settled in territories in the borders of present day SA since at least 100 000 years ago, and artifacts surviving from the third century AD indicate these peoples reached an 'Early Iron Age' by that time (Maylam 1986:2-9). These human populations comprised: hunter and gatherer San groups who roamed different parts of the interior; Khoekhoe pastoralists who settled mostly around the southern and western coastal regions; descendants of the Bantu-speaking peoples' series of migrations from central Africa which led to a variety of population groups engaged in agro-pastoralist livelihoods and settled on the

north-eastern and eastern regions some hundreds of years before the arrival of European settlers. Evidence shows that at least around the 13th century such Bantu settlements existed in this north-eastern region. Maylam (1986:9-11, 17-19, 34-5) argues artifacts of a 'Late Iron Age' between 900AD to 1400AD suggest some of these inhabitants changed their settlement patterns from villages to scattered family homesteads, and that different forms of peaceful interaction occurred between the various peoples whom apartheid ideology would later choose to rigidly classify into specific ethnic groups as well as precisely demarcate limited areas of claims to their ancestral settlement. Recent accounts (Letsoalo 1987:18-20) of land tenure systems practiced by Bantu peoples across southern Africa claim these traditional states practiced private land ownership, and not "communal land tenure" as is commonly misunderstood, with established traditions for granting land to members of the community such as in the case of newlyweds, as well as granting land to non-members immigrating to the domain of another ethnic group.

Besides the scholarly work of historians, black organisations and political activists also challenged Olivier's sense of history. In 1955, delegates to a meeting in Kliptown in the Transvaal province organised by the ANC adopted the *Freedom Charter*; the document's non-racial inclusivist nationalism creed proclaimed "South Africa belongs to all who live in it, both black and white" (Karis, Carter & Gerhart 1977:205-8). 'Africanists' in the ANC maintained a contrary restricted notion of who made up the South African nation and who could make ancestral claims to the land. They formed the Pan Africanist Congress (PAC) in 1959. A Transvaal PAC organiser, ST Ngendani wrote they were furious that the ANC document claimed "the land no longer belongs to the African people, but it is auctioned for sale to all who live in this country." (Karis, Carter & Gerhart 1977:505). During the 1980s, Mosiua Patrick 'Terror' Lekota, a prominent member of the internally based anti-apartheid organisation, the United Democratic Front (UDF), expressed a different sense of the historical events Olivier wrote of and why he felt the *Freedom Charter* promised to provide a practical, fair and just approach to the unequal distribution of the land:

> "The wars of dispossession (stretching from the late 17th century down to the Bambata rebellion of 1906), the Land Acts of 1913, the Hertzog Acts of 1936, deprived African people throughout the country of whatever meaningful land ownership rights they had ever enjoyed. ..." (cited in Cronin & Suttner 1985:198)

The *Freedom Charter* and the Pan Africanists' opposing generalised view of black Africans' ancestral ownership of the land divided liberation movements for several decades, and continues to do so after 1994. My discussion of land protests after 1994 in later chapters shows it is apparent that the conciliatory *Freedom Charter* and the generalised ancestral claim to the land still serves to mobilise people against aspects of the ANC government's land reform and housing policies, although these people are not necessarily affiliated to the PAC.

After the British conquest of inland territories controlled by the 'Boers' (the term the Dutch descendants adopted to identify themselves as 'farmers') between 1899-1902 (Davenport & Saunders 2000:203-8, 213-32) and the unification in 1910 of the different white-controlled regions into a single state, the Union of South Africa, the minority white-controlled state also employed various measures of repression of black mobilisation and resistance which challenged the legitimacy of the state and sought to improve their circumstances. The spirit of legislation the Union government passed, such as the *Natives Land Act, Act no. 27 of 1913* (Union of SA 1913), and its later amendments, secured and legitimated white control of about 87% of the country's land mass. This Act prohibited the sale of land to 'natives' in those parts of the Union that came under white control after colonial conquest, and it contained an exhaustive schedule of areas where natives were permitted thereafter to purchase or hire land. Effectively, this compelled those Africans living in the remaining 13% of the land, called Reserves, Bantu Areas, Bantustans, or Homelands, and who were subject to Union taxes as well as in need of cash, to send male members of households to livelihoods earned as migrant labourers, or a source of labour power for the white-controlled economy (Murray 1987:1-3).

At the height of the apartheid era, scholars of revolution in other parts of the modern world were tempted to comment on whether the conflict in South Africa had the necessary preconditions for a widely anticipated cataclysmic rebellion or revolution followed by a radical restructuring of social relations. Gurr (1970:15), Russell (1974:16-55), and Skocpol (1979:16) cautiously pointed out how the illegitimate regime could remarkably endure. My sketch of segregation and apartheid and events culminating in a negotiated transition rather than a cataclysmic revolutionary demise to the regime draws out factors that would make post apartheid reconstruction a colossal task hamstrung by a transition involving compromises by the leadership elites of rival political movements.

4.3 What to do about urban blacks? Segregation and Apartheid

The roots of the present day housing shortage and housing policy difficulties lies in the interrelationship between whites' ideas of race supremacy (Thompson 1985:27-30), the policies of white governments for the separation of races which Afrikaner organisations such as the Dutch Reformed Church called for (Dubow 1992:212), and the reality of white control of a modern economy dependent on African labour (Beinart & Dubow 1995). Precious mineral discoveries, diamonds in Kimberly (1867) and gold on the Rand (1886), stimulated an industrialisation 'take-off' (see O'Dowd 1977 and Marks & Rathbone 1982:1) and the growth of an economy that required cheap black labour.

The misery imposed on the three main subordinated and disenfranchised race groups was qualitatively different for each group, for instance, on matters such as the right to live in urban areas and to acquire housing in the urban areas of the different provinces. After the industrialisation take-off, Africans experienced the worst consequences of land dispossession, incorporation into wage-labour relations, low wages, urbanisation, of segregated housing policies and legislation such as the *Housing Act of 1920* and the *Native (Urban Areas) Act of 1923* and its amendments, which produced an acute housing shortage for Africans (see

Morris 1981).The development of a system of migrant labour on the diamond and gold mines and the housing of such employed African males in barracks or hostels was a central feature of this industrialisation (Stadler 1987:37-42). Through the nineteenth century migrant African labourers on the mines earned wages comparable to or higher than agricultural workers in parts of Britain, and there was a voluntary aspect to labour sourced from Moçambique because young men sought cash as a means of paying for bridewealth (see Harries 1982). Most research on the developments in the organisation of the migrant labour system in the twentieth century emphasises the cost as well as control benefits to this system of housing oscillating African male labourers coerced out of the Reserves because of taxes and diminished access to land:

> "At the point of production, mineworkers were housed in regimented compounds, far cheaper than any other form of housing, and far superior for the purposes of control." (Legassick 1974:264)

Industrialisation and urbanisation increased interracial contact forcing White governments to deal with: its constituency's inclination to race supremacy ideas and playing a role in shaping these ideas; this constituency's demands for the separation of races; and, the reality of being in control of a modern economy dependent on the supply of cheap African labour. Lacey (1981:1) argues the "segregation" policies of governments between 1910 to 1948 dealt with four major issues: how to inhibit African peasants as independent self-sufficient producers and thereby induce more Africans into migrant labour; where to settle Africans living on white farms as share-croppers, tenants and illegal squatters; how to regulate the supply of African labour between the mining, farming and secondary industry sectors; how to protect poor whites from cheaper African labour. Through this period overstocking, overgrazing, overpopulation and subsequent poverty in the African reserve areas worsened; although there were amendments to the 1913 *Natives Land Act* in 1926, 1927, and 1936, the amount of reserves land made available to Africans did not increase to cope with these pressures (Lacey 1981:19-25, 39, 41, 251). Consequently, more African

peasants exited the reserves to offer their labour services to the white-controlled sectors of the economy and increased the numbers of urban Africans.

State appointed commissions of inquiry were central to the governments' developing policy towards the increasing number of Africans in white-controlled areas. Ashforth (1990:1-13, 26-9, 54-5) is dubious about the purported scientific discourse of the commissions established to speak of, and on behalf of Africans, as well as to make policy recommendations regarding their status in white areas and in the reserves. Commissions which made important policy inputs into urban African housing up to the eventual apartheid policies included the South African Native Affairs Commission of 1903-5 chaired by Godfrey Lagden, and those more popularly known by their chairpersons, the Stallard Commission of 1922, the Fagan Commission of 1946-48, and the Sauer Commission of 1948. The commission reports have a recurring theme of Africans as rooted in rural, collectivist lifestyles, and is probably an important instrument in shaping what Mamdani (1996:16-8) calls a bifurcated state, a single hegemonic state which ruled through two forms of power over Africans. Customary authority was used to control rural Africans depicted as collectivistic and engaged in traditional culture, while Africans settled in urban areas were kept on the margins of society not quite relishing the effects of the civil society and civil rights discourse that predominated the political life of the settler colonialists.

The Lagden Commission recommended a uniform native policy for the Africans ("Natives") who would fall under the government of the imminent Union of South Africa after Britain had conquered the independent Boer Republics between 1899-1902 (Davenport & Saunders 2000:240-2). The Commission (South Africa 1905) recommended that, in order to safeguard White ("European") interests, future legislation should make restrictions on where "Natives" could purchase land [para. 193] and with similar restrictions applying in urban areas [para. 254]; it noted that prevailing pass laws were still necessary, but that there should be a uniform type of pass [paras. 264, 266]; regarding "Natives" living in White controlled areas, or in "municipal locations", it noted, although their housing

conditions were poor: “The Natives who reside in or frequent these locations are in the main working people. As such there is every reason why they should be encouraged to stay as useful members of the community.” [para. 248]; the latter should be accommodated by policy: “The object should be to afford those who desire it the opportunity of acquiring in their own right holdings for residential purposes within these locations, and, with or without this, encouragement to make, and security for, improvements.” [para. 249]; but the unwanted “surplus or idle Natives” should be expelled by local authorities [para. 253]; with regard to the issue of the demand for labour which exceeded the supply in mining, agriculture and other industries [para. 357], the Commission noted the economic independence of the majority of “Natives”, in the sense that they had access to land and related livelihoods in the reserve areas and thus were not easily drawn to wage labour social relations [paras. 369, 370]. Thus two approaches can be discerned in the Commission’s recommendations: accept the urbanisation of Africans who were in labour service to the White economy, and simultaneously restrict African ownership of land.

FC Stallard’s Report of the Transvaal Local Government Commission (Province of Transvaal 1922) informed Union government policy towards urban Africans and their housing provision. It expanded on Lagden’s observation that urban Africans lived in poor housing and its words spoke of a “housing problem”: “The great influx of natives - men, women and children - to town and the corresponding housing problem created thereby.” [para. 18(3)] but warned that the permanent presence of increasing numbers of Africans in towns would support their equal right to the franchise enjoyed by Europeans [para. 42]. Stallard recommended that Africans be permitted in urban areas only as long as they performed labour services to Whites: “We consider that the history of the races, especially having regard to South African history shows that the commingling of black and white is undesirable. The native should only be allowed to enter urban areas, which are essentially the white man’s creation, when he is willing to enter and to minister to the needs of the white man, and should depart therefrom when he ceases so to minister.” [para. 42]. On the

issues of urban African housing and passes, it heeded recommendations which linked the controlled selling of beer to Africans as a means of municipalities to gain revenue for the continued provision of urban African housing [paras. 257, 293, 294], and the system of pass laws be maintained with better administration so as to curb the settlement of "undesirable natives in white areas" [para. 253].

The *Natives (Urban Areas) Act of 1923*, with amendments in 1937 and 1945, followed Stallard's report, and sought to regulate the movement of Africans from reserve areas to the urban areas in "white South Africa" (Union of South Africa 1923; Giliomee & Schlemmer 1985:1-11). This legislation, whose preamble claimed its passage was:

> "To provide for improved conditions of residence for natives in or near urban areas and the better administration of natives in such areas; for the registration and better control of contracts of service with natives in certain areas and the regulation of the ingress of natives into and their residence in such areas; ..." (Union of SA 1923),

effectively sought to constrain the permanent residence of Africans in urban areas, to eject the "surplus" unemployed Africans who were not in economic service to white people in urban areas, and to limit them from freehold tenure.

Although the *Native Trust and Land Act, Act No. 18 of 1936* sought to consolidate the schedule of land listed in the1913 *Natives Land Act* and to develop a fund to acquire more land for the reserves through purchasing white-owned land in scheduled areas, by "releasing" more land to be attached to the reserves, and setting quotas of land for each province to give to the Native Trust, as well as to transfer some Crown land to Reserves, the step could not prevent the decline of productivity in the Reserves which caused the persistent African urbanisation. This was despite the fact that, according to the calculations of the Tomlinson Commission (Union of South Africa 1955), it would bring the total amount of "Native Areas" land to 19 611 000 morgen [chap. 11, para.43].

Stadler (1979) reports that, in the last years of the segregation era, an African-oriented newspaper wrote of deterioration of the reserve areas and the related pressure it caused on an urban housing shortage for Africans. Homeless urban Africans set up squatter camps and were organised into movements such as the Sofasonke [*we shall all die together*] Party. In the Johannesburg area there were between 63 000 and 93 000 African squatters, where leaders like Schreiner Baduza organised squatting as a strategy to organise the poor, while James Mpanza of the Sofasonke Party encouraged Africans in Orlando to expel their sub-tenants whereupon he subsequently organised the evictees to occupy land.

It was in this context that Justice Henry Allan Fagan (Union of South Africa 1948) reported on laws relating to Africans in urban areas, the pass laws affecting them, and the use of African migrant labour. The commission noted a near trebled increase of Africans in urban areas in twenty five years from 587 000 in 1921 to 1 794 212 in 1946 [para.7], and generally a move out of the reserve areas [para. 10]. As far as policy options went, Fagan disagreed with the idea of total segregation between blacks and whites and policies of sending Africans back to reserve areas [see paras. 18, 28]; on the workings of the pass laws system, he recommended a centralised labour bureaux to regulate the movement of African labour [paras. 44, 61], and the development of the reserve areas [para.61]; he accepted the fact of a “permanent urban Native population” [para. 65 (3)] and recommended that more housing be built [para. 64] with more government financial support [para. 65 (20)], and, generally, more funds be used for the construction of more “native villages” [para. 37].

In 1943, under its old name, the National Party appointed PO Sauer to advise it on race policy. Against the backdrop of increased African urbanisation and, contrary to Fagan’s acceptance thereof, Sauer’s report (Herenigde Nasionale Party 1947) rejected policies amounting to assimilation and equality between races. His policy principles recommendations entailed: strict racial separation to maintain the purity of the white race [para. 1] and separate opportunities for the development of the non-white races [para. 6]; the gradual separation of the races

without the disruption of the agricultural, mining and industrial sectors of the economy [para.7]; self government for Africans in separate ethnic reserve area homelands; separate urban residential areas to enforce separation of races; to develop the reserve areas; preferential employment of “detribalised” Africans in urban areas in order to prevent the concentration of Africans in urban areas while plans be made to freeze and decrease the numbers of detribalised Africans in urban areas through re-establishing tribal bonds; and the establishment of decentralised industries located near homelands to prevent the concentration of Africans in urban areas [Section E].

FR Tomlinson’s commission (Union of South Africa 1955) investigated the rehabilitation and socio-economic development of the “Bantu” areas as a means of furthering race segregation idea and reducing the number of urban Africans. Tomlinson argued in terms of the arrival of the “Bantu” in southern Africa in the sixteenth century, almost coinciding with the establishment of a Dutch settlement [para. 5]. He noted the impact of black (“Bantu”) and white (“European”) contact, of black migration and urbanisation, and recommended policy principles to protect the cultures, economies, and political cultures of both black and white. He said “Bantu” urbanisation caused urban social problems, urban housing shortages and westernisation [chap. 24, para. 7], integration and assimilation of races and cultures would create an undesirable outcome --- “the creation ... of a new biological entity” [chap. 24. 13(v)]. He argued the development of the Bantu Areas was important to enhance their productivity, to achieve economic and political stability [chap. 26. para. 1]:

> “The Commission is convinced that the separate development of the European and Bantu communities should be striven for, as the only direction in which racial harmony may possibly be maintained. The only obvious way out of the dilemma, lies in the sustained development of the Bantu areas on a large scale.” [chap. 50, para.II(v)]

Thus, after its 1948 electoral victory, the NP’s approach to dealing with African

urbanisation and urban housing demand resorted to the position that a restricted provision of urban housing for Africans was done in relation to its long term policy of developing the reserve areas.

Sauer's report spoke in terms of maintaining the purity of the white race and respecting the need of the 'non-white' races to develop on their own. On the surface, the NP's apartheid ideology appeared to be a synthesis of theories of cultural and racial difference between the white and various black subgroups. Apartheid ideologues such as WE Barker (1949) preferred the term "separation" as an apt description of the nature of the evolving philosophy and policies as a way of distinguishing it from the "drift" and "segregation" tendencies in race relations in South Africa. "Drift" amounted to many westernised Africans losing their cultural traditions and demands for the mixing of races. "Segregation" was seen as a cruel slave relations type of system, it was uncaring in the way it attempted to push Africans apart from whites and dumped the unwanted aged and frail Africans in destitute reserves. The apartheid option was apparently paternalistic, Christian, a reasonable plan to assist African development. It could be achieved in around fifty years and would eventually end inter-racial friction:

> "... to define Apartheid. It is the complete territorial separation of the different races in South Africa. It will be brought about through the creation, the agricultural improvement and the industrialisation of Bantu provinces, or territories, where the Bantu will develop and enjoy the same political, social and economic rights which the European races at present enjoy. In the Native areas those rights will be denied to the Europeans according to the same principle which now denies them to the Bantu in the European areas of South Africa."
>
> "This definition shows that Apartheid is not primarily designed to push the Bantu out of the way of the Europeans. Rather it aims at making separate provision for each race in its own territory, in order that both people's can develop to the fullest extent along

> their own lines, according to their own laws and under their own governing bodies." (Barker 1949:27-8)

The unfolding segregation and apartheid policies and legislation were the aftermath of centuries of conflict between black and white over land and entrenched a situation which American political philosopher Robert Nozick (1992:139-41) calls an unfair distribution of holdings rooted deeply in a society's history, such a situation demands an increased role for the state to rectify the injustice or to bring about some distributive justice. He dramatically captures the essential mechanisms of the origins of this injustice thus:

> "Some people steal from others, or defraud them, or enslave them, seizing their product and prevent them from living as they choose, or forcibly exclude others from competing in exchanges." (Nozick 1992:139)

This statement suitably parallels the nature of unequal relations between black and white in the twentieth century during the segregation and apartheid eras, and gets to the heart of the problem of how dealing with the housing backlog in the post-apartheid era is often hampered by a shortage of land for housing programmes for low-income blacks. In contrast to Nozick's (1992) concern about restitution of land unfairly gained, Barker (1949:32) felt that despite white people having control over the greater share of land and the claims that apartheid was a form of injustice, "no moral code of justice requires a wealthy man to divide his riches equally between himself and a comparatively poor family who might happen to live next door."

Concomitant apartheid legislation attempted to enforce the physical and cultural separation of the different race categories as they were officially defined (Giliomee 1989; Kiloh 1997:296). The evolving state ideology reinforced and solidified existing differences as well as constructed further ethnic differences. Incrementally, legislation between 1936 and 1956 also formally completed the disenfranchisement of the black groups --- Africans in 1936, Indians in 1946, and

coloureds in 1951 (Boulle 1987:12-16; Rycroft 1987). The NP passed legislation to enforce segregation and end racial integration: the *Prohibition of Mixed Marriages Act of 1949* criminalised inter-racial marriages; the *Population Registration Act of 1950* enforced a system of rigid classification of race and ethnic groups; the *Group Areas Act of 1950*, and later its amendments, set aside residential and business areas for the different race groups, and was followed by the removal of groups 'unlawfully' in areas not set aside for them (although it mostly affected coloureds and Indians); the *Immorality Amendment Act, Act No. 21 of 1950* sought to prevent interracial miscegenation (called "illicit carnal intercourse between Europeans and non-Europeans"); the *Reservation of Separate Amenities Act of 1953* provided for separate public amenities in parks, post offices, restaurants; and, the various *Urban Areas Acts* and the *Native Resettlement Act of 1954* mostly affected Africans and reinforced their removal from 'white South Africa' (Davenport 2000:378-9, 396-7, 438).

Beneath the surface of its infamous ideology of racial differences and the necessity for the separation of races, the apartheid regime refined ideas and policies of its forerunner, "segregation", for the regulation of a supply of wage labour in a capitalist economy. Both systems employed pass laws and influx control mechanisms for acquiring and controlling the movement of cheap labour in an industrialising economy, although, in the apartheid era, the secondary manufacturing industries became an important employer of urban African labour, and an important influence on pass law legislation and policies for housing urban blacks (Legassick 1974:269-81). Posel (1995) notes that on the eve of the NP's electoral victory there was still division among the Afrikaner organisations supporting the NP over the issue of the preservation of white supremacy through segregation and the reality of dependence on African labour. The growth of the secondary manufacturing sector since the 1940s had increased the dependence on African labour, but it also brought along with it incidents of political turmoil. This industrialisation encouraged the growth of African trade unions in different economic sectors and an increase in strikes that brought out large numbers of African workers, as happened in the gold mine workers strike in 1946 in which

more than 60 000 African workers participated (O'Meara 1975). The NP had no apartheid blueprint or grandplan at the time of the 1948 election; it worked out piecemeal the tensions between the pressures for race segregation, the terms of integration of Africans into the white-controlled economy, and strategies for dealing with the labour needs of the different sectors of the economy.

The intensified growth of an industrial economy and emergence of an African wage labour proletariat during both the segregation and apartheid eras unfolded in a manner such that the African proletariat's permanently settled presence in towns and cities as work-seekers was constrained because of the refusal to accept their permanent urbanisation and the regulation of their movements in order to accommodate the competing labour demands of different economic sectors (Browett 1982:18-23); the regulation of the movement of Africans and supplying labour to these different economic sectors would be controlled by a system of pass laws and influx control (Greenberg 1980:152-5; Giliomee & Schlemmer 1985:1-11). Segregation and apartheid policies sought to uphold this constrained flow of excess African labour to the urban centres. Wolpe's (1972) classic analysis of this mode of economic organisation, where the majority of male African work seekers in the white controlled economy faced restrictions on their urban presence explained it as a form of cheap labour: male African migrant labour had linkages to families with livelihoods based on mixtures of land tillage and livestock ownership in the reserve areas where the productivity of these households supplemented the low wages of migrants. Some decades later, Marais (2001:8) added that the African migrant labour system as cheap labour suited the economic growth or "capital accumulation strategy" of an economy in which profits made in the mining sector was central, followed by the earnings in the agricultural and manufacturing sectors.

Through the segregation period, pass laws and the *Natives (Urban Areas) Act* (and its successive amendments) governed the right of Africans to residence in urban areas. These laws were further amended in the apartheid era to reinforce their effect of constraining African urbanisation as well as the claim that Africans

were only temporary residents in urban areas (Wolpe 1972:447). Posel (1993:414) says the *Native's Urban Areas Act* was amended in 1952, instructing the labour bureaux, which managed influx controls and the pass system, to give work preference to urbanised "detribalised" Africans over "tribalised" Africans who still had links to families and productive activities in rural areas. Giliomee and Schlemmer (1985:3, 6) argue that from the 1960s apartheid policy sought to make migrant labour the basis on which African labour would be employed giving priority to whites for work opportunities in white South Africa, thus tightening up the influx control legislation, giving employment preference to Africans already accepted as permanent urban residents with "Section 10" privileges (a section of the *Native's Urban Areas Act*) and reducing subsidies for African housing as an additional influx control measure. In Wolpe's (1972:443-449) analysis, full urbanisation of Africans would alter the conditions of a cheap labour system that underpinned this arrangement, but the capacity of the reserve areas to sustain a growing African population was eroded progressively and the push of Africans to urban centres increased. Urban settlement also spelt a demand for housing. The growth of the secondary and tertiary industry sectors of the economy also demanded a permanently urbanised African industrial proletariat who had no linkages with productive activity in the reserve areas that supplemented wages earned in urban centres. Evidence (Wolpe 1972:443) of this is the growth in the number of Africans employed in private industries from 1940 to 1970, and an increase in the percentage of the African population settled in urban areas. In 1911, 12.6% of Africans lived in urban areas; in 1946, on the eve of the NP's electoral victory, 23.7% of Africans lived in urban areas; by 1971, about 38% of the African population was living in urban centres. Although the race segregation "purists", whose interests were one factor that influenced the nature of apartheid, pressured the NP for a policy of total segregation (Posel 1995), Wolpe's figures show the reality of the situation was that apartheid measures could not reduce the dependence on African labour in the urban areas. The measures the NP took to sustain the system of excluding Africans from major "white" urban centres included the industrial decentralisation policies of the late 1960s and 1970s, whereby white-owned industries would relocate

close to the borders of the reserves and employ commuter migrant workers, who resided in the adjacent reserves (Wolpe 1972:452). Commuter migrants were different from migrant workers. Migrant workers had year long contracts, they could not bring their families with them into the urban areas, and had to return to the reserve every year for the renewal of the contract, thus they would not qualify for 'section 10' privileges because they did not have ten years of continuous employment in the urban area (Giliomee & Schlemmer 1985:4). Commuter migrants lived in the reserve area and returned there every day or weekend after employment in the decentralised industries of South Africa.

Apartheid laws affecting African or Black urban settlers stemmed from the segregation era's *Natives (Urban Areas) Act, Act No. 21 of 1923* but could not halt the influx of Blacks to urban areas. The legacy of the influx was the phenomenon of a growing segment of Blacks in urban areas in squatter settlements during the apartheid era. Apartheid laws sought stricter measures to limit the number of Blacks with qualifications, called 'section 10' privileges, from living in urban areas. Granting these privileges was rooted in the acceptance that there was a need for some African labour in urban areas, but that any "surplus" would have to be repatriated to the reserves. The state was also being urged to recognise that the urban Africans were "detribalised" (Posel 1991:79), a term alluding to their being permanently urban people who had lost touch with traditional land and customs associated with rural lifestyles, and with a residential right to remain in urban areas. Nevertheless, the amount of dwellings constructed for urban Black households was minimised (Browett 1982:21-22). The allocation of money for African housing indicated shifts in the implementation of the racial separation ideal of apartheid: up to the late 1960s a large part of the budget for African housing went into urban housing thereby signaling an acceptance of their permanent urban presence, but a reduction in the urban allocation signaled a shift back to the apartheid ideal of enforcing separation. William Cobbett, a researcher with PLANACT, a housing and urban development research organisation, argued that from 1968 the state suspended building programmes in the townships and the state indicated that future housing

provision for Africans would focus on the separate ethnic territories, or “bantustans”. In 1967 the state spent R14.4 million on African housing in “white” areas and R5 million on housing in the bantustans, whereas in 1975 R7.8 million was spent on African housing in the white areas and R67 million was spent on housing in the bantustans (Cobbett 1989:324).

During these successive periods of segregation and apartheid, and their different measures to restrict African urbanisation, the growth in the number of urban Africans and the actual employment of many rather than their being an unemployed surplus, was a reality. Lodge (1983:15-7, 49, 55, 93-4, 147, 205, 212-3) observes instances, between the late 1940s to the early 1960s, where urban Africans living in overcrowded township houses organised themselves into squatter movements to claim new land for squatter settlements with their own share of overcrowded shacks surrounded by terribly unsanitary conditions, or they simply built squatter shelters and occupied council buildings if the local authorities did not have funds to construct township housing.

4.4 Conclusion

White settlers conquering southern Africa from the Cape to deeper into the southern Africa interior since around 1652 contended it was an empty land on which they staked the primacy of their claim. Nevertheless, such a claim could not pre-empt the increasing presence of black people in white-controlled areas. A succession of forms of white rule from colonialism in the seventeenth century to the formation of a unified state ruling across South Africa since the beginning of the twentieth century produced a range of policies affecting black people’s access to and ownership of land and their capacity to own property and houses in both the urban and rural areas under white control. Two central aspects of apartheid policy was to enforce the separation of races and to regulate the presence of blacks in the economy of the white-controlled areas.