

**COERCIVE AGRARIAN WORK IN SOUTH AFRICA, 1948-1960:**

**“FARM LABOUR SCANDAL”?**

by

**CORNELIS HERMANUS MULLER (04233875)**

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Supervisors: Dr J.E.H. Grobler & Prof. K.L. Harris

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## **ABSTRACT**

This dissertation puts into historical context allegations of farm labour abuse during the period 1948 to 1960 on the eastern Transvaal Highveld. It not only gives an exposition of these events, but importantly analyses these allegations of abuse in the context of the South African government's intervention into farm labour for this period. The dissertation, however, first gives an overview of the government's policies of regulating and providing farmers with black labour in the period 1910 to 1948. It deals specifically with the dubious measures introduced and coercive actions taken by the National Party government after 1948 to provide farmers with "cheap and plentiful labour". The reactions to the accusations of abuse by the South African government, the farmers, the conservative, liberal and leftist press, and other independent bodies, such as the churches, Black Sash and the South African Institute of Race Relations, are also explored. The reaction of the African National Congress and the Potato Boycott launched in 1959 by this organisation in response to the mistreatment of farm labourers, also receives specific attention. It concludes with a discussion of how the farm labour scandals and the reaction during the 1950s and more specifically the Potato Boycott of 1959 are still relevant today by considering the contested nature of the commemoration of this event in 2009.

## **Keywords**

Agrarian History, Farm Labour, Potato Boycott; Apartheid, Pass Laws; African National Congress; Gert Sibande; Bethal; Michael Scott; Ruth First; Commemoration.

## **OPSOMMING**

Hierdie verhandeling plaas bewerings van die misbruik van plaasarbeid gedurende die periode 1948 tot 1960 op die oostelike Transvaalse Hoëveld in historiese konteks. Dit bied nie net 'n uiteensetting van hierdie gebeure nie, maar ontleed dié bewerings van mishandeling teen die agtergrond van die Suid-Afrikaanse regering se ingryping ten opsigte van plaasarbeid vir dié tydperk. Die verhandeling bied ten eerste 'n oorsig van die regering se beleid van die regulering en voorsiening van swart arbeid aan boere gedurende die periode 1910 tot 1948. Dit handel spesifiek oor die twyfelagtige dwangmaatreëls wat deur die Nasionale Partyregering na 1948 geïmplementeer is om boere van “goedkoop en voldoende arbeid” te voorsien. Die reaksies op die bewerings van mishandeling deur die Suid-Afrikaanse regering, die boere, die konserwatiewe, liberale en linkse pers, as ook ander selfstandige instansies, soos die kerke, Black Sash en die Suid-Afrikaanse Instituut van Rasseverhoudinge word ook ondersoek. Die reaksie van die African National Congress en die aartappelboikot wat deur die organisasie in 1959 van stapel gestuur is in reaksie op die mishandeling van plaaswerkers, word ook ontleed. Die studie sluit af met 'n bespreking van hoe die plaasarbeidskandale, die reaksie in die 1950s en meer spesifiek die aartappelboikot van 1959, steeds vandag relevant is teen die agtergrond van die omstrede herdenking van die gebeurtenis in 2009.

## **Sleutelwoorde**

Agrariese Geskiedenis, Plaasarbeid, Aartappelboikot; Apartheid; Paswette; African National Congress; Gert Sibande; Bethal; Michael Scott; Ruth First; Herdenking.

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## ABBREVIATIONS

ANC	African National Congress
BADD	Department of Bantu Administration and Development
DA	Democratic Alliance
DCSR	Department of Culture, Sport and Recreation
DNL	Director of Native Labour
HANSARD	Debates of Parliament
HPA	Historical Paper Archives
JUS	Department of Justice
ICU	Industrial Workers Union
IFP	Inkatha Freedom Party
INL	Information
LKD	Division of Commodity Services
KZN	KwaZulu-Natal
MEC	Member of the Executive Council
MP	Member of Parliament
NAD	Department of Native Affairs
NASA	National Archives of South Africa
NCC	Native Commissioner's Court
NP	National Party
SAAU	South African Agricultural Union
SAB	Central Archives Depot



SAIRR	South African Institute of Race Relations
SALDRU	South African Labour and Development Research Unit
SAP	South African Police / Commissioner of the SAP
SNA	Secretary of Native Affairs
TAU	Transvaal Agricultural Union
UP	United Party
WITS	University of the Witwatersrand
ZAR	South African Republic

## CHAPTER 1

# LITERATURE SURVEY OF TWENTIETH CENTURY SOUTH AFRICAN AGRARIAN LABOUR HISTORY

## 1.1 Cultivating “Agrarian History”

“Agrarian history” seemingly defies a singular definition in historical studies. In its most basic form “agrarian history” can be defined as the history of farming. This includes the study of arable and pastoral husbandry, diseases and pestilence in the countryside, the marketing of produce, land ownership, and the structures of rural society. All these aspects have merit for historical study, either in isolation or as part of broader historical narratives. However, if one perceives of “agrarian history” as the study of farming, which was at first subsistence orientated and subsequently went through various stages of development, it acquires even greater significance.

The actual study of agrarian history as a specific genre only appears to have come to fruition in the second half of the twentieth century. Since the emergence of the Annales School in the 1930’s, there have been concerted attempts by various historians to move away from the traditional top-down Rankean approach of historical analysis. This new movement sought to focus on a broader approach to historical investigation by incorporating contributions to the historical field by other disciplines within the social and economic sciences. During the twentieth century, two branches of theoretical interpretation emerged from this school: economic history, with its focus on business history and the history of the macro economy; and social history, which in the latter half of the twentieth century developed into a genre of its own.<sup>1</sup> John Tosh argues that a definition of social history is problematic, but identifies three distinct fields that he believes have emerged. First there is the study of the “history of social problems”, such as poverty and disease. Secondly, “the history of everyday life”, which looks at the history of life in the home, the work place

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<sup>1</sup> J. Tosh, *The pursuit of history, aims, methods and new directions in the study of modern history* (Harlow and New York: Pearson & Longman, 2006), pp. 126-131.

and the community. And lastly there is the study of “history from below” or the study of the history of labour.<sup>2</sup>

The study of South African agrarian history becomes especially relevant if one connects agrarian history to the mineral discoveries of the late nineteenth century. The emergence of mining-dominated capitalism led to increased industrialisation during the twentieth century, which in turn provided farmers with a demand for their produce. Thus, aspects such as the development from subsistence based to commercially orientated farming becomes of pivotal significance. Related issues, for example, the study of land, labour, mechanisation, and other farming-related matters also contribute to our understanding of South African agrarian history.

In a *Historical Dictionary of South Africa*, C. Saunders endorses the above explanation and indicates that the development of agriculture as a primary industry in South Africa can be directly linked to the discovery of diamonds and gold in the late nineteenth century.<sup>3</sup> In his dictionary on South African history, N. Worden expands on this definition by explaining how agriculture in South Africa was dominated by the binary theme of “land” and “labour”. Central to this was the rise of segregation and apartheid, with the concomitant intervention of the state into the farming sector on political, economic and social levels. This was accomplished by the passing of legislation which would ensure that white farmers would have a constant source of cheap and exploitable labour and adequate markets for their produce. Ultimately this system regulated white commercial agriculture at the expense of black farmers who had to eke out a living in impoverished and overcrowded reserves.<sup>4</sup>

## 1.2 Survey of South African farm labour histories

A survey of the relevant literature available on labour history in South Africa reveals a disproportionate leaning towards the mining industry. The history of mining in South Africa, and specifically the labour component, has received wide historical

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<sup>2</sup> J. Tosh, *The pursuit of history, aims, methods and new directions in the study of modern history* (Harlow and New York: Pearson & Longman, 2006), pp. 131-132.

<sup>3</sup> C. Saunders, *Historical dictionary of South Africa* (Metuchen & London: The Scarecrow Press, 1983), pp. 13-14.

<sup>4</sup> N. Worden, *A concise dictionary of South African history* (Cape Town: Francolin Publishers, 1998), pp. 17-18.

interpretation.<sup>5</sup> Agrarian history, and more specifically the study of agricultural labour, does not seem to have been subjected to vigorous analysis and interpretation until the 1970s. However, the latter does not imply that there is a lack of historical work dealing with agrarian labour history. In fact in the last four decades there has definitely been a resurgence in the studies of agricultural labour.

The history of agrarian labour in South Africa is generally divided into three periods: pre-1913; 1913 to 1948; and 1948 to present. The watershed events dividing these periods are the passing of the Natives Land Act in 1913 and the coming to power of the National Party (NP) in 1948. In essence the historiography of farm labour can be divided into two main areas of research. The first analyses state intervention into the control of farm labour and is thus very political and legislative in its focus and methodology. The second focuses more on a social and economic analysis of the plight and status of farm labourers. Although most historians tend to do research into one of these two broad themes, it should be noted that these two branches cannot be fully separated from one another.

There are relatively few general studies that give a broad overview of farm labour history in South Africa. Most studies focus on specific time periods or are micro

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<sup>5</sup> See for example: C.R. Diamond, *African labour problems on the South African gold mines with special reference to the strike of 1946* (MA thesis, Cape Town, 1969); F. Wilson, *Labour in the South African gold mines, 1911-1969* (Cambridge, 1972); A. Jeeves, "The control of migratory labour on South African gold mines in the era of Kruger and Milner", in *Journal of Southern African Studies*, 2(1), October 1975, pp. 3-29; D. Horner and A. Kooy, *Conflict on South African mines, 1972-1979* (Cape Town: SALDRU, 1979); R. First, "The gold of migrant labour", in *Review of African Political Economics*, (25), 1982, pp. 5-21; W.G. James, *From segregation to apartheid: Miners and peasants in the making of a racial order, South Africa, 1930-1952* (PhD thesis: University of Wisconsin-Madison, 1982); P. Richardson, *Chinese mine labour in the Transvaal* (Humanities: Atlantic Highlands, 1982); D. Massey, "Class struggle and migrant labour in South African gold mines", in *Canadian Journal of African Studies*, 17(3), 1983, pp. 429-448; D. Yudelman, *The emergence of modern South Africa: State, capital and the incorporation of organised labor on the South African gold fields, 1902-1939* (Westport, 1983); R. Turrell, "Kimberley's model compounds", in *Journal of African History*, 25(1), 1984, pp. 59-75; A. Jeeves, *Migrant labour in South Africa's mining economy: The struggle for the gold mines' labour supply, 1890-1920* (Johannesburg: University of Witwatersrand Press, 1985); J.E. Butler, "The gold mines and labour supply", in *South African Historical Journal* (18) November 1986, pp. 93-97; R. Turrell, "Diamonds and migrant labour in South Africa, 1869-1910", in *History Today*, (36), March 1986, pp. 45 – 76; W.H. Worger, *South Africa's 'City of diamonds': Mine workers and monopoly capitalism in Kimberley, 1867-1895* (New Haven: Yale University Press, 1987).

studies of particular rural areas. South African historiography was, however, not immune to the development of writing “total” histories<sup>6</sup> during the early twentieth century. W.M. Macmillan can be regarded as the first historian who forefronted the theme of socio-economic development in South African historical writing.<sup>7</sup> Macmillan stated:

The South African history which is really significant is that which tells us about the everyday life of people, how they lived, what they thought, and what they worked at, when they did think and work, what they produced and what and where they marketed and the whole of their social organisation.<sup>8</sup>

His work, *The South African agrarian problem and its historical development*, published in 1919, is recognised by historians, such as W. Beinart and P. Delius, as a seminal study in the development of South African agrarian historiography.<sup>9</sup> Although it deals specifically with the development of the “poor white problem”, Macmillan places his study in the context of the development of capitalism in the mining sector and the effect this had on agriculture. He argues that the development of capitalism in farming ultimately led to increased white urbanisation and thus the “poor white problem”. Interestingly, Macmillan states that his book on the agrarian problem “marked a turning point in [his] life and work, a diversion from poor-whites to poor-blacks”.<sup>10</sup> Macmillan thus laid the foundation for the early Liberal interpretation of history which sought to place the theme of “race” central to the historical development of South Africa, but which also argued “that the key to the racial question was to be found in the spheres of land and labour”.<sup>11</sup>

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<sup>6</sup> J. Tosh, *The pursuit of history, aims, methods and new directions in the study of modern history* (Harlow and New York: Pearson & Longman, 2006), p. 138.

<sup>7</sup> K. Smith, *The Changing Past: Trends in South African Historical Writing* (Johannesburg: Southern Book Publishers, 1988), p. 108.

<sup>8</sup> W.M. Macmillan, *The South African agrarian problem and its historical development* (Johannesburg: Central News Agency, 1919), p. 23.

<sup>9</sup> K. Smith, *The changing past: trends in South African historical writing* (Johannesburg: Southern Book Publishers, 1988), p. 107.

<sup>10</sup> K. Smith, *The changing past: trends in South African historical writing* (Johannesburg: Southern Book Publishers, 1988), p. 108.

<sup>11</sup> K. Smith, *The changing past: trends in South African historical writing* (Johannesburg: Southern Book Publishers, 1988), p. 108.

The early 1940s saw the publication of two important works on South African history: first, C.W. de Kiewiet's *A history of South Africa, social and economic*<sup>12</sup> (1941) and secondly, S.T. van der Horst's *Native labour in South Africa*<sup>13</sup> (1942). In a chapter entitled, "The regulation of industry", De Kiewiet gives a very brief, yet thorough, overview of state intervention into transforming South African agriculture from subsistence farming to a capitalist orientated venture. However, De Kiewiet does not mention the regulation of black labour as one of the most prominent forces in this process. In fact, in a list of legislation which De Kiewiet regards as key acts in the transformation of agriculture, he does not mention the Natives Land Act of 1913 at all.<sup>14</sup> He thus shies away from land and labour and the importance of these two factors in the development of agriculture in South Africa. However, his overview provides the researcher with a point of departure as regards other economic factors that had an impact on the development of farming in South Africa.

Where De Kiewiet does mention the social plight of blacks in rural areas, he does so only in relation to the "poor white problem". He divides rural South African society into two groups: "the landed" and "the landless". The landless group consisted of poor whites, or then *bywoners*, who ranged in definition from squatters, to sharecroppers, and labour tenants. De Kiewiet states that the ambiguity of their position in rural society was made more strenuous by the large amount of black labour in the countryside and that "the cheapness and docility of [black] labour gave the natives a great advantage over their white competitors".<sup>15</sup> Thus the weakness in De Kiewiet's work is his failure to take cognisance of the plight of blacks living in rural South Africa. This omission stands in stark contrast to a letter actually written by De Kiewiet to Macmillan on this very aspect. He stated that although writing a history on South Africa's social and economic problems was "quite a complex mandate", he was going to place more emphasis on blacks as part of South African society. He stated:

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<sup>12</sup> C.W de Kiewiet, *A history of South Africa, social and economic* (London: Oxford University Press, 1941).

<sup>13</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942).

<sup>14</sup> C.W de Kiewiet, *A history of South Africa, social and economic* (London: Oxford University Press, 1941), p. 253.

<sup>15</sup> C.W de Kiewiet, *A history of South Africa, social and economic* (London: Oxford University Press, 1941), p. 193.

Here quite obviously the poverty of the country in an agricultural point of view, the emphasis on mining, and the universal and unusual dependence on mining, the still more unusual dependence on black, poorly paid labor, are among the leading problems. I am going to try and discuss the natives as they really are, indissoluble part of the whole society.<sup>16</sup>

While De Kiewiet's work fell short of addressing the plight of rural labourers, Van der Horst's study, only published a year later, seemingly sought to place the scale back on an even keel. Commenting on this publication, C. Saunders states that *Native labour in South Africa* "was perhaps the most important single study of policy towards blacks to be completed in these decades".<sup>17</sup>

Van der Horst divides her chapter on black employment in the rural regions of South Africa into four sections. The first section deals with the demand for black labour in the countryside. It gives a very brief overview of capitalist development in farming so as to show how this development laid the foundation for subsequent state intervention into farm labour control.<sup>18</sup> The second section deals with the terms and conditions of employment of blacks on white owned farms. In essence it discusses the various social divisions of blacks on white owned farm land and how their remuneration varied from being paid in their share of the produce, grazing and planting rights to cash wages. It also hints at the effect of discriminatory legislation, such as the Native Service Contract Act of 1932, which for example stated that a whole family could be evicted from white farming land if one member of the family failed to render labour services.<sup>19</sup> The third section deals with the supply of black labour in rural areas. Of significance is the fact that this section attempts to show that despite the seeming immobility of farm labourers due to various discriminatory pieces of legislation, there was still an acute shortage of farm labour according to farmers. Van der Horst points out that this was probably the case and states that statistics do show that black urbanisation was on the increase in this period. This

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<sup>16</sup> As quoted in: C. Saunders, *The making of the South African past, major historians on race and class* (Cape Town & Johannesburg: David Phillip, 1988), p. 90.

<sup>17</sup> C. Saunders, *The making of the South African past, major historians on race and class* (Cape Town & Johannesburg: David Phillip, 1988), p. 118.

<sup>18</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), pp. 279-281.

<sup>19</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), pp. 281-285.

was despite the fact that the government implemented legislation to alter the status of rural blacks from peasant farmers to farm labourers.<sup>20</sup>

It is in the final section of her study that Van der Horst makes some of her most important findings. This section deals with official attempts to increase the supply of black labour in the countryside. The fact that she mentions the effects that the Natives Land Act of 1913 had on the supply of labour is groundbreaking. Her study is one of the first to state that the Act “did not have the effect of confining the rural Native population to the scheduled areas, nor was this intended. It was indeed, specifically laid down ... to cause Native tenants to become in name at least, labourers and labour tenants”.<sup>21</sup> Other measures implemented by the state, such as the effect of pass laws and the consequences of the Native Service Contract Act of 1932 also receives critical scrutiny and she points out how this legislation was used to force blacks to become farm labourers.<sup>22</sup>

Given this valuable contribution, one of the few drawbacks in Van der Horst’s study is that she relied almost exclusively on official government publications, and for example, did not consult contemporary primary documents such as newspaper reports. The voice of the farm labourer is also absent and as one reviewer pointed out:

Her treatment of “Native Labour” as an object to be manipulated or regulated, or controlled, or analysed almost makes the reader forget we are really dealing with people – people, moreover, who have aspirations and wants, who are members of families, and who have private lives beyond their role as laborers.<sup>23</sup>

Ironically, this in a sense reflects very much on the way the legislation and government dealt with the “question” of “native labour”. The fact that Van Der Horst’s book was republished some three decades later in the 1970s without any alterations, underlines its key importance in the historiography of labour studies in South Africa.

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<sup>20</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), pp. 286-290.

<sup>21</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), pp. 291-292.

<sup>22</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), pp. 292-296.

<sup>23</sup> B.M. du Toit, “Review of S.T. van der Horst, *Native labour in South Africa*” (Cape Town: Oxford University Press, 1942), in *African Studies Review*, (15)1, April: 1972, p. 156.



During the late twentieth century South African agrarian history became hotly contested among various schools of historical interpretation.<sup>24</sup> The 1970s were characterised by revisionist Marxist historians who “attacked” the Liberal school of the 1960s about their view that “race” was the pivot for interpreting South African history. The Marxist historian argued that the emphasis of historical interpretation should rather be on “class” interaction. Historians such as M. Morris and M.J. Murray took a much more structured and theoretical Marxist interpretation to explain the development of capitalism and the consequences the change in the “mode of production” had on the rural black proletariat.<sup>25</sup> They argued that “class” and not “race” was central to interpreting the South African historical past. This view was challenged in the 1980’s by social or “revisionist” historians, such as W. Beinart, P. Delius, T.J. Keegan, S. Trapido and C. van Onselen, who argued that the road to capitalism in the South African countryside was much less structured and contradictory than Morris and Murray’s analyses suggested.<sup>26</sup>

From the 1970s, South African revisionist historians have increasingly used class formation, and consequently labour, as a means to explain the implementation and development of segregation and apartheid. One of the main focuses of much of this research was the so-called alliance between “gold and maize”.<sup>27</sup> The latter was a

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<sup>24</sup> See K. Smith, *The changing past: trends in South African historical writing* (Johannesburg: Southern Book Publishers, 1988), pp. 216-220; C. Saunders, *The making of the South African past, major historians on race and class* (Cape Town & Johannesburg: David Phillip, 1988), pp. 165-186.

<sup>25</sup> See for example: M.J. Murray, “The origins of agrarian capitalism in South Africa: a critique of the ‘social history’ perspective”, in *Journal of Southern African Studies*, (15)4, October 1989, pp. 645-665; M. Morris, “Social history and the transition to capitalism in the South African countryside”, in *Review of African Political Economy*, no. 41, *Socialism, Democracy and Popular Struggles*, Sep 1988, pp. 60 – 72.

<sup>26</sup> See for example: W. Beinart, P. Delius and S. Trapido, *Putting a plough to the ground, accumulation and dispossession in rural South Africa, 1850-1930* (Johannesburg: Raven Press, 1986); T.J. Keegan, *Rural transformation in industrializing South Africa, the Southern Highveld to 1914* (Johannesburg: Raven Press, 1986); T.J. Keegan, “The origins of agrarian capitalism in South Africa: a reply”, in *Journal of Southern African Studies*, (15)4 Oct, 1989, pp. 666-684; C. van Onselen, “Race and class in the South African countryside: cultural osmosis and social relations in the sharecropping economy of the South Western Transvaal, 1900-1950”, in *The American Historical Review*, (95)1, Feb 1990, pp. 99-123.

<sup>27</sup> See for example: R. Morrell, “The disintegration of the gold and maize alliance in South Africa in the 1920s”, in *The International Journal of African Historical Studies*, 21(4), 1988, p. 623; J. Crush, “‘The long-averted clash’: farm labour competition in the South African Countryside”, in the *Canadian Journal of African Studies / Revue Canadienne des Études Africaines*, 27(3), (1993), pp. 404-423; B.J. Liebenberg & S.B. Spies (eds), *South Africa in the 20<sup>th</sup> century*, pp. 213-214.

word allegory for how the two most important primary industries in South Africa, agriculture and mining, competed for labour. The central concern has been how the South African government tried to regulate black labour forces in such a manner so as to ensure that both these industries had enough labour. But more importantly, the state went to great lengths to ensure that the control of this supply of labour did not compromise the state's policy of segregation in its overall implementation.

An example of the contested nature of historical writing in the late twentieth century is apparent in the response to Francis Wilson's chapter, "Farming: 1866–1966" published in the *Oxford History of South Africa* in 1971. From the outset it must be pointed out that this is one of a few publications that strives to give a broad overview of agrarian history in South Africa and it is thus worthy of more detailed attention. Wilson, who is not a historian by profession, but a political economist, gives a very thorough overview of the history of South African farming. The strength of his chapter is that it does not view the history of agriculture in isolation, but places it in the more traditional branches of South African political and economic history. Interestingly, Wilson states that "no one who wishes to understand the history of South Africa in the century that followed the discovery of diamonds can ignore the *platteland*".<sup>28</sup>

Wilson's overview of agrarian history is in essence an outline of state intervention into farming. He identifies six major strands of government policy regarding the development of capitalist orientated farming: marketing; income distribution; labour; agricultural credit; education and research.<sup>29</sup> He also adds that not all changes in agriculture were due to state intervention, but that there were two other important forces which needed to be considered, namely the pattern of consumption and the process of mechanisation.<sup>30</sup>

His analysis of farm labour is especially useful for researchers in this field as it considers all the central issues of state intervention into this matter from 1866 to

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<sup>28</sup> F. Wilson, "Farming: 1866-1966", in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p. 104.

<sup>29</sup> F. Wilson, "Farming: 1866-1966", in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971), pp. 143 – 149.

<sup>30</sup> F. Wilson, "Farming: 1866-1966" in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p. 151.

1966. Wilson succeeds in placing the farm labour shortages experienced by farmers in the context of the development of the mining and secondary industry sectors. What is of significance is the fact that he links state intervention regarding labour with the Natives Land Act of 1913. He states:

looking back, the historian is tempted to interpret the Act almost exclusively as the basis of the country's future policy of Apartheid, but the contemporary evidence suggests that those who agitated for the legislation were far more concerned with the problem of labour supply than with anything else.<sup>31</sup>

However, as pointed out by the historian Ken Smith, the *Oxford History of South Africa* has been extensively criticised by many revisionist historians. The core of the criticism centred on the fact that the Liberal outlook, by placing emphasis on the theme of white and black interaction, failed to give attention to the development and uneven spread of capitalism by focusing on "race", rather than on "class" formation and the conflict this elicited.<sup>32</sup> Wilson is not immune to this criticism. Although critics such as Merle Lipton acknowledge that Wilson's chapter on farming "provides much information on a little researched sector"<sup>33</sup>, Martin Legassick ponders at Wilson's "puzzled recognition that the 1913 Land Act was concerned with the problem of labour supply"<sup>34</sup> and Anthony Atmore adds almost caustically: "but what, one may ask, is apartheid about if it is not the control of labour?"<sup>35</sup>

Wilson also does not analyse the so-called "farm labour scandals" of the 1950s and the reaction to these events. He does, however, mention the initial exposure of abysmal farm labour conditions by the Reverend M. Scott and *Drum* journalist, H.

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<sup>31</sup> F. Wilson, "Farming: 1866-1966", in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p. 127.

<sup>32</sup> K. Smith, *The changing past: trends in South African historical writing* (Johannesburg: Southern Book Publishers, 1988), p. 142.

<sup>33</sup> M. Lipton, "Review of M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971)", in *International Affairs* (Royal Institute of International Affairs), (49) 1, January 1973, p. 141.

<sup>34</sup> M. Legassick, "Review of M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971)", in *The Journal of African History*, (13) 1, 1972, p. 147.

<sup>35</sup> A. Atmore, "Review of M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971)", in *Bulletin of the School of Oriental and African Studies*, University of London, (35) 3, 1972, p. 679.

Nxumalo, in 1947.<sup>36</sup> Although he mentions, for example, the measures taken by the state to ensure farmers of a labour supply, such as the establishing of farm jails, he does not give a detailed account of the interaction between farmers and their labourers. The allegations of farm labour abuses that surfaces during the 1950s and the vehement reaction this abuse elicited, specifically in 1959, can hardly be considered the interaction he refers to when he writes: “interaction on the farms, while perhaps even less equal was far deeper than on the factory floor”.<sup>37</sup> Nevertheless, despite the absence of details on the class struggles in the countryside and the lack of attention to the social plight of farm labourers, especially during the 1950s, Wilson’s work is a solid point of departure for an overview of South African agriculture for the period 1866–1966. Extensive use is made of his chapter in chapters 2 and 3 of this dissertation, especially in giving an overview of some of the economic forces that contributed to the clampdown of black peasants in the countryside by the state and white farmers.

Almost half a decade after the appearance of the *Oxford History of South Africa*, Wilson organised a conference on farm labour in the School of Economics at the University of Cape Town. It was attended by various academics, as well as farmers, and a selection of 15 papers was published in 1977 as a book entitled: *Farm Labour in South Africa*. This work can justifiably lay claim to the fact that it is the first “detailed overview of the most neglected area of the South African political economy”.<sup>38</sup> It presents a brief yet thorough overview of twentieth century farm labour policy in South Africa. Its most important contribution to the historiography on this topic is found in the section dealing with macro studies into farm labour. The chapter by M. Morris, “State intervention and the agricultural labour supply post-1948”<sup>39</sup>, is one of the few studies that deals with government intervention in the agrarian sector after the National Party came to power. It helps to place the farm labour scandals of the 1950s into the context of the South African government’s

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<sup>36</sup> F. Wilson, “Farming: 1866-1966”, in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p. 148.

<sup>37</sup> F. Wilson, “Farming: 1866-1966”, in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p. 154.

<sup>38</sup> F. Wilson, A. Kooy & D. Hendrie (eds), *Farm labour in South Africa* (Cape Town: David Phillips, 1977), quote taken from the front cover.

<sup>39</sup> M. Morris, “State intervention and the agricultural labour supply post-1948”, in F. Wilson, A. Kooy & D. Hendrie (Eds), *Farm labour in South Africa* (Cape Town: SALDRU, 1977), pp. 52-61.

apartheid policy. However, it should be noted that Morris does not mention the farm labour abuses in his chapter, and his study is purely an interpretation of the legislative measures implemented by the state to control farm labour and to ensure that farmers receive an adequate supply of farm workers.

The chapter on state intervention into farming by Morris was included in his PhD thesis entitled, *The State and the development of capitalist social relations in the South African countryside: a process of class struggle*.<sup>40</sup> This study remains an important work on the history of state intervention in the farming sector. Morris was, however, vehemently criticised by some historians for his theoretical Marxist interpretation of the development of agrarian capitalism in South Africa.<sup>41</sup> Nevertheless, Morris does state in the introduction of his study that “it is not a work of detailed history”, adding: “I am not a historian ... although the work ... obviously treats a subject matter spanning a number of historical periods”.<sup>42</sup> Due to the fact that Morris also published many of his thesis chapters as articles in various journals, his work has generated quite a following. Reflecting on this trend, Morris states that “it has been encouraging to see the extent to which it has been applied and cited by others working in the field”.<sup>43</sup>

Chapters 2 and 3 of this dissertation will also rely heavily on the seminal work done by Morris on state intervention into agrarian farming. However, Morris cannot be absolved of some criticism regarding his analysis of the post-1948 period. Although he gives a solid outline and analysis of the steps the state took in this period to provide farmers with cheap and exploitable labour, it remains a very theoretical study in the realm of Marxist interpretation. Regarding the sources he uses, it is evident

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<sup>40</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of Class Struggle* (D.Phil. thesis: University of Sussex, 1979).

<sup>41</sup> See for example: H. Bradford, “Highways, byways and cul-de-sacs: the transition to agrarian capitalism in revisionist South African History”, in *Radical History Review* (46/7) 1990, pp. 59-88; M.J. Murray, “The origins of agrarian capitalism in South Africa: a critique of the ‘Social History’”, in *Journal for Southern African Studies*, 15(4), 1989, pp. 645-655; M. Morris, “Social history and the transition to capitalism in the South Africa countryside”, in *Review of African Political Economy*, no 41, Socialism, Democracy and popular Struggles, (Sep, 1988), pp. 60-72; T. Keegan, “The origins of agrarian capitalism in South Africa: a reply”, in *Journal of Southern African Studies*, 15(4), (Oct, 1989), pp. 666-684.

<sup>42</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: a process of class struggle* (D.Phil. thesis: University of Sussex, 1979), pp. 2-3.

<sup>43</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: a process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 13.

that he mostly relied on Department of Native Affairs' annual reports, the Debates of Parliament (*HANSARD*), and some information from the farming journal, the *Farmer's Weekly*. There is thus no attempt to utilise important primary evidence as is to be found in the National Archives of South Africa to corroborate many of his notions. One of the main contributions of chapter 4 of this dissertation will be to give a more thorough and rounded overview of state intervention into farming in the 1948 to 1960 period, by specifically mentioning areas of intervention that Morris neglects in his study. Specific reference can be made in this regard to the use of prison labour on farms, the use of harvesting teams and very importantly, the illegal implementation of the so-called "petty-offenders" farm labour scheme that resulted in the allegations of abuse of farm labourers by farmers. Nevertheless, for all that Morris did not address in his study it remains a very important overview and serves as an excellent framework for any study in this field.

As regards the period 1913 to 1948, the 1981 study, *Working for boroko: the origins of a coercive labour system in South Africa*, by M. Lacey<sup>44</sup>, can be regarded as one of the first labour histories which gives specific attention to the farm labour question. Again, the focus falls on state intervention and Lacey shows how the origins of a coercive labour system in South Africa can be sought in the Pact Government's manipulation of segregation legislation so as to favour the non-mining sector, i.e., farming. Yet, her argument that by 1937 an effective coercive farm labour system had been created, contradicts the findings of the 1937 Farm Labour Committee which found that farmers were "still struggling" to obtain farm workers.<sup>45</sup> D. Duncan and H. Bradford also expose various factual errors in Lacey's interpretation of some of the legislation that effected farm labour during the 1920s.<sup>46</sup> Despite this, the study remains important as it broadens the scope of analysis regarding state intervention into farm labour.

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<sup>44</sup> M. Lacey, *Working for boroko: the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981).

<sup>45</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 82.

<sup>46</sup> D. Duncan, *The mills of God: the state and African labour in South Africa, 1918-1948* (Johannesburg, 1995), p.134; H. Bradford, *A taste of freedom, the ICU in rural South Africa 1924-1930* (Johannesburg: Raven Press, 1987), pp. 53-54.

A very important work published in 1986 was Timothy Keegan's *Rural transformations in industrialising South Africa: the Southern Highveld to 1914*.<sup>47</sup> It gives a thorough overview of the development of commercial agriculture during the late nineteenth century up to 1914. However, it is the emphasis placed by Keegan on showing how the lives of black peasants and farmers were transformed due to the development in the mining, industrial and agriculture sectors that makes this work especially noteworthy. Chapter two of this dissertation relies extensively on Keegan's findings regarding state intervention into the farming sector from the end of the Anglo-Boer War (1899-1902) to the passing of the 1913 Natives Land Act. Keegan's analysis of the 1913 Act forms the foundation for the analysis of the effect this Act had in the farming sector.

Another work that also focuses on state intervention in farm labour is that by D. Duncan, *The mills of God: the state and African labour in South Africa, 1918-1948*, published in 1995. Duncan's study, which focuses on the pre-1948 period, combined with that of Morris and his chapter on the post-1948 era, gives a comprehensive overview of the measures taken by the South African government in its policy towards farm labourers for the first half of the twentieth century. Duncan's study is especially useful as it includes various appendices which give valuable information. For example, a list of the various cabinet ministers and civil servants who were responsible for the day-to-day functioning of the state bureaucracy in the South African agricultural countryside comes in handy for researchers in this field.<sup>48</sup> As is largely the case with Morris, Duncan also mainly focuses on the functioning of the bureaucracy in the state's attempt to solve the farm labour question and appears to also ignore the actual implementation of the various laws and protocols at ground level. However, as a framework to analyse the development of state intervention in the farming sector and ultimately to consider the farm labour scandals of the 1950s, both these sources are of great significance.

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<sup>47</sup> T. Keegan, *Rural transformations in industrialising South Africa: the Southern Highveld to 1914*, (Johannesburg: Ravan Press, 1986). See also: T. Keegan, "Crisis and Catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July 1985).

<sup>48</sup> D. Duncan, *The mills of God: the state and African labour in South Africa, 1918-1948* (Johannesburg, 1995), pp. 264-278.

D. Posel's *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), can be considered one of the most important sources that specifically deals with how the NP government implemented apartheid ideology during the first decade of its rule in the 1950s. Posel presents a thoroughly researched study on the influx control measures (the so-called "pass laws") introduced by the government during the "first phase of Apartheid", 1948-1961. Relevant to the subject of this dissertation is her discussion on the establishment and the functioning of the labour bureaus. The labour bureaus were to play a very important part in the state's attempts to canalise black labour to the mining, industrial and agricultural sectors. Her study pays specific attention to how the bureaus were used to supply the agricultural sector with labour, and also includes reference, *inter alia*, to the "petty offenders' scheme" and the use of convict labour on farms. Her study mentions the important role played by Ruth First in exposing the maltreatment of labourers who toiled on farms because of the "petty offenders' scheme". However, she fails to mention that this scheme was actually an illegal measure. Also, although she refers to various acts of resistance taken by blacks specifically protesting the coercive nature of the labour bureaus, she does not mention the Potato Boycott of 1959 as one such form of resistance.

One of the most important sources that deals with the economic and social paradigms of agrarian history, and which places direct emphasis on the plight of farm labourers for the period 1913 to 1980, is a 1977 booklet: *Masters and serfs: farm labour in South Africa*, by R. Ainslie. Besides also paying attention to the various legislative measures that impacted on farm labourers during the twentieth century, Ainslie moves beyond only analysing state intervention in farming. She provides a social and economic interpretation as to how these measures impacted on farm workers at ground level. Her brief study includes references to the farm labour scandals of the 1950s and also gives an outline of the use of convict labour on South African farms. Yet, this is not an in-depth study and less than a page is actually devoted to this saga. Her account does not focus on any reaction to the exposure of the farm labour scandals and fails to, for example, mention the Potato Boycott called



by the African National Congress (ANC) as a form of protest against farm labour abuse.<sup>49</sup>

H. Bradford's "Getting away with murder: 'mealie kings', the state and foreigners in the Eastern Transvaal, c. 1918-1950", in *Apartheid's genesis: 1935-1962*, is another example of a study that looks at the political, economic and social impact of state intervention in farming. Her study throws light on how farmers worked closely together and, in some cases, even manipulated the bureaucracy of the Department of Native Affairs in obtaining labour. The main endeavour of her study is that it wants to debunk the myth that the pre-1948 period was one of the state "adhering to an ethic of paternalism" and therefore being reluctant to intervene into farmers' calls for more labour.<sup>50</sup> She succeeds in doing this, although her revelations are in essence similar to the findings of Morris and Duncan. Her focus, however, encapsulates a broader perspective as it also refers to the plight of farm labourers on this issue.

The 1997 work entitled, *White farms, black labor: the state and agrarian change in Southern Africa, 1910-1950*, edited by A.H. Jeeves and J. Crush, is probably one of the most important contributions to the historiography on farm labour during the last decade of the twentieth century.<sup>51</sup> This work consists of contributions by several historians who have distinguished themselves as ranking among the most authoritative voices on agrarian history in South Africa. The only drawback is that this study only deals with the period 1910 to 1950 and thus it is again evident that more historical analysis is needed on the period from 1948 to the present. This study also deals with state intervention in farm labour and Duncan is again cited as a "dependable" source.<sup>52</sup> One of the main focuses of this work is the violence and black resistance to the emergence of capitalism and white supremacy in the South African countryside.

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<sup>49</sup> R. Ainslie, *Masters and serfs: farm labour in South Africa* (International defence and aid fund for Southern Africa: London, 1977), pp. 22-25.

<sup>50</sup> H. Bradford, "Getting away with murder: 'mealie kings', the state and foreigners in the Eastern Transvaal, c. 1918-1950" in P. Bonner, P. Delius & D. Posel (eds), *Apartheid's genesis: 1935-1962* (Johannesburg: Wits University Press, 1993), pp. 117-119.

<sup>51</sup> A.H. Jeeves & J. Crush, *White farms, black labor: the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth and Oxford: Heinemann, 1997).

<sup>52</sup> See D. Duncan, 'Farm labor and the South African State, 1924-1948', in A.H. Jeeves & J. Crush, *White farms, black labor: the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth and Oxford: Heinemann, 1997).

In the contribution by M.J. Murray, which analyses farm labour abuse in the Bethal district for the period 1910 to 1950, there is a very good example of how one can place the suffering of farm workers in the context of capitalist ideology and state intervention.<sup>53</sup> Murray's portrayal of the suffering that many farm labourers had to endure on white-owned farms is especially poignant. Although his work does not cover the farm labour scandals exposed in the 1950s, it does provide an authoritative overview of why the district of Bethal specifically came to be associated with farm labour abuses. C. van Onselen's chapter, entitled "Paternalism and violence on the maize farms of the South-Western Transvaal, 1900-1950", examines the confines of paternalistic relationships between farmers and farm labourers. He argues that paternalism as an overriding ideology on South African farms is much more than a static abusive concept, claiming that it is much more fluid, in that this relationship could be challenged and also eroded.<sup>54</sup>

C. van Onselen's seminal work, *The Seed is mine: the life of Kas Maine, a South African sharecropper, 1845-1985*, published in 1996, can probably be regarded as one of the most prominent voices on South African agrarian history. The life story of Kas Maine is a testimony to an agrarian historical study which seeks to combine the harsh realities of state intervention in farming with the implications such policies had on the life of black rural South Africans during the twentieth century. Although the scope of Van Onselen's book is both geographically and historically not concerned with the farm labour scandals that plagued the rural landscape of the 1950's eastern Transvaal Highveld and more specifically the "scandals" that emerged in the 1950s, it is one of a few studies that places the origins of capitalism in the countryside into a wider economic and social context by showing how these forces transformed the lives of black people in rural South Africa.

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<sup>53</sup> M.J. Murray, 'Factories in the fields: capitalist farming in the Bethal district, c. 1910-1950' in A.H. Jeeves & J. Crush, *White farms, black labor: the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth and Oxford: Heinemann, 1997), pp. 46-60.

<sup>54</sup> C. van Onselen, 'Paternalism and violence on the maize farms of the South-Western Transvaal, 1900-1950' in A.H. Jeeves & J. Crush, *White farms, black labor: the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth and Oxford: Heinemann, 1997), pp. 192-213.

In his 1995 study, “African strategies and ideologies in a white farming district: Lydenburg 1930 – 1970”, Stefan Schirmer points to a new direction in the study of agrarian labour history by investigating the role of black resistance to state intervention in the farming sector. As was the case with the social revisionist historians of the 1980s, Schirmer also rejects the Marxist interpretation that “rural South Africa is necessarily moving towards ‘a specifically capitalist mode of production in its developed form’.”<sup>55</sup> The uniqueness of this study lies in the fact that it analyses agrarian history not from a class, race or even state intervention perspective, but rather places emphasis on how black resistance has “helped to push rural South Africa in very distinctive directions”.<sup>56</sup> He comes to the conclusion that labour tenants could not save themselves from total defeat with resistance only and that the “racial coercion of the Apartheid state, not a fully developed capitalist transformation of the countryside ... destroyed labour tenancy in Lydenburg”.<sup>57</sup>

Regarding the historical writing on rural resistance and studies on resistance movements that sought to highlight the effects of coercive measures in the countryside, it is interesting to note that very few studies on African protest and boycotts in South Africa refer to the Potato Boycott of 1959.<sup>58</sup> The Potato Boycott can be regarded as one of the more successful actions taken by the ANC in drawing attention to the plight of black farm workers on white-owned farms. According to historian C. Bundy, it is evident that during the 1920s political movements, such as the Industrial Workers Union (ICU)<sup>59</sup>, did try to “give a voice to rural grievances, to

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<sup>55</sup> S. Schirmer, “African strategies and ideologies in a white farming district: Lydenburg 1930 – 1970”, in *Journal of Southern African Studies*, (21) 3, Sep, 1995, p. 510.

<sup>56</sup> S. Schirmer, “African strategies and ideologies in a white farming district: Lydenburg 1930 – 1970”, in *Journal of Southern African Studies*, (21) 3, Sep, 1995, p. 510.

<sup>57</sup> S. Schirmer, “African strategies and ideologies in a white farming district: Lydenburg 1930 – 1970”, in *Journal of Southern African Studies*, (21) 3, Sep, 1995, p. 527.

<sup>58</sup> See for example: A. Isaacman, “Peasants and rural social protest in Africa”, in *African Studies Review*, 33(2), Sep., 1990, pp. 1-120; C. Bundy, “Land and liberation: Popular rural protest and the national liberations in South Africa, 1920-1960”, in S. Marks & S. Trapido, (eds), *The policies of race, class and nationalism in twentieth century South Africa* (London: Longman, 1987); M. Chaskalson, “Rural resistance in the 1940s and 1950s”, paper presented at the Workshop on the South African Agrarian Question, 1987.

<sup>59</sup> H. Bradford’s seminal study: *A taste of freedom: the ICU in rural South Africa, 1924-1930* (Raven Press, Johannesburg, 1987), remains one of the most important works on rural protest movements. As the focus of her work, however, is on the 1920s the relevance of her work for this specific thesis is somewhat limited, although some reference is made to it.

win rural support, and to provide some political leadership in the countryside”.<sup>60</sup> However, Bundy argues that by the 1930s “protest and struggle in rural areas remained parochial, disjointed, sporadic, and isolated”.<sup>61</sup> This resistance only escalated during the 1940s and 1950s. The Potato Boycott features as an excellent example and highlighted the plight of blacks in the South African countryside.

The Potato Boycott of 1959 is adequately documented in various documents in the National Archives of South Africa as well as numerous newspaper articles published between June to September 1959. The event is briefly mentioned in J.E.H. Grobler’s *A decisive clash? - A short history of black protest politics in South Africa 1875-1976*, published in 1988. Grobler makes the assertion that the Potato Boycott can be seen as a form of protest which sought to place local grievances in the wider context of discriminatory practices against blacks.<sup>62</sup> More recently, B. Nair touches on the boycott in a chapter entitled, “Through the eyes of the workers”, in the book *Reflections in prison – Voices from the South African liberation struggle*.<sup>63</sup> Nair gives a brief account of the boycott and mentions it with other examples of boycott and resistance actions taken by black workers. The boycott is also discussed in *Mpumalanga – History and Heritage*, in the chapter “The politics of resistance: 1948-1990”, by P. Holden and S. Mathabatha<sup>64</sup>. Some useful primary material referring to the boycott has also been published in T.G. Karis and G.M. Gerhart’s, *From protest to challenge, a documentary history of African politics in South Africa 1882-1964, Volume 3: challenge and violence 1953 – 1964*.<sup>65</sup>

Although this literature study does not claim to be an exhaustive review of all the available literature on South African agrarian labour history, it is evident that the

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<sup>60</sup> C. Bundy, “Land and liberation: the South African National Liberation Movements and the Agrarian Question, 1920s-1960s”, in *Review of African Political Economy*, 29(7), 1984, p. 19.

<sup>61</sup> C. Bundy, “Land and liberation: the South African National Liberation Movements and the Agrarian Question, 1920s-1960s”, in *Review of African Political Economy*, 29(7), 1984, p. 20.

<sup>62</sup> J. Grobler, *A decisive clash? A short history of black protest politics in South Africa 1875-1976* (Pretoria: Acacia Books, 1988), p. 114.

<sup>63</sup> B. Nair, “Through the eyes of the workers” in M. Maharaj, *Reflections in prison – voices from the South African liberation struggle* (Amherst and Boston: University of Massachusetts Press, 2001).

<sup>64</sup> P. Delius (ed), *Mpumalanga: history and heritage* (Scottsville: University of KwaZulu-Natal Press, 2007).

<sup>65</sup> T.G. Karis & G.M. Gerhart (eds), *From protest to challenge, a documentary history of African politics in South Africa 1882-1964, Volume 3: challenge and violence 1953-1964* (Stanford: Hoover Institution Press, 1977), p. 292.

historiography on farm labour is balanced on an uneven keel that leans towards the period 1910 to 1948. There is a dire need for more detailed studies of farm labour during the latter half of the twentieth century. By taking cognisance of the voices of abused farm labourers and placing their suffering in the context of emerging agrarian capitalism that coincided with state intervention in the farming sector, and by further highlighting the reaction to the abuse experienced by farm workers, a more thorough understanding of the history of farm labour in the Transvaal for the post-1948 period can be achieved.

### **1.3 Outline**

This dissertation will aim to put into historical context allegations of farm labour abuse during the period 1948 to 1960 on the eastern Transvaal Highveld. It will in essence give an exposition of these events, but more importantly analyse these allegations of abuse in the wider context of government intervention in farm labour for the given period. At another level this study also subscribes to the view that there was more continuity than change between the pre and post-1948 periods.

The reactions to the accusations of abuse by the South African government, the farmers, the conservative, liberal and leftist press, and other independent bodies, such as the churches, Black Sash and the South African Institute of Race Relations, will also be explored. The reaction of the ANC and the Potato Boycott launched by this organisation in 1959 in response to the mistreatment of farm labourers, will receive specific attention.

This chapter thus presents an overview of some of the literature in this field and highlights both the many contributions as well as omissions. Chapter two gives an account of state intervention in farm labour for the period 1910 to 1948. Although the main focus of this study is on the period 1948 to 1960, an analysis of the government's policies regarding labour in the earlier period is important as it forms the foundation for the measures taken by the National Party government after 1948 to provide farmers with "cheap and plentiful labour". Some key areas addressed in this chapter are the consequences of legislation, such as the Natives Land Act of 1913, the Natives Service Contract Act of 1932 and the Natives Trust and Land Act

of 1936. Also of importance is the analysis of the United Party government's inability to adequately address farmers' calls for more labour and how this ultimately led in part to the victory of the National Party at the 1948 polls.

The third chapter focuses specifically on the period 1948 to 1960. It forms the context against which the allegations of farm labour abuse and the reactions that this matter evoked will be analysed. The chapter takes an in-depth look at various legislative measures implemented by the National Party government to regulate the supply of farm labour. Of specific importance is an account of, *inter alia*, the establishment of labour bureaus, the steps implemented to eradicate the last vicissitudes of squatting and labour tenancy and the use of prison labour on farms. The use of convict labour on farms during the 1950s is central to the scope of this dissertation, as the farm labour scandals of the late 1950s were in part due to the dubious measures taken by the apartheid government to send petty offenders of apartheid laws to farms as labourers instead of charging the offenders and bringing them before court. For this section, primary documents, especially the various reports published by the Department of Native Affairs, supplement the secondary sources and also give additional information regarding the state of farm labour in South Africa and then more specifically in the Transvaal. Another valuable source for this section are the Debates of Parliament (*HANSARD*) as one gains a more rounded account of the different political viewpoints behind the regulation of farm labour by analysing how the various political parties reacted to the farm labour issue.

Chapter four is almost exclusively based on primary archival documents. It will place the plight of farm labourers and the sporadic allegations of abuse which surfaced during the twentieth century in the context of state intervention in supplying farmers with labour. On the Transvaal Highveld the farming town of Bethal particularly had a reputation for cruelty and abuse of farm labourers and thus provides the geographical starting point for this study on the economic and social plight of farm workers. The allegations were, however, widespread over the Transvaal Highveld and the scope of this chapter is therefore a wider interpretation of scandals in other rural areas as well. The main focus falls on the government's implementation of "General Circular No. 23 of 1954 – 'Scheme for the employment of petty offenders in

non-prescribed areas”. This controversial scheme was at the core of the scandals which plagued the allegations of farm labour abuse.

Furthermore chapter four also focuses on the reaction to the allegations of abuse. As mentioned in the literature survey, very few secondary sources actually refer to the allegations of abuse on farms during the 1950s or provide an analysis of the reaction. This includes an analysis of various contemporary newspaper articles that give an account of the social implications of the farm labour scheme. The conservative, liberal and leftist newspaper reports are a useful counterbalance to the mainly subjective government records obtained in the National Archives of South Africa. As the farm labour scandals were initially exposed by the press, the role of the South African media during this period is of great importance. It should be noted that South African society during the 1950s was represented by newspapers and periodicals that catered for specific political affiliations. The more radical and considered leftist newspaper, *New Age*, and the periodical, *Fighting Talk*, were thus instrumental in exposing and criticising the farm labour abuses. On the other hand, the more conservative Afrikaans press, such as *Die Transvaler* and *Die Vaderland*, tried to make light of the issue and defended the state and farmers. The reports by the Department of Native Affairs and the *HANSARD* publications reflected state views and proved to be very helpful in this regard. Thus, by integrating this range of sources, it is believed that a greater understanding of the events that transpired during the 1950s can be achieved.

The protest by the ANC in the form of the Potato Boycott launched in June 1959 is also discussed in chapter 4. This forms an integral part of analysing the reaction to the alleged farm labour abuse in this period. The late 1950s and early 1960s were characterised by various economic boycotts implemented by blacks to voice their frustrations with the increasingly discriminating pieces of legislation which affected every aspect of their daily existence. By specifically boycotting potatoes, blacks not only succeeded in sending farmers a direct message which sought to strike an economic blow to capitalist farming and its abusive nature in South Africa, but also, together with the reaction by the other role-players mentioned, forced the South African government to abandon and admit to the illegality of its intervention in regulating farm labour. The chapter concludes by giving an account of the state’s

investigation into the farm labour scandals of the late 1950s. It also focuses on the investigation conducted by the South African Institute of Race Relations and presents an overview of the discontinuance of the farm labour scheme.

Chapter 5 is the concluding chapter of this dissertation. It is a reflective chapter that gives a detailed overview of how the farm labour scandals and the ensued reaction of the 1950s and more specifically 1959 are still relevant today. 2009 marked the 50<sup>th</sup> anniversary of the Potato Boycott. The chapter shows how commemoration is particularly controversial when state driven. The historical events of 1959 serve as an excellent example of how history can be used as a manipulative tool for propaganda purposes. It seems to be an unavoidable truth that commemoration will always be controversial in a culturally diverse society, such as South Africa. However, the question should be asked whether historical veracity can afford to be set aside either due to ignorance or for that matter malicious intent? It cannot be denied that the events of 1959 are of grave importance and relevance to constructing an historical account of South Africa's history that seeks to incorporate the stories of previously marginalised societies. The past should, however, be treated with the respect it deserves. The manner in which the commemoration of this event was undertaken in 2008 and 2009 undermines the legacy of farm labourers who suffered abuses on farms. It also disparages the endeavours of the numerous individuals who sought to expose the maltreatment of these workers and belittles their crusade to hold the NP government accountable for implementing coercive labour measures. Given the current debate on land restitution and redistribution, as well as the continuing stresses that impact on relationships between farmers and farm labourers, it is perhaps more than ever necessary to take cognisance of past events. By doing so, it is hoped that one can gain greater understanding of current and future developments within the farming sector.



## CHAPTER 2

### THE SOUTH AFRICAN GOVERNMENT AND FARM LABOUR INTERVENTION, 1910–1948

The main aim of this chapter is to present an overview of the various political and economic trajectories that played out in the South African countryside during the period 1910 to 1948. This period can be considered the foundation of state intervention in farming post-1948. The discussion will mainly focus on state intervention regarding the “cheap labour question”. However, the agricultural sector did not only experience government assistance regarding the labour issue, but agriculture as a primary industry also received other forms of state assistance. It will thus be shown that a combination of political and economic forces implemented by the state during this era sought to bring about change in the agricultural sector, especially with regards to the labour issue.

The advent of capitalism in South Africa forms the main backdrop against which the political, social and economic transformation in the countryside played out. From its inception, industrialisation in South Africa was unique in that it did not follow the traditional evolutionary route, as was the case in other developing economies of that time. The general process was one where increased mechanisation of the countryside resulted in the urbanisation of the peasantry and this group subsequently became employed in the mining and secondary industries. At the core of industrialisation in South Africa on the other hand lies the mineral revolution. First the discovery of diamonds in the area of the confluence of the Orange (Gariep) and Vaal Rivers in 1867, and the subsequent discovery of gold on the Witwatersrand in 1886, placed South Africa on a rapid path of industrial development.<sup>66</sup>

The emergence of the mining and industry dominated capitalist development in South Africa led to two distinct phenomena that had a huge impact on farming in the region. The first was the emergence of a new local urban market in need of foodstuffs and agricultural produce. Thus a largely subsistence based farming

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<sup>66</sup> See for example: L. Callinicos, *Gold and workers 1886-1924* (Johannesburg: Ravan Press 1980).

economy was faced with the opportunity of producing for a continuously expanding market. Secondly, the foundations were laid for what was to become South Africa's "cheap labour question". The emergence of the industrial sector meant that blacks, who made out the main component of the labouring class in the countryside, could leave farms to go and work on the mines and in the secondary industries. The latter development thus set up an epic battle between farmers and the mining companies for the available and relatively limited labour in the initial decades of the twentieth century.

The period between 1910 and 1948 saw the introduction of stringent segregationist legislation at various levels. Firstly, the South African Party, under the leadership of Generals L. Botha and J.C. Smuts; secondly, from 1924 the Pact government under the guidance of General J.B.M. Hertzog; thirdly from 1933 the Hertzog-Smuts coalition government; and fourthly from 1939 to 1948 the second Smuts government together tabled a series of bills that sought to segregate the Union. Although their ideological agendas may have envisioned a total division and separation between whites and blacks, this could never be accomplished as the economic expansion of the Union relied on and needed black labour for its rapidly expanding economy.

Statistical data points out that between 1910 and 1948 agricultural production on South African farms increased from £29 million to nearly £200 million and by 1960 to more than £385 million. Employment in the farming sector had also risen from 500 000 in 1910 to nearly a million work opportunities in this sector by 1957. Although there were times of setback, such as the Great Depression (1929 – 1932), the country managed to change from an importer of food at the time of Union to a substantial exporter. At the heart of these figures one tends to find substantial state regulation of production and markets, as well as an orchestrated intervention into the labour needs of the farmers.<sup>67</sup>

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<sup>67</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 5.

## 2.1 Farm labour needs: The advent of the twentieth century

The calls for state intervention in providing farmers with help in obtaining labour appeared to be first uttered in the aftermath of the Anglo-Boer War (1899-1902). The devastation this war brought to the countryside was soon evident and many Boer farmers returned to their farms only to find these burned to the ground and, in some cases, occupied by blacks who moved onto the land with the assumption that a “change” in regime would bring about a change in their social and political position.<sup>68</sup> As indicated by M. Morris, this “weak attempt” at a revolution from below by blacks was soon crushed. At the heart of reconciliation between Boer and Brit after the war one found that in order for the Imperial government to start operation of the mines on the Witwatersrand, the hegemony of the two dominant white classes had to be maintained and strengthened. Morris labels the two dominant white classes as firstly the Boer *Junkers*, representing “a landlord (not tenant farmer) who was attempting a transition from feudal production to capitalist production”<sup>69</sup> and Imperialist *Bourgeoisie* representing “gold mining capital”.<sup>70</sup> Indeed, the very functioning of the post-war state depended on the cohesion of the Boers returning to their farms and the Imperialist bourgeoisie seeking to get the mining industry functioning again at pre-war levels.<sup>71</sup>

The “scorched earth policy” introduced during the Anglo-Boer War by the British authorities sought to bring a swift end to Boer aggression and hostilities. At the core of the policy, British soldiers were given orders to burn down homesteads on Boer farms, to cull livestock and to remove all civilians to concentration camps.<sup>72</sup> Thus by the end of the war many returning farmers found their farms in total ruin and the obligation fell on Lord Alfred Milner, High Commissioner to the two former Republics

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<sup>68</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 52.

<sup>69</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 12.

<sup>70</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 57.

<sup>71</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), pp. 53-55.

<sup>72</sup> See for example: S.B. Spies, *Methods of barbarism – Roberts, Kitchener and civilians in the Boer republics: January 1900 - May 1902* (Johannesburg & Cape Town: Jonathan Ball Publishers, 2001).

and the Cape and Natal Colonies, to set right the wrath of war and to ensure that farmers were given the promised assistance they needed to resume successful and productive farming. Milner's stance supported the dominant white classes' ideology as he stated that "the ultimate end is a self-governing white community supported by well treated and justly governed black labour from Cape Town to Zambezi".<sup>73</sup>

However, the restoration of the Boer farmers' hegemony in the countryside also has to be placed in the context of what consequences the war had on black people in the Transvaal and Orange River Colony. Blacks also suffered tremendous losses as a result of the war. Some were able to flee to other areas and territories such as Basutoland with their cattle and implements. In the immediate aftermath of the war it placed them in an ideal position to take advantage of sharecropping and labour tenancy agreements with impoverished white farmers.<sup>74</sup> Sharecropping was a joint "co-operative" venture between a white landlord and black farmer who "provided ploughs, oxen and seed as inputs and then ploughed, sowed and reaped a [white] farmers land", sharing the crop yield with the white land lord.<sup>75</sup> Labour tenants, as explained by historian H. Giliomee, "worked for farmers in return for ploughing a piece of land and grazing a limited number of stock".<sup>76</sup> However, as astutely explained by historian I. Ochiltree, sharecropping led to increased social and economic tensions being created on farms between white landlords and black sharecroppers. For white landowners, "it undermined their control of labour, threatened their economic security and, worryingly, it promoted a sense of partnership and eroded the 'proper' relationship between the races."<sup>77</sup> Nevertheless, sharecropping did provide blacks with a temporary means to resist being forced into becoming wage labourers in an economy that flourished on the toil of cheap and exploitable workers.

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<sup>73</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 58.

<sup>74</sup> C. Bundy, *The rise and fall of the South African peasantry* (Cape Town: David Phillip, 1988), p. 213.

<sup>75</sup> H. Giliomee, *The Afrikaners, a biography of a people* (Cape Town & Charlottesville: Tafelberg, 2003), p. 297.

<sup>76</sup> H. Giliomee, *The Afrikaners, a biography of a people* (Cape Town & Charlottesville: Tafelberg, 2003), p. 297.

<sup>77</sup> I. Ochiltree, "Mastering the sharecroppers: land, labour and the search for independence in the US South and South Africa", in *Journal of Southern African Studies*, Vol 30, no 1, March 2004, p. 42.

After the war the colonial authorities appointed the Transvaal Labour Commission to ascertain the labour needs of the agriculture, mining and secondary industries in the Transvaal and to discuss how labour was going to be obtained for these sectors. In 1903 the Commissioners reported that the witnesses who appeared before them were unanimous in their testimonies that farmers in the Transvaal were unable to find an adequate supply of labour and that very few of the blacks living on government farms or unoccupied farms and locations, could be induced to work for farmers. It was also stated by the farmers that the high wages on the gold mines affected the rate of pay as expected by blacks in other parts of the country and that farmers could not compete with these high wages.<sup>78</sup> The logical conclusion one draws is that by increasing the wages of farm labourers, farmers would have attracted more labour. But farmers were adverse to such a measure as long as they could still obtain labour at virtually no cost and thus could reduce liability if the harvests failed.<sup>79</sup>

Many farmers were however in favour of the strict enforcement of the Squatters' Law of 1895 and the breaking up of locations.<sup>80</sup> The Squatters' law restricted the number of black tenant families to five per farm, thus theoretically propagating a more even distribution of potential black farm labourers on white-owned farms. The problems farmers had with squatters were threefold. Firstly, it was argued that squatters took up valuable land, land that could be sold to other white farmers for agricultural purposes. Secondly, farmers viewed squatters who farmed as potential competitors in an emerging agricultural market. Yet, more importantly, the farmers feared that once the squatters were removed to the reserves they would join the migration cycle to the mines and other industries in urban areas, and therefore be lost as a potential labour source.<sup>81</sup>

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<sup>78</sup> *Report of the Transvaal Labour Commission* (Johannesburg: The Argus Printing and Publishing Company Limited, 1903), p. xiii.

<sup>79</sup> *Report of the Transvaal Labour Commission* (Johannesburg: The Argus Printing and Publishing Company Limited, 1903), p. xiii.

<sup>80</sup> *Report of the Transvaal Labour Commission* (Johannesburg: The Argus Printing and Publishing Company Limited, 1903), p. xiii.

<sup>81</sup> Southern African Labour and Development Research Unit (SALDRU), "Overview of farm labour in South Africa", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 21.

However, as indicated by Morris, members of the Transvaal Landowners' Association, who owned 10 000 000 acres of land in the Transvaal, vehemently opposed the enforcement of the Squatters' Law. The fact was that these land companies levied rent from squatters<sup>82</sup> and were thus not prepared to lose a substantial income in rent monies. The land companies did however oppose the occurrence of non-rent-paying blacks squatting on Crown land.<sup>83</sup> The mining sector was also not in favour of the enforcement of the Squatter's Law. Morris states that the main reason for this was the fact that mining would have no direct benefit from such an intervention. There was already evidence that outside of the reserves the mining sector could draw a steady migrant labour pool from blacks who squatted on Crown land and land in the hands of land companies.<sup>84</sup> In fact many of the companies who owned land were indeed owned by mining conglomerates. Thus, there was always a threat that an assault on the squatters would result in blacks moving out of the Transvaal and thus leaving the mining sector with no labour reserves. One of the main reasons why mining was not as adversely impacted on as farming by labour shortages in the immediate post-war period was the fact that Chinese indentured labour was imported to work on the mines from 1904 to 1910.<sup>85</sup>

For the farmers, the fact that the mining sector could not be persuaded to support the anti-squatting laws must have been seen as "treachery" on the one hand, but on the other hand, they must have found themselves on a "double edged sword". Farmers may have had the inherent fear that their calls for state intervention to solve the labour problem could have led to blacks migrating out of the Transvaal or indeed to active resistance in the form of open rebellion. The Colonial government, however, had to ensure that some sort of appeasement policy could be reached to satisfy the farmers. This was realised, for example, in the appointment of the South African Native Affairs Commission (1903 – 1905), which in its findings condemned squatting.

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<sup>82</sup> This practise was known by the derogatory term of "kafir farming". See for example: H. Giliomee, *The Afrikaners, a biography of a people* (Cape Town & Charlottesville: Tafelberg, 2003), p. 297.

<sup>83</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 80.

<sup>84</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 81.

<sup>85</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), pp. 86-90.

The Commission also concluded that blacks should be barred from obtaining “white’ land through purchase, lease or sharecropping”.<sup>86</sup> In 1904 the state encouraged farmers to enter into labour tenancy contracts with blacks. In 1908 the Transvaal Native Tax Act also imposed higher taxes on squatters than labour tenants.<sup>87</sup> The provisions of this Act can thus be seen as another incentive for blacks to become labour tenants rather than to remain squatters.

Timothy Keegan views 1908 as a turning point in the relations between white farmers and black peasants. This he attributes mainly to the financial boom and economic expansion in agricultural prices during this period. This included increased state intervention regarding the provision of transport, marketing facilities, capital, credit lending and increased calls by the state for white farmers to improve their farming methods and techniques.<sup>88</sup>

The financial boom in essence meant that more capital was available for white farmers to take up successful farming. Commercial banking in the period after the formation of the Union in 1910 to 1914 rose dramatically in the rural areas. The Standard Bank in the Orange Free State, for example, increased its branches from five to seventeen during this four year period.<sup>89</sup> The economic expansion also led to a rise in land prices and the 1912 Land Settlement Act<sup>90</sup> provided for large-scale state purchase of private land. The formation of the Land Bank, also in 1912, provided further incentive for farmers to maximise their profits.<sup>91</sup> The bank made it possible for the state to provide capital in the form of loans to farmers with the hope that it would stimulate agricultural development.<sup>92</sup> However, as Wilson points out this initiative

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<sup>86</sup> H. Giliomee, *The Afrikaners, a biography of a people*, (Cape Town & Charlottesville: Tafelberg, 2003), p. 300.

<sup>87</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 90.

<sup>88</sup> T. Keegan, "Crisis and Catharsis in the Development of Capitalism in South African Agriculture," in *African Affairs* (84), 336 (July, 1985), p. 376.

<sup>89</sup> T. Keegan, "Crisis and Catharsis in the Development of Capitalism in South African Agriculture," in *African Affairs* (84), 336 (July, 1985), p. 377.

<sup>90</sup> Land Settlement Act (no. 12 of 1912), *Statutes of the Union of South Africa 1912*. (Cape Town: Government Printer).

<sup>91</sup> T. Keegan, "Crisis and Catharsis in the Development of Capitalism in South African Agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 377-378.

<sup>92</sup> R. Ross, *A concise history of South Africa* (Cambridge: Cambridge University Press, 1999) p. 90.

marked the beginning of a new stage in the farmer's approach to the State for financial credit and other assistance. The significance of the Land Bank Act lay not only in the fact that credit was made specially available to assist farmers, but even more important, that henceforth farmers were to look increasingly to the State to solve their problems.<sup>93</sup>

Thus with the Union Government finally being inaugurated in 1910 one starts to see the tightening of the screws on the black peasantry, with the white farming community increasingly asserting its dominance over that of the mining and industrial sectors. Keegan explains this development by stating that because both the white and black rural economy were expanding, white farmers especially were driven to increase their profit by essentially taking control of production methods on farms, which at that time were still mainly in the hands of black peasants.<sup>94</sup> The air was thus laden with conflict as the high point of profit for black peasant tenants occurred at the same stage as the increased capitalisation of white agriculture. As Ochiltree perceptively summarises:

South Africa embarked on a wholesale transformation of what had been a rural economy – characterised by the relationship between landlord and peasant farmer – into a modern 'progressive' capitalist one, underpinned by the transformation of relatively independent peasants into increasingly controlled labour tenants and wage labourers on white-owned farms. For much of the peasantry it would mean loss of access to land, loss of control over family labour, and increasing alienation from the means of production and subsistence, effectively closing off economic space and opportunities.<sup>95</sup>

Nevertheless, Keegan points out that one of the main reasons for white farmers struggling to obtain labour in the first decades of the twentieth century was the fact

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<sup>93</sup> F. Wilson, "Farming: 1866-1966" in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971), p. 136

<sup>94</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 379.

<sup>95</sup> I. Ochiltree, "Mastering the sharecroppers: land, labour and the search for independence in the US South and South Africa" in *Journal of Southern African Studies*, Vol 30, no 1, March 2004, p. 52.



that black tenants could still resist the clampdown in terms of remuneration and living conditions from white farmers by moving between farms to negotiate better contracts.<sup>96</sup>

The conflict between white farmers and black tenants further escalated due to the competition for grazing land. Since the post-war period there had been an increase in livestock numbers for both white and black farmers. Black peasants especially preferred farming with livestock as the selling of these animals and any related produce, meant that the family was less dependent on servile labour. Therefore as long as blacks had grazing land they could also resist any attempts by white farmers to force labour contracts on them.<sup>97</sup> But this period also saw increased subdivision of farms among white farmers, which meant that farms were getting smaller, and farmers were less willing to enter into any agreements with black tenant families that had large herds of livestock.<sup>98</sup>

In 1911 the first legislation was enacted to ensure a process which would gradually lead to the proletarianisation of the black peasantry. The passing of the Native Labour Regulation Act<sup>99</sup> in 1911 stipulated a regulation of the migrant labour system by proposing a division of labour between the mines and the farms. The legislation also intended to regulate the recruitment of labour by the mining industry. This then initially excluded farmers, but farmers were given some guarantee for labour by the Act's prohibition on the recruitment of non-farm labour from white agricultural areas.<sup>100</sup> This era was therefore increasingly characterized by farmers and the mining sector appealing for state assistance in obtaining labour. Two years later, the

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<sup>96</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 380.

<sup>97</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 381.

<sup>98</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 382.

<sup>99</sup> Native Labour Regulation Act (no 15 of 1911), *Statutes of the Union of South Africa 1910 & 1911* (Cape Town: Government Printer), pp. 528–556.

<sup>100</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), pp. 15-16.

foundation of state regulation of black labour was introduced with the passing of the Natives Land Act of 1913.<sup>101</sup>

## 2.2 Laying the foundation: The Natives Land Act of 1913

Historians are deeply divided in their interpretations of the 1913 Natives Land Act, especially regarding the Act's stipulations on the labour issue. The Act's ideological mandate as the first piece of legislation in the Union attempting to separate whites and blacks territorially was generally accepted as self-evident. However, increasingly since the 1970's revisionist historians have linked the Act to not just the consequences it had on land division, if indeed any, but also on the effect it had on black labour. They argue that land and labour in the South African historical context cannot be analysed exclusively from one another.

In essence the Act had three main objectives to appease the labour demands of farmers. Firstly, it did not restrict the number of blacks who could reside on white owned farms. It thus removed the restriction of five families per farm in the Transvaal as stated in the Squatters' Law of 1895, with the condition that the head of each family residing on a farm should be registered for taxation at the Department of Native Affairs.<sup>102</sup> In the Orange Free State it sought to make sharecropping illegal; however in the Transvaal and Natal it was still legal to renew sharecropping contracts, but illegal to enter into new agreements.<sup>103</sup> More importantly, the provisions of the Act sought to check squatting by stating that blacks on farms would not be considered employed unless they provide three months of labour service per year on the farm they resided on or occupied.<sup>104</sup> This implied that squatters, failing to prove that they rendered labour on farms, would face eviction from the farms they occupied. However the Act placed a moratorium on any evictions or removals from

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<sup>101</sup> Natives Land Act (no 27 of 1913), *Statutes of the Union of South Africa 1913* (Cape Town: Government Printer), pp.312-348.

<sup>102</sup> Natives Land Act (no. 27 of 1913), p. 316.

<sup>103</sup> Natives Land Act (no. 27 of 1913), p. 316.

<sup>104</sup> Natives Land Act (no. 27 of 1913), p. 320.

farms pending the findings of a Commission which in terms of the Act had to be set up to investigate the expansion of the reserves for resettlement purposes.<sup>105</sup>

One of the main debates among historians is centred on which particular sector, namely agriculture or industry and mining, the Act favoured with its provisions.<sup>106</sup> As mentioned, the mining industry at the end of the Anglo-Boer War did not see any economic benefit in implementing stricter laws on squatters to solve farmers' labour shortages. However, by the end of the first decade of the twentieth century this view had changed dramatically. This change largely came about because of the withdrawal from and discontinuation of Chinese labour from the mines. The mining industry was also put under pressure for more unskilled labour due to changes in the mechanical structure of gold mining on the Witwatersrand.<sup>107</sup>

As indicated by Morris, although the mining sector did not support the proletarianisation of blacks living outside of the reserves, this policy did not apply to blacks living in the reserves. Most migrant labourers to the mines were drawn from the reserves and even with the indentured Chinese as labour, the mining sector always had a relatively constant stream of labour from areas of black settlement both from within and outside the country. Thus although not keen on forcing blacks to become labour tenants on farms, the mining sector did see a potential increase in their labour pool if the reserve land was to be increased as this would consequently mean an increase in black migrant labour to the mines. This marked a radical change in the mining sector's attitude regarding the labour question.<sup>108</sup>

But mining was not at all in favour of any legislation that would benefit the farmers over the mining industry. Morris feels that the 1913 Act "was thus neither the result of imperialist mining capital wielding the State exclusively in its own interest, nor the

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<sup>105</sup> Natives Land Act (no. 27 of 1913), p. 314 & p. 315.

<sup>106</sup> SALDRU, "Overview of farm labour in South Africa", in F. Wilson, A. Kooy & D. Hendrie (eds), *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 21.

<sup>107</sup> M. Morris, *The State and the development of capitalist social relations in the South African countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 97.

<sup>108</sup> M. Morris, *The State and the development of capitalist social relations in the South African countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), pp. 95-101.

Boer *Junkers* laying hold of their particular share of the State to achieve their respective interest". He argues that "the 1913 Natives Land Act as a particularly important instance of State intervention was rather the peculiar expression of an overall balance of unequal class forces, particularly that of the dominant classes, but also ... reflecting the effect of the black popular classes within the social transformation".<sup>109</sup> Therefore the Act was a compromise by the State to appease both these sectors.

In their analysis Martin Legassick and Stanley Trapido argue that the 1913 Act came about because of an alliance between "gold and maize" and that both farmers as well as the mines benefited from the Act as it led to a more even distribution of the black labour force.<sup>110</sup> This view, however, is rejected in an analysis by Marian Lacey. She argues with some conviction, that the Act favoured the mining sector at the expense of farmers and their call for more labour. She bases her argument on the fact that J.W. Sauer, Minister of Native Affairs, rejected calls by farmers to evict squatters from the land of Land Companies and that of absentee landlords. Farmers wanted squatters redistributed on their farms as labour tenants and rejected the recommendations that squatters had to be resettled in the reserves as this would benefit the mining industry.<sup>111</sup> The subsequent moratorium placed on the 1913 Act by the appointment of the Beaumont Commission, which had to make recommendations on extra land to enlarge the reserves, is a further indication for Lacey that the government favoured the mining sector. As evidence for this, she also adds that albeit the moratorium was fiercely contested by farmers in the Orange Free State, the Act became law and rent tenancy and sharecropping was as a result effectively ended in this province.<sup>112</sup>

Sheila Van der Horst also comes to the conclusion that the 1913 Act did not lead to an increase in the rural black population and "consequently in the Transvaal and

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<sup>109</sup> M. Morris, *The State and the development of capitalist social relations in the South African countryside: A process of class struggle* (D.Phil. thesis: University of Sussex, 1979), p. 106.

<sup>110</sup> B.J. Liebenberg & S.B. Spies (eds), *South Africa in the 20<sup>th</sup> century* (Pretoria: Van Schaik Akademies, 1993), pp. 213-214.

<sup>111</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), p. 126.

<sup>112</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), pp. 126-128.

Natal this provision did not have much effect on the supply of Native labour, except in so far as it reduced the mobility of Native Tenants".<sup>113</sup> She argues that although leasing and renting land had now become illegal in the Transvaal, rural black farmers were still permitted to renew existing contracts and, more importantly, that despite the prohibition on new contracts farmers still entered into these and rented land to blacks.<sup>114</sup> This fact is also pointed out by Keegan. His analysis of the Act moves away from the debate on the Act's favouring of either mining or agriculture, but rather focuses on what actually happened on farms after the Act was implemented.<sup>115</sup>

Keegan states that both in the Orange Free State and in the Transvaal there were evictions by white farmers of black tenants from their farms.<sup>116</sup> However, he argues that these evictions were not directly caused by the Act, but rather by the farmers' interpretation of the Act. Farmers perceived the Act in part as the state legitimizing their ideological quest to bring about social transformation in the status of black tenants.<sup>117</sup> But after the dust settled, Keegan is of the opinion that there was no great change in the production processes. The Act in essence did not bring about the decline of white farmers' reliance on black tenants' technical and productive skills.<sup>118</sup> This view is also held by S.B. Greenberg who states that although blacks faced pressure to renegotiate contracts and to expand their labour services, there was only a limited attempt by white farmers to create a rural proletariat and labour pool.<sup>119</sup>

Sharecropping remained the norm on many farms although in some cases contracts were renegotiated in which blacks increasingly had to accept restrictions on grazing rights and a reduced share in the crop. Keegan rightly draws the conclusion that the formulators of the 1913 Natives Land Act provided the future ideal for capitalist

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<sup>113</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), p, 292.

<sup>114</sup> S.T. van der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), p, 292.

<sup>115</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 387-389.

<sup>116</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 387-389.

<sup>117</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 391.

<sup>118</sup> T. Keegan, "Crisis and catharsis in the Development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), pp. 391.

<sup>119</sup> S.B. Greenberg, *Race and state in capitalist development, South Africa in comparative perspective* (Johannesburg: Raven Press, 1980), p. 80.

orientated agriculture in which land and other productive resources were the property of white farmers and blacks were reduced to wage labourers who had to toil under the authority and supervision of white masters.<sup>120</sup> However, increasingly farmers also used the Act as a means to force squatters to become labour tenants with threats of eviction.<sup>121</sup>

The fact of the matter was that at the time when the Natives Land Act was passed, farmers were still divided among themselves about what they wanted from the state in terms of the regulation of labour. Progressive farmers who farmed along capital intensive lines were not adverse to the idea of paying their workers cash wages. Nevertheless, in the decade following the Anglo-Boer War, the majority of farmers struggled to get their farms to function at a profitable level. Thus, as Lacey states, farmers in the Transvaal and Natal did not want to evict their sharecroppers. However, farmers did want a means to force them into labour tenancy contracts.<sup>122</sup> The post-1913 years brought with it other problems which in some respects halted any hopes of white farmers bringing about a complete transformation of black peasants into wage labourers. Keegan points out that various external factors seemingly slowed down the development of any further state intervention on the labour issue. In 1913 a serious drought was experienced. In 1914 there was the outbreak of World War One, which signalled the end of the financial boom experienced in the countryside in the pre-1913 years. The Land Bank and commercial banks curtailed their lending activities and the 1914 Boer Rebellion (a protest against South Africa's invasion of German South West Africa on behalf of the British Empire) further paralyzed credit systems as the rebels commandeered stocks from maize producing regions.<sup>123</sup>

The proposed Native Administration Bill of 1917, which followed on the recommendations of the Beaumont Commission, also elicited vehement protest from

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<sup>120</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), p. 393.

<sup>121</sup> A.H. Jeeves and J. Crush, *White Farms, Black Labor - the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 21.

<sup>122</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), p. 125.

<sup>123</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), p. 395.

especially under-capitalized farmers. If the Bill had been enacted, it would have evicted thousands of blacks to the reserves with the only option to stay on the land being to provide three months of labour service to farmers. These farmers felt that state meddling in this instance could not ensure that blacks would take up contracts on farms or that blacks living in the reserves could be channelled to work on farms. It was felt that this would lead to another three-way conflict between farmers, the mines and the government.<sup>124</sup>

Lacey is of the opinion that this Bill “would have [also] been disastrous for the mines had most squatters agreed to convert their tenancy into a three month labour service so as to keep some foothold on the land”.<sup>125</sup> The mining companies wanted a guarantee that squatters would be settled in the reserves. Farmers again wanted a guarantee that the “evicted blacks” would be compelled to become farm labourers. Added to this conundrum was the predicament faced by the government that the land earmarked for the reserves was, in terms of both quantity and quality, not yet suitable for black resettlement. Therefore, the government, according to Lacey, had no choice but to withdraw the Bill and in the process angered many progressive farmers who subsequently withdrew their support from the South African Party.<sup>126</sup>

Hence, when the Pact government came to power in 1924, farmers were more desperate than ever for cheap labour and white farmers looked to Hertzog as the politician who had to carry their mandate through. Or rather, so these farmers had hoped and believed. Nevertheless, the Natives Land Act remains an important foundation for the ultimate transformation of the South African countryside from an agricultural sector largely dependent on the modes of production as provided by black farming peasants to large-scale commercial and capitalist farming in which blacks only had their labour to sell. As Keegan put it “the significance of the events described ... is that for the first time white farmers in the arable heartland of the Highveld were able to intervene decisively to turn back the tide of black accumulation

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<sup>124</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), p. 128.

<sup>125</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), p. 129.

<sup>126</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), p. 130.

on the land in a period of rapid productive expansion, and to harness black production, resources and skills more fully to the benefit of their white landlords".<sup>127</sup>

### 2.3 Masters seeking Servants: The Pact Government's policies

The period 1924 to 1932 saw the so-called Pact government wielding power. This new government was a political alliance between the National Party (NP), led by Hertzog, and the Labour Party, led by Colonel F. Creswell. Although the political landscape was to see various internal skirmishes between the different political parties, there seems to have been a renewed attempt at state intervention into solving the black labour question.

Again historians appear to be at loggerheads as to how the Pact Government tackled the farm labour issue. If anything, this period can probably be singled out as the phase in which the fine tuning of the various state departments' policies became more pronounced. But as pointed out by Duncan, the departments were not really working in unison to implement the newly elected government's segregationist plans. Consequently one finds that the farm labour issue constantly featured as a political play ball between various state departments in their internal power struggles. Regarding the farm labour policy, Lacey is supported by Rosalind Ainslie in her view that the regulations and coercion implemented between 1924 and 1932 by the Pact government ensured farmers with effective control over their labour. Ainslie states that, well before 1948 a pattern of compulsion and control of agricultural labour had been set.<sup>128</sup>

Lacey is not wrong in her assertion that the government did seemingly pull out various stops to help farmers during this period. However, Duncan disagrees with Lacey that Hertzog had a uniform "grand plan" to assist farmers. He states that the government may have had a broad strategy to stabilise the farm worker pool with wage labour and stop increasing rural black urbanisation, but the action taken by the

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<sup>127</sup> T. Keegan, "Crisis and catharsis in the development of capitalism in South African agriculture," in *African Affairs* (84), 336 (July, 1985), p. 398.

<sup>128</sup> R. Ainslie, *Masters and serfs, farm labour in South Africa* (London: International Defense and Aid Fund for Southern Africa, 1977), p. 14.



state was at times uncertain, and on numerous occasions, contradictory at best.<sup>129</sup> Wilson also feels that the Pact Government did not bring about a change in the direction of South African agriculture, but that the period saw an intensification of state intervention into this sector.<sup>130</sup> For example, the 1920s saw direct intervention by the state into regulating agricultural markets. In 1924 the Pact Government also wrote off large loans which had been granted to farmers in the post World War One depression years.<sup>131</sup>

The first legislation passed by the new government that had an impact on black labour tenants on farms was the Masters and Servants (Transvaal and Natal) Amendment Act of 1926.<sup>132</sup> This Act sought to bring in contracts, either written or orally, between farmers and labour tenants under the Masters and Servants laws which dated back to 1880 in the Transvaal.<sup>133</sup> Legislatively it thus gave farmers the right to bring criminal charges against labour tenants who breached the labour contracts they had entered into. The reality was that the Act did very little to provide farmers with tighter control over black labour.<sup>134</sup>

Helen Bradford argues that the 1926 Amendment Act did nothing more than patch up gaps that existed in the original legislation. However, various loopholes remained, as agricultural interests were still subordinated to those of the urban industries.<sup>135</sup> Thus, farmers still had problems with enforcing contracts on their workers. This can be seen in the fact that the provincial agricultural Unions requested that the Act must allow for the chairmen of farmers' associations to be allowed to try labour tenants

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<sup>129</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 76.

<sup>130</sup> F. Wilson, "Farming: 1866-1966" in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971), p. 137.

<sup>131</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 6.

<sup>132</sup> *Statutes of the Union of South Africa: Masters and Servants (Transvaal and Natal) Amendment Act (no 26 of 1926)*, pp. 206–209.

<sup>133</sup> *Masters and Servants (Transvaal and Natal) Amendment Act (1926) Statutes of the Union of South Africa 1926* (Cape Town: Government Printer), pp. 206-208.

<sup>134</sup> H. Bradford, *A taste of freedom, the ICU in rural South Africa 1924-1930* (Johannesburg: Ravan Press, 1987), pp. 53-54.

<sup>135</sup> H. Bradford, *A taste of freedom, the ICU in rural South Africa 1924-1930* (Johannesburg: Ravan Press, 1987), pp. 53-54.

who were in breach of contract and that a farmer's word should be enough for the arrest of labourers.<sup>136</sup>

During the 1920s the Department of Natives Affairs (NAD) found itself increasingly in a predicament regarding the farm labour issue. Although the NAD was more than willing to introduce measures that sought to discipline labourers, prevent desertions and to regulate working conditions of labourers on farms, it was also inundated with farmers demanding more labour. The NAD, however, consistently responded by stating that the onus was on farmers to provide better wages and working conditions for labourers to prevent labourers from seeking work in other sectors. Nevertheless, as pointed out by Duncan, the various state departments were divided on the farm labour issue. The Departments of Agriculture and Justice in particular tended to side with the farmers. Political pressure placed by farmers on their parliamentary representatives also led to the state shying away from the NAD's policy of insisting that the labour market had to remain open to competition and that the NAD had to ensure that all the economic sectors had labour.<sup>137</sup>

The Great Depression of 1929 brought with it an economic slump which was especially felt by the agricultural sector as a result of the loss of markets as the demand for produce declined. To add insult to injury, the period 1932 to 1933 was marked by a severe drought which led to the loss of thousands of livestock. The latter coincided with increased white urbanisation from rural areas due to a rise in the gold price which sparked more white employment opportunities on the mines and in secondary industry.<sup>138</sup> The Pact Government also had to deal with various broader political issues during the period 1929 to 1933. Having barely survived the political skirmishes brought on by the split within the ranks of its coalition partner, the Labour Party, the NP managed to win the election of 1929. However, the Great Depression led to increasing tension in NP structures and by 1931 the government all but ceased to exist as a collectively functioning administration. It was evident that the government had to take drastic action regarding the development of the agricultural

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<sup>136</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 77.

<sup>137</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 77.

<sup>138</sup> F. Wilson, "Farming: 1866-1966" in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971), p. 137.

sector in two spheres. First, steps had to be taken to make agriculture more “efficient and economic” by improving farming methods and preventing soil erosion. Secondly the state had to protect farmers against cheap imports and also increase agricultural produce exports.<sup>139</sup>

During the crisis years of the early 1930s the government distributed £5 million in farm relief. The post crisis years were marked by increasing calls by farmers to “maintain pricing, to restore farm incomes, to deal with surpluses and to provide orderly marketing”.<sup>140</sup> This was mainly achieved by the formation of Control Boards for farming produce. The boards in essence had to protect farmers against cheap imports by “stabilising prices and controlling supply”.<sup>141</sup> This process culminated in the passing of the Marketing Act of 1937. The Act sought to guarantee farmers a minimum price for their crops.<sup>142</sup> Wilson asserts that “the primary aim of the Marketing Act was not so much the short-term stabilisation of prices in a sector subject to violent fluctuations in output due to weather conditions, but rather the long-term social aim of keeping farming incomes more in line with those in town”.<sup>143</sup> The establishment of co-operative societies further stabilized the regulation of the market. This gave farmers control over local markets and also allowed for “bulk handling, sorting, grading, and transport [of grain] by the 1930s.”<sup>144</sup>

## 2.4 Divisions in the State: The Native Service Contract Act of 1932

Consequently the economic developments in the agricultural sector during the 1930s saw the state under increasing pressure to settle the farm labour issue. In 1930, the Pact government appointed the Native Economic Commission. Lacey asserts that

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<sup>139</sup> F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971) p. 137.

<sup>140</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 10.

<sup>141</sup> I. Ochiltree, “Mastering the sharecroppers: land, labour and the search for independence in the US South and South Africa” in *Journal of Southern African Studies*, Vol 30, no 1, March 2004, p. 52.

<sup>142</sup> C. van Onselen, *The Seed is mine – the life of Kas Maine a South African sharecropper, 1894-1985* (Johannesburg & Cape Town: Jonathan Ball Publishers), p. 8.

<sup>143</sup> F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971), p. 140.

<sup>144</sup> F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870 - 1966* (Oxford: Oxford University Press, 1971), p. 140.

the real intention of this Commission was to investigate ways of controlling and redistributing labour to farmers at the lowest cost possible. Albeit that the opening remarks of the final report insisted that farm labourers were generally well remunerated, fed and treated, Lacy points out that the unpublished minutes of the Commission contain various testimonies by labour tenants complaining of ill-treatment and coercive labour practices.<sup>145</sup> In defence of farmers, the Commission's report stated that that the complaints of ill-treatment were generally made by the type of farm labourers farmers did not want in their employment anyway.<sup>146</sup>

Blacks testifying before the Commission complained that the "smallness of cash remuneration, limitation of stock, inadequacy of the food supplied by the farmer for the wants of the family, and poor quality of lands given for ploughing", were some of the main reasons why blacks preferred to go and seek work in urban areas. Farmers again testified that labour tenancy in their view was a "necessary evil" and stated that many of their tenants were "unreliable and inefficient". However, farmers also mentioned that there were instances where labourers were not treated "fairly" on farms, but that these farms were located in districts that had surplus labour, thus hinting that farmers who abused their labourers could easily replace their work force if necessary.<sup>147</sup> The Commission noted that "no good purpose can be served by your Commission attempting to pronounce judgement on these claims as if the right is all on the one side and the wrong all on the other".<sup>148</sup>

It was accordingly pointed out by the Commission that most farmers agreed that labour tenancy was an uneconomic system, but that geographical location also had an impact on remuneration. In areas of high agricultural productivity one tended to find that blacks living on farms could more favourably eke out a living from the grazing and planting rights granted to them by farmers. The Commission expressed it as follows: "The evidence led before your Commission has left no doubt in our

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<sup>145</sup> M. Lacey, *Working for boroko, the origins of a coercive labour system in South Africa* (Johannesburg: Raven Press, 1981), p. 146.

<sup>146</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 51.

<sup>147</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 53.

<sup>148</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 53.

mind that on the best farms the privileges are certainly worth a good deal more than the income which the same Native would earn in town”.<sup>149</sup> However, it was also noted that external economic forces such as the rise in the value of land led to further conflict between farmers and labour tenants especially regarding the size of the tenant’s cattle herd. Increasingly pressure was placed on labour tenants to reduce the size of their cattle herds and many blacks thus trekked from farm to farm and district to district not willing to enter into labour contracts where they were restricted in the number of cattle they could own.<sup>150</sup>

Payment in kind which usually went to the head of the labour tenant family, was also listed as another reason why farm labour was not viewed as a preferred form of employment, especially among the younger black people. The Commission stated that many young blacks absconded from rural areas to go seek work in urban areas. This had the effect that many farmers evicted the labour tenant family head from the farm as the farmer’s labour requirements could now no longer be met. Thus the Commission felt that labour tenancy as the status quo of agricultural employment was disappearing and that this held disadvantages for both black labourers and white farmers.<sup>151</sup>

As a means to simplify the transition, the Commission recommended that farmers experiment with “written contracts” and “cash wages”.<sup>152</sup> It actually proposed that legislation had to be introduced that made written contracts obligatory. Furthermore, contracts should also include a “nominal comprehensive” cash wage. It was felt that by giving cash wages, blacks would be able to better compare their remuneration on farms with that given in urban areas and that farmers would have a better idea as to the cost of their labour.<sup>153</sup>

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<sup>149</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 55.

<sup>150</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 55.

<sup>151</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 51.

<sup>152</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), pp. 57-58.

<sup>153</sup> U.G. 22-1932: *Native Economic Commission 1930-1932* (Government Printer, Pretoria, 1932), p. 58.

Immediately after the Commission's report the government responded by tabling the Native Service Contract Bill of 1932. The Bill would permit parents to enter into a contract on behalf of their children; allow the eviction of the entire labour tenant family if one member absconded from his or her contract; and prevent labour tenants from seeking work in urban areas without a farmer's written permission. It also gave the state the means to tax landowners who entered into sharecropping agreements or allowed squatters on their property; and introduced whipping for contraventions of the Masters and Servants laws.<sup>154</sup>

Duncan points out that the state departments were far from united regarding the Bill's implications. The Bill was drawn up by the Department of Justice, but its enforcement would fall under the NAD. Officials from the latter Department continued to have a hard time defending their reputation as being a "balance between black and white" interest in the Union. While farmers thanked the Department of Justice, the NAD officials had to face protest from both liberals and blacks alike. The black press especially saw the "whipping clause" as "archaic and barbaric"<sup>155</sup>. Nevertheless the Bill was passed into law as the Native Service Contract Act in 1932.<sup>156</sup> Disconcertingly for the NAD, farmers continued their calls for more labour and the Department rejected tightening up the provisions of the Act. It was felt that the Department had gone far enough to help farmers and that they were unfairly putting two-edged pressure on the NAD, as the NAD also had the prerogative to improve the conditions and protect the position of farm labourers.<sup>157</sup> In this regard Van der Horst points out that complaints by farmers about their labour tenants being inefficient and taking no interest in their work were not surprising as there was no incentive for them to improve their positions, little possibility for earning higher wages or accumulating capital to buy or rent land and establish themselves as independent farmers.<sup>158</sup>

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<sup>154</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 78.

<sup>155</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 79.

<sup>156</sup> Native Service Contract Act (no 24 of 1932), *Statutes of the Union of South Africa 1931 to 1932* (Cape Town: Government Printer), pp. 146-164.

<sup>157</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, pp. 79 – 81.

<sup>158</sup> S.T. Van Der Horst, *Native labour in South Africa* (Cape Town: Oxford University Press, 1942), p. 295.

## 2.5 Squashing squatting?: The 1936 Native Trust and Land Act

By 1933, Hertzog had found a new political ally in Smuts and in 1934 the NP and the South African Party fused to form the United South African National Party (UP). The new government with Hertzog still in the driving seat as Prime Minister continued its segregationist mandate and the period between 1934 and 1939 saw a number of oppressive laws being enacted. The UP government was responsible for introducing the Native Trust and Land Act of 1936<sup>159</sup> which was basically passed to consolidate the Natives Land Act of 1913.<sup>160</sup> It was the legislation that many farmers pinned their hopes on to solve their ever increasing calls for labour.

The Act dealt mainly with the squatter problem that had farmers up in arms ever since Sauer's "saving clause" put a moratorium on the eviction of squatters from farms. The Act, therefore, proposed to put an end to squatters and sought to make more land available for commercial agriculture. This was to be done by giving the squatters two options: either become farm labourers or move to the reserves.<sup>161</sup> Chapter Four of the Act also proposed to lengthen the period of service for "labour tenants" in the Transvaal to six months per year by redefining the definition of labour tenancy. Blacks working as labour tenants on farms could only be registered as such if they were contracted to work for 180 days a year as farm workers.<sup>162</sup>

In 1938 the NAD implemented Chapter Four in the District of Lydenburg with disastrous consequences. In his study of this region S. Schirmer points out that many labour tenants saw Chapter Four of the Act as a means to restrict their independence and left the area rather than submit to registration as labour tenants at the Native Commissioners office.<sup>163</sup> Schirmer states that the widespread protest

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<sup>159</sup> Native Trust and Land Act (no 18 of 1936), *Statutes of the Union of South Africa 1936*: (Cape Town, Government Printers), pp. 90-196.

<sup>160</sup> R. Ainslie, *Masters and serfs, farm labour in South Africa* (London: International Defense and Aid Fund for Southern Africa, 1977), p. 13.

<sup>161</sup> SALDRU, "Overview of farm labour in South Africa", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 20.

<sup>162</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 82.

<sup>163</sup> S. Schirmer, "African strategies and ideologies in a white farming district: Lydenburg 1930 1970" in *Journal of Southern African Studies*, (21) 3, Sep, 1995, p. 514.

action by blacks was basically due to the fact that they viewed the economic changes the Act proposed as a new form of slavery and many felt that it was “maintaining elements of independence” which provided black farm labourers with the means to escape the full clutches of emerging capitalism in the agricultural sector.<sup>164</sup> At that stage the NAD had no option other than to withdraw the implementation of Chapter Four. Although it was a victory for labour tenants, inevitably the capitalisation of the countryside was continuing and soon external factors made it more and more impossible for these tenants to cling to any notions of independence.<sup>165</sup>

Historians are thus again of opinion that the Act pulled in different directions. Duncan contends that although the Act lengthened the period of service for labour tenants to six months, there was disunity among farmers and although the Act was briefly made law in the Lydenburg District, the Act was only fully implemented after World War Two.<sup>166</sup> Colin Bundy, as quoted in Giliomee, explains that the Act’s niche was to divide rural blacks into servants (wage labourers), labour tenants (who worked for farmers in return for a piece of land to plough and grazing area for their livestock) and squatters (tenants who paid fixed rent to absentee landlords or land companies).<sup>167</sup> The main function of the Act was to force labour tenants to become wage labourers. But Bundy also feels that the main weakness of the Act was that it only applied to certain districts and that the more progressive farmers could resist its provisions.<sup>168</sup>

In 1937 the UP government passed the Marketing Act.<sup>169</sup> One of its features was a Marketing Council which was given broad powers to regulate production and prices for both internal consumption and export and to restrict or prohibit imports, subject

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<sup>164</sup> S. Schirmer, “African strategies and ideologies in a white farming district: Lydenburg 1930-1970” in *Journal of Southern African Studies*, (21) 3, Sep, 1995, p. 517.

<sup>165</sup> S. Schirmer, “African strategies and ideologies in a white farming district: Lydenburg 1930-1970” in *Journal of Southern African Studies*, (21) 3, Sep, 1995, p. 518.

<sup>166</sup> D. Duncan, “The state divided: farm labour policy in South Africa, 1924-1948”, in *South African Historical Journal* 24, 1991, p. 81.

<sup>167</sup> H. Giliomee, *The Afrikaners, a biography of a people* (Cape Town & Charlottesville: Tafelberg, 2003), p. 297.

<sup>168</sup> C. Bundy, *The rise and fall of the South African peasantry* (Cape Town: David Phillip, 1988), pp. 231-240.

<sup>169</sup> Marketing Act (no 26 of 1936), *Statutes of the Union of South Africa 1936* (Cape Town: Government Printer), pp. 206-208.



only to a veto by the Minister of Agriculture and Forestry. The Council could also recommend taxes on agricultural commodities. The Act allowed for the establishment of regulatory boards to control the regulation and pricing of particular commodities. Separate producers' and consumers' committees were also established to advise the Council. The consumers' committee was kept weak and confined to an advisory role. On the other, hand the Marketing Council and the boards established under it became a politically orientated body. The Act was really about favouring power and wealth and while it did rescue marginal producers it benefitted the commercially orientated farmers the most and directly stimulated mechanisation, the emergence of larger farming units and capital intensive farming. Black peasant farmers were severely impacted by the Act, as they had very little access to marketing boards and were excluded from subsidised agricultural credit. A cruel irony of the Act was, according to Jeeves and Crush, that malnutrition was to become a principal social effect, especially under the poorer black peasants, of a measure which was in practise devised to promote food production.<sup>170</sup>

## 2.6 Missed opportunities?: The 1937 Farm Labour Committee

The same year that the Marketing Act was enacted, the government also appointed a Farm Labour Committee. This, according to Duncan, reinforced the fact that the state far from succeeded in creating a coercive labour system with the coming to power of the Pact government, as professed by Lacey.<sup>171</sup> The Committee was headed by a former Secretary of the NAD, J.E. Herbst. Its brief was to look into the reasons for farm labour shortages in the Transvaal, Orange Free State and Natal; to ascertain what steps could be taken to increase the supply of labour to farms and whether any further state mechanisms should be created for that purpose; to investigate the economic circumstances of black labourers on farms and to propose any other general measures that could lead to a better distribution of labour between the various economic sectors.<sup>172</sup>

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<sup>170</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), pp. 11-12.

<sup>171</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 82.

<sup>172</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), p. 5.

In 1939 the Farm Labour Committee reported and concurred with the farmers that there was indeed a shortage of available labour in the farming sector.<sup>173</sup> However, the Committee was again unsuccessful in its attempts to convince farmers that improving their labourers' working conditions and providing higher wages, rather than calling for more state assistance to provide coercive labour laws, would ultimately lead to an end of the labour shortage.<sup>174</sup>

Several reasons were given by the Committee as to why farmers were suffering labour shortages. It was found that there was generally great disdain among blacks about employment on farms; an increasing trend among young blacks to migrate to the cities with all the perceived attractions of urban life being the main catalyst in this regard; the uneconomic and unsatisfactory division of labour forces due to the labour tenancy system; the fact that farmers could not compete with other industries in providing workers with the same cash wage and thus the restrictions this placed on many black labourers to earn a sufficient wage to pay for basic household needs and other expenses, such as tax; and the fact that there was no official regulations in the payment in kind remuneration method and that blacks did not appreciate the worth of such payment. The Committee concluded that socio-economic reasons, such as the fact that blacks were given unsatisfactory housing and non-nutritional and insufficient food rations and that many farmers were unsympathetic to their needs and showed no real interest in the welfare of their labourers, also contributed to the shortages.<sup>175</sup>

The Committee was of the opinion that labour tenancy had to be phased out and in order to achieve this, existing measures taken by the state in the passing of the Masters and Servants Act of 1926 and Native Trust and Land Act of 1936 had to be more vigorously enforced. But in the same breath, the Committee also stated that although both farmers and labourers seemingly welcomed the implementation of labour contracts, it felt that the time was not yet right to vigorously enforce this

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<sup>173</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39, Government Printers, Pretoria, 1939), p. 10.

<sup>174</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), pp. 15-16.

<sup>175</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), pp. 10 & 11.

measure.<sup>176</sup> Ultimately it was also felt that farmers had to pay their labourers in cash wages to keep them on the farms. The Committee also felt that no further amendments to any legislation or action taken by the state to provide farmers with labour were to be implemented.<sup>177</sup> Of note is that the Committee did not see the employment of foreign blacks on farms as a viable method in addressing the labour shortage, but proposed that they should be employed on the mines. To streamline the employment of foreign blacks in the Union, it was proposed that registration and reception points had to be established where these workers had to report for service and would hence be placed out in industries that needed labour. However, the Committee hinted at the employment of illegal immigrants in other industries and explicitly stated that these workers should not be employed on the mines.<sup>178</sup> The Committee also concluded that a Labour Bureau had to be established under the authority of the Chief Native Commissioner to ensure that the wasteful nature of labour employment at that stage was brought to an end.<sup>179</sup>

Duncan states that the Farm Labour Committee's recommendations were halted due to the outbreak of World War Two. However, to a large extent the recommendations by the Committee were to become a blue print of sorts for future intervention by the state into the labour issue.<sup>180</sup> The importance of the Committee's findings is that it finally officially concurred with the NAD's stance that to a large degree farmers themselves were responsible for creating the labour shortage they experienced. This was especially true of many poorer farmers who could not afford to pay cash wages for labour.

However, the Committee did not only take an unsympathetic view on addressing the labour needs of farmers. It mainly proposed that previously enacted legislation and

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<sup>176</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), p. 20.

<sup>177</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), p. 87.

<sup>178</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), p. 90.

<sup>179</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), p. 85.

<sup>180</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 82.

other measures taken had to be more fully enforced.<sup>181</sup> Nevertheless, the fact of the matter was that labour tenancy was to remain an obstacle to the creation of a wage labour force. The recommendation made by the state that the implementation of contracts between farmers and labourers was at that stage not yet practical, led to confusion among farmers. Furthermore the state also recommended farmers had to pay cash wages. This made no sense to the farmers who were largely dealing with severely discriminated against labour tenants to whom breaking a written contract would have meant nothing anyway, seeing that the state lacked the necessary mechanisms in reality to take action against these people. The fact that farmers thus had to pay cash wages while having no recourse to revert back to if their labourers were in breach of any conditions entered into, was a risk especially for poorer farmers.

The Committee in essence hinted to a duality of responsibility. Firstly that farmers treat their workers better and pay them cash wages, but secondly also that the state had to ensure farmers that if this route was to be followed the state would provide farmers with the necessary assistance if agreements were breached.<sup>182</sup> It transpired that farmers kept on calling for more labour and the state kept on responding by either passing legislation to realise this call or reprimanding farmers for the way in which they treated their labour. Farmers were however not going to risk investing in their labour needs if they had no guarantee that the investment was going to pay off. This could ultimately only happen if the state also set a precedent in the way in which it was prepared to make sure that legislation enacted could be enforced at ground level in a practical fashion which in ideal circumstances could be beneficial to both farmers and labourers.

## **2.7 The belated changing of the tide: The 1940s**

The outbreak of World War Two had severe ramifications on the political front in South Africa. Hertzog wanted the Union to remain neutral in the war effort and was

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<sup>181</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), pp. 86-91.

<sup>182</sup> AN 520-1939: Report of the Native Farm Labour Committee 1937-39 (Government Printers, Pretoria, 1939), pp. 86-91.

accused by Smuts of being pro-German. The row between the two leaders of the UP led to Hertzog eventually resigning as Prime Minister and Smuts again being sworn in as Prime Minister of the country. Consequently, South Africa declared war on Germany and became part of the Allies. The war placed immense pressure on farmers as agricultural production expanded and labour shortages increased.<sup>183</sup> Added to this was the fact that the 1941 Van Eck Commission<sup>184</sup> instigated a policy favouring the recruitment of labour for secondary and mining industry, stressing that farmers had to promote more efficient farming based on mechanisation and scientific methods.<sup>185</sup>

The 1942 Interdepartmental Farm Labour Committee brought temporary relief to some farmers' labour needs by extending the scheme to send Italian war prisoners to work as farm workers and to stop the enlistment of farmers for military service.<sup>186</sup> Italian War Prisoners were used during the War period to help farmers harvest and to assist farmers in other farming orientated tasks that required urgent attention.<sup>187</sup> But during 1942 to 1944 the government also decided to relax its influx control measures by temporarily relaxing the pass laws.<sup>188</sup> Many blacks made use of this opportunity to go and find work in the urban sector, leaving farmers increasingly desperate to find labour.

The 1940s also saw the onus to help farmers with their labour requirements placed squarely on the NAD's shoulders. Farmers viewed the government as being unsympathetic and rejected the NAD's official stance that farmers should attract labour by offering higher wages and improved living conditions.<sup>189</sup> This period became characterized by intense struggles between the various capital sectors for dominance within the state. When the South African Agricultural Union (SAAU) met

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<sup>183</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 19.

<sup>184</sup> U.G. 40-1941: The Industrial and Agricultural Requirements Commission, 4<sup>th</sup> Interim Report, (Government Printers, Pretoria, 1941).

<sup>185</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 83.

<sup>186</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 83.

<sup>187</sup> Debate van die Volksraad, (Hereafter: *Hansard*), deel 52, 23 Maart 1945, kol 4136.

<sup>188</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 19.

<sup>189</sup> SALDRU, "Overview of farm labour in South Africa", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 20.

with the Minister of Native Affairs, P. Van der Byl, in 1944, agriculture seemed to have lost all power in getting state support.<sup>190</sup> The SAAU wanted black labour to be classified into rural and urban divisions. Smuts' government outrightly rejected this call by the farmers.<sup>191</sup>

The state was of the opinion that it could not intervene in the labour issues, as all sectors were experiencing shortages. It was also felt that blacks should have the right to take up employment with the highest bidder. Furthermore, the Minister was reluctant to halt the migration of rural blacks to towns, as this may have been perceived as conscripted labour, which could lead to much animosity and bitterness. Yet, it was proposed that welfare orientated intervention would be considered. Hereby the NAD pledged general assistance to farmers by introducing better housing, medical and education facilities for farm labourers. The Minister also proposed that farms be inspected to ascertain whether farmers met the basic health and hygiene requirements with regard to the wellness of their labourers.<sup>192</sup>

The late 1940s was dominated by three schemes to help farmers obtain labour. In 1945, labour depots were established in Louis Trichardt and Johannesburg where farmers could hire "illegal immigrants". In 1947, it was decided to give petty pass law offenders work on white farms instead of making them serve a prison sentence and to establish farm jails. The scheme which saw offenders being sent to farms as farm labourers became known as the "Petty pass law offenders' scheme" and was to become one of the main ways in which the NP government was to try and address the labour shortage question during the 1950s. This scheme will be discussed more thoroughly in Chapter 3. Lastly, the NAD proposed the appointment of an inspector of farm labour. The inspector had to see to the eradication of malpractices on farms

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<sup>190</sup> SALDRU, "Overview of farm labour in South Africa", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 20.

<sup>191</sup> A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 20.

<sup>192</sup> D. Duncan, "The state divided: farm labour policy in South Africa, 1924-1948", in *South African Historical Journal* 24, 1991, p. 84.

and establish sound relationships between farmers and farm workers.<sup>193</sup> The latter was to prove a great irritant for farmers in the Transvaal.<sup>194</sup>

The establishment of labour depots was a complete failure in solving the farm labour shortages. Clandestine migrants simply avoided the government depots “crossing the Limpopo above or below the border points using the many secret foot paths”.<sup>195</sup> According to Wilson the Petty Pass Laws Offender Scheme and the establishing of Farm Prisons were to lead to a massive increase in the employment of blacks on farms.<sup>196</sup> In July 1947 the Minister of Justice, H.G. Lawrence, met with farmers in Bethal where the establishment of prison outstations in this district was discussed. However, in the long run the Smuts government only proceeded to build one farm jail at Bellville in the western Cape.<sup>197</sup>

Although the coercive measures introduced by the state during the 1940s seemed to slowly bring about a turnaround in the farm labour shortage, farmers were fed up with the ambivalent status with which the Smuts government approached the farm labour issue. Duncan points out that Smuts was cautious and did not want to implement radical change, due to the different viewpoints in the farming communities.<sup>198</sup> Nevertheless, it can be argued that this was one of the nails in Smuts’ political coffin and contributed to his electoral defeat and the coming to power of the NP in May 1948.

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111 D. Duncan, “The state divided: farm labour policy in South Africa, 1924-1948”, in *South African Historical Journal* 24, 1991, p. 88.

194 D. Duncan, “The state divided: farm labour policy in South Africa, 1924-1948”, in *South African Historical Journal* 24, 1991, pp. 86-87.

195 A.H. Jeeves & J. Crush (eds), *White farms, black labour – the state and agrarian change in Southern Africa, 1910-1950* (Portsmouth & Oxford: Heinemann, 1997), p. 20.

196 F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford University Press, Oxford, 1971), p. 147.

197 F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 187 -1966* (Oxford University Press, Oxford, 1971), p. 147.

198 D. Duncan, “The state divided: farm labour policy in South Africa, 1924-1948”, in *South African Historical Journal* 24, 1991, p. 89.

## CHAPTER 3

### CRACKING THE WHIP: STATE FARM LABOUR POLICY, 1948–1960

With the electoral victory of the National Party (NP) on 26 May 1948 the farmers were, according to Michael Morris, now content that their “boat [had] ... entered calmer waters”.<sup>199</sup> The period between 1948 and 1960 did indeed see a marked change in state intervention regarding the farm labour shortage question. Placing the farm labour issue within the context of the ideological mandate of apartheid, the state enacted various laws and introduced several coercive measures that benefited farmers in obtaining cheap labour. The 1950s can indeed be singled out as the decade in which greater priority was given by the state in addressing the farm labour shortage question. Morris points out that by the late 1950s, farmer periodicals rarely published articles relating to a shortage of labour.<sup>200</sup> However, this should not imply that the farm labour shortage question was indeed solved during the 1950s. It is notable that the measures implemented by the state, whether legislative in nature or in the form of various other schemes that were introduced, would have been a somewhat haphazard approach to addressing the labour issue, not unlike the action taken by the various Union governments pre-1948 as discussed in chapter 2. The state’s process of solving the labour question did not yield results overnight and the Native Affairs Department (NAD) was still inundated with requests throughout the 1950s by farmers to give urgent attention to their labour needs.<sup>201</sup>

The 1950s saw farmers assisted by the state in several ways to obtain labour. Legislation introduced saw to the streamlining of farm labour recruitment regulations, the establishment of labour bureaus and tougher action theoretically being introduced against squatting. The use of prison labour on farms was continued and indeed expanded in this decade. The NAD also introduced a scheme to provide farmers with “reaping teams” during harvesting seasons. Arguably, however, the

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<sup>199</sup> M. Morris, “State intervention and the agricultural labour supply post-1948”, in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 64.

<sup>200</sup> M. Morris, State intervention and the agricultural labour supply post-1948 in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 64.

<sup>201</sup> National Archives of South Africa, Pretoria: Central Archives Depot (Hereafter: SAB), Native Affairs (Hereafter: NTS), 2097, 222/280, *Shortage of native labour on farms*. The file contains several letters from farmers requesting labour.



most important measure was the further implementation and expansion of the so-called “Petty Offenders’ Scheme”. This scheme saw offenders of various petty offences under apartheid legislation being given the “option” to take up labour on farms instead of being charged, brought to trial and sent to prison for the offences committed. This scheme was ostensibly one of the most important and one of the most successful measures introduced by the NAD to address the farm labour crisis in the mid twentieth century. The scheme was also illegal and led to widespread exploitation of labourers by farmers. Although this chapter will provide an overview of the different measures introduced by the state to solve the farm labour shortage question during the 1950s, the main focus will be on giving a detailed account of the implementation and functioning of the “Petty Offenders’ Scheme”.

### 3.1 Proposed solutions for solving the farm labour issue

In the introduction to the report of the NAD for the period 01 July 1947 to 30 June 1948 the Secretary of Native Affairs (SNA), G. Mears, stated that:

in the competition for labour which has resulted, the farming community have emerged the losers and were it not for the engagement of foreign labour, they would have the greatest difficulty in carrying on in the Transvaal.<sup>202</sup>

The report placed emphasis on the fact that black workers preferred “cash payment to remuneration in cash and kind” and therefore were not keen to accept work on farms or in the domestic service and rather preferred work in the industrial sector.<sup>203</sup> At a meeting in November 1948 between the newly appointed NP Minister of Native Affairs, E.G. Jansen, various other NAD officials and the Select Committee of the South African Agricultural Union (SAAU), it was agreed that the scheme introduced to establish labour depots at Louis Trichardt and Johannesburg, from where foreign blacks would be distributed as farm labourers, was a colossal failure.<sup>204</sup> From 1945,

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<sup>202</sup> U.G. 35/1949, *Report of the Department of Native Affairs for the years 1947-48* (Cape Times Limited, Cape Town, 1949), p. 1.

<sup>203</sup> U.G. 35/1949, *Report of the Department of Native Affairs for the years 1947-48* (Cape Times Limited, Cape Town, 1949), p. 1.

<sup>204</sup> SAB, NTS 2229, 463/280, p.1: Notas van vergadering tussen die Departement van Naturellesake en die skakel-komitee, Pretoria, 1 November 1948.

when the scheme was introduced, to 1948 only 3% of foreign blacks accepted farm work. Thus, farmers and NAD officials reached a consensus that the scheme had to be scrapped.<sup>205</sup> This, however, did very little to solve the labour problem. It was evident that a new policy to address the farm labour question would have to be developed by the newly elected NP government in order to appease farmers and, more importantly, to maintain the support of its rural electorate.

In 1949, the Wakkerstroom Farmers' Union drew up a memorandum on the labour crisis facing the farming sector. The Union proposed various measures to solve the constant labour shortages experienced by farmers. The most important recommendations were: that black labourers should be forced to register every five years as either farm workers, urban labourers, mineworkers, industrial workers or vagrants. Secondly, that Native Labour Bureaus should be established from where black workers could be placed in vacancies. Thirdly, it stated that farmers should experiment with written contracts and cash wages instead of entering into verbal agreements with labourers and issuing payment in kind.<sup>206</sup> These recommendations yielded no results. A year hence, farm labour shortages were still of such a magnitude that one Member of Parliament (MP) even proposed to get Italians to come and work as farm labourers, reflecting on the labour services rendered by the Italian prisoners of war on farms during the Second World War period.<sup>207</sup>

It is clear that the NAD was at that stage still very hesitant and unsure of how to address the issue. The report of the NAD for the period 1949 to 1950 reveals that NAD officials themselves were divided on reasons for the farm labour shortages and what solutions should be sought to address the question. J.M. Brink, the Chief Native Commissioner of the Cape Province, saw the answer to solving the crisis as a financial one, stating in his report that:

Totdat hoër lone aangebied word, kan daar egter nie verwag word dat plaaswerk die regte tipe Naturel sal aanlok nie en sal die boer

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<sup>205</sup> U.G. 51/1950, *Report of the Department of Native Affairs for the years 1948-49*, p. 28.

<sup>206</sup> Anoniem, "Memorandum oor plaasarbeid", in *Die Landbouweekblad* 30(1552), 13 April 1949, p.34 & p. 46.

<sup>207</sup> Debatte van die Volksraad, (Hereafter: *Hansard*), deel 71, 22 Maart 1950, kol 3567.

hom met skaars en minderwaardige arbeidskragte tevrede moet stel.<sup>208</sup>

This view, however, was not held by the Chief Native Commissioner of the Northern Areas, D.G. Hartmann, who asserted that even though farmers offered higher wages and better working conditions, black labourers still preferred to work on the mines and in urban areas.<sup>209</sup> The newly appointed Secretary of Native Affairs, W.W.M. Eiselen, in his introduction to this annual report, however, gave an outline for a more streamlined supply of labour to meet the needs of the Union. First on his agenda were passing through parliament the necessary amendments to the Native Labour Regulation and the Urban Areas Acts so as to ensure that “oorstroming van die stede en willekeurige plakkery in die omstedelike gebiede belet sal word en dat die vloeï van arbeid doelmatig kan gereël word”.<sup>210</sup> Secondly, Chapter 4 of the Native Trust and Land Act (1936), which specifically had to regulate the uneven distribution of labour in rural areas by eliminating squatting, had to be ruthlessly enforced. However, certain “ondraaglike verpligtings”<sup>211</sup> regarding the NAD’s mandate to provide additional land for the reserves, which was a requirement set out by the Land Act, first had to be seen too. It was hoped that “sodra die genoemde stappe geneem is kan ‘n meer eweredige verspreiding van arbeidskrag verwag word”.<sup>212</sup> However, Eiselen also stated that black labour had to be canalized more effectively according to “aanleg en opleiding”<sup>213</sup> to ensure no unnecessary wastage of labour and to avoid the protracted reliance on foreign black labour.<sup>214</sup>

Nevertheless, the NP was very much aware that it was essentially elected to parliament with the support of rural voters and by 1951 they had devised an official reply to farmers who had been flooding the NAD with letters demanding labour. The

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<sup>208</sup> U.G. 61/1951, *Verslag van die Departement van Naturellesake vir die jaar 1949-50*, p. 41. Own translation: “Until higher wages are offered farm work will not draw the right type of Native and the farmer will have to be content with scarce and inferior labour forces”.

<sup>209</sup> U.G. 61/1951, *Verslag van die Departement van Naturellesake vir die jaar 1949-50*, p. 46.

<sup>210</sup> U.G. 61/1951, *Verslag van die Departement van Naturellesake vir die jaar 1949-50*, p. iii. Own translation: the swamping of the cities and arbitrary squatting in peri-urban areas will be stopped and that the flow of labour can be adequately managed.

<sup>211</sup> Own translation: insufferable obligations

<sup>212</sup> Own translation: as soon as the named steps were taken a more equal distribution of labour forces would be achieved

<sup>213</sup> Own translation: aptitude or natural ability and training

<sup>214</sup> U.G. 61/1951, *Verslag van die Departement van Naturellesake vir die jaar 1949-50*, p. iii.

NAD explained that the government was in the process of amending Chapter 4 of the Native Trust and Land Act (1936) and was also in the process of putting measures in place that would lead to the establishment of labour bureaus. It was the NAD's hope that implementing these two measures would appease the farmers and serve to stabilize the flow of labour throughout the Union.<sup>215</sup> As an interim measure, however, the first step taken by the government to help farmers obtain more labour was to regulate and streamline the recruitment procedures.

### 3.2 The Native Labour Regulation Act (1949)<sup>216</sup>

In 1949, the state amended the Native Labour Regulation Act of 1911. This measure followed after farmers expressed their concern at the 1948 meeting between the NAD and the SAAU about the recruiting procedures used by recruiting agencies and individual farmers.<sup>217</sup> The amendment stated that ten or more farmers could now form a recruitment group to obtain labour. At the end of 1950, there were two groups recruiting in Natal and nine functioning in the Transvaal.<sup>218</sup> The amendment also took into consideration the request made by farmers at the SAAU meeting that they should be able to recruit black workers without a licence or a permit if they recruited in their own districts. However, once they started recruiting in other districts, farmers had to obtain a permit at the local Magistrate or Native Commissioner.<sup>219</sup> As a further concession these permits were given to farmers at no cost.<sup>220</sup>

However, seeing that farmers were already competing with each other for labour, the various individual recruitment companies established under the Act aggravated rather than alleviated this issue. Thus the amalgamation of the various recruitment groups was suggested to eliminate this problem. In 1950 the Federated Eastern Transvaal Farmers' Group was established on the Highveld, joining together the nine

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<sup>215</sup> SAB, NTS 2097, 222/280, correspondence of the NAD to farmers, 09 July 1951.

<sup>216</sup> Native Labour Regulation Act, *Statutes of the Union of South Africa 1949* (Cape Town, Government Printers).

<sup>217</sup> SAB, NTS 2229, 463/280, p.5: Notas van vergadering tussen die Departement van Naturellesake en die skakel-komitee, Pretoria, 01 November 1948.

<sup>218</sup> U.G. 61/1951, *Verslag van die Departement van Naturellesake vir die jaar 1949-50*, p. 34.

<sup>219</sup> SAB, NTS 2229, 463/280, pp. 6-7: Notas van vergadering tussen die Departement van Naturellesake en die skakel-komitee, Pretoria, 01 November 1948; U.G. 61-51, p. 34.

<sup>220</sup> U.G. 61/1951, *Verslag van die Departement van Naturellesake vir die jaar 1949-50*, p. 34.

groups that recruited labour for farmers in the Eastern Transvaal.<sup>221</sup> The individual groups still maintained their own independent identities, but labour agents would be appointed by the Federated Group. The Federated Group would then pass on the contracts entered into with black labourers to one of the independent groups which would then see to the labourers being employed by farmers who belonged to the scheme.<sup>222</sup> This measure was very successful in providing farmers who belonged to the scheme with labour, as between 1954 and 1957, 55 776 black labourers were enlisted by labour agents for agricultural work.<sup>223</sup>

### 3.3 The establishment of labour bureaus

The establishment of labour bureaus must be seen as one of the most important actions taken by the state to bring about large-scale intervention in the labour sector. Notably the bureau system can also be viewed as a “successful” practical implementation of apartheid. The scheme incorporated various theoretical aspects of this ideology that were incorporated largely into everyday reality. The formation of these bureaus was not a novel idea concocted by the NP government in the early 1950s. Already in 1946 the then United Party (UP) government appointed the Fagan Commission. Reporting on black urbanization, it proposed the setting up of national and regional networks of labour bureaus that had to be run by the NAD and the Department of Agriculture.<sup>224</sup> Initially the NAD was hesitant to implement this system. At the 1948 meeting between the NAD and the SAAU, the Director of Native Labour (DNL) for the NAD, J.M. Brink, still expressed his doubt as to whether the implementation of a bureau network would relieve the labour problems experienced in the Union.<sup>225</sup>

It would, however, appear that once the NP government cemented its governing mandate, the NAD did not ponder too long about the viability of implementing this

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<sup>221</sup> U.G. 30/1953, *Report of the Department of Native Affairs, 1950-51*, p. 19.

<sup>222</sup> U.G. 30/1953, *Report of the Department of Native Affairs, 1950-51*, p. 19.

<sup>223</sup> U.G. 14/1959, *Report of the Department of Native Affairs for the period 1<sup>st</sup> July 1954 to 31<sup>st</sup> December 1957*, p. 41.

<sup>224</sup> *Hansard*, deel 68, 18 Mei 1949, kol 6158.

<sup>225</sup> SAB, NTS 2229, 463/280, p.3: Notas van vergadering tussen die Departement van Naturellesake en die skakel-komitee, Pretoria, 01 November 1948.

proposal. On 1 April 1951, the labour bureau system was officially launched.<sup>226</sup> Central to this scheme was the hope that it would lead to a more adequate distribution and canalization of black labour. According to the regulations that governed the working of the bureaus, blacks had to register at their nearest labour bureau and potential employers had to inform the bureaus of vacancies where these workers could be employed. The scheme sought to place black labourers in areas where there was not already surplus labour. It was anticipated that the formation of these bureaus would see to the farm labour shortage being overcome by leading to the better distribution of available labour in the country.<sup>227</sup>

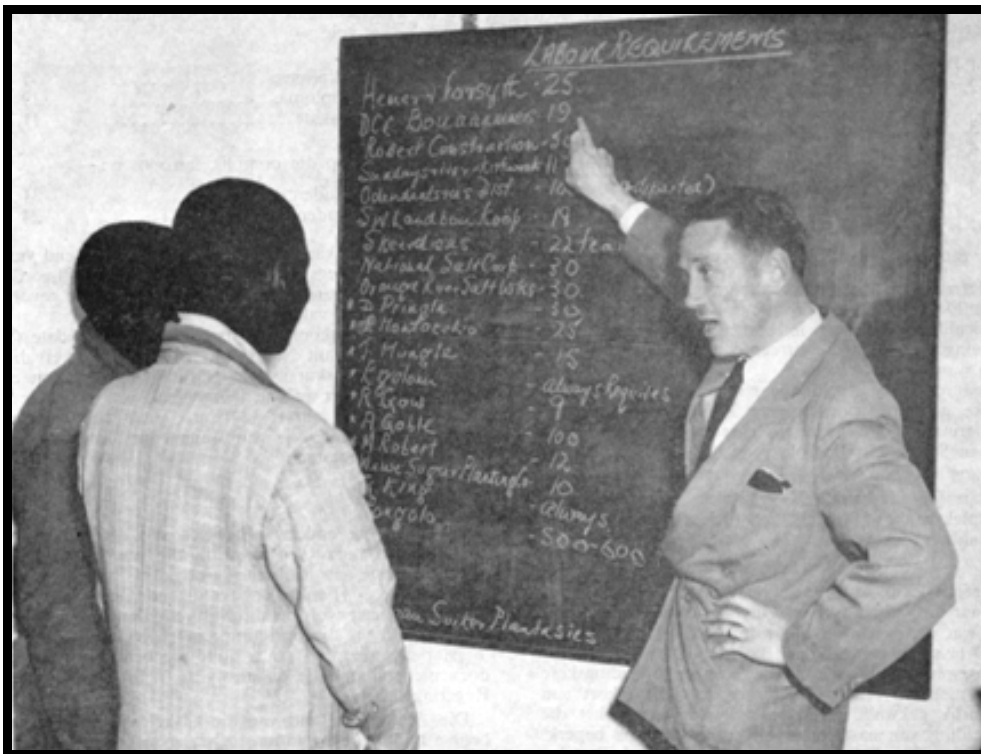


Figure 1: An official from the NAD pointing out the names of farmers with vacancies to two black work seekers at a labour bureau office.

From: *Verslag van die Departement van Naturesake vir die jaar 1952-53*, U.G. 48/1955, p. 24.

<sup>226</sup> U.G. 30/1953, *Report of the Department of Native Affairs, 1950-51*, p. 20.

<sup>227</sup> U.G. 37/1955, *Report of the Department of Native Affairs for the year 1951-52*, p. 20.

Regulations for the establishment and control of labour bureaus were proclaimed in Government's notification No. 2495 of 31 October 1952. District labour bureaus were now to be established at the office of every Native Commissioner or Magistrate in a specific area, regional labour bureaus were to be established at the office of every Chief Native Commissioner and a central labour bureau would be established in the office of the Secretary of Native Affairs. By 30 June 1953, 93 labour bureaus were proclaimed throughout South Africa in the Government Gazette.<sup>228</sup> At the end of June 1954 there were a total of 450 labour bureaus in the Union.<sup>229</sup>

Farmers responded to the establishment of labour bureaus with enthusiasm. In its editorial column, *Die Landbouweekblad* asserted that it was a much welcomed initiative and expressed the hope that it would lead to the stabilization of the Union's labour supply and especially put an end to the labour shortages experienced by farmers.<sup>230</sup> Nevertheless, the scheme had its initial hiccups. For example, black urbanization continued without black labourers first reporting at rural district bureaus. They were consequently turned away at the local urban bureaus. Propaganda films made by the Department of Education, Arts and Science, were used to emphasize the importance of labour bureaus for potential work seekers.<sup>231</sup> The NAD also undertook numerous meetings with black tribal authorities and urban and rural labour organizations in which the working of this scheme was explained. It was trusted that these measures would eventually solve the initial problems that burdened the smooth running of the scheme.<sup>232</sup>

The report also emphasized very prominently the importance of the bureau system with regard to not just solving the labour shortage question, but also in controlling the influx and efflux of black people in urban areas. It stated:

Instromingsbeheer, sonder meer, is nutteloos omdat geen beheer in enige stedelike gebied moontlik is sonder dat die vraag en aanbod insake arbeid in die betrokke gebied bekend is nie. Die arbeidsburo's voorsien tans in hierdie behoefte deurdat elke

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<sup>228</sup> U.G. 48/1955, *Verslag van die Departement van Naturellesake vir die Jaar 1952-53*, p. 23.

<sup>229</sup> U.G. 53/1956: *Verslag van die Departement van Naturellesake vir die Jaar 1953-54*, p. 19.

<sup>230</sup> Anoniem, *Die Landbouweekblad* 30(1560), 08 Junie 1949, p. 11.

<sup>231</sup> U.G. 48/1955, *Verslag van die Departement van Naturelle Sake vir die jaar 1952-53*, p. 25.

<sup>232</sup> U.G. 48/1955, *Verslag van die Departement van Naturelle Sake vir die jaar 1952-53*, p. 25.

werksoeker verplig is om vir werk by die arbeidsburo te registreer en elke werkgever verplig is om sy vakatures by die arbeidsburo aan te meld.<sup>233</sup>

Nevertheless, to ensure a well oiled machine that would not only distribute labour, but would also give greater control over the movement of blacks to urban areas, it is evident that the state embarked on a full-scale intervention to put measures in place that would eventually come to govern the lives and movement of all “non-white” racial groups in the county. The intervention led to two very key pieces of legislation being introduced in 1952: firstly with the passing of the Native Laws Amendment Act<sup>234</sup> and secondly with the implementation of the Natives (Abolition of passes and co-ordination of documents) Act.<sup>235</sup>

Morris perceptively claims that the Natives Laws Amendment Act (1952) was the most important post World War Two act to be promulgated by the NP and that this Act was to form the foundation for all state interventions in the distribution of labour during the 1950s.<sup>236</sup> Already in 1944, the SAAU proposed that black labour should be divided by classifying the black labour market into rural and urban divisions. Smuts’ government at that stage rejected this call by farmers, but it was again raised in parliament in 1949.<sup>237</sup> The NP government did however not take much convincing to see the perceived logic behind this request by the farmers and thus acting on the initiative of its rural electorate, the amendment of the Act was passed in 1952. Posel points out that this Act “received tacit or active support from much of the agricultural, mining, industrial, and commercial sectors.”<sup>238</sup> She indicates that the prominent role played by the SAAU in the Act’s formulation and “strong backing from agricultural capital” demonstrated the “NP’s staunch commitment to addressing the needs of

<sup>233</sup> U.G. 48/1955, *Verslag van die Departement van Naturelle Sake vir die jaar 1952-53*, p. 25. Own translation: Influx control, without further action, is pointless as no control in any urban area is possible without the labour requirements and supply being known in the particular area. The labour bureaus currently fulfill this need as every workseeker is compelled to register for work and every employer is compelled to report vacancies at the labour bureau.

<sup>234</sup> Native Laws Amendment Act, *Statutes of the Union of South Africa 1952*: (Cape Town, Government Printers).

<sup>235</sup> Natives (Abolition of passes and co-ordination of documents) Act, *Statutes of the Union of South Africa 1952*: (Cape Town, Government Printers).

<sup>236</sup> M Morris, “State intervention and the agricultural labour supply post-1948”, in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 63.

<sup>237</sup> *Hansard*, deel 68, 18 Mei 1949, kol 6206.

<sup>238</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 104.



capitalist agriculture.”<sup>239</sup> The Act’s provisions now officially divided the black population into non-prescribed (rural) and prescribed (urban) areas.<sup>240</sup> Importantly the division of the black population could now be used as a measure to exert both efflux and influx control on the movement of black people in the country and would also ensure that the labour bureaus would be run more efficiently. The bureaus would now be better mandated to distribute labour between non-prescribed and prescribed areas.

However, to coordinate and track down the movement of all blacks in South Africa it was paramount that the pass laws would also have to be streamlined. The passing of the Natives (Abolition of Passes and Co-ordination of Documents) Act in 1952 simplified the pass laws and also introduced a more effective registration and identification system by which black mobility in the country could be thwarted.<sup>241</sup> As a result, these legislative actions ensured that the bureaus scheme would in time become the most fundamental way in which farmers could obtain labour. Reporting on the total control the bureau system implemented, the NAD could with a note of sinister pride state:

’n Beheer oor die instroming van landelike werksoekers na stedelike gebiede is eweneens nutteloos indien werksoekers, wat hulle in stedelike gebiede teenstrydig met instromingsbeheer bevind of wat oortollik in die stedelike gebiede geraak het, nie van werk elders voorsien kan word nie. Die arbeidsburo’s is so ingerig dat sodanige werksoekers onmiddellik werk in ander plekke aangebied kan word. Trouens, die verydeling wat sodanige Naturelle ondervind het deurdat hulle slegs meegedeel is om die stadsgebiede te verlaat, is nou iets van die verlede.<sup>242</sup>

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<sup>239</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 104.

<sup>240</sup> See: Native Laws Amendment Act of 1952, see pp. 811-827.

<sup>241</sup> M Morris, “State intervention and the agricultural labour supply post-1948”, in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), pp. 65–66.

<sup>242</sup> U.G. 48/1955, *Verslag van die Departement van Naturelle Sake vir die jaar 1952-53*, p. 25. Own translation: a control over the influx of rural work seekers to urban areas is similarly futile if work seekers, that find themselves in contravention to influx control measures in urban areas or who have become redundant in urban areas, cannot be given work in another area. The labour bureaus are so organised that workseekers can immediately be offered work in other places. Indeed, the frustration that Natives experienced in that they were simply told to leave the urban areas are now something of the past.

Another direct consequence of the labour bureau system was the effect it had on black housing in urban areas. As a perceived spin-off, the NAD saw the bureaus also as a measure to bring “verligting in die behuisingsvraagstuk”<sup>243</sup> that also would have plagued this department as one of its responsibilities.<sup>244</sup> By 1957, there were 234 local (urban) labour bureaus and 278 district (rural) labour bureaus. In 1957 alone, 87 996 blacks were employed in the agriculture sector through this scheme.<sup>245</sup> It is evident that the success achieved with this labour scheme depended on various factors, which included legislation, passed by the NP, to make the bureaus a highly efficient system for canalizing labour, but also to bring about an implantation of the NP apartheid paradigm.

The following table gives an overview of the distribution of black labourers through the labour bureaus in South Africa for the period July 1952 to December 1957. It is evident that employment in the agricultural sector rose dramatically from the initial numbers as recorded by the end of June 1953. It is also noteworthy that although the farming sector did indeed receive a substantial amount of labour through the bureaus’ canalization attempts, most of the black labourers were still being employed in the mining, industrial, trade and domestic sectors. What the table illustrates clearly though is that farming did indeed benefit substantially in its labour needs being met during the course of the 1950s.

	July 1952 – June 1953	July 1953- June 1954	1 July 54 to 31 Dec 54	1 Jan 55 – 31 Dec 55	1 Jan 56 to 31 Dec 56	1 Jan 57 to 31 Dec 57
<b>Agriculture</b>	28 545	72 670	12 253	92 843	75 513	87 996
<b>Mining</b>	60 852	156 125	12 729	176 750	151 244	164 219
<b>Factories And Industries</b>	93 083	190 589	10 219	226 087	203 763	281 371
<b>Building</b>	53 731	123 025	121 012	152 776	142 425	140 875

<sup>243</sup> Own translation: relief regarding the housing question.

<sup>244</sup> U.G. 48/1955, *Verslag van die Departement van Naturelle Sake vir die jaar 1952-53*, p. 25.

<sup>245</sup> U.G. 14/1959, *Report of the Department of Native Affairs for the period 1<sup>st</sup> July 1954 to 31<sup>st</sup> December 1957*, p. 40.

<b>State Departments</b>	6 148	14 586	411	16 830	14 756	13 377
<b>Railways</b>	8 032	21 881	5 873	34 858	36 015	33 472
<b>Municipalities</b>	17 528	43 890	6 011	57 044	55 702	63 487
<b>Provincial Administration</b>	3 375	11 126	2 233	16 342	16 057	15 934
<b>Trade</b>	48 704	121 637	18 891	163 680	183 382	177 017
<b>Hotels, flats and communes</b>	8 933	15 489	2 796	35 085	36 614	43 739
<b>Domestic</b>	32 279	77 660	36 650	101 813	88 423	106 346
<b>TOTAL</b>	<b>361 210</b>	<b>782 907</b>	<b>229 078</b>	<b>1074108</b>	<b>1003894</b>	<b>1127833</b>

**Table showing the number of black workers distributed by the Labour Bureaus in South Africa during the period 1952 to 1957. Data compiled from various reports published by the Department of Native Affairs.**

### **3.4 The eradication of squatters and labour tenants**

Although farmers were generally satisfied with the establishment of the bureaus, many of the large-scale farmers also called on the government to do something about squatting and the labour tenancy system. At the meeting between the NAD and the SAAU in 1948, the members of the select committee were in favour of applying the provisions of Chapter 4 of the Native Trust and Land Act (1936) to all of the Union.<sup>246</sup> Chapter 4 of this Act, in essence, eliminated squatting and labour tenancy and therefore sought to transform these blacks into full-time wage labourers.<sup>247</sup> In terms of its rural capitalization strategy, the state was convinced by 1954 that the best type of farm workers were those who laboured for cash wages.

<sup>246</sup> SAB, NTS 2229, 463/280, pp. 2-3: Notas van vergadering tussen die Departement van Naturellesake en die skakel-komitee, Pretoria, 01 November 1948.

<sup>247</sup> M. Morris, "State intervention and the agricultural labour supply post-1948", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 67.

From the outset of assuming office as Minister of Native Affairs in 1950, H.F. Verwoerd stressed the importance of amending the 1936 Act. Verwoerd was adamant that squatters had to be removed, as in his view this would better distribute black labourers among farms. He also emphasized that labour tenancy should be ended.<sup>248</sup> The amendment to the Act was, after various setbacks, finally passed in 1954. Consequently rural blacks were now divided into three groups: wage labourers, labour tenants and squatters. But more importantly, the provisions of Chapter 4 of the Act scrupulously aimed at the thorough coercion of labour tenants and squatters into the wage labour market.<sup>249</sup> Morris explains that labour tenancy was at times used as a front by farmers who kept rent paying squatters on their farms and some farmers who kept a second farm specifically to draw labour for work on another farm.<sup>250</sup> Labour tenancy, however, was still to be regarded as a form of labour by the state.<sup>251</sup> In 1948 W.J.G. Mears, the then Secretary of the NAD, had warned that the abolishment of labour tenancy could have a boomerang effect:

I think the amount of farm labour available now to farmers is probably due to the fact that they [labour tenants] have certain rights on farms. In the absence of compulsion I don't think you will get natives volunteering to go to the farms in contract and you will get even less labour than you have now.<sup>252</sup>

However, the new Act made it impossible to register new labour tenancy agreements if there were no labour tenants on a farmer's land before the amendment to the Act came into force.<sup>253</sup> The Act did make provision for the establishment of a Labour Tenant Control Board. This Board consisted of three farmers and one NAD official and was empowered to investigate and pass judgment on the number of labour tenants a farmer was allowed to have on a farm.<sup>254</sup>

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<sup>248</sup> Hansard, deel 71, 20 April 1950, kol 4832.

<sup>249</sup> U.G. 53/1956, *Report of the Department of Native Affairs for the year, 1953-54*. p. 25.

<sup>250</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of Class Struggle* (D. Phil. Theses: University of Sussex, 1979), p. 272.

<sup>251</sup> M Morris, "State intervention and the agricultural labour supply post-1948", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 67.

<sup>252</sup> SAB, NTS 2229, 463/280, p. 2, Notas van vergadering tussen die Departement van Naturellesake en die skakel-komitee, Pretoria, 01 November 1948.

<sup>253</sup> M. Morris, "State intervention and the agricultural labour supply post-1948", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 67.

<sup>254</sup> U.G. 53/1956, *Report of the Department of Native Affairs for the year, 1953-54*, p. 23.

Regarding the eradication of squatters, the Act's provisions wanted to terminate this practice ruthlessly. According to Morris, there was no place for independent rent paying peasants in the face of rapidly expanding capitalist farming, nor a place for a proletarian community living in squatter locations outside of direct state control. Squatters were given two options; either become farm labourers or move to the reserves and join the migratory labour system.<sup>255</sup> Chapter 4 was, according to the NAD:

a concrete example of the application of Apartheid policy on the platteland. If all Natives who live on the platteland, but who do not work there or do not even constitute a labour potential for the area, were to be removed, those remaining would be a far more stable source of labour than is the case today. The places where they can squat in idleness would then be removed, and, while a native will be able to move from one farmer to another, he will not be able to live in idleness there.<sup>256</sup>

Importantly the new amendment to the Act eliminated the requirement as set out in the 1936 law that the state had to provide squatters with alternative cultivable land once removed from a certain piece of land. It was now left to the discretion of the Minister of Native Affairs whether alternative land should be granted once squatters had been removed.<sup>257</sup> In his analysis of this measure, Morris correctly draws the conclusion that the Act was thus "intended to make the squatter peasant dependent on the sale of his labour power for subsistence".<sup>258</sup>

Nevertheless, not all farmers were happy with the provisions introduced by the Act. Morris indicates that there was especially conflict between the Rustenburg Farmers' Union, supported by farmers in the Eastern Transvaal, who wanted to see an end to labour tenancy and those of the northern Transvaal and Natal who opposed this

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<sup>255</sup> M. Morris, "State intervention and the agricultural labour supply post-1948", in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977), p. 66.

<sup>256</sup> U.G. 14/1959, *Report of the Department of Native Affairs for the period 1<sup>st</sup> July 1954 to 31<sup>st</sup> December 1957*, p. 44

<sup>257</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of Class Struggle* (D. Phil. Theses: University of Sussex, 1979), p. 276.

<sup>258</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of Class Struggle* (D. Phil. Theses: University of Sussex, 1979), p. 276.

measure. Tension between these groups came to a head in the late 1950s.<sup>259</sup> The subsequent (Nel) Committee of Enquiry into the Labour Tenancy System in 1961 found that legislation should be introduced as soon as possible to abolish labour tenancy completely. An important finding by the Committee was that the Labour Tenant Control Boards “could not exercise effective control over farm labour” and recommendations were made that a prohibition on the residence of labour tenants had to be placed on farms to abolish this system.<sup>260</sup> Thus, in 1964 the Bantu Laws Amendment Act<sup>261</sup> was passed. This law sought to hasten the abolishment of labour tenancy and transform this particular labour system into wage labour.<sup>262</sup>

### 3.5 The formation of harvesting teams

Already in 1944 there was a request from the Waterberg District Farmers’ Union in the Northern Transvaal to the NAD to introduce a scheme which would see to harvesting teams being formed to help farmers gather their harvests in this region.<sup>263</sup> Although some of the local chiefs consulted were in favour of introducing such a scheme, the majority was concerned about the fact that the recruits had to be between 14 and 18 years of age and this would interfere with the schooling of these young men. Many of them were also needed as “herd boys” by their parents. It also appeared that many of the adult men from this region were on military service during the Second World War and that the younger men were thus especially needed in their villages to work.<sup>264</sup> Despite these reservations it appears that the scheme was introduced in the Pietersburg district, since the SNA wrote to the Chief Native Commissioner of Pietersburg in 1952 expressing his admiration of the measure and proposed that the scheme had to be incorporated with the then recently established

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<sup>259</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of Class Struggle* (D. Phil. Theses: University of Sussex, 1979), p. 280.

<sup>260</sup> M. Morris, *The State and the development of capitalist social relations in the South African Countryside: A process of Class Struggle*, (D. Phil. Theses: University of Sussex, 1979), p. 280.

<sup>261</sup> Bantu Laws Amendment Act (no. 42 of 1964) Statutes of the Republic of South Africa 1964. (Government Printer, Parow)

<sup>262</sup> M Morris, “State intervention and the agricultural labour supply post-1948”, in F. Wilson *et al.*, *Farm Labour in South Africa* (University of Cape Town: SALDRU, Cape Town, 1977),p. 66.

<sup>263</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter from Waterberg District Farmers’ Union to the SNA, 25 March 1944.

<sup>264</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter from the SNA to the Waterberg District Farmers’ Union to the SNA, 4 April 1944.

labour bureaus. He was also of the opinion that the scheme had to be promoted in other districts and areas of the Union.<sup>265</sup>

At a meeting on 7 April 1954 between members of the Transvaal Agricultural Union (TAU) and the NAD, the formation of harvesting teams for districts experiencing shortages of labour was discussed. The minutes of the meeting reveal that representatives of farming interests in the northern regions of the Transvaal were especially concerned about the effect that the proposed formation of the scheme would have in their districts.<sup>266</sup> The main concern was the fact that some farmers were afraid that harvesting teams would be recruited from districts already short of labour. Another point of concern was the method of payment for the services of the harvesting teams, as paying these workers day wages would cause trouble with the local labourers who were mainly employed as labour tenants. In response the representative from the NAD stressed the fact that teams would only be recruited from districts that had surplus labour and also noted that payment would mainly be given in the form of a “persentasie- of stukbasis”.<sup>267</sup> These guarantees by the NAD appeased the farmers as a motion was passed to introduce the scheme in other parts of the country.<sup>268</sup>

The following day, on 8 April 1954, the TAU had a meeting with its affiliated district agricultural unions in the town of Bethal where the finer details of the functioning of the scheme in the Eastern Transvaal were discussed. It was decided that a harvesting team would consist of 12 male black recruits which would include a cook and an Induna. The Induna would receive a wage of 5 shillings per day whereas the rest of the gang would receive 2 shillings and 6 pennies per day as well as food rations. A work day would be 10 hours with one hour for lunch. Farmers would also be responsible for the accommodation of the harvesting teams. Application had to be made at the farmers’ closest labour bureau if they wanted to take part in the

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<sup>265</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter from the SNA to the Chief Native Commissioner Pietersburg, 19 October 1952.

<sup>266</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Minutes of meeting between TAU and NAD representatives, 7 April 1954.

<sup>267</sup> Own translation: percentage or payment in kind.

<sup>268</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Minutes of meeting between TAU and NAD representatives, 7 April 1954.

scheme.<sup>269</sup> In a memorandum sent out by the SNA to the various Native Commissioners and Magistrates that explained the working of the scheme, emphasis was again placed on the fact that the introduction of the harvesting teams had to be viewed as additional to the existing measures and that it did not propose to replace these or permanent labour on farms.<sup>270</sup>

According to the Report of the NAD for 1954 the scheme was apparently regarded as being a resounding success. It states that about 20 000 workers were recruited into reaping gangs for the 1954 harvesting season.<sup>271</sup> One farmer, T. Eliastam, wrote a letter of admiration and thanks to the Director of Native Labour in which he stated: “not only has this scheme been an outstanding success as far as the farmers are concerned, but also to the natives who were anxious to obtain employment and who have in the majority of cases done their work well”. Adding: “there are many of these natives [who] will remain on in the farmers’ employment when their contracts is (sic) completed and who will not return to the shocking conditions of town life to which they have been accustomed in the past not knowing or being used to anything better”.<sup>272</sup> This farmer’s letter of gratitude was forwarded to the office of the Minister of Native Affairs, Verwoerd, who subsequently responded to the “kind and informative” letter by stating that it was evident that:

The stricter control over influx to the cities, the Reference Book system, the efflux measures from cities of the unemployed, the improved methods of employing the city youths instead of importing new grown-ups from the rural areas, the development of the Labour Bureaux, the organisation of “reaping spans” have all contributed to this result.<sup>273</sup>

Verwoerd also added that he hoped that the Labour Bureaus would “remain the spearhead in tackling the misdistribution of labour” and that the application of

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<sup>269</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Minutes of a regional meeting of TAU, 8 April 1954.

<sup>270</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Memo from the SNA to the various Chief Native Commissioner and magistrates dated 12 May 1954.

<sup>271</sup> U.G. 53/1956, *Verlag van die Departement van Naturellesake vir die Jaar 1953-54*, p. 21.

<sup>272</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter from T. Eliastam to the DNL, 27 July 1954.

<sup>273</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter signed by the Private Secretary of the Minister of Native Affairs, H.F. Verwoerd, addressed to T. Eliastam, 3 August 1954.



Chapter 4 of the Native Trust and Land Act, by eliminating rural squatting, would further improve the labour situation.<sup>274</sup>

Subsequent years saw the recruitment of black school children into the harvesting teams during their winter holidays as a further measure to expand the operation. In letters addressed to the NAD by school principals, there appeared to be a consensus that the scheme had a very good effect on the school children who were not only treated kindly by farmers, but were also awarded the opportunity to learn the thrift of agricultural labour, a sector in which it was hoped many of them would seek employment in adulthood. It was held to have provided them and their families with some extra income. The scheme did however also lead to the maltreatment of some labourers by individual farmers. The Inspector of Farm Labour investigating one such case in the Heidelberg District in August 1955 wrote to the DNL that one harvesting team complained about the food rations they received from one farmer and many of the gangs were under the impression that their contracts were only for a month and not for the full harvesting season, which led to further animosity between these workers and farmers.<sup>275</sup> The inspector could however persuade the labourers to extend their stay on the farms until the harvesting season came to an end. He also reprimanded the farmer who only gave his workers maize porridge and saw to it that he would include meat and potatoes in his workers' food rations.<sup>276</sup>

### 3.6 Prison labour

The establishment of labour bureaus, measures introduced against squatting and labour tenancy, the recruiting of harvesting teams and the various other coercive laws passed between 1948 and 1960 were not the only state actions taken to ensure farmers would have labour. Officially, according to the NAD, there were only two legal ways to obtain black labour, either through the labour bureaus or through

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<sup>274</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter signed by the Private Secretary of the Minister of Native Affairs, H.F. Verwoerd, addressed to T. Eliastam, 3 August 1954.

<sup>275</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter from the Inspector of Farm Labour to the DNL, 9 August 1955.

<sup>276</sup> SAB, NTS 2098, 222/280(1): Plaasarbeidspanne – farm labour gangs. Letter from the Inspector of Farm Labour to the DNL, dated 9 August 1955.

making use of recruitment schemes.<sup>277</sup> Nevertheless the 1950s were also marked by an increase in employing prisoners on South African farms as another source of cheap labour. This process was divided into two branches. One consisted of the placing of short-term convicts, who had been convicted by the courts for the transgression of various minor legal transgressions, on farms to serve out their sentences as farm labourers. The other scheme consisted of the building of prison outposts in rural areas from where farmers could hire prisoners serving long-term sentences on a daily basis.<sup>278</sup>

The Report of the Director of Prisons<sup>279</sup> for the year 1953 and 1954 gives a thorough overview of these two branches of the prison labour scheme. This idea was, however, not new in the South African historical context. Under the Native Taxes and Vagrancy Law, Act no. 9 of 1870 of the then South African Republic (ZAR), blacks who were found guilty of contravening the ZAR's pass laws would "be placed under contract as a servant to a citizen of [the] republic, with such monthly remuneration as may be approved by the Field-Cornet, for a period not exceeding 12 months".<sup>279</sup> In the late nineteenth century Transvaal this "contract" would most probably have constituted work on farms. The release of short-term prisoners to farmers to serve the remainder of their sentences as farm labourers can also be dated back to 1932.<sup>280</sup>

According to the 1953-54 Prisons' Report, this system was implemented as the period these offenders were sentenced to was too short to bring about intensive reform measures within the confines of the prisons. Thus it was decided to rent them out to farmers where they could perform "gesonde opelug-werk".<sup>281</sup> The measure also aimed at keeping these mostly first-time offenders out of prison where they could be influenced by more hardened prisoners. Farmers had to pay 6 pennies a day to hire one of these labourers from the state and also had to provide the prisoner

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<sup>277</sup> U.G. 14/1959, *Report of the Department of Native Affairs for the period 1<sup>st</sup> July 1954 to 31<sup>st</sup> December 1957*, p. 41.

<sup>278</sup> U.G. 24/1955, *Jaarverslag van die Direkteur van Gevangnisse vir die kalenderjare 1953 en 1954*, p. 14.

<sup>279</sup> J.S. Bergh & F. Morton, *'To make them serve...' the 1871 Transvaal Commission on African labour* (Pretoria: Protea, 2003), p. 172.

<sup>280</sup> U.G. 24/1955, *Jaarverslag van die Direkteur van Gevangnisse vir die kalenderjare 1953 en 1954*, p. 14.

<sup>281</sup> Own translation: healthy outdoor work.

with food rations, clothing and accommodation as well as transport back to the prisoner's home once he has served his sentence.<sup>282</sup> Important aspects that distinguished this system from the "Petty Offenders' Scheme", which will be discussed below, were that the contract entered into was between the farmer and the state and not the farmer and the prisoner. Also, the short-term convicts convicted in court were initially not paid for the work they did on farms, whereas the petty offenders laboured for payment.

In January 1947 this scheme was suspended due to various bureaucratic problems being exposed and criticism being levied against the scheme in the press. However, representations from farmers to the Department of Justice (JUS) saw the scheme reinstated in June 1947.<sup>283</sup> The scheme was reinstated with some reform measures, the most important of which was the fact that prisoners would now receive 9 pennies for every day of work. This amount was to be paid by farmers to the state and would then be paid out to prisoners by this Department at the conclusion of the prisoners' sentences. Farmers also had to treat these workers no differently than any other workers they had in their employment. If a prisoner was to abscond or became "parmantig"<sup>284</sup> and refused to work, the farmer could only report the prisoner to the prison authorities from where the prisoner would be removed back to a prison to serve the remainder of his sentence. During 1953 and 1954 it was reported that more than 100 000 prisoners willingly took part in this scheme. According to the report: "Die skema het dus groot verligting vir die reeds oorlaaide tronkakkommodasie gebring en ook aan die gevange gesonde werk in die buitelug besorg".<sup>285</sup> By 1957/1958 an estimated 200 000 prison labourers worked on farms.<sup>286</sup>

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<sup>282</sup> U.G. 24/1955, *Jaarverslag van die Direkteur van Gevangnisse vir die kalenderjare 1953 en 1954*, p. 14.

<sup>283</sup> U.G. 24/1955, *Jaarverslag van die Direkteur van Gevangnisse vir die kalenderjare 1953 en 1954*, pp. 14 & 15.

<sup>284</sup> Own translation: Impudent or cheeky.

<sup>285</sup> U.G. 24/1955, *Jaarverslag van die Direkteur van Gevangnisse vir die kalenderjare 1953 en 1954*, pp. 14 & 15. Own translation: the scheme relieved the pressure of overcrowded prison accommodation and also gave prisoners healthy work in the open air.

<sup>286</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 139.

The building of prison outposts from where farmers could draw labour was the second measure taken up by the JUS to help farmers solve the labour shortages they faced. Farmers formed companies that were responsible for the building of prisons in rural areas and from where farmers were then allowed to hire prisoners at a fixed wage. C.R. Swart, in his position as Minister of Justice, endorsed the functionality of this system, and was convinced that farm work could do a lot to help reform convicts.<sup>287</sup> One of the reasons given for the building of these prisons in rural areas had to do with the fact that:

Met die geweldige toestrominge van die plattelandse Naturellebevolking na die stede as gevolg van die snelle industriële ontwikkeling, gepaard met die probleme om by die nuwe omgewing aan te pas, het die misdadsyfer in die stede natuurlik vinnig gestyg en dit het gelei tot die oorbevolking van die groot gevangnisse en tronke.<sup>288</sup>

The fact that farmers actually had pay for the building of these prisons and were also responsible for the “onderhoud van buiteposgeboue, watervoorsiening en ander huishoudelike geriewe tot tevreedenheid van die Departement”<sup>289</sup> was seen as a further financial incentive from the JUS that made the measure viable. Farmers also had to pay a daily fee for the prisoners’ labour. The fees varied from 1 shilling 9 pennies to 2 shillings depending on whether the farmer provided his own guards or a representative from the JUS had to be on guard.<sup>290</sup>

The establishment of these farm prisons led to much controversy. Members of the opposition in parliament were outraged at the stigma associated with the scheme. A relevant conclusion can be made that this system indirectly led to farmers having a

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<sup>287</sup> Anonim, “Leslie se boere maak ’n plan”, *Die Landbouweekblad* 31(1574), 21 September 1949, p. 50.

<sup>288</sup> Own translation: with the dramatic influx of the rural Native population to the cities due to rapid industrial development, coinciding with the problem of adjusting to the new area, the crime rate in the cities increased quickly and it led to the overpopulation of the big prisons and jails.

<sup>289</sup> Own Translation: maintenance of outpost buildings, water provision and other household amenities to the satisfaction of the Department.

<sup>290</sup> U.G. 24/1955, *Jaarverslag van die Direkteur van Gevangnisse vir die kalenderjare 1953 en 1954*, p. 16.

“vested interest in crime”.<sup>291</sup> Controversially, the availability of prison labour in districts in the Eastern Transvaal also saw as a consequence the rise in land value of farms between £2 and £3 per morgen.<sup>292</sup> Yet, Swart was quick to defend the scheme by asserting that similar schemes were also used in England and Scotland. In response to this remark, the opposition pointed out that prison labourers in England and Scotland were protected with wage regulations. In the Union, it was felt that prison labour also undercut wage labour, as farmers felt that because they had prison labour they could pay their wage labourers cheap salaries.<sup>293</sup> By 1959, there were reportedly sixteen farm prisons in the Union incarcerating 4,525 convicts.<sup>294</sup>

Farmers who were opposition members of parliament regularly complained about this labour system. There were numerous calls for the abolishment of all farm prisons in the country. The argument was that farmers had to attract free labour with higher wages and should not become dependent on prison labour.<sup>295</sup> Although there is no evidence that the courts abused the system by purposely filling these outposts with convicts, Wilson astutely concludes that the fact remains that “the large prison outstations were built in direct response to the pressure of farmers suffering from a shortage of labour [and] showed the extent to which South African agriculture had become dependent upon crime”.<sup>296</sup> Posel adds to this and states:

In practice, the degree of success the NAD achieved in meeting farmers’ needs had less to do with a “rational” restructuring of the urban labour market than with the well-established tradition of turning agricultural labour into a penalty for breaking the law.<sup>297</sup>

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<sup>291</sup> F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p.148.

<sup>292</sup> F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p.148.

<sup>293</sup> *Hansard*, deel 80, 01 Mei 1952, kol 5254; 5256

<sup>294</sup> *Hansard*, deel 99, 06 Februarie 1959, kol 522.

<sup>295</sup> *Hansard*, deel 85, 07 April 1954, kol 3861-3862; *Hansard*, deel 94, 26 Maart 1957, Kol 3648.

<sup>296</sup> F. Wilson, “Farming: 1866-1966” in M. Wilson and L. Thompson, *The Oxford History of South Africa, 1870-1966* (Oxford: Oxford University Press, 1971), p.149.

<sup>297</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 260.

### 3.7 The “Petty Offenders’ Scheme”

In September 1947,<sup>298</sup> a public prosecutor at the Native Commissioners Court in Fordsburg, Johannesburg,<sup>299</sup> P.J. de Beer, proposed a scheme whereby pass law offenders would be given a choice between serving a prison sentence or rather accepting work in the agricultural sector for a fixed period of time.<sup>300</sup> De Beer, who also acted as a farm labour recruitment officer, explained the procedure he initiated as follows:

Die prosedure is om naturelle wat in hegtenis geneem word vir pas-wet oortreding en wie onder Seksie 29 Wet 25 van 1945 deur die polisie aangehou word toe te spreek voordat hulle voor die Hof verskyn; dit word aan hulle verduidelik dat hulle by boere in omliggende distrikte kan diens neem as hulle wil. Dit word aan hulle verduidelik dat dit alles vrywillig is en dat hulle nie daarna gedwing word nie. Vrywilligers staan dan vooruit en word dan dadelik aangestuur na boere wie vir arbeid aanvraag gedoen het. Hierdie naturelle word aangestuur voordat hulle voor die Hof verskyn en die aanklagtes word teen hulle teruggetrek. Daar is geen vereistes dat hulle eers voor die Hof moet verskyn nie en veroordeel moer (sic) word nie.<sup>301</sup>

That this venture proved to be successful in placing labourers on farms can be deduced from the fact that according to the NAD, 1 311 blacks took up work on farms in the first stages of the scheme being introduced.<sup>302</sup> However, De Beers’ assertions that the offenders were not required to appear before court once arrested

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<sup>298</sup> SAB, NTS 2250 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from Morgan to Brink, dated 9 February 1948.

<sup>299</sup> SAB, NTS 2250 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): “Verklaring”, 25 Oktober 1948.

<sup>300</sup> D. Duncan, “The state divided: farm labour policy in South Africa, 1924-1948”, in *South African Historical Journal* 24, 1991, p. 87.

<sup>301</sup> SAB, NTS 2250 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): “Verklaring”, 25 Oktober 1948. Own translation: the procedure followed is to converse with natives arrested for pass law transgressions and who under Section 29 of Act 25 of 1945 are detained by the police, before they appear in court. It is explained to them that they can take up farm work in the surrounding districts if they wanted to do so. It is explained to them that it is a voluntary scheme and that they are not forced to take up the offer. Volunteers then step forward and are immediately sent to farmers who applied for labour. These natives are sent forth before they appeared in court and all charges are withdrawn against them. There is no requirement that they have to appear in court and be sentenced.

<sup>302</sup> U.G. 37/1955, *Report of the Department of Native Affairs for the year 1951-52*, p. 20.

was a misrepresentation. Ironically it was a farmer expressing his praise for the scheme that inadvertently alerted the JUS to this illegal practice. On 21 September 1948 a farmer, E. Stuart, wrote a letter to the Minister of Justice in which he expressed his great admiration for the workings of the scheme and requested the Minister to extend the scheme to other Native Commissioner Courts in Johannesburg. Stuart also asked that the scheme had to be more widely advertised among farmers. He also expressed his concern that apparently some “boere amptenare ... wil eers hê hy (De Beer) moet eers die kaffers<sup>303</sup> voor die hof bring en dan kan ons hulle kry as bandiete.”<sup>304</sup> He concluded his letter with praise for the new government: “Met Afrikaner groete en hoop dat ons Nasionale regering sal lank bly”.<sup>305</sup> This letter prompted the Senior Public Prosecutor from the JUS to ask the District Commander of the South African Police (SAP) to investigate the matter as De Beer’s action of withdrawing cases before they appeared in court were without doubt unlawful. An affidavit was consequently taken from De Beer in which he explained the operation of the scheme to the SAP. This affidavit was subsequently forwarded to the Senior Public Prosecutor on 28 October 1948.<sup>306</sup>

The Attorney-General responding to De Beer’s affidavit informed the JUS that De Beer was withdrawing cases without the necessary approval from or knowledge of the NAD. This prompted the Secretary of Justice, C.I. Boswell, to inform the SNA of the situation on 29 November 1948.<sup>307</sup> However, the JUS was in for another revelation when an official from the NAD, H.H.L. Smuts, replied on 15 December 1948 to the Secretary of Justice that the NAD was well informed about the scheme and that De Beer had the full support of the NAD in this matter.<sup>308</sup> In fact, already in

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<sup>303</sup> Quoted Verbatim

<sup>304</sup> Own translation: Boer officials ... wants (De Beer) to first bring the Kaffirs before the court and then give them to us as convicts.

<sup>305</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from E. Stuart to the Minister of Justice, 21 September 1948. Own translation: With Afrikaner greetings and hope that the National government will remain for long.

<sup>306</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from District Commander of the SAP to the Senior Public Prosecutor, 28 October 1948.

<sup>307</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from Boswell to Secretary of Native Affairs, 29 November 1948.

<sup>308</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): “Verklaring”, 25 Oktober 1948. Letter from Smuts to Secretary of Justice, 15 December 1948.

April 1948 the NAD condoned the scheme. In a letter addressed to the DNL in Johannesburg, the NAD expressed its “appreciation” for the efforts of the Native Commissioner and De Beer to “assist” blacks in taking up farm labour.<sup>309</sup> That farmers were very satisfied with this scheme can be seen from the numerous letters that were sent by them to the Native Commissioner in which “oom”<sup>310</sup> De Beer was lauded for the initiative he took in solving the farm labour shortage experienced by them.

That the officials from the NAD that dealt with the scheme had nothing but admiration for it can further be deduced in correspondence by the Native Commissioner of Johannesburg, K.D. Morgan, who wrote to the DNL, J.M. Brink, on 9 February 1948 endorsing the success of the scheme:

Ill-clad and dispirited from a fruitless search for work, many of the petty offenders have been quite glad to accept farm work offered them, in which environment, moreover, their chances of following the straight and narrow way of life are infinitely greater than in the city. In many cases their raggedness is such that few local employers if any, would think of offering work to them. Whenever possible the labourers, before proceeding to the farms, are provided with old blankets and clothing, including boots, collected from various sources by members of my staff.<sup>311</sup>

De Beer was singled out as having “displayed more than average initiative and zeal”, in implementing the scheme and was further described as “the moving spirit” in the scheme’s success.<sup>312</sup>

The DNL, Brink, informed the Secretary of Native Affairs of the scheme in a letter on 18 May 1948. According to Brink the scheme served a three-fold purpose: “it keeps the Native out of gaol (or at least it avoids his being convicted and perhaps fined and

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<sup>309</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from SNA to DNL, 9 April 1948.

<sup>310</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): letter from farmer, D.P.J. van Schalwyk to Native Commissioner, K.D. Morgan, 4 April 1948.

<sup>311</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from Morgan to Brink, 9 February 1948.

<sup>312</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from Morgan to Brink, 9 February 1948.



in default of payment to go to jail); it provides him with employment and it helps the farmers to obtain labour”. Brink gave the assurance that the scheme did not impact negatively on the “foreign farm labour scheme”. Mention was also made of the fact that the scheme had successfully led to “placing quite a large number of Natives on farm work in the Bethal district, through the Boere Arbeidsvereniging, Bethal”.<sup>313</sup> Indeed P.L. du Toit, the secretary of the Bethal Arbeidsvereniging had nothing but praise for the scheme and in a letter of thanks he stated that the scheme had “oortref al ons verwagtinge”<sup>314</sup> and he also advocated that the scheme should be extended to other major centers so as to address the “skreiende plaasarbeid-tekort”.<sup>315</sup>

However, the scheme also drew criticism from some farmers. On 26 April 1949 one MP, W.C. du Plessis, wrote to the Minister of Justice on behalf of a farmer from Standerton. The farmer highlighted an aspect of the scheme that led to conflict among the various labourers who were employed on farms. In essence as there was no fixed wage scales set, farmers could offer any amount for the labour they wanted and if the potential labourers accepted the terms he would be employed for that wage. Consequently there were various workers on one farm in different stages of completing their contracts working for different wages, but doing the same labour. This led to conflict among the labourers and also saw many of them not renewing their contracts at the end of the period agreed to.<sup>316</sup> In response the Native Commissioner informed the Secretary of Native Affairs that “die lone bepaal word deur die hoogste aanbod wat van boere self kom.”<sup>317</sup> He felt that this system was the fairest way of ensuring that black workers were not exploited by farmers who otherwise would not have offered the most competitive wages for their workers.<sup>318</sup> Furthermore it was pointed out by some small-scale farmers that farmers from some

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<sup>313</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): letter from Brink to SNA, 18 May 1948.

<sup>314</sup> Own translation: exceeded all their expectations.

<sup>315</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from Du Toit to Morgan, 23 April 1948. Own translation: extreme farm labour shortage.

<sup>316</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from Du Plessis to Minister of Justice, 26 April 1949.

<sup>317</sup> Own translation: the wages are determined by the highest bid among the farmers themselves

<sup>318</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from NC to SNA, 16 June 1949.

specific districts and also some large-scale farmers were given preference when it came to the labour being handed out.<sup>319</sup>

A Committee was appointed to investigate these concerns and other grievances that accompanied the scheme. On 31 March 1950 a memorandum was drawn up on the findings of a Committee.<sup>320</sup> One of the major complaints investigated was the indication that there was a problem regarding the fair and equal distribution of labourers. Mention was made that “some of the larger farmers in the Bethal area are squeezing out the smaller farmers who are now not able to get any labour”.<sup>321</sup> It was also pointed out that some farming groups were specifically formed to benefit an exclusive group of farmers. One such group was the Highveld Farmers Labour Group. The practice adopted was in essence to get farmers to join the group at no cost as a ploy to fill the required 10 members’ rule. The latter was a requirement under the Native Regulation Act of 1949 for farmers to form a recruitment group. However, it emerged that not all the farmers in the group obtained labour, thus these farmers were simply used to augment the numbers so that some of the large-scale farmers could get more labour. Thus, smaller farmers were not assisted whereas larger farmers received big batches of labour. Another complaint was that certain persons claiming to represent farmers were given labourers who were then sold by these supposed “recruiters” at £4 per head to some farmers. The Committee also discovered that one farmer deposited £25 at the Native Commissioner Court and kept his truck there, so that labourers could be sent to him on a regular basis.

Asked about these issues, De Beer admitted that he handed out labourers to any person that claimed to represent farmers. De Beer also did not complete the contract sheets of the labourers fully, leaving the destination section on the forms blank. Also, that he personally had the key to the truck of this farmer in Bethal and thus in essence admitted that this farmer was given preference in getting workers. It was decided by the Committee that the best solution to addressing these problems was to relieve De Beer of his duties. Although there was some protest from the Native

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<sup>319</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws).

<sup>320</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Memorandum, 31 March 1950.

<sup>321</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Memorandum, 31 March 1950.

Commissioner of Johannesburg, K. Morgan, about De Beer's dismissal, De Beer himself was apparently "pleased to be relieved of the work".<sup>322</sup> Another factor that led to De Beer's dismissal was the fact that he would have had placed "morele druk"<sup>323</sup> on some of the transgressors when they appeared in court by throwing "dolosse"<sup>324</sup> in the court and telling the offenders that if they did not accept work or if they ran away from the farms they were employed on, their ancestors would punish them.<sup>325</sup>

In November 1949 it came to the attention of the NAD that the scheme would have to be called off as the trials of blacks arrested for various petty offences were now to be transferred from the Native Courts to the local magistrate courts under jurisdiction of the JUS. In a handwritten memo this situation was deplored by a NAD official as the scheme had since its inauguration in September 1947 to 31 October 1949 led to 7 730 labourers being employed by farmers. More importantly, the scheme had cost the state no money, where in comparison the "Foreign Farm Labour Scheme" had cost the state £7500 and only saw 78 blacks being employed as farm workers.<sup>326</sup> The NAD thus decided to engage with the JUS to ensure the continuation of the scheme. It was hoped that a similar arrangement could be made.

However at a meeting between representatives of the NAD, the SAP and the JUS, the latter was of the point of view "that unless there was some statutory authority for withdrawing a charge preferred against a Native in the event of the latter agreeing to go work in the rural areas (the JUS) could not agree to the scheme".<sup>327</sup> The JUS was adamant that the procedure adopted by the NAD in the past had been irregular. It was of the view that apprehended blacks should be dealt with before the actual charge was laid or that they should be approached after they had been punished. The SAP agreed with the JUS and "it was their view that once a charge had been

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<sup>322</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Memorandum, 31 March 1950.

<sup>323</sup> Own translation: Moral pressure.

<sup>324</sup> Own translation: Knuckle-bones, i.e. "throwing the bones". According to the Concise Oxford Dictionary, (Oxford University Press, 2006) "bones" being defined as: "one of a set of carved dice or bones used by traditional healers in divination".

<sup>325</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Meeting between the NAD, the JUS, the SAP, 21 September 1950.

<sup>326</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): hand written memo, dated 21 November 1949.

<sup>327</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter DNL to SNA, dated: 24 February 1950.

laid against a Native he should appear before the Court”.<sup>328</sup> In response, the representatives from the NAD reported back to the SNA that it was clear from the attitude adopted by the SAP and the JUS that the system would not be extended when the transfer came into effect. A suggestion was made that the SNA directly approach the Attorney-General to save the scheme.<sup>329</sup>

When the farmers learnt that the scheme was to be discontinued they immediately responded by sending representations to the JUS and the NAD pleading that the scheme had to continue. Accordingly, on 23 August 1950 the JUS and the NAD convened a meeting to discuss the matter. The JUS again made its objection to the scheme clear and was adamant that the scheme was to some degree coercive in its nature, that the legality of the contracts was questionable and that the scheme was subject to unfavourable propaganda by mischief-makers.<sup>330</sup> The JUS was however not unsympathetic to the demands of the farmers. It thus proposed that the cooperation of the SAP had to be obtained to make a job offer to the offender before he appeared in court; that a depot had to be established and be administered by the NAD from where it could be established if blacks arrested for petty offences were indeed jobless and without proper identification papers; steps should be taken to encourage blacks to rather go out of their own will to their nearest NAD offices to obtain the necessary papers from where work would be offered to them; and that magistrates could be appointed who would, once blacks have been found guilty of contravening the law, give them the opportunity to accept work on farms instead of going to jail. As an interim measure it was agreed that cases of contravening the pass laws had to be tried by officials from the JUS; that work would still be offered to blacks as a way to keep them out of jail; that the NAD would be allowed to offer work to blacks before they are formally charged; that no charges will be withdrawn; and that the SAP would be approached by the NAD to streamline the functioning of the scheme.<sup>331</sup>

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<sup>328</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Meeting between the NAD, the JUS, the SAP, 21 September 1950.

<sup>329</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter DNL to SNA, 24 February 1950.

<sup>330</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): meeting between the NAD and the JUS, 23 August 1950.

<sup>331</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): meeting between the NAD and the JUS, 23 August 1950.

At a subsequent meeting between representatives of the NAD, the JUS and the SAP the finer working details of the scheme were discussed. Col. Coetzee, Deputy Police Commissioner of the Witwatersrand, was from the onset of the meeting very eager to give the SAP's full cooperation in the matter. However, he warned that the law required that once an arrest was made and the arrestee was asked to produce his pass he had to be charged and appear in court if he could not produce it. He proposed that these blacks had to first be taken to recruitment officers from the NAD before they were charged. The acting Chief Magistrate of Johannesburg, Mr. Backenberg, indicated that a depot was needed to which the SAP could take the alleged offenders from where those who did not want to accept work would be taken from the depot to the cells to be brought before the court. The DNL, P.G. Caudwell, expressed his concern in taking blacks to a depot that was not a lawful place of detention. The Under-Secretary of Justice, J.C. Steyn explained that the establishment of an in-between clearing station was necessary as once in the cells the blacks had to appear before court. Backenberg referred to this proposed depot as a labour bureau. According to the Deputy Commissioner of Police, Lt. Col. J.C. Kriek, after an arrest was made by the police "het hulle die reg om hulle vir ondersoek aan te hou, en te oorhandig and die Naturellekommissaris".<sup>332</sup> However it is clear from the minutes of the meeting that the various discussants differed on their interpretation of the lawfulness of the venture. The SNL, Eiselen, stated: "I think we can leave the question of rightful or wrongful arrest out of the discussion. The point is they are arrested. We want these people to be brought to a place where they can be investigated. We require the power of detention".<sup>333</sup> Backenberg then suggested that the recruitment officers of the NAD should be appointed as "Authorized Officers" which would give them the power to detain. Eiselen then adjourned the meeting by expressing his appreciation of the fact that both the JUS and the SAP were now willing to give their cooperation to the scheme and that the NAD would see to sorting

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<sup>332</sup> Own translation: they have the authority to detain them for investigation and hand them over to the Native Commissioner.

<sup>333</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Meeting between the NAD, the JUS, the SAP, 21 September 1950.

out some of the remaining logistical problems and would then advise the police when they could start sending blacks to the depot.<sup>334</sup>

In the meantime letters from farmers continued to be sent to the NAD enquiring why the scheme had been scrapped and when it would be resumed. Some farmers also wrote to their representatives in parliament imploring that the scheme had to be reinstated. In a letter to Col J. Wilkens, an MP, the SNA explained that:

onvermydelike verdragings in die skepping van die nodige poste en in die vulling daarvan, dit tot nog toe nie moontlik vir die Departement was om die plaasarbeidskema op Johannesburg weer in die lewe te roep nie. Daar is nietemin heelwat vordering gemaak en die Departement hoop om binnekort op 'n klein skaal met die nuwe skema te begin.<sup>335</sup>

On 19 February 1951 the Pass Officer of Johannesburg, E.A. Kernick, wrote to the DNL and gave an outline of how the scheme could be run. The letter indicated that blacks arrested without a pass were not necessarily unemployed and thus it was imperative of the SAP to first investigate the issue. Another potential problem was the fact that no accommodation could be offered to blacks arrested between Friday and Sunday afternoon and these offenders had to be handed over to the SAP to appear in court. It was suggested that once a black was arrested by the police he would be taken to the charge office where an entry of his arrest would be made in the "Occurrence Book". At 8:30 am and at 2:00 pm these blacks would then be taken to the Employment Depot. After a triplicate document had been signed by the various bureaucrats, those blacks who volunteered to work on farms would be fingerprinted. Arrested blacks that did not take up farm labour would be returned to the SAP to be prosecuted. The pass officer was very insistent that records of fingerprints had to be kept. This would have necessitated the employing of more staff

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<sup>334</sup> SAB, NTS, 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Meeting between the NAD, the JUS, the SAP, 21 September 1950.

<sup>335</sup> SAB, NTS 2250, 646/280, Part 1, Farm Labour Scheme Union Natives (Petty offender under the pass laws): Letter from SNA to MP J. Wilkens, 2 February 1951. Own translation: due to unavoidable delays in the establishment the necessary posts and in the filling thereof, it has not been possible for the Department to reinstate the Farm Labour Scheme at Johannesburg. However, progress has been made and the Department hopes to reinstate the scheme on a smaller scale soon.

to maintain the records.<sup>336</sup> The DNL therefore wrote to the SNA informing him of the workings of the scheme as proposed and outlined by the Pass Officer. He pointed out that the Commissioner of Police had not yet officially agreed to the scheme and that the SNA had to obtain his consent. The DNL also pointed out that it was difficult to obtain fingerprinting staff and that the scheme most probably would have had to make do with the staff they had available.<sup>337</sup>

The scheme was finally reinstated on 2 April 1951.<sup>338</sup> From the 41 blacks held by the SAP 13 were released after it was confirmed that they had jobs, two had absconded from the mines and were sent back, six took up farm work and 20 were sent back to the police for prosecution. The Native Labour Bureau saw it as an adequate start to the scheme and expressed the concern that not too much publicity had to be given to the scheme yet as the requests by farmers at that stage still outweighed the availability of potential labourers. Between the period 01 January 1948 and 28 February 1952 the farm labour scheme as operated in the Johannesburg area placed 11 025 blacks in agricultural employment. Comparatively, the Labour Bureaus established in the urban areas of the Witwatersrand, Pretoria, Vereeniging, Cape Town, Port Elizabeth, East London, Kimberley, Durban, Pietermaritzburg and Bloemfontein collectively employed 10 044 blacks in the farming sector for the period 1 March to 31 December 1952.<sup>339</sup> It is apparent from these figures that the success of the farm labour scheme could not be questioned. Consequently, the period between 1952 and 1954 saw the scheme being extended throughout the Union. This period also saw the scheme being refined to ensure that blacks in transgression of the various applicable laws could not escape the coercive clutches of the scheme.

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<sup>336</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Letter from Pass Officer Johannesburg to the Director of Native Labour, 19 February 1951.

<sup>337</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Letter from the Director of Native Labour to the Secretary of Native Affairs, no date.

<sup>338</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo in response to a question asked by Senator Jackson to the Minister of Native Affairs.

<sup>339</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo in response to a question asked by Senator Jackson to the Minister of Native Affairs.

Since its inception and during the period of it being extended to include other districts, the scheme elicited numerous constraints and technical problems. The Native Commissioner of Krugersdorp stated that the police could, for example, under the then existing legislation not prove to the contrary that a person was lying if he stated that he was born and resided in a specific area. Another perceived problem was that numerous arrests were made over weekends, but due to the fact that the scheme did not operate over weekends, these blacks could not be recruited into the scheme having to go straight to jail. The Commissioner suggested that the employment officers had to include work on Saturday afternoons and should be paid overtime to overcome this predicament. He also mentioned that some local authorities were actually in opposition to the scheme as their Native revenue accounts benefitted from the fines being paid for transgression of some of the laws.<sup>340</sup> Once a transgressor accepted farm work, he did not have to pay the fine and thus the local authority lost out on that money.

The SNA was however adamant that the scheme had to be implemented in the rest of the Union as soon as possible. Writing to the various Native commissioners of the other districts of the Union, he stated that:

die departement angstig is om die skema so spoedig moontlik in werking te stel aangesien daar 'n tekort aan arbeid dwarsdeur die land bestaan en aangesien dit noodsaaklik is dat oortollige arbeid uit die stedelike gebiede behoort te verwyder word.<sup>341</sup>

He wanted it to be in operation throughout the Union on 1 April 1953.<sup>342</sup> By the end of 1953, the scheme was incorporated with the district labour bureaus and extended to include Roodepoort, Germiston, Springs, Benoni, Nigel, Krugersdorp and

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<sup>340</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo in response to a question asked by Senator Jackson to the Minister of Native Affairs, Letter from Native Commissioner Krugersdorp to DNL. 23 January 1953.

<sup>341</sup> Own translation: the Department is anxious to put the scheme in operation as there is a shortage of labour throughout the country and seeing that it is necessary to remove surplus labour from the urban areas.

<sup>342</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), letters from the SNA to various Native Commissioners, 26 February 1953.



Randfontein. Although farmers still called for labour, the NAD stated that the situation was stabilizing.<sup>343</sup>

However, not all the farmers were eager to have the scheme implemented in their districts. J.G. Pike, Native Commissioner for East London, for example stated that:

the reaction of the farmers to the scheme left me in no doubt at all that it will not prove a success in this district. Farmers are not prepared to employ natives on any contract which specified a scale of rations. They are only prepared to employ natives who are willing to accept as food the prevailing rations, namely, mealies and skimmed milk.<sup>344</sup>

He also mentioned that the scheme would only create additional work for the Employment Officer “without any compensating success”, but also added that he had no objection to the scheme being introduced on 1 April 1953.<sup>345</sup>

Nevertheless, before the scheme could be extended to other districts in the Union, various logistical and judicial issues also had to be addressed. The most important of these was to ensure that the various Native Commissioners were given the necessary jurisdiction to try the cases that appeared before them. This was due to the fact that in, for example, Kimberley and Port Elizabeth, only the appointed magistrates of these districts had the necessary authority to judge legislative matters.<sup>346</sup> A notice was issued stating that blacks should be tried by the Native Commissioners for transgressing the following laws and proclamations:

1. The Natives Urban Areas Act (Act 25 of 1945).
2. Proclamation 150 of 1934 (pass law regulations).
3. Native Recruitment Act (Act 15 of 1911).

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<sup>343</sup> U.G. 48/1955, *Verslag van die Departement van Naturelle Sake vir die jaar 1952-53*, p. 26.

<sup>344</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), letter from the Native Commissioner of East London to the Chief Native Commissioner, King William’s Town, 4 March 1953.

<sup>345</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), letter from the Native Commissioner of East London to the Chief Native Commissioner, King William’s Town, 4 March 1953.

<sup>346</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo addressed to “Die Sekretaris”, no date.

4. Native (Abolition of Passes and Coordination of Documents) Act of 1952.
5. Native Tax and Development Act (Act 41 of 1925).
6. Native Trust and Land Act (Act 18 of 1936).
7. Proclamation 1032 of 1949.
8. Proclamation 2495 of 1952.<sup>347</sup>

It was further indicated that by first “sifting” blacks arrested for “tegniese oortredings”<sup>348</sup> at the labour bureaus this would apparently be a helpful service for blacks and the courts. The letter stated:

die Naturel baat b.v. by die prosedure deur dat werk hom aangebied word of sy dokumente in orde gebring word, met die gevolg dat geen vervolging hoef ingestel word nie. Aan die ander kant weer kom baie minder sake voor die howe as gevolg van die siftingsproses.<sup>349</sup>

The scheme still encountered problems especially regarding the interpretation of the various applicable laws. The Native Commissioner of Krugersdorp, for example, pointed out that many of the arrested blacks in his district opted to pay the fine of 5 or 10 shillings rather than accept farm labour. Once released, the transgressors would remain in the urban areas. If they should be apprehended and appear before the Native Commissioner again for the same offence. The procedure then merely repeated itself. The Commissioner thus suggested that blacks who opted to pay a fine should be sent out of the district and if caught in the district again should then be charged with the “heavy penalties” provided for under the Urban Areas Act. In response to the complaints of the Native commissioner, the DNL suggested that the maximum fine of £1 or as alternative the imprisonment of 14 days should be implemented and hopefully it was stated that this measure would lead to more blacks

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<sup>347</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo addressed to “Die Sekretaris”, no date.

<sup>348</sup> Own translation: technical contraventions.

<sup>349</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo addressed to “Die Sekretaris”, no date. Own translation: the Native benefits by the procedure, for example, in that work is offered to him and his documents are brought in order, resulting in that no prosecution has to be instigated. Consequently very few cases are brought before the courts due to this screening process.

taking up farm work as an alternative.<sup>350</sup> The SNA, responding to the enquiries of the Native Commissioner, emphasized the fact that “the department considers the continued influx of unauthorised workseekers (sic) into the prescribed areas as serious and existing legislation dealing with this matter should be strictly interpreted and enforced”. He was adamant about the regulation that blacks who did not accept farm work had to be removed from the area.<sup>351</sup>

The misinterpretations and confusion that accompanied the extension of the scheme throughout the Union prompted the drafting of General Circular 23 of 1954. This circular was to give a complete overview and act as a guideline for the operation of the scheme. The draft circular, which was sent out to the various chief Native Commissioners, the SAP commissioner and the Secretary of Justice was for the most part met favourably by these officials. Only minor changes were recommended to the suggested functioning of the scheme. The chief Native commissioner of the Witwatersrand favoured the extension of the scheme to include all urban areas. The Chief Native Commissioner of the Ciskei wanted greater clarity as to whether blacks could also be given work in the industrial and mining sectors if these industries were in non-prescribed areas. The Chief Native Commissioner of Natal only favoured a gradual implementation of the scheme to commence first in the larger urban areas and also expressed his hope that full cooperation from the SAP would be given in carrying out the scheme successfully. The Chief Native Commissioner of the Western Areas also expressed his full corporation with implementing the scheme and also hoped that the police would co-operate fully with the NAD to make the scheme a success. The Chief Native Commissioner of the Northern Areas was also in favour of rolling out the scheme in his districts. The Chief Native Commissioner of the Transkei thought that the scheme would not have much practical value in his area, except maybe for being implemented in places such as Kokstad and Matatiele. The Urban Areas Commissioner of Cape Town explained that the “scheme had not been very successful in the Cape Peninsula so far, but that it has great possibilities and, if applied judiciously, should result in many unemployed Natives being placed in

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<sup>350</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Letter addressed to the DNL from the NC Krugersdorp with response from the DNL to the NC Krugersdorp, 23 April 1953.

<sup>351</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), SNA to DNL, 25 May 1953.

work in non-prescribed areas”.<sup>352</sup> The Secretary of Justice stated that his “department concurs in the ... circular being issued and does not wish to propose any modifications in the procedure as described therein”.<sup>353</sup> The Commissioner of the SAP only recommended some minor changes to be made to some technical aspects, but also favoured the extension of the scheme to other parts in the Union.<sup>354</sup>

Thus on 14 June 1954 the Circular was sent out to all the officers of the NAD, all magistrates and whole-time judges of the peace, thereby extending the scheme to all corners of the Union. The Circular stated that it was drawn up as an interdepartmental initiative between the JUS, the SAP and the NAD to “induce unemployed Natives now roaming about the streets in the various urban areas to accept employment outside such areas”.<sup>355</sup> The aim of the scheme was “primarily at assisting unemployed Natives to obtain employment, but it is self-evident that one of its results will be that the number of unemployed Natives in the urban areas will be greatly reduced and there would also be less temptation for such Natives to resort to crime as a means of livelihood”. It stipulated that the scheme was confined to the “technical contraventions” of the following laws:

1. Contraventions of paragraph (g) of section eight and section nine of the Natives Taxation and Development Act (Act 41 of 1925).
2. Contraventions of sections ten and twelve of the Natives (Urban Areas) consolidation Act (Act 25 of 1945).
3. Contraventions of regulations three, eleven, and twenty-three of Proclamation 150 of 1934 and contravention of Chapter 2

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<sup>352</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo entitled: “Scheme for the employment of petty offenders in Non prescribed Areas” addressed to the Under Secretary of European Areas, no date.

<sup>353</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo entitled: “Scheme for the employment of petty offenders in Non prescribed Areas” addressed to the Under Secretary of European Areas, no date.

<sup>354</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), Memo entitled: “Scheme for the employment of petty offenders in Non prescribed Areas” addressed to the Under Secretary of European Areas, no date.

<sup>355</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), General Circular 23 of 1954, 14 June 1954.

of Government Notice 1032 of 1949 (registration regulation framed under section thirty-eight (1) of Act 25 of 1945).

4. Contraventions of the Labour Bureaus regulations published under Government Notice 2495 of 31<sup>st</sup> October 1952.<sup>356</sup>

It was put on record that the “Natives must be offered such employment as is available in non-prescribed (rural) areas. Priority should be given to farm labour in this connection”.<sup>357</sup> It was also pointed out that “Natives who on account of their declining to accept employment are not released, and are returned to the South African Police for prosecution”.<sup>358</sup>

### 3.8 Conclusion

The fact of the matter was that none of the measures introduced by the NP government, regarding the supply of labourers to farmers during the 1950s, could in all honesty be called fair or be considered as a contribution to the formation of a free labour market in a farming environment that was indeed becoming more capitalistic in outlook. There was no system in which black workers could sell their labour for the highest wages they could possibly get. Of pivotal importance is the fact that the state, under guidance of the NP, in regulating black labour in South Africa now had the opportunity to put its apartheid ideology into practice. It is debatable as to whether the theory always found implementation in reality, for example with the measures taken against squatting and labour tenancy, but it is evident, with specifically the state’s intervention into providing farmers with labour, that “success” was indeed achieved.

The labour bureaus that sought to distribute black labour throughout the country can be seen as a prime example of how coercive legislative measures found practical implementation in everyday reality for black people. As stated by Posel: “the practice of control gave the structural subordination of African labour under Apartheid an

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<sup>356</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), General Circular 23 of 1954, 14 June 1954.

<sup>357</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), General Circular 23 of 1954, 14 June 1954.

<sup>358</sup> SAB, NTS 2250, 646/280, Part 2, Farm Labour Scheme Union Natives (Petty offender under the pass laws), General Circular 23 of 1954, 14 June 1954.

immediacy in the daily experience of every African worker, legal or illegal.”<sup>359</sup> It is evident that during the 1950s the state took various steps to solve the farm labour question. The relatively little known “Petty Offenders’ Scheme” implemented at this time was to set the stage for a dramatic showdown of scandalous proportions. This resulted in outrageous allegations, shocking justifications and irrevocable damage which caused the relationship between farm labourers and farmers to deteriorate to unknown levels and in some cases still haunt relations to this day.

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<sup>359</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 123.

## CHAPTER 4

### FARM LABOUR SCANDAL: ABUSE, EXPOSURE AND REPERCUSSIONS<sup>360</sup>

#### 4.1 A history of abuse in Bethal: the “abode of God”

The clampdown of the state to control the distribution of labour in the Union had grave consequences for many black labourers who soon found themselves trapped in the coercive clutches of the “Petty Offenders’ Scheme”. Also known as the “Farm Labour Scheme”, its implementation as explained in chapter 3 had to quench the farming sectors’ thirst for cheap and exploitable labour. It, however, led to widespread labour abuses on the Union’s farms, especially on the eastern Transvaal Highveld. One farming district in particular which gained notoriety for farm labour abuse was that of Bethal. It was named after the wives, Eliza(beth) and (Al)ida, of the owners of the farms on which the town of Bethal was established.<sup>361</sup> Ironically, Bethal was also a biblically-inspired name, meaning the “abode of God”.<sup>362</sup> However, the name of the district came to stand for the incarnation of all evil.

Geographically the district of Bethal is located in the so-called “maize-triangle” of the fertile farming zone of the eastern Transvaal Highveld. The district produced 60% of the Union’s maize output by the 1940s.<sup>363</sup> The fertility of the district can, for example, be seen in the rainfall patterns recorded over a 21 year period for Bethal and Bloemhof, the latter district situated in the extreme south-west of the Transvaal. Bethal had an average of 75 centimetres of rainfall and produced nineteen good crops, two indifferent crops and had no crops failures. However, Bloemhof, with an average rainfall of 46 centimetres delivered only six good crops, had five indifferent

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<sup>360</sup> Sections of this chapter have been published in an article dealing with the historical veracity of the 50<sup>th</sup> commemoration of the Potato Boycott in 2008/2009. See: C.H. Muller, “Dealing with a hot potato: the commemoration of the 1959 “Potato Boycott”, in *Historia, The Journal of the Historical Association of South Africa*, 55 (2), Nov 2010, pp. 76-98.

<sup>361</sup> D. Richardson, *Historic sites of South Africa* (Cape Town: Struik, 2001), p. 252.

<sup>362</sup> M. Scott, *A time to speak* (London: Faber & Faber, 1958), p. 169. See also M.J. Murray, “Factories in the fields: capitalist farming in the Bethal district, c. 1910–1950”, in A.H. Jeeves and J. Crush (eds), *White farms, black labour: the state and agrarian change in Southern Africa, 1910–1950* (Portsmouth: Heinemann, 1997), pp. 76–77.

<sup>363</sup> M.J. Murray, “Factories in the fields: capitalist farming in the Bethal district, c. 1910–1950”, in A.H. Jeeves and J. Crush (eds), *White farms, black labour: The state and agrarian change in Southern Africa, 1910–1950* (Portsmouth: Heinemann, 1997), pp. 76–77.

crops and ten crop failures.<sup>364</sup> Farming in the Bethal district was thus very labour intensive. This fact, combined with several others, bestowed on the district its precarious reputation of labour abuse.

The historian M.J. Murray attributes Bethal's reputation for farm labour abuse to a number of factors. Firstly, commercial farmers in this area established "factories in the field" by contracting fulltime wage labourers who worked all year round in a highly productive and regulated environment. Secondly, the region was characterised by a constant appeal by farmers for more labour. Many of the farmers were not above illegally recruiting child labour and making extensive use of convicts to meet their labour needs. Most importantly, however, is that farmers in Bethal modelled their control of their labourers on coercive labour methods as was the custom on the mines of the Witwatersrand. This saw the introduction of active recruiting of young men as farm labourers, housing them in barbed-wire and heavily guarded compounds, and conferring on them an ideological subservience grounded in abusive treatment, inhumane living conditions and the exploitation of their fear.<sup>365</sup>

Already in 1947 Bethal's reputation of farm labour abuse led to an inspection of the farms by Reverend Michael Scott<sup>366</sup> and journalist Ruth First.<sup>367</sup> They were apparently met by local ANC leader, Gert Sibande, who showed them around the farms.<sup>368</sup> Sibande Gert Richard<sup>369</sup> Shadrack<sup>370</sup> Sibande or Nsibande,<sup>371</sup> was the son of farm labour tenants, and had become a farm labourer himself at the age of fifteen. He, however, seldom stayed for more than a year on any one farm. In the early 1930s he moved to Bethal and founded a Farm Workers' Association. Its main

<sup>364</sup> J.H. Wellington, *South African – a geographical study: Volume II, Economic and Human Geography*, (Cambridge: Cambridge University Press, 1955), pp. 3-8.

<sup>365</sup> M.J. Murray, "Factories in the fields: capitalist farming in the Bethal district, c. 1910–1950", in A.H. Jeeves and J. Crush (eds), *White farms, black labour: the state and agrarian change in Southern Africa, 1910–1950* (Portsmouth: Heinemann, 1997), pp. 76–77.

<sup>366</sup> Scott was a British born Anglican priest and outspoken anti-apartheid activist.

<sup>367</sup> M. Benson, *South Africa: The struggle for a birthright* (London: Penguin Books, 1966), p. 115; A. Yates and L. Chester, *The troublemaker: Michael Scott and his lonely struggle against injustice* (London: Aurum, 2006), p. 70. First was married to South African Communist Party leader, Joe Slovo, and was assassinated by the South African security police in 1982.

<sup>368</sup> M. Benson, *South Africa: The struggle for a birthright* (London: Penguin Books, 1966), p. 115; A. Yates and L. Chester, *The troublemaker: Michael Scott and his lonely struggle against injustice* (London: Aurum, 2006), p. 115.

<sup>369</sup> "Obituary: Gert Sibande", *Sechaba*, 6, 1987, p 31.

<sup>370</sup> M. Suttner, "Gert Sibande: Friend of the farm workers", *Weekly Mail*, 12 February 1987, p. 16.

<sup>371</sup> "Obituary: Gert Sibande", *Sechaba*, 6, 1987, p 31.



objective was to protect labour tenants whose crops were being confiscated by farmers. Having little success with this venture, Sibande joined the ANC and established an ANC branch in Bethal.<sup>372</sup> Due to his role in the ANC and some of the trade unions in the Eastern Transvaal, he came to be nicknamed “Lion of the East”.<sup>373</sup> According to the records of T.G. Karis and G.M. Carter he was banned from Bethal in 1953 as a result of his activism,<sup>374</sup> and moved to Evaton near Vereeniging.<sup>375</sup>

The first allegation made in public about the hapless and deplorable conditions suffered by farm labourers in the Bethal district was made by Michael Scott. According to Scott, the compound system was not akin to slavery; it was an even more malicious system:

Under even the most adverse conditions of slavery it was to the economic interest of the owners to ensure the survival, and even training in some occupations [of their slaves], to make provision for their housing and healthy upbringing. The compound labour system on the farms makes no attempt at any such provision. A man’s life and the lives of his family are worth nothing. All that he is worth is the work which he can be made to put in his contract. If that undermines his health, or breaks up his family, or destroys his soul, that is not the concern of his employer.<sup>376</sup>

Farmers in Bethal were outraged at Scott’s allegations and consequently summoned him to a meeting organised by the local Farmers’ Union. The meeting was attended by a representative of the NAD, the Native Commissioner, the chief of police, various farmers and a deputation of black labourers. The meeting soon took a radical turn when a woman in the audience cried out that Afrikaner motherhood had been

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<sup>372</sup> “Obituary: Gert Sibande”, *Sechaba*, 6, 1987, p. 31; M. Suttner, “Gert Sibande: Friend of the Farm Workers”, *Weekly Mail*, 12 February 1987, p. 16.

<sup>373</sup> T.G. Karis and G.M. Carter (eds), *From protest to challenge: A documentary history of African politics in South Africa 1882–1964, Volume 4, political profiles, 1882–1964* (Stanford: Hoover Institution Press, 1977), p. 140; “Obituary: Gert Sibande”, *Sechaba*, 6, 1987, p. 31.

<sup>374</sup> T.G. Karis and G.M. Carter (eds), *From protest to challenge: A documentary history of African politics in South Africa 1882–1964, Volume 4, political profiles, 1882–1964* (Stanford: Hoover Institution Press, 1977), p. 140.

<sup>375</sup> M. Suttner, “Gert Sibande: friend of the farm workers”, *Weekly Mail*, 12 February 1987, p. 16.

<sup>376</sup> M. Scott, *A time to speak* (London: Faber & Faber, 1958), p. 179.

insulted by the Reverend's allegations. Scott was hurriedly removed from the premises and kept in the police station for his own safety.<sup>377</sup>

Nevertheless, Scott's allegations did nothing to bring improvement. Indeed, in March 1952 the same abysmal conditions were again exposed in *Drum* magazine by journalist Henry Nxumalo. He wrote an in-depth article on the treatment of farm labourers in the Bethal district.<sup>378</sup> He claimed that the compounds "looked much like jails: they have high walls, they are dirty, and are often so close to a cattle kraal that the labourers breathe nearly the same air as the cattle".<sup>379</sup> Sibande was quoted in the *Drum* article in which he stated categorically that he had no intention whatsoever of relenting his crusade to improve conditions on farms. He continued to call on farmers to treat their farm workers better.<sup>380</sup>

Reacting to this criticism the *Drum* article elicited, the then Minister of Native Affairs, H.F. Verwoerd, stated in parliament that it was a most unjust attack by the magazine and that there was no need for an enquiry into the farm labour system.<sup>381</sup> But there was ample evidence to the contrary. According to the NAD, 29 known complaints had been submitted to the Department in 1951 and 1952 by labourers who alleged suffering abuse at the hands of Bethal farmers. The Farm Labour Inspector apparently investigated these cases, but there was no mention of a report; nor was there any response to the labourers' accusations from the NAD.<sup>382</sup> The newspaper, *Die Transvaler*, accordingly launched its own investigation into *Drum's* allegations. The pro-NP daily apparently found no grounds for the accusations made in *Drum* and claimed instead that they found neat compounds, most with showers and other amenities, good food and contented farm workers.<sup>383</sup>

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<sup>377</sup> M. Scott, *A time to speak* (London: Faber & Faber, 1958), pp. 181-184.

<sup>378</sup> A. Sampson, *Drum: the making of a magazine* (Johannesburg and Cape Town: Jonathan Ball, 2004), p. 23.

<sup>379</sup> A. Sampson, *Drum: the making of a magazine* (Johannesburg and Cape Town: Jonathan Ball, 2004), p. 23.

<sup>380</sup> H. Nxumalo, "Bethal Today: *Drum's* fearless exposure of human exploitation", *Drum*, March 1952, p. 8.

<sup>381</sup> A. Sampson, *Drum: the making of a magazine* (Jonathan Ball, Johannesburg and Cape Town, 2004), p. 32.

<sup>382</sup> Parliamentary Debates (Hereafter: *Hansard*), vol 77, 7 March 1952, col. 2655.

<sup>383</sup> "Boere gebelgd oor stories", *Die Transvaler*, 25 March 1952, p. 5.

The *Drum* article did in fact lead to a government sanctioned inspection of farms in Bethal by a Committee convened by the State Information Office in April 1952. The Committee consisted of labour officer, N.A. Whitechurch, who represented the Union and the governments of Nyasaland and Northern Rhodesia; L.M. Wiid, from the South African Press Association; K.G. Coleman, an official from the State Information Office; A. de Vos Marais, Inspector of the NAD; and also *Drum* journalist, Nxumalo and the ANC's Bethal branch chairman, Sibande. Nxumalo and Sibande were specifically included on the Committee to point out the farms where interviews were conducted and photographs were taken of the alleged abuses.<sup>384</sup> The Committee found that the article was:

a piece of dishonest journalism, in which allegations of bad conditions still existing [on farms] are bolstered up by inaccurate reporting, irrelevant interviews, long recapitulation of incidents in former years and the presentation of photographs and captions in such a way as to give the impression that greater evil exists than are actually stated.<sup>385</sup>

As an example of this assertion the Committee report referred to several photographs which either had misleading captions or which were specifically left ambiguous to imply abuse. One particular photograph for example showed a black horseman with a whip in his hand in a field of crops where another labourer can be seen walking behind a team of oxen. The report stated: "It is difficult to see how readers – and particularly those uneducated Natives ... can avoid the impression ... at first glance, that the Native in the White shirt is working under the threat of the whip".<sup>386</sup> (See Figure 2) However, Nxumalo told the Committee that there were in fact no complaints of beatings on this specific farm when he did his original inspection of it. It would seem that the horse rider had controlled the oxen with the whip as the other worker walked behind the animals.<sup>387</sup> A photograph of a young

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<sup>384</sup> National Archives of South Africa, Pretoria: Central Archives Depot (Hereafter SAB), Information (Hereafter: INL), 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 1.

<sup>385</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 1.

<sup>386</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 4.

<sup>387</sup> This photograph has become a poster photo for representing coercive labour treatment on farms. It has been published in R. First's, *Exposure! the farm labour scandal (1959)*, p. 12,

man who apparently had sores on his one hand from digging out potatoes from the soil was also found to be misleading. The boy, Fred Kombogsa, interviewed by the Committee stated that “he had a pimple on his little finger some time previously. He had scratched it, and it had developed into a sore, which had since healed”. The Committee found Kombogsa in a field with several other labourers “removing potatoes from the ground after they had been loosened by a machine” and none of them had any sores on their hands from the task they were engaged in.<sup>388</sup>



**Figure 2: “Under the supervision of a ‘boss-boy’”.**

**From: R. First’s, *Exposure! the farm labour scandal* (1959), p. 12, with the caption: “Whip aloft, the ‘bossboy’ herds the workers to the lands”; R. Ainslie, *Masters and serfs, farm labour in South Africa* (International Defense and Aid Fund for Southern Africa, London, 1977), p. 23, with the caption: “under the supervision of a “boss boy””.**

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with the caption: “Whip aloft, the ‘bossboy’ herds the workers to the lands”; R. Ainslie, *Masters and serfs, farm labour in South Africa* (London: International Defense and Aid Fund for Southern Africa, 1977), p. 23, with the caption: “under the supervision of a “boss boy””.

<sup>388</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 6.

The Committee commented in its report that it was clear from the misleading way in which the facts in the article were presented and the photographs were captioned that the “main object of the original article was to increase circulation by a ‘sensational exposure’ of conditions, and that accuracy and a factual approach were regarded as entirely secondary”.<sup>389</sup> Nevertheless the report was also frank in stating that there were indeed “bad practices” on some of the farms that Nxumalo pointed out and listed the following problems that were observed on these farms:

1. The withholding of all wages until the end of the six months’ contract.
2. The placing of Native guards at the entrances of compounds at night to prevent boys from escaping.
3. The introduction on contracts, by means of rubber stamps, of a deferred payment system for tropical natives requiring them to draw the pay so deferred at recruiting agency headquarters in Johannesburg and probably introduced without the request to understanding of the boys concerned.
4. The provision of unhealthy and inadequate compounds, kitchen, etc.
5. Failure to provide adequate clothing.<sup>390</sup>

According to the report “adequate” food rations were provided and there was no evidence of the “use of the sjambok or unduly arduous work”.<sup>391</sup> It concluded that one of the main reasons that conditions were so bad was the fact that many farmers did not have the necessary capital to bring about improvements to the compounds on their farms.<sup>392</sup>

In May 1952 the debate in parliament also brought into the spotlight the controversy surrounding the establishment of prisons in rural areas from where farmers could obtain labour. In 1952 Bethal had four prison outstations for this purpose.<sup>393</sup> Speaking on behalf of the UP, opposition MP, S. Kahn, stated that he had visited the

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<sup>389</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 8.

<sup>390</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 9.

<sup>391</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 10.

<sup>392</sup> SAB, INL 1/2/40, 19/1/3, Binnelandse Pers: algemene korrespondensie African Drum: Bethal Article, Report on Bethal Trip, April 1-2, 1952, p. 10.

<sup>393</sup> *Hansard*, vol 77, 4 March 1952, col. 2417.

Bethal area and inspected both private farms and the state run prison outstations in this region. He accordingly informed the Minister of Justice, C.R. Swart, that the “buildings in which the convicts are housed are far better than the average building found on farms in Bethal”.<sup>394</sup>

Kahn was, however, less impressed with his observation that some of the convict labourers who were working on a farm in Bethal had to “dig into the cold heavy soil to remove potatoes” with their “bare hands”, following a tractor that was loosening the soil.<sup>395</sup> In response NP MP for the Bethal/Middelburg districts, J.T. Bezuidenhout, stated that as a farmer he had to do that many times himself. To which Kahn responded: “I daresay the hon. Member has done it himself, but he has not done it with somebody with an assegai just behind him, or somebody with a knopkierie behind him”.<sup>396</sup> Bezuidenhout indignantly replied that he was not a convict and therefore had not the need to be guarded. Kahn mockingly retorted: “I only have your word for it and I accept your word.” According to Kahn:

Doctors themselves report that the high incidence of illness (among farm labourers and convicts) is the result of low and poor physique... . There is a very high incidence of disease and a very high incidence of deaths, because these labourers ... have no resistance whatsoever to disease. And these conditions in Bethal, despite the magnificent effort of the Rev. Michael Scott, have not yet been improved sufficiently to justify giving a whitewash to the Bethal district at the moment.<sup>397</sup>

Although the debate was essentially about the establishment of prisons in rural areas from where farmers could hire convict labourers, it is evident that the opposition in parliament also wanted to highlight some of the alleged abuses that had occurred on Bethal farms with the farm labour scheme. This basically saw the compound system, as was custom in the mining sector, being implemented on private farms. Kahn, for example, repeatedly made the point that “so-called free labour ... are not free” and

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<sup>394</sup> *Hansard*, vol 77, 1 May 1952, col. 4784.

<sup>395</sup> *Hansard*, vol 77, 1 May 1952, col. 4785.

<sup>396</sup> *Hansard*, vol 77, 1 May 1952, col. 4785.

<sup>397</sup> *Hansard*, vol 77, 1 May 1952, col. 4785 & 4786.

that the “repercussions of the unfortunate use of convict labour upon free labour [was] that it is a deadly blow against free labour”.<sup>398</sup>

Bethal may have had a reputation that put the “system of slavery to shame”, but by the late 1950s it was not unique in this respect. The cries of exploitation resounded on farms throughout the eastern Transvaal Highveld. The steady flow of letters from farmers calling for more labourers was countered and matched by letters from labourers, written to the same Department, complaining of ill-treatment and abuse by their employers. The appeals for help from farm labourers were not unique to the 1950s, but there appears to have been a dramatic increase in the number of such letters to the NAD during this period. This can be attributed to the state’s fervent clampdown on black labourers and the implementation of coercive measures that tied them contractually to South African farms. The labourers’ letters, often indicative of utter hopelessness and despair, made allegations of various injustices and cruelties committed on farms. A randomly selected letter, written in 1955 by labourers Jacob Makfela and Samuel Sebhedi on behalf of themselves and the other labourers on a particular farm in the Transvaal, reads as follows (quoted verbatim):

Greetings we are sorry to let you know that we are having too much complains about the company of Mr H Bledden here we are kept like dogs we think even the dogs are even better. So all the servant is about fifty we are all complaining when going to work we start from four a.m and the food we are eating is just rubbish and we just eat our breakfast no dinner till we are coming to eat the evening and the potatoes we are reaping we just take them out with our fingers they don’t take them out with the plough then when when working we are thrashed. We are working from four to six evening. Then we ask for help from you we think our complains will be well received by the commissioner.<sup>399</sup>

Throughout the mid 1950s, allegations of abuse surfaced and were sporadically reported on, sending shockwaves through the country.<sup>400</sup> However, 1959 saw a Vesuvian outburst of farm labour scandal allegations. The allegations became an unstoppable avalanche of press exposés, court cases, protest action and

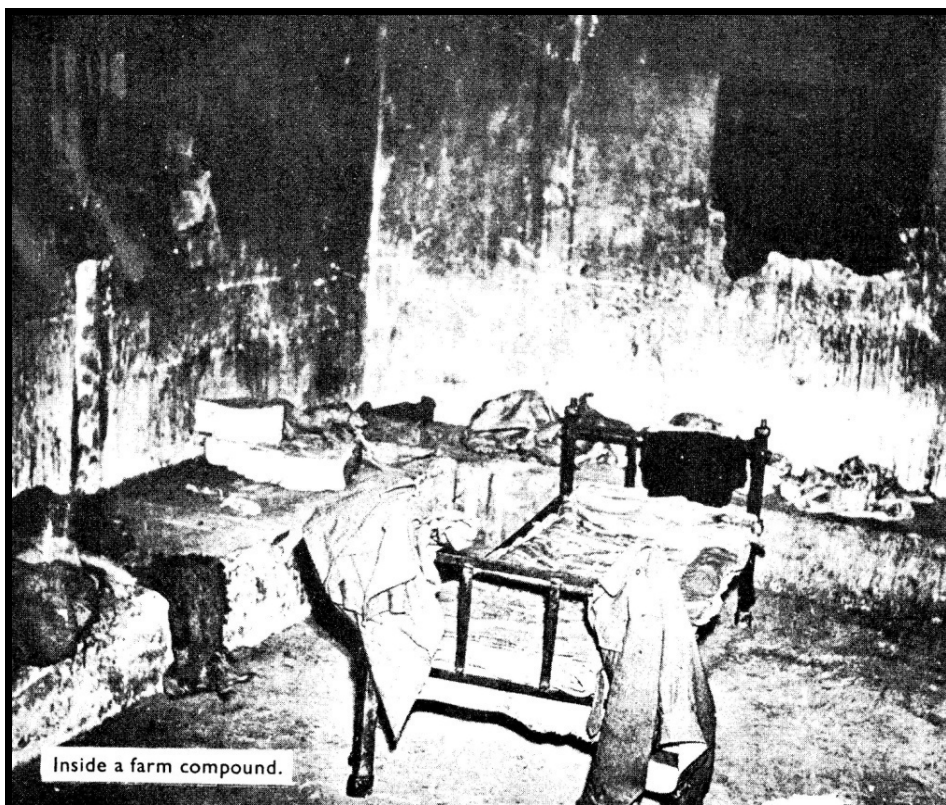
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<sup>398</sup> *Hansard*, vol 77, 1 May 1952, col. 4794.

<sup>399</sup> SAB, Native Affairs (hereafter NTS), 2271, 741/280(3), Arbeidstoestande op die Plaas Kalabasfontein, Letter dated 8 June 1955.

<sup>400</sup> See for example: H. Watts, “Shanghai-ed” in *Fighting Talk*, Vol 11, no 7, August 1957.

commissions of enquiry. The only difference was that now the exposés had gained another dimension. Instead of just focusing on the abuse that many labourers endured, a vehement attack was now to be launched by the leftist and liberal press, with the support of various other organisations, on the legality of the farm labour scheme. By attacking the roots of the system it was hoped that the trunk and branches of molestation would finally be felled.



**Figure 3: “Inside of a farm compound”.**

**From: R. First, *Exposure! The farm labour scandal*, p. 18.**



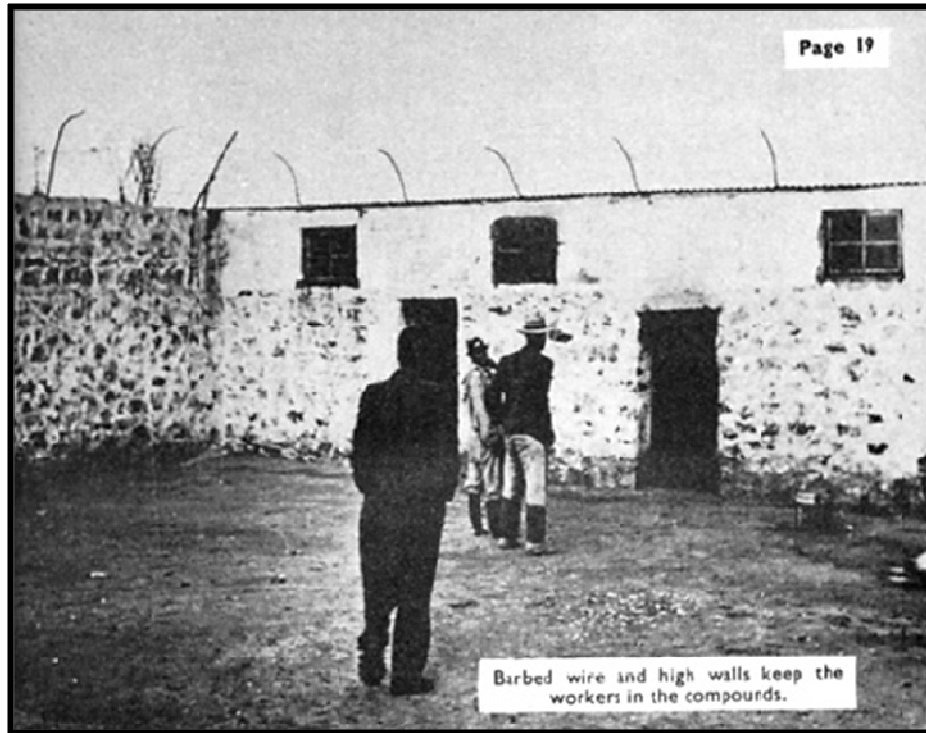


Figure 4: “Barbed wire and huge walls keep the workers in the compounds.”

From: R. First, *Exposure! The farm labour scandal*, p. 19.



Figure 5: “Huddled in the rain under sacks these workers wait to go into the fields.”

From: R. First, *Exposure! The farm labour scandal*, p. 18.

## 4.2 Media hype and parliamentary furore

The charge on the legality of the farm labour scheme was led by the South African press, armed with their respective liberal, leftist, nationalist and conservative weaponry. The *Rand Daily Mail* published an editorial in which it defended, but also questioned, some aspects of the scheme:

The farm labour scheme itself is not necessarily wrong merely because it is badly – and in some instances inhumanly carried out. There is, on the face of it good sense in giving a man the option of working on a farm for pay as an alternative to going to gaol or of being fined. But officials should satisfy themselves that he knows the full implications of his choice, and there should be no effort to coerce him. The evidence so far points to a good deal of what looks remarkably like railroading.<sup>401</sup>

However, neither the farmers nor the government saw the reporting on the scheme by the English press as objective. In an angry letter to the *Rand Daily Mail*, one farmer wrote that although he was not a NP supporter, he felt that the paper was biased in its reporting. He further added that most of the men arrested under the scheme were “tsotsies (sic) [who] won’t work” and this made it mandatory to lock them up.<sup>402</sup> In parliament the Minister of Bantu Administration and Development, M.D.C. de Wet Nel, accused the opposition of enticing the English press into subjective, biased reporting.<sup>403</sup>

If the liberal English press took a critical and sympathetic stance on the issue, the leftist communist paper, *New Age*, undertook to expose every alleged abuse, murder and irregularity with ardour. The editor of the paper, Ruth First, took a personal interest in the matter and published a pamphlet in 1959 entitled: *Exposure! The Farm Labour Scandal*, in which she explained the workings of the scheme. She also educated the labourers on their rights should they find themselves caught up in the unrelenting clutches of this controversial system.<sup>404</sup> As the scheme began to unravel

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<sup>401</sup> “That farm labour”, *Rand Daily Mail*, 26 May 1959, p. 8.

<sup>402</sup> Letter: M.E. Jorsh, “200 Farm hands deserted him”, *Rand Daily Mail*, 24 June 1959, p. 4.

<sup>403</sup> *Hansard*, vol 102, 16 June 1959, col. 8575.

<sup>404</sup> R. First, *Exposure! The farm labour scandal* (S.I. 1959), p. 7. See also: R. First, “Bethal case-book” in *Africa South*, 2/3 (1958).

and more cases of maltreatment came under the spotlight, *New Age* continued to report on the plight of farm workers in South Africa.

The conservative Afrikaans press responded to the allegations by highlighting the official government stance on the issue and focused on showing the “positive aspects” of the scheme. *Die Vaderland* instigated its own investigation. In one of their self-professed major scoops, they reported that black labourers exploited the situation by periodically staying away from their jobs in urban areas; when they returned they said that the farm labour scheme was to blame for their absence. They claimed that they were arrested and sent to farms, but managed to escape and make their way back to town on foot.<sup>405</sup>

The Black Sash, a liberal women’s organisation that took a keen interest in exposing atrocities under the farm labour scheme, was also assailed in *Die Vaderland* when certain claims the organisation made proved false.<sup>406</sup> For example, M. Blaine, the Black Sash president, claimed there was a “cage” at the Wynberg Labour Bureau in which blacks were cooped up while awaiting collection by farmers.<sup>407</sup> However, an investigation by *Die Vaderland*, showed that the supposed “*martelhok*” (torture cage), was in fact a fenced-in courtyard between the holding cell of the Wynberg police station and the adjoining magistrate’s court. Nor was the “cage” at the Labour Bureau offices as Blaine had asserted.<sup>408</sup> She later attributed the mistake to a “black” constable who directed her towards “the cage” when she asked for directions to the Labour Bureau.<sup>409</sup>

The Afrikaans press was not only critical of the alleged scandals. *Die Landbouweekblad*, a leading farmers’ weekly periodical, specifically refrained from publishing any articles acknowledging the volatile farm labour situation, but Reverend E.H. Botha, in his column in the periodical, dared to suggest that farmers should treat

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<sup>405</sup> “Bantoes hou vakansie: kla hulle is onwettig na plase gestuur”, *Die Vaderland*, 9 June 1959, p. 1.

<sup>406</sup> “Black Sash is to probe farm labour system”, *Rand Daily Mail*, 21 May 1959, p. 1.

<sup>407</sup> “Black Sash vs *Die Vaderland*: Verhaal van traliehok”, *Die Vaderland*, 5 June 1959, p. 8.

<sup>408</sup> “Die Martelhok van Wynberg. Ons daag die Black Sash uit: Erken dat julle ‘n bok geskiet het”, *Die Vaderland*, 5 June 1959, p. 8.

<sup>409</sup> “Die Martelhok van Wynberg. Ons Daag die Black Sash uit: Erken dat julle ‘n bok geskiet het”, *Die Vaderland*, 5 June 1959, p. 8.

their workers with “more dignity and respect”.<sup>410</sup> Botha’s insinuations elicited livid reactions from farmers, who in no uncertain terms told him to restrict himself to matters of the church and keep his nose out of farming and the relationship between farmers and their workers.<sup>411</sup>

The allegations of abuse and irregularities regarding the scheme were not just confined to the South African press, but even made headlines in Brazil.<sup>412</sup> The São Paulo newspaper, *Folha da Tarde*, ran in-depth coverage on the happenings back in South Africa. The translated heading of the article read: “Enslavement of prisoners on the white man’s farms in the Union of South Africa”.<sup>413</sup> According to the Union’s Honorary Consul in São Paulo, the article caused some comment in Brazil and that

the published article is one which certainly will be interpreted by the average Brazilian demonstrating harsh treatment of blacks in the Union whereas the same facts might well have been presented in such a way as to show what fatherly interest Union authorities take to protect them.<sup>414</sup>

Ominously, the name of the journalist was forwarded to the South African government, as “Pretoria [may wish] to investigate the author of the report, Henri Choup and possibly restrain him from sending to Brazil messages on racial questions which can easily be misunderstood or misinterpreted here”.<sup>415</sup>

The abuse allegations were also the subject of discussion in the British House of Commons. Labour Party MP James Johnson was especially concerned about the treatment of foreign blacks from Nyasaland and Northern Rhodesia on South African farms. This was after a labourer from Nyasaland, John Musa, was arrested in Alexandra and taken to a maize farm. Musa was later released after a *habeas*

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<sup>410</sup> E.H. Botha, “Handel ek reg?”, *Die Landbouweekblad*, 1 September 1959, p. 75.

<sup>411</sup> Letters: S.J. Geldenhuys, “Hoe behandel ons boere hul arbeiders?” and D.P. Toit, “Handel ek reg?”, *Die Landbouweekblad*, 22 September 1959, p. 11.

<sup>412</sup> SAB, NTS 2272, 741/280 (deel ii), correspondence between B.J. Jarvie, Minister of the Union in Brazil, and the secretary for external affairs, 09 June 1959.

<sup>413</sup> SAB, NTS 2272, 741/280 (deel ii), correspondence between B.J. Jarvie, Minister of the Union in Brazil, and the secretary for external affairs, 09 June 1959.

<sup>414</sup> SAB, NTS 2272, 741/280 (deel ii), correspondence between B.J. Jarvie, Minister of the Union in Brazil, and the secretary for external affairs, 09 June 1959.

<sup>415</sup> SAB, NTS 2272, 741/280 (deel ii), correspondence between B.J. Jarvie, Minister of the Union in Brazil, and the secretary for external affairs, 09 June 1959.

*corpus* case was made. There was evidence that he was severely beaten on the farm.<sup>416</sup> Johnson wanted to know whether labour representatives from Nyasaland and Northern Rhodesia would be allowed to inspect farms where foreign blacks were employed. According to Johnson he had received 12 sworn statements from labourers alleging that they had been abused on farms.<sup>417</sup> Arrangements were made for a labour representative to accompany the Farm Labour Inspector on his next inspections of farms in the Highveld region. Although the Farm Labour Inspector did forward an itinerary with the names of farms and dates on which he was going to carry out his next inspections, no information could be traced that indicated that a labour representative of foreign labourers on the Union's farms did accompany the Inspector during his visit.<sup>418</sup>

On a legal level an attorney, Joel Carlson, wrote a letter on 12 May 1959 to the Minister of Bantu Administration in which he wished to draw the attention of the Minister to the "abuses and irregularities attendant upon the farm labour scheme and to the high incidence of arrests and wrongful detention of natives on farms, on some of which, conditions of the utmost degradation and brutality prevail".<sup>419</sup> Carlson proceeded to highlight the "disturbing features of the scheme". He pointed out that blacks arrested for the petty offences were neither charged nor brought before court and accused the police of being more "concerned with procuring farm labour than preventing crime". Secondly, he indicated that no inspections of the farms and the living and working conditions of the workers were being conducted. Lastly he added:

Volunteer labourers are not given an opportunity of communicating with family, friends or employers to advise them on their sudden departure to the farms. Once on the farms they are kept under guard, locked up at night and during the weekends. To their families they are completely lost. Labourers have died on farms without their families being notified, nor have the labour bureaus which supplied the labour initiated any enquiries.<sup>420</sup>

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<sup>416</sup> "Commons will debate S.A. farm labour", *The Star*, 20 June 1959, p. 1.

<sup>417</sup> "Britte vra vrae oor plaasarbeidskema", *Vaderland*, 26 June 1959.

<sup>418</sup> SAB, NTS 2272, 741/280 (deel 2), Plaasarbeidtoestande – algemene navrae en klagtes.

<sup>419</sup> SAB, NTS 2250, 646/280, Part 3, Scheme for the employment of Petty Offenders, Letter from J. Carlson to the Minister of Bantu Affairs and Administration, date: 12 May 1959.

<sup>420</sup> SAB, NTS 2250, 646/280, Part 3, Scheme for the employment of Petty Offenders, Letter from J. Carlson to the Minister of Bantu Affairs and Administration, date: 12 May 1959.

Carlson then went on to make a very important point, in that, “the scheme as it exists today has no statutory or common law basis”. He added:

Its illegality is so much in doubt that a request made, on behalf of the family, to the Labour Bureau official or the farmer concerned is sufficient to ensure the immediate release of the volunteers.<sup>421</sup>

In response to Carlson’s letter the Private Secretary of the Minister replied that:

... it is contrary to policy to institute legal proceedings against these Bantu whose numbers in respect of the Witwatersrand alone involve thousands per month as it is in their interest to be placed with individual employers rather than to be prosecuted and fined or imprisoned.<sup>422</sup>

The letter went on to point out to Carlson that the Department of Bantu Administration and Development (BADD) did in fact employ a full time Farm Labour Inspector who carried out inspections on farms and who had to “ensure that the general welfare of such Bantu and the relationship between them and their employers are promoted”.<sup>423</sup>

The Minister of Bantu Administration and Development, M.D.C. de Wet Nel, made it apparent that he was outraged by the allegations against farmers. Defending farmers in parliament, he singled out the English press and the Black Sash as the main antagonists, claiming that the Black Sash was “besmirching” South Africa.<sup>424</sup> He also lauded the farmers in paternalist rhetoric, adding:

There is no section of our people who treat their servants as justly, as humanely and as fairly as the farmers. I challenge hon. Members to deny this. We find a personal relationship between employer and the employee. They do not only take the worker into their employ, but they also accept his family on the farm. They look after the women and

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<sup>421</sup> SAB, NTS 2250, 646/280, Part 3, Scheme for the employment of Petty Offenders, Letter from J. Carlson to the Minister of Bantu Affairs and Administration, date: 12 May 1959.

<sup>422</sup> SAB, NTS 2250, 646/280, Part 3, Scheme for the employment of Petty Offenders, Letter from Private Secretary to J. Carlson, No Date.

<sup>423</sup> SAB, NTS 2250, 646/280, Part 3, Scheme for the employment of Petty Offenders, Letter from Private Secretary to J. Carlson, No Date.

<sup>424</sup> *Hansard*, vol 102, 16 June 1959, col. 8199.

children. They feel that this is part of their duty. They provide those Natives with the clothing, food and medical services they require.<sup>425</sup>

However, the Minister did go on to concede that there were farmers who abused their workers.<sup>426</sup> In response the UP launched snarling attacks on the Minister's paternalist rhetoric; the farm labour system; and the BADD's ineptness in giving account of the scheme.<sup>427</sup> Helen Suzman, opposition MP for Houghton, especially came under fire from the NP MP's during the debates on the farm labour issue for she allegedly would have had brought the name of all farmers in South Africa in disrepute with her condemnation of the scheme. However, from the minutes of the parliamentary debates it is clear that the NP MP's were adamant to generalise the issue and score cheap political points. Suzman was outraged:

... the real scandal about this whole business is the Government's reaction to our (i.e. the opposition) raising this matter in this House, the Government's reaction to the abuses which we have been exposing outside this House and to our efforts inside this house to try to get some clarity as to the Government's policy in this regard. The other scandal ... is the Government's attempt to turn this whole attack which we have made this morning against this system ... into an attack from this side of the House on the farming community as a whole. ... I was not attacking the farming community as a whole ... what I was attacking was the forced labour system on the farms which I said was open to abuse, had been badly administrated and was hopelessly badly supervised.<sup>428</sup>

*Die Transvaler* in turn accused the UP of malicious jealousy, because farmers supported the NP rather than the UP. The newspaper went on to issue a stern warning to farmers that should they withdraw their votes from the NP, the UP would surely destroy their integrity.<sup>429</sup>

The debates in the House of Assembly took an even more dramatic and prejudiced turn. Certain NP members adopted an anti-Semitic stance in defending farmers. Suzman and Dr Boris Wilson, opposition MP for Hospitaal, were subjected to racist attacks in a parliamentary debate that raged for more than four and a half hours.

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<sup>425</sup> *Hansard*, vol 102, 16 June 1959, col. 8199.

<sup>426</sup> *Hansard*, vol 102, 16 June 1959, col. 8201.

<sup>427</sup> "V.P. se skandalige aanval op boere in Volksraad", *Die Transvaler*, 18 June 1959, p. 10.

<sup>428</sup> *Hansard*, vol 102, 17 June 1959, col. 8278.

<sup>429</sup> "V.P. se skandalige aanval op boere in Volksraad", *Die Transvaler*, 18 June 1959, p. 10.

Suzman was told: “you should be saying that in a Johannesburg synagogue, not in this House.” These remarks emerged when it was established that some of the farmers who were subjected to *habeas corpus* cases were Jewish.<sup>430</sup> Suzman, however, was not sympathetic to the religion of the farmers being implicated in the scheme and firmly stated:

I want to say here and now that I do not care whether the farmers who are abusing this system are of the Jewish religion, of the Dutch Reformed Church religion, the Presbyterian religion, the Protestant religion, the Anglican religion, or the Catholic religion. ... All are open to reproach for having employed such a system, and I stand four-square behind the Rabi (of Johannesburg) in the remarks that he made about Jewish farmers using such labour, and I think it would be a good thing if churchmen of other denominations did the same thing.<sup>431</sup>

However, the situation took a dramatic turn when the BADD deputy Minister, F.E. Mentz, stated in the House of Assembly that “not a single Native is working as a farm labourer in lieu of prosecution for minor offences”.<sup>432</sup> According to Mentz, the blacks reported at labour bureaus of their own accord and the police merely referred them there.<sup>433</sup> An outrage followed because this statement was riddled with misrepresentations. Lawyer Carlson protested that the “statement is contrary to all the accumulated evidence on the farm labour scheme and in conflict with countless affidavits presented to the courts”.<sup>434</sup> But more significantly, it contradicted General Circular No. 23 of 1954 that clearly explained the operation of the scheme.

In another twist of events, farmers started returning labourers to the bureaus.<sup>435</sup> Some farmers saw themselves as the real victims of the unfolding drama.<sup>436</sup> The high rate of absconding and the possibility of being dragged into lengthy, expensive legal battles placed further pressure on them and encouraged farmers to release their

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<sup>430</sup> “Nat. attack on Wilson and Mrs Suzman”, p. 1; “Mrs Suzman condemns farm labour scheme”, *Rand Daily Mail*, 18 June 1959, p. 2.

<sup>431</sup> *Hansard*, vol 102, 17 June 1959, col. 8279.

<sup>432</sup> “Statement by Mentz causes resentment”, *The Star*, 8 June 1959, p. 1.

<sup>433</sup> “Aantygings ontken: Mnr Mentz verdedig skema van plaasarbeid in raad”, *Die Vaderland*, 5 June 1959.

<sup>434</sup> “Statement by Mentz causes resentment”, *The Star*, 8 June 1959, p. 1.

<sup>435</sup> “Farmers bring Natives back by lorry load”, *The Star*, 8 June 1959, p. 1; “Farm slave scheme cracks: some farmers release all their workers”, *New Age*, 11 June 1959, p. 1.

<sup>436</sup> “Farmers bring Natives back by lorry load”, *The Star*, 8 June 1959, p. 1.



workers.<sup>437</sup> On the other hand, the BADD reported that the supply of farm labourers was rapidly drying up at the regional offices in Johannesburg and Alexandra. Where the bureaus were usually able to supply on average 100 to 200 workers each month, it had become increasingly difficult to find labourers who were prepared to work on farms.<sup>438</sup>

The next crippling blow came when the scheme's legality was questioned in court. In one of numerous court cases a farm labourer, W. Dube, testified that he was not given the option to turn down farm labour. He claimed he was forced to put his thumbprint on a contract.<sup>439</sup> The judge was incensed and demanded to be told of the statutory authority behind the farm labour scheme. The Bantu Commissioner hesitantly replied that it operated on a voluntary basis, but added that there might be a slight technical illegality in the scheme. The judge retorted: "in law there are no grades of legality. A thing is legal or illegal". The Commissioner did his best to divert the responsibility away from the BADD, blaming the SAP for irregularities in the scheme.<sup>440</sup> But this assertion clearly lacked validity. At an interdepartmental conference in 1950 the SAP had informed the then NAD that the scheme had no legal justification because once an arrest was made according to law, the detainee had to be charged and appear in court.<sup>441</sup> By 1958, there were already signs of irritation among certain SAP officials when the deputy commissioners of Natal and Kimberley expressed their dissatisfaction with the scheme, saying that it was not only a waste of state resources but that blacks also viewed it as forced labour.<sup>442</sup> The Deputy Commissioner of the Transvaal also hinted at trouble ahead when he said that the "controversial farm labour scheme could have profoundly negative consequences for the state".<sup>443</sup>

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<sup>437</sup> "Farm slave scheme cracks: some farmers release all their workers", *New Age*, 11 June 1959, p. 1.

<sup>438</sup> "No Natives for farm labour", *The Star*, 11 June 1959, p. 1.

<sup>439</sup> "Native Says he was Not Given Option", *The Star*, 11 June 1959, p. 1.

<sup>440</sup> "Judge queries legality of farm labour scheme", *New Age*, 11 June 1959, p. 3.

<sup>441</sup> SAB, Commissioner of the South African Police (hereafter SAP), 495, 15/6/52/1, "Memorandum. Insake Naturelle Arbeidskema", 28 February 1958, p. 1.

<sup>442</sup> SAB, SAP 495, 15/6/52/1 Commissioner of the SAP, "Memorandum. Insake Naturelle-arbeidskema", p. 1.

<sup>443</sup> SAB, SAP 495, 15/6/52/1 Commissioner of the SAP "Memorandum. Insake Naturelle-arbeidskema", p. 4.

The vehement attacks in parliament only served to contribute to an unavoidable outcome – the farm labour scheme was showing signs of decay. At the beginning of June 1959, an official from the BADD still maintained that the only flaw in the farm labour scheme was that there was no guarantee that once taken to a farm, a worker would receive good treatment.<sup>444</sup> While the media hype, general outrage and parallel political furore in parliament persisted, the ANC concomitantly launched its own protest movement against the scheme and the abuses. The Potato Boycott was to become the climax in the protest reaction against the farm labour scheme.

### 4.3 The 1959 Potato Boycott

According to T.G. Karis and G.M. Gerhart, ANC activist Robert Resha<sup>445</sup> called for a boycott of potatoes at the ANC's national Anti-Pass Conference in Johannesburg on 31 May 1959.<sup>446</sup> The boycott was instigated in protest at the suffering that farm labourers endured on farms and the coercive nature of the farm labour scheme.<sup>447</sup> A call was made to black people to withhold their purchasing power from particular retail establishments and specifically not to buy potatoes.<sup>448</sup> It was claimed that black economic power could become a "devastating weapon" because blacks contributed about £400 million to South Africa's economy on an annual basis.<sup>449</sup> . At the time emotions were running high because the Conference coincided with the banning of ANC president, Chief Albert J. Luthuli by the NP government.<sup>450</sup>

The boycott was not an immediate success. Newspapers reported that blacks were still buying potatoes at the markets for some time after the embargo commenced.<sup>451</sup> (See Figure 6) However, the campaign began to gain momentum after several protest marches to markets in Johannesburg. Dressed in hessian sacks and with

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<sup>444</sup> "Flaw in system, says official", *Rand Daily Mail*, 28 May 1959, p. 11.

<sup>445</sup> T.G. Karis & G.M. Gerhart (eds), *From protest to challenge, a documentary history of African politics in South Africa 1882-1964, Volume 3: challenge and violence 1953-1964* (Stanford: Hoover Institution Press, 1977), p. 292.

<sup>446</sup> "Potato boycott launched", *New Age*, 4 June 1959, p. 1; T.G. Karis & G.M. Gerhart (eds), *From protest to challenge, a documentary history of African politics in South Africa 1882-1964, Volume 3: challenge and violence 1953-1964* (Stanford: Hoover Institution Press, 1977), p. 292.

<sup>447</sup> "Potato boycott launched", *New Age*, 4 June 1959, p. 1.

<sup>448</sup> "ANC call for ban on buying of potatoes", *Rand Daily Mail*, 1 June 1959, p. 1.

<sup>449</sup> "Potato boycott launched", *New Age*, 4 June 1959, p. 1

<sup>450</sup> "Potato boycott launched", *New Age*, 4 June 1959, p. 1

<sup>451</sup> "No potato boycott here", *The Star*, 2 June 1959, p. 5.

potato necklaces strung around their necks, boycott supporters paraded through the streets with banners stating: “Potatoes are produced with slave labour” and “Don’t eat potatoes – Don’t buy chips”.<sup>452</sup> (See Figure 7) In defiance the *Transvaler* reported that the parade drew only a few protesters and elicited little public support.<sup>453</sup>



**Figure 6: Blacks buying potatoes at the Newtown Market in Johannesburg after the commencement of the Potato Boycott.**

From: *The Star*, 02 June 1959, p. 5.



**Figure 7: ANC members in Langa location taking part in the Potato Boycott. Note the wearing of Hessian sacks and the potato necklaces strung around their necks.**

From: *New Age*, 5(38), 09 Jul 1959.

<sup>452</sup> “Boycott parade with necklaces of – potatoes”, *The Star*, 15 June 1959, p. 3.

<sup>453</sup> “Die Aartappel-betoging lewer net pap patat”, *Die Transvaler*, 16 June 1959, p. 7.

On 31 August 1959 the ANC called off the boycott.<sup>454</sup> Luthuli thanked all those who had participated in the campaign, adding: “I hope those white farmers of South Africa who are guilty of treating their African workers in atrocious ways will repent ... respect for moral standards of behaviour demands this of them”.<sup>455</sup> The ANC realised that the boycott had not changed farm labour conditions substantially; it did, however, unite black people in protesting for a common goal and purpose.<sup>456</sup> This was something that would stand them in good stead in the decades to come.

The Potato Boycott elicited diverse and heated reaction from the press, the government and the ANC. The fact that the boycott was not an immediate triumph saw, for example, *Die Vaderland* swiftly resorting to stereotypical jargon, stating in a report that the lack of interest in the boycott was because black people loved to eat fish and chips, and this seemed to be outweighing the authority of the ANC and its call for the boycott.<sup>457</sup> The conservative daily also reported that many blacks were ridiculing the ANC along with the “propaganda” leaflets it was handing out informing them about the boycott.<sup>458</sup> At the beginning of July, *Die Vaderland* was adamant that the boycott had fizzled out with little success.<sup>459</sup> *New Age*, however, highlighted its success, claiming that there were signs that the embargo was spreading to Port Elizabeth.<sup>460</sup> As for the ANC, it enthused that the boycott had proved so effective that it should be continued.<sup>461</sup> Nevertheless, it realised that the campaign could not go on indefinitely, commenting:

The boycott has no doubt been a success [but] a boycott of potatoes is not a boycott of nationalist products and, secondly, a boycott of potatoes cannot have serious economic consequences for farmers who can change their crops and resort to non-boycotted crops.<sup>462</sup>

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454 “Potato boycott is over”, *New Age*, 3 September 1959, p. 1.

455 “Potato boycott is over”, *New Age*, 3 September 1959, p. 1.

456 “Potato boycott to continue: may end in Sept.”, p. 1.

457 “Bantoeliefde vir ‘fish and chips’ vs boikot”, *Die Vaderland*, 2 June 1959, p. 3.

458 “Bantoeliefde vir ‘fish and chips’ vs boikot”, *Die Vaderland*, 2 June 1959, p. 3.

459 “ANC boikot sterf na drie weke”, *Die Vaderland*, 1 July 1959, p. 1.

460 “Potatoes: supply good, demand poor”, *New Age*, 25 June 1959, p. 5.

461 “Potato boycott is so successful it must continue”, *New Age*, 2 July 1959, p. 1.

462 “Potato boycott to continue: may end in Sept.”, *New Age*, 20 August 1959, p. 1.

The *Rand Daily Mail* also reported on the success of the boycott, claiming it was particularly effective in Johannesburg. The market master of the Johannesburg fresh produce market, R. Thurgood, corroborated this by expressing his concern that neither blacks nor buyers catering for black areas were purchasing potatoes. Thurgood also stated that the usual sale of lower grade potatoes in black areas had to be discontinued as there was a fear of threats and intimidation from the ANC and its supporters.<sup>463</sup> But again, the conservative press, notably *Die Transvaler*, reported that the boycott was having very little effect on markets. The Potato Board also followed this line claiming that the harvest quality of the season was poor and if there was indeed an oversupply it was not because blacks were withholding their purchasing power, but because there was an increase in second and third-rate spuds on the markets anyway. The report added that fish and chip shops were not reporting any decrease in sales.<sup>464</sup> The *Rand Daily Mail* contradicted this and claimed that the Potato Board had been buying large quantities of potatoes for export to clear the surplus. The *Mail* also reported that an 80 per cent decrease in the sale of chips from fast-food shops had been reported in Johannesburg's industrial areas.<sup>465</sup>

The boycott also elicited heated debate in parliament and spilled over to other matters. NP MP's accused the UP of supporting Luthuli and the ANC. Luthuli was especially assailed and called out as an "agitator" who "wants to encourage a bloodbath in South Africa".<sup>466</sup> The NP member for Bethlehem, G.J. Knobel, was fuming about Luthuli's role in the boycott:

Here I have before me a pamphlet issued by the African National Congress of which Luthuli is the president. Here we find that there is an enormous agitation to boycott the potato producers. What do they say about potato farmers? Here it is stated: "Some of these people have been killed and buried on these farms." Is that not scandalous? There is no such thing on our farms. It is also stated here by Luthuli: "these people are made to wear sacks and to dig potatoes with their fingers". That is a lie. ... I have been a potato farmer for years and I would invite hon. Members to come and see how we potato farmers lift the potatoes

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<sup>463</sup> "Boycott hits potato sales", *Rand Daily Mail*, 17 June 1959, p. 1.

<sup>464</sup> "Aartappelboikot raak boere se markte skaars", *Die Transvaler*, 18 June 1959, p. 3.

<sup>465</sup> "Potato Board buying eases selling", *Rand Daily Mail*, 24 June 1959, p. 1.

<sup>466</sup> *Hansard*, vol 102, 16 June 1959, col. 8222.

mechanically. All they have to do is pick them up and throw them into the bag. .... I just want to point out that that these same potato farmers, mainly of the Highveld ... make great concessions to the Natives in times of plenty when there are large surpluses. ... It is a scandal!

Another NP MP, M.J. van den Berg, resorted to making exceedingly defamatory remarks about Luthuli, stating:

I saw a photograph of Luthuli in the newspapers and when I looked at his photograph I realized why he probably had to seek good medical advice. For that reason he is justified in agitating for a Potato Boycott, because the first thing one should do if you have a face like that, is to eat less starch. ... You will agree with me when I say that he can well afford to eat less food every day and that he can do without potatoes. ... That is why he has placed a boycott on potatoes, because he does not need potatoes.<sup>467</sup>

The UP, although outraged about Luthuli's banishment, was also on record for not supporting the boycott. The MP for Durban-Point, M. Raw, made a statement in this regard:

We on this side of the House have repeatedly and repeatedly condemned boycotts either by the African National Congress or by the National Party or by the Minister of Bantu Administration or by any other organisation. ... Obviously we condemn the sort of propaganda being made by the A.N.C. at the moment. We condemn it without question and without hesitation. We condemn the principle involved and we condemn the action involved.<sup>468</sup>

The boycott had a direct impact on the Potato Board's "stabilisation scheme". In accordance with this policy, lower grade spuds were subsidised and sold in black areas, the reserves and townships. This was a means for the Board to rid the market of surplus third-class potatoes.<sup>469</sup> At a meeting of the Executive Committee of the Potato Board on 22 and 23 June 1959 it was stated that during the first week or 10 days of the boycott there was a decrease between 6 and 9 pennies per bag of

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<sup>467</sup> *Hansard*, vol 102, 16 June 1959, col. 8231.

<sup>468</sup> *Hansard*, vol 102, 16 June 1959, col. 8284.

<sup>469</sup> SAB, Chief Division of Commodity Services (hereafter LKD), KD32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van vergadering van uitvoerende komitee gehou te Pretoria op 22 en 23 Junie 1959, pp. 10–11.

potatoes. It was not clear whether this decrease was linked to the boycott or a change in the seasonal buying patterns of the Portuguese traders. Regarding exports it was stated that during the first three weeks of June 680,000 bags of potatoes were exported compared with 293,000 bags for the same period in June 1958.<sup>470</sup>

The over-supply to markets with lower grade potatoes became a crisis towards the end of August. The Board noted with alarm that the usual offset points for its stabilisation scheme in black townships near Johannesburg and Pretoria were inaccessible. It was proposed that a “buy one get one free” scheme should be launched to boost the sale of potatoes there.<sup>471</sup> Especially the Durban market was glutted with potatoes and the market master asked the Board to use radio broadcasts to ask farmers not to send more potatoes to the market. However, the board decided that the best action was to broadcast a bulletin without any mention of the boycott telling the buying public that there is ample provision of potatoes to be bought directly from the market if they should have a problem obtaining it from their usual distributors. It was also mentioned that there was still a market for potatoes among blacks but that the “boikot deur middel van dwang en intimidasie toegepas word”.<sup>472</sup>

Some members of the Board felt that steps should be considered to ensure that farmers did not suffer under the boycott. After a proposal that low grade spuds should be sent to Madagascar was pointed out as being of no use due to irregular shipping services, it was decided that the Board would buy these lower grade potatoes directly from producers and redistribute the spuds as livestock feed.<sup>473</sup> That the glutting of the markets with low grade potatoes was taking on crisis proportions

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<sup>470</sup> SAB, KD 32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van vergadering van uitvoerende komitee gehou te Pretoria op 22 en 23 Junie 1959, p. 4.

<sup>471</sup> SAB, LKD, KD 32/1, Notule van vergadering van die uitvoerende raad gehou te Pretoria op 30 Julie 1959, p. 3.

<sup>472</sup> SAB, LKD, KD 32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van vergadering van uitvoerende komitee gehou te Pretoria op 22 en 23 Junie 1959, pp. 10–11. Own translation: “the boycott was being enforced by means of force and intimidation”.

<sup>473</sup> SAB, LKD, KD 32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van die dertigste vergadering van volle raad gehou te Pretoria op 24 Junie 1959, p. 5.

by the end of August due to the boycott becomes clear in the subsequent minutes of the meetings of the Board. It was, for example, once again noted that usual offset points for the Board's stabilisation scheme in black locations in the vicinity of Johannesburg and Pretoria were not accessible. Again the buying up of excess spuds to redistribute as livestock feed was proposed as the best way to alleviate the stress on the markets.<sup>474</sup>

At a meeting of the Board's Executive Committee on 27 August 1959 it was decided to institute an embargo on the marketing of all third grade potatoes in the Union and that the Board could take steps to halt the selling of potatoes of any grade not approved by it.<sup>475</sup> At the meeting of the Board at the end of September 1959, the Board read with interest a pamphlet from the ANC in which the organisation stated that the boycott was a success. It was decided that if the boycott was to be reinstated that the Board would have to take more drastic measures in preventing the crisis it faced in the preceding months.<sup>476</sup> At the end of September, the Board instituted a marketing embargo on all third-grade potatoes in the Union and advised farmers not to send third grade spuds to markets.<sup>477</sup> Regarding the export of potatoes it was mentioned to the Board that at the end of September 1959 790, 000 bags of potatoes were exported and that this was down from the previous normal year of 1957. This was mainly due to the fact that Southern Rhodesia was not importing any potatoes from the Union.<sup>478</sup>

According to the government, the boycott was an abject failure. In its *State of the Union* report, mention was made that the boycott was confined to the urban townships of the Witwatersrand and that the Potato Board had sold a record quantity

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<sup>474</sup> SAB, LKD, KD 32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van vergadering van die uitvoerende raad gehou te Pretoria op 30 Julie 1959, p. 3.

<sup>475</sup> SAB, LKD, KD 32/2, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van spesiale vergadering van die volle raad gehou te Pretoria op Vrydag 28 Augustus 1959, p. 2.

<sup>476</sup> SAB, LKD, KD 32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van vergadering van uitvoerende komitee gehou te Pretoria op 21 en 22 September 1959, p. 6.

<sup>477</sup> SAB, LKD, KD 32/2, Notule van spesiale vergadering van die volle raad gehou te Pretoria op Vrydag 28 Augustus 1959, p. 2.

<sup>478</sup> SAB, LKD, KD 32/1, Aartappelraad vergadering, notules en kennisgewings van vergaderings: Notule van die 32ste vergadering van volle raad gehou te Pretoria op Woensdag 23 September 1959, p. 8.



of potatoes in black areas.<sup>479</sup> This was not only denied by various newspapers, but was contradicted by the Potato Board itself in its attempts to manage the crisis. Adding further insult to injury, *Die Landbouweekblad* published an article informing farmers that potatoes made good feed for their livestock and the Potato Board endorsed this by encouraging farmers to buy spuds as feed.<sup>480</sup>

Yet despite the vehement contradictory media and political hype around the Potato Boycott, it cannot be denied that it focussed attention on the crisis within the ranks of rural labour. The potato became a symbol of resistance to the oppression that many blacks were experiencing. However, the boycott also gave blacks in urban areas a means to show solidarity with black farm workers in rural areas, who did not have a voice to speak out against the abuses they suffered on farms due to coercive labour practices.

On 16 June 1959, the state scrapped the Petty Offenders' Scheme. Its suspension led to a torrent of court applications from workers who demanded their release from their contracts. At the beginning of August the BADD issued a statement to farmers instructing them to release all labourers employed under the scheme and added that if the labourers requested to remain on the farms, a new contract had to be entered into at the nearest local Native Commissioner's office. The BADD expressed urgency in complying with these instructions, because claims for compensation on the grounds of unlawful detention and custody could now be lodged.<sup>481</sup> At last the battle was, from the point of view of the labourers won, but the war was far from over.

#### 4.4 Investigations into the farm labour scandal

As mentioned earlier calls for official investigations into the farm labour scheme echoed sporadically as cases of maltreatment of farm labourers were brought to light. In 1957, an appeal by the journal *Fighting Talk* was made to the United Nations

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<sup>479</sup> *State of the Union 1960–61: Report, Economic, Financial, and Statistical Year-book for the Union of South Africa* (Johannesburg: Da Gama, 1961), p. 228.

<sup>480</sup> "Aartappels is goeie veevoer", *Die Landbouweekblad*, 6 October 1959, p. 29; SAB, LKD, KD 32/1, Notule van die dertigste vergadering van volle raad gehou te Pretoria op 24 Junie 1959, p. 5.

<sup>481</sup> SAB, NTS 2348, 1110/280, "Instromingsbeheer en die Indiensplasing van Bantoes wat in die Voorgeskrewe Gebiede – dit wil sê die Stedelike Gebiede – Onregmatig is", 16 June 1959.

Organisation to scrutinize the scheme under the Universal Declaration of Human Rights, especially Article 23 of the declaration which stated that everybody was supposed to have “free choice of employment” and the right to “just and favourable” working conditions. This was felt to be pertinent to the situation on South African farms.<sup>482</sup> The South African Institute of Race Relations (SAIRR) published the first investigation into the farm labour situation since the official government inquiry back in 1937. The inquiry was conducted by the Rhodes University Institute of Social and Economic Research. In the resulting report it was pointed out that paternalism was the norm on farms and that this could lead to exploitation and abuse. It further stated that “the system of influx control must be condemned as long as there exists no alternative economic opportunities for farm workers in their own territories”.<sup>483</sup> The SAIRR, therefore, called for a state investigation into farm labour conditions. It requested *inter alia*, that recruitment practices, remuneration and rations as well as possible education and vocational training for farm labourers should be scrutinized.<sup>484</sup>

The various *habeas corpus* cases brought to court in 1959, the media reaction to the controversy of the scheme and the resultant Potato Boycott, gave the pleas for an inquiry even more status. The ANC called on the Minister of Justice to order an investigation.<sup>485</sup> The Transvaal ANC leader, Gert Sibande, called on the government to let him serve on any investigation undertaken into the workings and the subsequent abuses allowed by the scheme. Sibande was adamant that “it is worse to be a so-called ‘volunteer’ on a farm than a convict”.<sup>486</sup> After much controversy, Minister De Wet Nel stated in June 1959 that the Department of Bantu Administration and Development and the SAAU would launch an investigation into the scheme.<sup>487</sup> The latter, however, was not sufficient enough for the Anglican Bishop of Johannesburg, Rt. Rev. Ambrose Reeves, the Black Sash, and lawyer Joel Carlson who all asserted that the departmental inquiry would make farmers and

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<sup>482</sup> H. Watts, ‘Shanghai-ed’ in *Fighting Talk*, August 1957, (11) 7, p. 5.

<sup>483</sup> Historical Papers Archive (Hereafter: HPA), University of the Witwatersrand (Hereafter WITS), SAIRR, AD 2118/59, ‘Startling revelations in first private farm labour survey since 1939, 7 January 1959, p. 1.

<sup>484</sup> HPA, WITS, SAIRR, AD 2118/59, ‘Draft findings of the Committee on African labour’, p. 2.

<sup>485</sup> *New Age*, ‘ANC calls for commission on inquiry’, 07 May 1959, (5) 29, p. 4.

<sup>486</sup> *New Age*, ‘“Put me on farm labour commission” – TVL ANC president’, 21 May 1959, (5) 31, p. 1.

<sup>487</sup> *The Star*, ‘Farm labour scheme to be thoroughly investigated’, 17 June 1959, p. 18.

the government the judges at their own trial.<sup>488</sup> The UP echoed these calls. MP Helen Suzman commented that: “all these people, however honest their approach may be, will have difficulty in having a completely impartial approach to this subject, all have been directly or indirectly involved in the scheme.” She added that the UP wanted a judge and an economist on the proposed Commission.<sup>489</sup> There was thus a demand that a judicial inquiry had to be launched.<sup>490</sup>

However, these calls for a judicial inquiry into the scheme fell on deaf ears. The decision to investigate the scheme coincided with Minister De Wet Nel’s suspension of the system. The SAP was no longer allowed to take arrested blacks to the labour bureaus. However, the bureaus system was still to continue as blacks could still report at the bureaus on their own accord.<sup>491</sup> Minister de Wet Nel stated in parliament that two Committees would be appointed to investigate the farm labour scheme. The first Committee was to be made up of four members of the BADD under the chairpersonship of B.J. Smithers. This Committee would investigate the canalisation aspects of the scheme as set out in General Circular No. 23 of 1954 and investigate whether it was necessary to revise the scheme by eliminating any irregularities.<sup>492</sup> The second Committee was chaired by S.F. Papenfus, MP and member of the Bantu Affairs Commission and was a joint interdepartmental Committee consisting of members of the BADD, SAP and the SAAU. The other members were: J.A.C. van Heerden, Chief Bantu Affairs Commissioner of King William’s Town; P.S. Toerien, Deputy Director of Bantu Agriculture; L.C.R Bührmann and De la Harpe de Villiers from the SAAU; T.C. Klopper, Administrative Official from the Department of Bantu Administration and Development; and lastly Lt. Col. J.H.A. Roets, from the SAP.<sup>493</sup>

The brief to the first Committee was, first, to investigate all existing methods of recruitment including the notorious General Circular No. 23 of 1954; second, to scrutinize the effectiveness of these methods; and third to establish whether any of these should be replaced, scrapped or improved. The Committee also had to

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<sup>488</sup> *Rand Daily Mail*, ‘Impartial farm inquiry urged’, 02 June 1959, p. 4.

<sup>489</sup> *The Star*, ‘Inquiry into farm labour should be judicial one’, 17 June 1959, p. 3.

<sup>490</sup> *Rand Daily Mail*, ‘Impartial farm inquiry urged’, 02 June 1959, p. 4.

<sup>491</sup> *Die Vaderland*, ‘Plaasarbeid-skema onder soeklig’, 17 Junie 1959, (xxiii) 6978, p. 3.

<sup>492</sup> *Die Vaderland*, ‘Plaasarbeid-skema onder soeklig’, 17 Junie 1959, (xxiii) 6978, p. 3.

<sup>493</sup> SAB, SAP 495, 15/6/52/1, ‘Aanstelling op komitee vir werwing van plaasarbeiders’.

examine possible irregularities or misdeeds committed under the scheme as well as the complaints that were received alleging ill-treatment due to the workings of the scheme. Lastly, the investigation also had to pay attention to the treatment received by recruited farm labourers on farms.<sup>494</sup> The proposed expenditure for the investigation was estimated at £1,415 12 8. The Committee commenced its investigation on 07 July 1959 and was expected to conclude its investigation by the end of August.<sup>495</sup>

Little information in the activities of this Committee could be traced. In October 1959 the Groblersdal Farmers' Union wrote to the Minister of Labour, stating that it was informed that the Committee had already concluded its investigation; but that not a single farmer could be traced in that area who was approached by the investigating Committee.<sup>496</sup> The Secretary of Bantu Administration and Development replied to the Farmers' Union that interested parties were invited to give evidence by means of requests in newspapers and the *Government Gazette*. Farmers were represented by various agricultural unions and associations that gave evidence on their behalf.<sup>497</sup> By February 1960, the Committee had still not reported. Minister De Wet Nel explained in parliament that the initial investigation by the Committee had made it necessary to conduct a much wider investigation into the issue. He added that no date could be given to when the Committee would conclude its activities.<sup>498</sup>

Although the Committee's report was seemingly never published,<sup>499</sup> memorandums submitted to the Committee by the Farm Labour Inspector give some indication as to the state of farm labour abuses on Transvaal farms. In a memorandum dated 30 June 1959, the Farm Labour Inspector, reported that the general complaints received by him concerning the treatment of labourers were that they were locked up at night in compounds; that workers were assaulted or murdered by their employers

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<sup>494</sup> SAB, NTS 2348, 1110/280, 'Opdragte aan die komitee', 18 Augustus 1959.

<sup>495</sup> SAB, NTS 2348, 1110/280, 'komitee van ondersoek in verband met plaasarbeid: beraamde uitgawe', 17 Augustus 1959.

<sup>496</sup> SAB, NTS 2348, 1110/280, korrespondensie tussen die Groblersdal boere vereniging en die Minister van Arbeid, 21 Oktober 1959.

<sup>497</sup> SAB, NTS 2348, 1110/280, korrespondensie tussen BADD en die Groblersdal boere vereniging, 6 November 1959.

<sup>498</sup> *Hansard*, deel 103, 09 Februarie 1960, kol 1173.

<sup>499</sup> So far, all attempts to trace the report of the commission have been unsuccessful.

or “bossboys”; that wages were not paid regularly or on time; that labourers were forced to don sacks; and that the food was of poor quality.<sup>500</sup>

In stark contrast to these revelations, the Inspector stated in his next memorandum dated 14 July 1959, that the general conditions on the farms inspected in the eastern Transvaal regarding food rations for labourers were: maize porridge, meat (on average 1 pound per week), dry beans, seasonable vegetables (generally potatoes and pumpkin), milk, coffee and sugar. According to the Inspector large-scale farmers had sick-bays on their farms and if needed labourers were transported to the nearest hospital for treatment. Although most of the large-scale farmers housed their labourers in compounds and usually had night guards, many of the small-scale farmers housed their single workers in rooms while married labourers were allowed to build their own structures on the farms.<sup>501</sup>

The Inspector furthermore stated that irregularities were only reported on 12 of the 74 farms that he inspected from the beginning to the end of June 1959 and that this did not amount to a crisis as conditions on most farms were satisfactory.<sup>502</sup> The Inspector’s conclusion was that complaints against six employers were found to be true and that 22 labourers were subjected to some form of injustice. But he was quick to add that it should be noted that only 22 labourers from a pool of 3 213 recruited workers were mistreated, hence alleging that the situation was not as grave as initially reported.<sup>503</sup> One of the cases related to 13 workers absconding from R.C. Meiring’s farm Legdaar, who not only locked up his labourers at night, but also forced them to wear sacks. There was also an allegation of the murder of one of the workers, Cornelius Mokgoko.<sup>504</sup> Although the Inspector conceded that some workers were indeed mistreated, he added that the death of the one worker was still under investigation. Relating to the allegations of three other cases of murder, the findings

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<sup>500</sup> SAB, NTS 2272, 741/280 (deel 2), ‘Memorandum deur inspekteur van plaasarbeiders insake arbeiderstoestande op plase en klagtes wat aan die lig gekom het’, 30 Junie 1959, p. 4.

<sup>501</sup> SAB, NTS 2272, 741/280 (deel 2), ‘Aanvullende memorandum deur inspekteur van plaasarbeiders vir komitee van ondersoek’, 14 Julie 1959, p. 1.

<sup>502</sup> SAB, NTS 2272, 741/280 (deel 2), ‘Aanvullende memorandum deur inspekteur van plaasarbeiders vir komitee van ondersoek’, 14 Julie 1959, p. 1.

<sup>503</sup> SAB, NTS 2272, 741/280 (deel ii), ‘Aanvullende memorandum deur inspekteur van plaasarbeiders vir komitee van ondersoek’, 14 Julie 1959, p. 2.

<sup>504</sup> “He died at Bethal”, *New Age*, 25 June 1959, p. 3.

of the autopsies in two cases were inconclusive, and both farmers were cleared of these allegations. The autopsy report for Mokgoko was still outstanding at the time the Inspector submitted his memorandum to the Commission.<sup>505</sup>

Mokgoko's alleged murder was already reported on in June 1959 in *New Age*. It reported on the exhumation of a body from the farm of farmer R. Meiring. The worker allegedly died after several beatings by Meiring's "bossboys" and by the farmer himself. Mokgoko was apparently arrested on 2 March 1959 for not having paid poll tax for 1958 and for failing to register at the labour bureau in Pretoria.<sup>506</sup> He was accordingly sent to Meiring's farm as a labourer. A fellow arrestee, F. Leballo, who was sent to the farm the same day as Mokgoko, stated that once they arrived at the farm their clothes were taken away from them and they were given sacks to wear. According to the testimony of another labourer on the farm, S. Skosana, Mokgoko became a regular target for beatings by the "bossboys" as he was a "slow" worker. By the third day on the farm Mokgoko was pleading to go home. Leballo added:

[Mokgoko] pleaded to be put under shade and given water. But the boss boys refused to do so and said that he must first complete his row of beans before he could get water.<sup>507</sup>

When Meiring later visited the field in which the workers were working, Mokgoko was "half sitting, half lying" and Meiring proceeded to "kick him twice on the chest and he toppled over".<sup>508</sup> Mokgoko died later that day.

The following day, the farmer at first refused to allow them to bury the man. But all the workmates on the farm insisted that they wanted to bury him and refused to go to work.<sup>509</sup>

After the exhumation of Mokgoko's body from the grave on the farm, his remains were taken to Pretoria for an autopsy and he was subsequently re-buried at his

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<sup>505</sup> SAB, NTS 2272, 741/280 (deel ii), 'Aanvullende memorandum deur inspekteur van plaasarbeiders vir komitee van ondersoek', 14 Julie 1959, p. 2.

<sup>506</sup> "He died at Bethal", *New Age*, 25 June 1959, p. 3.

<sup>507</sup> "He died at Bethal", *New Age*, 25 June 1959, p. 3.

<sup>508</sup> "He died at Bethal", *New Age*, 25 June 1959, p. 3.

<sup>509</sup> "He died at Bethal", *New Age*, 25 June 1959, p. 3.

hometown of Vlakfontein. The second funeral was organised by the ANC like “a state occasion”.<sup>510</sup> *New Age* reported:

Files of volunteers in uniform led the funeral procession that marched in step with ringing freedom songs. Four by four, solemn volunteers stood guard over the coffin in the hall where the service was conducted. On the coffin lay a heap of soil and potatoes, and over it were the flag of the Congress. Leading the volunteers who carried the coffin to the graveside were ANC volunteers in sacks, with strings of potatoes round their necks. And at the graveside service speakers told the circumstances of the death of Cornelius Mokgoko. Said one speaker: “We had heard of the potato boycott but we did not know what it was all about. Now we know...”.<sup>511</sup>

It is interesting to take note how the potato, at Mokgoko’s funeral, became a metaphor for the maltreatment that labourers had to endure on farms. The pallbearers dressed in sacks and wearing a string of potato necklaces around their necks provided a vivid representation of the oppression that was attributed to the farm labour scheme. In a final poignant act of mourning Mokgoko’s coffin was adorned with a pile of sand, on top of which was mounted a “small heap of potatoes”.<sup>512</sup> (See figure 8) Arguably Mokgoko’s funeral was on the one hand political grandstanding and used by the ANC in a propagandist fashion. Yet behind this political performance it was the funeral of a man who found himself to be the victim of a coercive labour scheme and who in death became a symbol for the abuse and oppression that was part and parcel of the daily existence of some of these labourers on farms. Cornelius Mokgoko very importantly also gave the Potato Boycott a human face. It is significant that the funeral provided the ANC with the means to literally illustrate what the Potato Boycott was about and aided in getting more people to support the resistance action of not to buy potatoes and thus for them to show solidarity with the plight of black farm workers on farms.

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<sup>510</sup> “Cornelius Mokgoko had two funerals...”, *New Age*, 14 July 1959, p. 2.

<sup>511</sup> “Cornelius Mokgoko had two funerals...”, *New Age*, 14 July 1959, p. 2.

<sup>512</sup> “Cornelius Mokgoko had two funerals...”, *New Age*, 14 July 1959, p. 2.



**Figure 8: “In sacks and with potatoes round their necks as a reminder of the horrors of farm conditions which led to the death of young Mokgoko, ANC volunteers carry the coffin to the graveside. On the coffin, in a mound of soil, lies a small heap of potatoes”.**

**From: *New Age*, 14 July 1959, p. 2.**

The outcome of this murder investigation could not be traced. However, from subsequent inspections by the Farm Labour Inspector to Meiring’s farm, it is evident that the farmer had not been sentenced for murder and appeals were still being made during the 1960 to 1965 period for him to improve the living conditions of his labourers on his farm.<sup>513</sup>

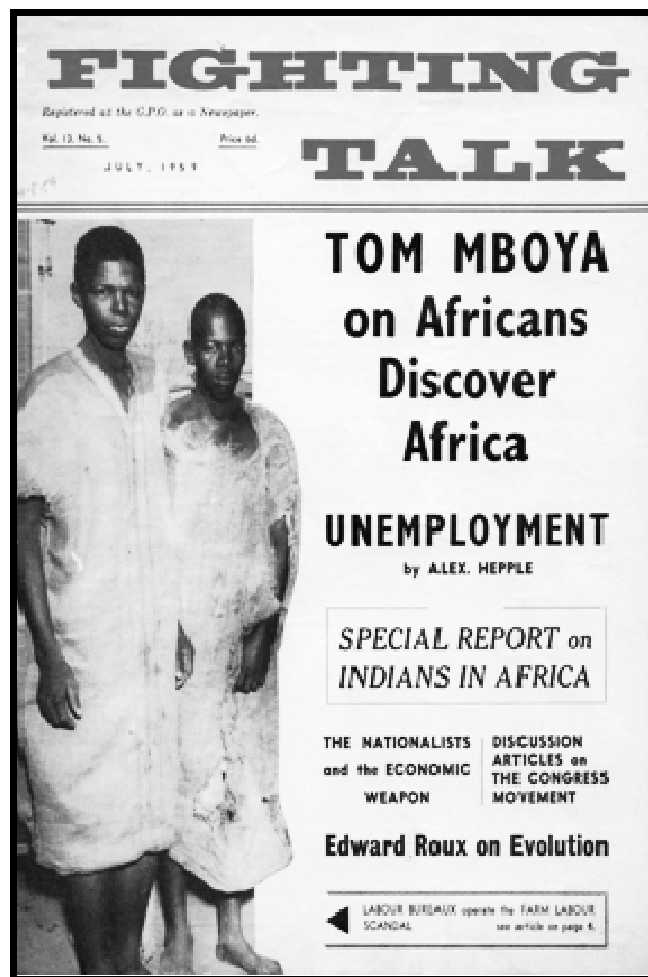
In the memorandum the Farm Labour Inspector submitted to the investigative Committee, he stated that although accusations regarding the dismal state of four compounds were founded, these farms were leased by the respective farmers and that it could not be expected by these particular farmers to improve the conditions of the compounds in which they housed their workers.<sup>514</sup> The Inspector also reported

<sup>513</sup> SAB, Departement of Bantu Administration and Development (Hereafter: BAO) 9916, C41/3/31, “Legdaar, Bethal, 1960-1965”.

<sup>514</sup> SAB, NTS 2272, 741/280 (deel ii), ‘Memorandum deur inspekteur van plaasarbeiders insake arbeiderstoestande op plase en klagtes wat aan die lig gekom het’, 30 Junie 1959, p. 3.



that the stationing of guards and the locking up of compounds occurred because farms were isolated and there was a fear that transgressions would be committed if labourers had freedom of movement at night. The Inspector did, however, state that the real reason was that farmers did not want their labourers to abscond. This was also the reason why many farmers gave their workers sacks to wear. (See Figure 9) In cases where locking up did occur, it was pointed out to farmers that this was illegal, and the particular farmers were requested to put an end to this practice.<sup>515</sup>



**Figure 9: Cover page of *Fighting Talk* magazine showing farm labourers dressed in hessian sacks.**

**From: *Fighting Talk*, 13(5), July 1959.**

<sup>515</sup> SAB, NTS 2272, 741/280 (deel ii), 'Memorandum deur inspekteur van plaaswerkers insake arbeiderstoestande op plase en klagtes wat aan die lig gekom het', 30 Junie 1959, p. 4.

On the other hand the SAIRR's memorandum on the farm labour scheme fervently condemned both the petty offenders programme and the use of prison labour on farms. The foundation of the Institute's recommendations was that the "law of supply and demand" had to function naturally and a call was once again made that the Wage Act had to be amended to ensure farm workers a fixed minimum wage.<sup>516</sup> The memorandum also called on farmers to provide labourers with acceptable conditions of work and the necessary religious, educational and recreational facilities. It also spoke out against the implementation of Chapter 4 of the Native Trust and Land Act of 1936 which was "causing the uprooting and serious dislocation of the lives of many African families", adding that the "Act should be applied with the utmost sympathy and understanding".<sup>517</sup>

The SAIRR memorandum also stated that the use of prison labour on farms should be discontinued. With reference to the use of petty offenders on farms, it concluded that it did not want to suggest that all farm labourers were mistreated, but that the system indeed had "highly undesirable features".<sup>518</sup> Investigations, for example, found that certain "blacklisted" farmers who were refused prison labour were permitted to make use of petty offenders on their farms.<sup>519</sup> One of the most inhumane features of the scheme was that offenders were not allowed to make contact with relatives before they were escorted to farms and fetch clothes and money; a basic right that was even granted to convicts serving prison sentences.<sup>520</sup> The report also alleged that the claims by blacks that they were not given a choice at the labour bureaus had elements of truth, explaining that it "is doubtful whether many of the men fully appreciate that the penalty for the type of offence they have committed is unlikely to exceed a fine of £1 or seven days imprisonment" and that the so-called three month contract actually tallied up to 90 working days.<sup>521</sup>

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<sup>516</sup> HPA, WITS, SAIRR, AD 2118/59, 'Memorandum for Committee of inquiry into farm labour', 30 July 1959. pp. 1-2

<sup>517</sup> HPA, WITS, SAIRR, AD 2118/59, 'Memorandum for Committee of inquiry into farm labour', 30 July 1959. pp. 1-2

<sup>518</sup> HPA, WITS, SAIRR, AD 2118/59, 'Memorandum for Committee of inquiry into farm labour', 30 July 1959, pp. 5-6.

<sup>519</sup> HPA, WITS, SAIRR, AD 2118/59, 'Memorandum for Committee of inquiry into farm labour', 30 July 1959, p. 5.

<sup>520</sup> HPA, WITS, SAIRR, AD 2118/59, 'Memorandum for Committee of inquiry into farm labour', 30 July 1959, p. 6.

<sup>521</sup> HPA, WITS, SAIRR, AD 2118/59, 'Memorandum for Committee of inquiry into farm labour', 30 July 1959, p. 6.

The SAIRR, thus, viewed the process as an evil cycle as labourers were mostly under the impression that after their contracts ended they could return to urban areas, only to find that they are re-arrested and forcefully marched off for another period of hard labour.<sup>522</sup> The report concluded that not only was the legality of the scheme questionable, but that:

the system is open to a variety of abuses, by officials and by farmers who want labour. The Institute of Race Relations submits that the entire scheme of offering petty offenders employment on farms as an alternative to prosecution is inherently bad. It urges most strongly that this system, which has already been suspended, should now be abolished.<sup>523</sup>

#### 4.5 The Prisons Act of 1959

The eventual suspension of the scheme and the follow-on investigations into the “technical illegality” that plagued the scheme during the 1950s were evidently overcome with the state’s swift amendment of the Prisons Act of 1959. This Act essentially reinstated the farm labour scheme. Section 20 of the new amendment made it legal for the Minister of Justice to establish so-called farm colonies or prisons. Blacks who were considered “idle persons” and in transgression of the Natives (Urban Areas) Consolidation Act of 1945 could be despatched to these farm colonies “to learn habits of industry and labour”. The technicalities that abolished the previous scheme were thus removed. Transgressors would no longer be taken to the bureaus and given the “option” to work on the farms. Instead they would be arrested, charged and sentenced directly to hard labour on farms. In another restrictive swoop, the new Act also banned any “false reporting” concerning prisoners’ experiences in the reformatories and prohibited the publishing of sketches and photographs of prisons or prisoners.<sup>524</sup> The government was adamant that the saga would not come

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<sup>522</sup> HPA, WITS, SAIRR, AD 2118/59, ‘Memorandum for Committee of inquiry into farm labour’, 30 July 1959, p. 6.

<sup>523</sup> HPA, WITS, SAIRR, AD 2118/59, ‘Memorandum for Committee of inquiry into farm labour’, 30 July 1959, p. 7.

<sup>524</sup> *Statutes of the Union of South Africa 1959, Part 1, Nos 1–60* (Pretoria: Government Printer, 1959), pp 33, 54, 56.

back to haunt them again. According to T.G. Karis and G.M Gerhart it can be assumed that the Potato Boycott “probably” contributed to the suspension of the farm labour scheme. Thereafter the 1959 amendment to the Prisons Act made it possible for convicts, specifically transgressors of petty offenders’ laws, to be sentenced to farm labour on farms.<sup>525</sup>

The fact that the BADD no longer were directly involved in the scheme can be seen by the fact that on 3 March 1960, MP Lee Warden asked the Minister of Bantu Administration and Development whether his attention had been drawn to a *New Age* report that stated a short term convict was taken as a labourer to a farm, where he had to sleep under a groundsheet and had to wear sacks as clothes.<sup>526</sup> The Director of Bantu Labour replied on behalf of the Minister that the administration of short term convicts now fell under the fulltime administration of Department of Prisons. He added that if such matter were to become known due to the routine inspections to farms by the Farm Labour Inspector, the BADD would inform the Department of Prisons.<sup>527</sup>

It is, however evident, from the Inspector’s report for 1960 that very little had changed regarding the abysmal living conditions of labourers on farms. From the various farm inspection files compiled by the Farm Labour Inspector it is evident that some farmers continued to care very little for the general well being of their labourers. For example, in his report on Tivoh Estates, the farm of one B. Medalie, he wrote the following damning synopsis:

Die kampong is vuil en morsig. Die kombuis is treurig – dak vol gate. Daar bestaan geen latrine of wasplek nie. Party kamers is vol velle. Die kampong is naby beeskrale en stalle en om die kampong lê vol beesmis.<sup>528</sup>

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<sup>525</sup> T.G. Karis & G.M. Gerhart (eds), *From protest to challenge, a documentary history of African politics in South Africa 1882-1964, Volume 3: challenge and violence 1953-1964* (Stanford: Hoover Institution Press, 1977) p. 292.

<sup>526</sup> SAB, NTS, 2272, 741/280 (deel ii), teleks: U.K.198.

<sup>527</sup> SAB, NTS, 2272, 741/280 (deel ii), Plaasarbeidtoestande – algemene navrae en klagtes: Antwoord van H.R. van den Bergh, Direkteur: Bantu Arbeid, 7 March 1960.

<sup>528</sup> SAB, NTS 2347, 1093/280 ‘Verslae oor roetine inspeksies deur inspekteur van plaasarbeid’, 25 April 1960, Besoek aan plase, distrikte Bethal en Ermelo. Own translation: The compound is filthy and untidy. The kitchen is pitiable and the roof full of holes. There are no latrines or wash place. Some rooms are filled with animal hides. The compound is situated

However, not all the reports were damning. On some farms there were indeed signs of improvement. Reporting on an inspection on the farm of one E. Hirschowitz of Basric Estates, the Inspector had nothing but praise for the manner in which the labourers were treated:

Hierdie man het 'n baie netjiese boerdery. Hy het verskillende kampongs, alles is netjies en skoon. Hy het reeds met 'n behuisingskema begin en daar staan reeds 5 netjiese 4 kamer huise en 5 kamer huis van sy trekkar (sic) en vragmotorbestuurder. Laasgenoemde huis het ook elektriese ligte in. Die arbeiders kry genoeg vars groente uit eie tuine.<sup>529</sup>

#### 4.6 Conclusion

This chapter illustrates the maltreatment and abuse suffered by farm labourers due to coercive agricultural labour in South Africa with specific focus on the so-called “Farm Labour Scheme”. Amidst the various state drafted and enacted regulations and laws was a web of disgruntled farmers, fed-up bureaucrats, hounding agricultural unions and at times red-faced ministers. Binding this mesh together were various ideological intricacies, such as paternalistic and segregationist rhetoric. The latter only serving to fuel the conflict along. However, farm labourers were caught in the heart of this snare. Virtually rendered powerless once taken to farms, they were subjected not only to the harshness bestowed upon them by many of their employers, but in essence subjected to these atrocities by a system that did very little to protect their dignity and at times even their lives. The Potato Boycott can be singled out as the pinnacle of the diverse reaction to the farm labour abuses. It gave blacks the means to voice their frustration against the coercive nature of the state’s black labour policies. The Potato Boycott launched by the ANC was indeed successful, not as much in getting situations on farms to change, but as a reflection

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in close proximity to cattle enclosures and stables and the area surrounding the compound is littered with dung.

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SAB, NTS 2347, 1093/280 ‘Verslae oor roetine inspeksies deur inspekteur van plaasarbeid’, Toer verslag distrik Bethal 21-03-60 to 26-03-60. Own translation: This man has a very tidy farming operation. He has several compounds, all tidy and clean. He initiated a housing scheme and have already built 5 neat 4 room houses and a 5 room house for his tractor and truck driver. This house also has electrical lighting. The labourers are supplied with ample fresh fruit and vegetables from their own gardens.

of the support the organisation could muster if black people rallied together fighting for a common cause. The media and political hype also focused more light on the situation which had concrete political ramifications.

The analysis did not seek to imply that all farmers in South Africa at the time abused their labourers, nor that all farmers were in cahoots with the state enforcing various coercive measures onto their workers that were in clear violation, if not of international human rights laws, then indeed fellow moral dignity. This chapter does however make it apparent that farm labour abuses did occur on South African farms during the 1950s. Further, the abuse and inhumanness suffered by farm workers was largely due to state implemented coercive measures, as is made clear in the analysis of government intervention into farm labour at that time. The farm labour scheme implemented to send petty pass law offenders to farms can be seen as the culmination of various attempts to regulate black labour both in urban and rural areas. The crux of the matter was that this system had no legal sanction.

Importantly, the analysis also points out that opposition to the coerciveness of the farm labour system was prolific. Farm labourers themselves protested by sending pleas for help to the NAD; the liberal and leftist press also took up the cause and regularly reported on the abuses suffered by workers as well as the flaws in the system. Various church leaders, political figures, the Black Sash and the ANC rallied to expose the farm labour scheme. Despite various propaganda attacks launched by the conservative pro-NP press, the efforts of the various role players to have the scheme suspended did yield results after the courts found the scheme unlawful. Significantly, the fact that the state abolished the scheme shows on a rare example of reversal for a state which was becoming increasingly more coercive and assertive in consolidating its power over wide areas of society during this period. The Potato Boycott provided blacks with the opportunity not only to engage in an act of resistance against the coercive nature of the farm labour scheme, but demonstrated that boycott action could indeed be used as a successful means to voice protest against everyday oppression.

## CHAPTER 5

### DEALING WITH A HOT POTATO: COMMEMORATION AND REFLECTION<sup>530</sup>

The year 2009 marked the 50th commemoration of the “Potato Boycott”. This celebration, not unlike the boycott itself, was shrouded in controversy. While the Mpumalanga provincial government appeared to initiate premature celebrations, the commemoration was compounded by various misunderstandings and conflicting interpretations, again casting contradictory and conflicting light onto the labour scandals of the mid twentieth century.

#### 5.1 The controversy of commemorating

The past decade in South Africa has witnessed marked attempts at government level to re-address the South African past. The concern has been to ensure that the stories of previously marginalised groups are given their rightful place in the broader historical narrative of what is considered a more inclusive approach to dealing with South African history. These projects took on various guises, including the unveiling of statues of struggle heroes; the re-naming of geographical place names; the commissioning of publications highlighting previously untold stories; and building new museums, heritage parks and exhibitions.<sup>531</sup>

Taking this reality into consideration, one should not ignore the fact that much of this history has always been part of the diverse and divided discourse on South Africa’s past. However, the emphasis has been to put this history specifically in the public domain and to ensure that these narratives become part of public consciousness. Various academics, especially those interested in the fields of public history and heritage, have written on issues relating to these processes over the past two

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<sup>530</sup> Sections of this chapter have been published in an article dealing with the historical veracity of the 50<sup>th</sup> commemoration of the Potato Boycott in 2008/2009. See: C.H.Muller, “Dealing with a hot potato: the commemoration of the 1959 “Potato Boycott”, in *Historia, The Journal of the Historical Association of South Africa*, 55 (2), Nov 2010, pp. 76-98.

<sup>531</sup> See for example: G. Dominy & L. Callinicos, “‘Is there anything to celebrate?’ Paradoxes of policy: an examination of the state’s approach to commemorating South Africa’s most ambiguous struggle”, in *South African Historical Journal*, 41, November 1999.

decades.<sup>532</sup> Gary Baines points out that public history is a particularly “contested terrain” and it is here that “battles over [the] meaning of the past are being and will continue to be waged in contemporary society”.<sup>533</sup> One of the main reasons for the contested nature of public history is the fact that so many role players, including politicians, the media, cultural brokers, museum, heritage and tourism practitioners, and also the public at large, are involved in shaping memory of the past and enforcing their own views and interpretations onto the present.<sup>534</sup>

Added to this conundrum is the fact that history and memory are contested definitions. Each represents fundamentally and inherently different interpretations of the past, but at the same time, they have numerous similarities.<sup>535</sup> John Tosh perceptively explains that it is not always easy to distinguish between history and social memory as “historians perform some of the tasks of social memory”.<sup>536</sup> Although academic historians might distance themselves from the “misrepresentations” that are part and parcel of social memory, there is also no denying that memory continues to serve a fundamental role in society.<sup>537</sup>

Baines points out that the interpretation of public memory deals very little with matters concerning the past and much more with issues “such as the nature of power and the question of loyalty to both dominant and subordinate cultures” in the

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<sup>532</sup> See for example: G. Baines, “The politics of public history in post-Apartheid South Africa”, in H.E. Stolten (ed), *History making and present day politics: The meaning of collective memory in South Africa* (Nordiska Afrikainstitutet, Uppsala, 2007), pp. 167–182; C. Hamilton, “The future of the past: new trajectories”, in *South African Historical Journal*, 35, 1996, pp. 146–148; T. Nuttall and J. Wright, “Probing the predicaments of academic history in contemporary South Africa”, in *South African Historical Journal*, 42, 2000, pp. 26–48; S. Nuttall and C. Coetzee (eds), *Negotiating the past: the making of memory on South Africa* (Cape Town: Oxford University Press, 1998); C. Rasool, “The rise of heritage and the reconstruction of history in South Africa”, in *Kronos*, 26, 2000, pp. 1–21; L. Waldman, “The past: who owns it and what should we do about it?”, in *South African Historical Journal*, 35, 1996, pp. 149–154; L. Witz and C. Rasool, “The dog, the rabbit and the reluctant historians”, in *South African Historical Journal*, 27, 1992, pp. 238–242.

<sup>533</sup> G. Baines, “The politics of public history in post-Apartheid South Africa”, in H.E. Stolten (ed), *History making and present day politics: the meaning of collective memory in South Africa* (Uppsala: Nordiska Afrikainstitutet, 2007), p. 167.

<sup>534</sup> G. Baines, “The politics of public history in post-Apartheid South Africa”, in H.E. Stolten (ed), *History making and present day politics: the meaning of collective memory in South Africa* (Uppsala: Nordiska Afrikainstitutet, 2007), p. 167.

<sup>535</sup> G. Baines, “The politics of public history in post-Apartheid South Africa”, in H.E. Stolten (ed), *History making and present day politics: the meaning of collective memory in South Africa* (Uppsala: Nordiska Afrikainstitutet, 2007), p. 168.

<sup>536</sup> J. Tosh, *The pursuit of history* (London: Pearson Longman, 2006), p. 23.

<sup>537</sup> J. Tosh, *The pursuit of history* (London: Pearson Longman, 2006), p. 23.



present.<sup>538</sup> There is no denying that South Africa remains divided in its cultural diversity and its heritage. It is admirable and necessary that the post-apartheid government has tried to shape the South African past into a more diverse and encompassing story to be shared as a new collective, albeit conflicting, national memory. It is, however, disheartening that the past, as was the case with the previous regime, is still used and manipulated by the government for purposes that fit ulterior motives. Despite these concerns, it remains a fact that politics will inevitably always be intertwined with public history. David Glassberg expresses this as follows:

Few can deny that the question of whose version of history gets institutionalized and disseminated as public history is a political one, and that public history embodies not only ideas about history – the relation of past, present, and future – but also ideas about the public – the relationship of diverse groups in political society.<sup>539</sup>

## 5.2 Commemoration, corruption and confusion

It therefore follows that commemoration of a historical event will always elicit some form of controversy and debate. The 1959 Potato Boycott is no exception. In a recent magazine advertisement issued by the Mpumalanga government's Department of Culture, Sport and Recreation (DCSR) to commemorate the life of African National Congress (ANC) stalwart Gert Sibande and the Potato Boycott, it is said of Sibande: "This man brought South Africa's economy to a grinding halt in the 1950s – using a single potato."<sup>540</sup> (See figure 10) This eye-catching statement is a historical fabrication, but in terms of commemoration, the veracity of the statement is far more complex. Although commemoration deals with issues of the past, it does not always deal with "truth" or "actuality". Commemoration is based on conflicting interpretations of selected past memories and more concerned and rooted in the legitimisation and justification of present day realities.

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<sup>538</sup> G. Baines, "The politics of public history in post-Apartheid South Africa", in H.E. Stolten (ed), *History making and present day politics: the meaning of collective memory in South Africa* (Uppsala: Nordiska Afrikainstitutet, 2007), p. 169.

<sup>539</sup> Glassberg, "Public history and the study of memory", in *The Public Historian*, 18, 2, 1996, p. 11.

<sup>540</sup> *Capital Magazine*, Facebook page, "Advertising that tells meaningful stories", at <http://www.facebook.com/photo.php?pid=3734627&id=240198900193> (accessed June 2010).



Figure 10: “Heroes for our Future: Gert Sibande 1901-1987”.

From: *Capital Magazine*, Facebook page, “Advertising that tells meaningful stories”, at <http://www.facebook.com/photo.php?pid=3734627&id=240198900193> (accessed June 2010).

The commemoration of the Potato Boycott, and consequently then the celebration of the life of Gert Sibande, can be regarded as an example of how remembrance can be misconstrued. It reflects the polarisation that often accompanies commemoration in diverse communities. In addition, reflections on the boycott are clouded by various and complex guises. It embodies the usual debate that accompanies memorialisation, but it also speaks to the never-ending contestation between

emphasis on historical veracity and historical mythmaking when it comes to remembering and celebrating the past.

In this instance, one would assume that the most uncontroversial, even incontestable aspect would be the date of the commemoration. The Potato Boycott was called out at the end of May 1959 and ended in September of that same year. Thus, when in May 2008 the Mpumalanga MEC for the DCSR, J.L. Mahlangu, held a media briefing and informed journalists that 2008 marked the 50th celebration of the Potato Boycott,<sup>541</sup> the first misconception was placed in the public domain. Furthermore, no one in the Department attempted to rectify this embarrassing mistake. Successive newspaper articles and speeches delivered by government dignitaries on the commemoration of the event continued to perpetuate the error that the boycott had taken place in 1958. This glaring inaccuracy is also (quite literally) cast in stone as part of the epitaph on the statue erected for Gert Sibande in Bethal.<sup>542</sup>

MEC Mahlangu announced that the boycott would be commemorated with several initiatives. The Bethal Museum would be upgraded and statues of several ANC heroes, including Gert Sibande, would be erected. This project was to be unveiled on 24 September 2008. The MEC also announced that a “theatrical play about the 50-year anniversary of the Potato Boycott”, had been commissioned to highlight the “social and political injustices” farm workers had suffered in the past.<sup>543</sup> Although the

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<sup>541</sup> Mpumalanga MEC for Culture, Sport and Recreation, J.L. Mahlangu: media briefing statement, Nelspruit, 12 May 2008, available at <http://www.polity.org.za/article/sa-mahlangu-mediabriefing-on-culture-sport-and-recreation-overview-and-way-forward12052008-2008-05-12> (accessed October 2008).

<sup>542</sup> The epitaph reads: “Gert Sibande: ‘The Lion of the East’ – Born in 1901 on a farm near Oshoek, died in 1987 at Manzini Swaziland aged 85. He is survived by Dumazile Zwane, Minah Dlamini, Elisabeth Sibande, Leroy Musa Sibande and Bethuel Mfanufikile Sibande. He campaigned against racist and harsh treatment of farm labourers in Bethal, Trichardt, Lesley, Standerton, Piet Retief, Nigel, Wakkerstroom, Volksrust and Pongola. As Chairman of the Bethal branch of the African National Congress from 1942, he collaborated with the progressive journalist, Ruth First and the Anglican priest, Mike Scott in 1947, in exposing the prison working conditions at Bethal. This led to the historical and successful Bethal Potato Boycott of 1958, led by the Congress Alliance and SACTU. He was banished from Bethal in 1953, charged with treason in 1956, and was elected Transvaal President of the ANC in 1958. Gert was then banished to Mbuluzi, near Komatipoort, and later left for exile in Swaziland. He became instrumental in creating the underground passage of Umkhonto we Sizwe guerrillas from Mozambique, through Swaziland, into apartheid South Africa. A loving, caring and humble person, Gert dedicated his life entirely to the freedom of Black and White South Africans.”

<sup>543</sup> Mpumalanga MEC for Culture, Sport and Recreation, J.L. Mahlangu: media briefing statement, Nelspruit, 12 May 2008, available at <http://www.polity.org.za/article/sa-mahlangu->

MEC did not directly mention that the play would also be about the life of ANC stalwart, Gert Sibande, he added that:

Sibande played an important role during the struggle against apartheid and he led the famous Potato Boycott ... we must honour this hero ... who sacrificed a lot for the freedom that we enjoy today. Gert Sibande was against abuse of farm workers and stood for their rights, farm workers are still abused today and we need to all join hands and fight for what Gert Sibande fought against until we liberate all farm workers.<sup>544</sup>

However, a month later, the political ramifications of the 2007 ANC Polokwane Conference filtered through to Mpumalanga. In a cabinet reshuffle, Dina Pule replaced Mahlangu as MEC of the DCSR.<sup>545</sup> At an address to the provincial legislature on 24 June 2008, outlining her Department's policy and budget for the period 2008/2009, the newly appointed MEC gave a more streamlined version of the proposed celebration. Only statues of Sibande and one Slim Dick Simelane would be erected. She added that the statue of Sibande would be "larger than life" and that no less than R2.5 million had been budgeted for an imposing "king size statue".<sup>546</sup> The statue was to be unveiled on Heritage day, 24 September 2008.<sup>547</sup> (See figure 11)

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<sup>544</sup> [mediabriefing-on-culture-sport-and-recreation-overview-and-way-forward12052008-2008-05-12](http://www.polity.org.za/article/sa-mahlangu-mediabriefing-on-culture-sport-and-recreation-overview-and-way-forward12052008-2008-05-12) (accessed October 2008).  
Mpumalanga MEC for Culture, Sport and Recreation, J.L. Mahlangu: media briefing statement, Nelspruit, 12 May 2008, available at <http://www.polity.org.za/article/sa-mahlangu-mediabriefing-on-culture-sport-and-recreation-overview-and-way-forward12052008-2008-05-12> (accessed October 2008).

<sup>545</sup> T.E. Mogakane and S. Masinga, "Mpumalanga cabinet reshuffled", 14 May 2008, available at <http://www.news24.com/SouthAfrica/Politics/Mpumalanga-cabinet-reshuffled-20080514> (accessed October 2008).

<sup>546</sup> Policy and Budget Speech 2008/2009, by MEC for Culture, Sport and Recreation, Dina Pule, Mpumalanga Provincial Legislature, Nelspruit, available at [http://www.search.gov.za/info/previewDocument.jsp?dk=%2Fdata%2Fstatic%2Finfo%2Fspeeches%2F2008%2F08070215151001.htm%40Gov&q=\(+streamlining+\)&t=D+Pule%3A+Mpumalanga+Culture+Sport+and+Recreation+Prov+Budget+Vote+2008%2F09](http://www.search.gov.za/info/previewDocument.jsp?dk=%2Fdata%2Fstatic%2Finfo%2Fspeeches%2F2008%2F08070215151001.htm%40Gov&q=(+streamlining+)&t=D+Pule%3A+Mpumalanga+Culture+Sport+and+Recreation+Prov+Budget+Vote+2008%2F09) (accessed March 2009).

<sup>547</sup> Mpumalanga Cabinet statement:  
<http://www.mpumalanga.gov.za/otp/cabinet/04092008.htm>



**Figure 11: The statue of Gert Sibande in Bethal.**

**Courtesy of J.E.H. Grobler**

Following the MEC's speech it was made known that actor, playwright, director and musician, Mbongeni Ngema, had been commissioned to write and produce a musical on the Potato Boycott and that the play was to be about the life of Gert Sibande and his role in the boycott. The title of the play was to be: "Lion of the East: Gert Sibande and the Potato Boycott". On Sibande, Ngema proclaimed: "Prior to the potato boycott, farm labourers were treated like slaves and it took this brave man's determination to free the people."<sup>548</sup>

The stage was thus set for the celebration, but when the curtains opened and the musical made its initial debut as part of the planned line-up in the commemoration

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<sup>548</sup> V. Dlamini, "SA's own potato story takes to the musical stage", *City Press*, 3 August 2008.

proceedings, they did so in the midst of a political controversy. It was revealed that R22 million had been budgeted by the Mpumalanga government for the production of the play. The DCSR defended the size of the grant, saying that the musical was to be a “huge springboard” for “local theatre talent” and would “preserve and promote local history and culture”. This formed part of the DCSR’s “mandate to protect, preserve and showcase the traditions of the province”. It was also maintained that the money would cover all expenses for accommodation, rehearsals, publicity, lighting and music. The DCSR underlined the fact that Ngema’s involvement would give the play a significant “brand” and added that the production was to tour nationally and overseas.<sup>549</sup>

From the outset, Ngema’s appointment was controversial; he had a somewhat chequered past when it came to being awarded state tenders.<sup>550</sup> Various role players within the performance industry also questioned the cost of the new musical. Bernard Jay, executive officer of the Johannesburg Civic Theatre, claimed that he had “never seen a budget that big for one show in this country”.<sup>551</sup> The chief executive officer of Grahamstown’s National Arts Festival, Ismail Mahomed, thought it “ridiculous” and added that “R22 million would keep a number of festivals running for a number of years and create work for thousands of people”. He asserted that having worked in Mpumalanga for several years he was not surprised, because “this level of miscalculation and mismanagement is standard operating procedure there”.<sup>552</sup>

In ANC ranks there was also an uproar over the R22 million awarded to Ngema. At the party’s Mpumalanga provincial conference some delegates wanted the play cancelled because “the name of Gert Sibande should not be associated with corruption”.<sup>553</sup> The Democratic Alliance (DA) and Inkatha Freedom Party (IFP) also condemned the amount budgeted for the play. The IFP wanted the Mpumalanga

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<sup>549</sup> N. Tolsi, “Sarafina III’ a hot potato”, *Mail and Guardian*, 21 August 2008, p. 3.

<sup>550</sup> Ngema had been at the centre of controversy over his previous musical, *Sarafina II*, when it emerged that the R14.27 million contract signed for this project was done without proper approval from the state tender board, and that the public protector had questioned the necessity of spending that amount of money on a single play. See: N. Tolsi, “Sarafina III’ a hot potato”, *Mail and Guardian*, 21 August 2008, p. 3.

<sup>551</sup> N. Tolsi, “Sarafina III’ a hot potato”, *Mail and Guardian*, 21 August 2008, p. 3.

<sup>552</sup> N. Tolsi, “Sarafina III’ a hot potato”, *Mail and Guardian*, 21 August 2008, p. 3.

<sup>553</sup> S. Ndlangisa, “ANC to grill province over R22m play”, *City Press*, 17 August 2008, p. 9.

government investigated by the Human Rights Commission as the province's people were already suffering due to poor service delivery. For its part, the DA felt that the best way to commemorate South Africa's struggle heroes would be to ensure that their vision for South Africa was realised by delivering proper services.<sup>554</sup> The Mpumalanga government defended its decision and the amount of money allocated to Ngema by pointing to the historical significance of Sibande and the boycott. The DCSR claimed that the play formed "part of raising awareness about heroes and heroines whose sacrifices and commitment to bring about a free South Africa have been marginalised and ignored by most of the existing historical accounts".<sup>555</sup>

The play was in the headlines again when it emerged that Ngema had not entered into contracts with the play's performers.<sup>556</sup> More disappointing was the allegation that Ngema had not bothered to send any talent scouts to Bethal, Gert Sibande's former hometown, although auditions were held in Emalahleni (formerly Witbank), Ermelo and Nelspruit.<sup>557</sup> The musical which was due to hit the planks in December 2008 was now only to premier in March 2009 in Emalahleni. This was due to the fact that newly sourced artists were in need of "extensive training and more practice".<sup>558</sup>

It seemed that the controversy surrounding the show was finally subsiding when it was announced that the project was to be launched with a showing of video clips of the production at the Bethal Community Hall on 13 March 2009. The opening night of the full stage production was set for the following week, 20 March 2009, in Emalahleni.<sup>559</sup> But controversy flared up again when Gert Sibande's family obtained a court interdict against the Mpumalanga government to stop the premiere and the subsequent performance of the musical.<sup>560</sup> Battle lines were drawn between the government and Sibande's sons. According to them, the Mpumalanga authorities

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<sup>554</sup> C. Du Plessis, "'Gebruik R22M eerder vir water en gesondheid': DA, IVP raas oor duur struggle blyspel", *Beeld*, 15 August 2008, p. 9.

<sup>555</sup> Mpumalanga cabinet statement, at: <http://www.mpumalanga.gov.za/otp/cabinet/04092008.htm> (accessed July 2009)

<sup>556</sup> V. Dlamini, "Row over 'Lion of the East' casting", *The Star*, 2 September 2008, p. 3.

<sup>557</sup> J. Smith, "Mbongeni Ngema and the potato famine", *Saturday Weekend Argus*, 23 August 2008, p. 21.

<sup>558</sup> T.E. Mogakane, Ngema's musical needs time stew, *City Press*, 18 January 2009, p. 3.

<sup>559</sup> S. Panther, "Political musical hits a sour note", *The Times*, 13 March 2009, p. 3.

<sup>560</sup> T.E. Mogakane, "Battle over struggle hero", *NEWS 24*, 11 March 2009, available at <http://www.news24.com/Entertainment/SouthAfrica/Battle-over-struggle-hero-20090310> (accessed July 2009).

had not consulted the Sibande family about the play.<sup>561</sup> The province's cultural affairs manager, Dr M. Lusibi, responded angrily to these allegations and speculated that the reason behind this latest saga was money and greed on the part of Sibande's family.<sup>562</sup>

Evidently, the Pretoria High Court ruled in favour of the Mpumalanga government and set the interdict aside. Mpumalanga premier, T. Makwetla, announced that this decision was a victory for "strengthening efforts to protect and promote South Africa's struggle heritage", claiming that the musical "will restore the honour and dignity of the 1958 (sic) events". He added that

the skewed heritage landscape and apartheid education [has] denied the major populace, black and white, an opportunity to learn, know and celebrate our common heritage and identity. The play is broadly aimed at undoing this legacy. In this connection, the high court decision reaffirms our belief that no individual family can lay claim to what forms part of the popular people's struggle for liberation and democracy.<sup>563</sup>

If there is no such thing as bad publicity, then the musical surely had a good long run of free publicity. It began when the Mpumalanga government announced its intention to have the show produced, and ran virtually unabated until the show was finally performed before an audience eager to learn more about history, heritage – and a dollop of controversy.

The show, however, only had a "lukewarm reception" in Mpumalanga with the main interest coming from "government officials and school groups".<sup>564</sup> When the show went to KwaZulu-Natal (KZN) it emerged that the KZN government had given Ngema a further R2.9 million to stage the production in Durban, as well as an additional

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<sup>561</sup> T.E. Mogakane, "Battle over struggle hero", NEWS 24, 11 March 2009, available at <http://www.news24.com/Entertainment/SouthAfrica/Battle-over-struggle-hero-20090310> (accessed July 2009).

<sup>562</sup> T.E. Mogakane, "Battle over struggle hero", NEWS 24, 11 March 2009, available at <http://www.news24.com/Entertainment/SouthAfrica/Battle-over-struggle-hero-20090310> (accessed July 2009).

<sup>563</sup> "Mpumalanga Premier Thabang Makwetla welcomes court ruling", 12 March 2009, at <http://www.info.gov.za/speeches/2009/09031312151001.htm> (accessed July 2009).

<sup>564</sup> T.E. Mogakane, "Ngema Musical cut short but headed for Broadway", *The Weekender*, 16 May 2009, p. 4.



R500 000 to pay for a week of rehearsals. The DA lambasted the KZN government in the press alleging that the “provincial coffers are effectively serving as Ngema’s cash cow”.<sup>565</sup> In February 2010, Ngema announced that the show would make its way to Gauteng to be performed at the State Theatre in Pretoria during the Soccer World Cup period.<sup>566</sup> However, these plans were later shelved and no reasons were provided. Ngema also claimed that the Broadway League had shown interest in taking the show to New York and that it might well be on its way to Broadway,<sup>567</sup> but again nothing came of this.

### **5.3 Historical veracity and mythmaking: Reaction to the commemoration**

Arguably the commemoration of the Potato Boycott, and the life of Sibande had very little to do with remembering the past and recalling the farm labour scandal as accurately as possible. Delivering the Gert Sibande Memorial Lecture on 23 September 2008 in Secunda, Mpumalanga, the ANC president, Jacob Zuma, was keen to use the Potato Boycott and Sibande’s life as tools to re-confirm past alliances. Alliances that had been forged 50 years earlier and which once again sought to underline the commitment of the ANC to address issues that were crucial to the party’s rural voting base. Zuma declared that Sibande should be remembered as a rural activist; he would have stood for the distribution of land to rural people who were exploited by farmers. Whether Sibande actually called for “land distribution” or not, is not really the issue here. What is central is that this claim was made by the leader of the ANC; it carried weight with an audience which did not question the historical veracity of what the ANC president was saying. Within the context of the promises being made, the present was their concern; it was the present that engaged them, not the past.

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<sup>565</sup> N. Tolsi, “Ngema gets more millions”, *Mail and Guardian*, 18 December 2009, p. 4.

<sup>566</sup> E. Tsumele, “Ngema targets 2010”, *Sowetan*, 2 February 2010, p. 14.

<sup>567</sup> T.E. Mogakane, “Ngema musical cut short but headed for Broadway”, *The Weekender*, 16 May 2009, p. 4.

If commemoration as a form of public history can provide the myths and symbols that hold diverse groups together in political society,<sup>568</sup> then in this case it probably had the opposite effect. The commemoration polarised the broader South African public. Numerous examples make this apparent. With the unveiling of the Sibande statue in Bethal, the Food and Allied Workers Union used the opportunity to launch an attack on how white farmers continue to abuse black farm workers today.<sup>569</sup> In October 2008 the statue of Sibande in Bethal was painted white.<sup>570</sup> Premier Makwetla saw this incident as a “racist attack” and lashed out at white farmers, saying that the statue of Sibande should serve as a lasting and total rejection of racism and racist exploitation of farm workers. He added that

unrepentant racist farmers in the province were continuing to practise the same abuse that had inspired Gert Sibande and his fellow freedom fighters to rise up in Bethal 50 years ago.<sup>571</sup>

This polarisation was also evident in the reception of the controversial musical; reviewers expressed radically different opinions on its merits. One reviewer thought it “outstanding” and felt that there were scenes in the production that would stay embedded in his “consciousness”. He was evidently shocked at the portrayal of the abuse suffered by the farm workers.<sup>572</sup> Another reviewer lambasted the play as ANC propaganda, describing it as “grandiose mediocrity, and electioneering masquerading as art”. He seemed to have been particularly offended by the excessive use of ANC regalia, slogans and flag waving on stage.<sup>573</sup> He also questioned the lack of historical portrayal, arguing that the play did not show how Sibande organised farm labourers to fight for their rights. He added that the play “certainly didn’t give any indication why such a huge production had to be made about his [Sibande’s] life”, and took Ngema to task about supposedly incorrect historical facts. He mentioned a number of inaccuracies; including the absence of

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<sup>568</sup> See Glassberg, “Public history and the study of memory”, in *The Public Historian*, 18, 2, 1996, p. 11.

<sup>569</sup> Speech by Katishi Masemola, Food and Allied Workers’ Union and COSATU CEC member, at the unveiling of the G. Sibande statue, 26 December 2008, available at <http://www.fawu.org.za/show.php?include=docs/gS/2008/sp1226.html&ID=59&categ=Press%20Room> (accessed July 2009).

<sup>570</sup> B. Viljoen, “Aanval op standbeeld ‘rassisties’”, *Beeld*, 8 October 2008, p. 5.

<sup>571</sup> Anon, “Makwetla gets excited about Gert Sibande musical”, *The Star*, 23 February 2009, p. 4.

<sup>572</sup> E. Tsumele, “Ngema’s potato musical a winner”, *Sowetan*, 27 March 2009, p. 8.

<sup>573</sup> T. Makube, “ANC’s R20m song and dance”, *The Weekender*, 28 March 2009, p. 4.

Ruth First's role and the fact that *Drum* journalist Henry Nxumalo was incorrectly portrayed as being smuggled on to the farm where Sibande allegedly would have been a labourer. The reviewer went on to accuse Ngema of being "lazy, finish and klaar".<sup>574</sup>

As was the case with the conflicting interpretations and viewpoints on the farm labour scandal in the 1950's, many of the statements made by politicians, journalists and other role players on the commemoration of the Potato Boycott are inaccurate and at worst border on blatant exaggeration if not fabrication. For example, to claim that Gert Sibande "brought South Africa's economy to a grinding halt in the 1950s – using a single potato" makes for a powerful metaphor and for great political grandstanding, but appears to be unfounded. The claims that Sibande would have called out the Potato Boycott and led it from Bethal seem to be based primarily on deliberate attempts to provide a direct link between the commemoration of the boycott and Sibande. Limited information points to the fact that it was Robert Resha who launched the boycott at the National Anti-Pass Conference at the end of May 1959.<sup>575</sup> Based on the sources that we have available on the life of Sibande, even if he did orchestrate the boycott, it was certainly not initiated in Bethal, as is engraved on the epitaph at the base of his statue. Nevertheless, even if there is no direct link between Sibande and the boycott, one can certainly argue that his life's work in trying to expose the harsh conditions under which farm workers toiled was one of the factors that ultimately led to the Potato Boycott.

The flagrant misinformation on Sibande's life (specifically his portrayal in the musical) had one journalist writing that Sibande was given the nickname "Lion of the East" due to

a scenario similar to the Biblical story of Daniel in the Lion's den. Beaten and broken by the police, he was left to die in a forest inhabited by lions. In what was considered a miraculous event, he

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<sup>574</sup> T. Makube, "ANC's R20m song and sance", *The Weekender*, 28 March 2009, p. 4.

<sup>575</sup> T.G. Karis and G.M. Carter (eds), *From protest to challenge: A documentary history of African politics in South Africa 1882–1964, Volume 4, political profiles, 1882– 1964* (Stanford: Hoover Institution Press, 1977), p. 292.

emerged unscathed four days later, the lions having given up and departed after having sat and watched him for most of the time.<sup>576</sup>

Ngema's claim that: "Prior to the potato boycott, farm labourers were treated like slaves and it took this brave man's determination to free the people,"<sup>577</sup> is a blatant oversimplification and chooses to ignore the complex nature of a range of factors that led to a change in government policy, although not necessarily a change in the treatment of farm labourers. As pointed out, the farm labour scheme eventually floundered when the system was adjudged illegal in a court of law.

Claims such as that made by Mbombela's mayor, L. Chiwayo that the Potato Boycott would have dealt "the country's economy a huge blow as people all over the world boycotted potatoes,"<sup>578</sup> are discounted by historical evidence gleaned from the meetings of the Potato Board. They indicate that the boycott had a severe impact on local markets, but also show that the export of first-grade potatoes from South Africa continued as usual during this period. Chiwayo's statement is unfortunate as it detracts from the actual veracity of the boycott and thus downplays the significance of the boycott in uniting black people in expressing their unhappiness with the coercive legislation that impacted their lives at the time. It also detracts from the fact that the boycott did indeed have a negative impact on South African markets as there was no demand for potatoes by blacks during the period of the boycott.

Moreover, the "people" were certainly not "freed" with the demise of the contentious farm labour system. This is evident in the state's swift amendment of the Prisons Act of 1959, thereby legalising and re-instituting the farm labour scheme. Although much more research needs to be done on Sibande to give this struggle icon his rightful place in a broader South African historical narrative, he certainly seems to be worthy of commemoration, if only for his endeavour to improve the plight of a very marginalised section of South African society, the farm workers. All the blunders and controversy that surrounded the commemoration of Sibande and the Potato Boycott

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<sup>576</sup> C. Smart, "Lion of the East", review on Artsmart, 19 December 2009, available at [http://news.artsmart.co.za/2009/12/lion-of-east\\_19.html](http://news.artsmart.co.za/2009/12/lion-of-east_19.html) (accessed June 2010).

<sup>577</sup> V. Dlamini, "SA's own potato story takes to the musical stage", *City Press*, 3 August 2008, p. 3.

<sup>578</sup> T.E. Mogakane, "Sibande political musical is highly educational", *The Star*, 29 April 2009, p. 6.

would probably have left nothing but a bad taste in the mouth of this “dignified and unshaken” man.<sup>579</sup>

## 5.4 Conclusion

Historian Colin Bundy makes the assertions that the role played by the national liberation movements and the “attention they devoted to rural mobilisation ... has not been accorded the theoretical or practical attention one might have anticipated”.<sup>580</sup>

He states this if one specifically takes into account the “expropriation and exploitation historically visited upon peasants, labour tenants, farm labourers and migrant workers”.<sup>581</sup>

Bundy points out after the convening of the Congress of the people at Kliptown in 1955, the ANC’s National Executive Committee were very alarmed at the great gap created within the liberation movement regarding the engagement of rural blacks in protest politics.<sup>582</sup> However in his overview on specific protest action taken in various rural communities Bundy does not mention the Potato Boycott as a possible protest action that indeed sought to solidify the ANC’s rural base.

This event was important not so much in getting the black peasants themselves to revolt, but rather the boycott of potatoes and protest highlighted the plight of black labourers on farms. The boycott was thus a reaching out of sorts by urban blacks to those who were toiling under the brunt of coercive measures in the rural areas. It further gave blacks an easy means to unite and show camaraderie with the liberation movement and made them active participants in fighting against oppression. Very importantly the Potato Boycott should also be seen as an action that reconciled the ANC with its rural supporters – a constituent that continues to serve this party in its unwavering electoral support in the present.

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<sup>579</sup> M. Suttner, “Gert Sibande: friend of the farm workers”, *Weekly Mail*, 12 February 1987, p. 16.

<sup>580</sup> C. Bundy, “Land and liberation: the South African national liberation movements and the agrarian Question, 1920s-1960s”, in *Review of African Political Economy*, 29(7), 1984, p. 14.

<sup>581</sup> C. Bundy, “Land and liberation: the South African national liberation movements and the agrarian Question, 1920s-1960s”, in *Review of African Political Economy*, 29(7), 1984, p. 14.

<sup>582</sup> C. Bundy, “Land and liberation: the South African national liberation movements and the agrarian Question, 1920s-1960s”, in *Review of African Political Economy*, 29(7), 1984, p. 14.

The relationship between farmers and farm labourers remains a contentious issue to this day. In December 2006 a skirmish erupted between farmers and the then Minister of Agriculture and Land Affairs, Lulu Xingwana, after the Minister commissioned a radio advertisement in which she *inter alia* accused farmers of eviction, victimization and rape of farm workers. Farmers were incensed by these allegations as they claim they themselves were subjected to “malicious attacks by marauders” on their farms.<sup>583</sup> In December 2010 the government published a memorandum informing the public of its intention to enact a Land Tenure Security Act. This proposed law will accordingly protect the rights of farm workers and give them greater security on farms by protecting them against eviction. According to the government this law would lead to a change in the power-balance in rural areas and solve questions relating to evictions, paternalism and abuse against farm workers.<sup>584</sup>

Political commentator, R.W. Johnson, responded to this new proposed law by stating that it was once again drafted in the confines of government’s ideological paradigms and does not reflect the reality of the relationships that farm labourers have with farmers and the land that they live on. Johnson and Lawrence Schlemmer conducted a research project through the Helen Suzman Foundation in 1998 in which they analysed the relationships of farmers and farm workers in KwaZulu-Natal.<sup>585</sup> This again resonates with the events in the rural districts in the 1950s.

The result of their findings were that for the most part the situation on farms were “harmonious” and that “on the whole farmers and farm workers got on pretty well with one another and working conditions and wages were also much better than generally believed”.<sup>586</sup> However, it was of interest to note that the legislation enacted by the state post-1994 to protect the rights of farm workers in general had a negative impact on their livelihoods. As example of this, Johnson mentions that the

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<sup>583</sup> Naweek-Beeld, ‘Kersboodskap ontstel landbou – “Minister bevooroordeeld teenoor boere”’, 06 Januarie 2007, p.8.

<sup>584</sup> P. du Toit, “Wet oor verblyf: ‘speen werkers van boere”’. *Beeld*.04 Januarie 2011. <http://www.beeld.com/Suid-Afrika/Nuus/Wet-oor-verblyf-Speen-werkers-van-boere-20110104> (accessed: 05 January 2011).

<sup>585</sup> R.W. Johnson, “A special kind of stupidity”, 10 January 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=21674&s=Detail&pid=71616> (accessed: 11 January 2011).

<sup>586</sup> R.W. Johnson, “A special kind of stupidity”, 10 January 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=21674&s=Detail&pid=71616> (accessed: 11 January 2011).

implementation of minimum wage requirements for farm workers had led to many farmers curtailing paternalistic benefits generally awarded to their labourers in the form of payment in kind. Johnson also states that when the government introduced tough labour laws in the late 1990s and was also in the process of introducing a new law on labour tenancy it led to a panicked frenzy among farmers and many simply evicted their workers. Johnson is quite adamant that the new proposed Act is the result of “gross stupidity”.<sup>587</sup> He indignantly adds to his comment:

The latest fad is agri-towns. This will, we are told, greatly reduce the power of farmers over their workers since workers will now live in their own homes in these agri-villages. Fantastically, the farmers are expected to “donate” the land on which such villages are to be built. Can one imagine a government white paper which suggested that, for example, trade unionists might like to donate their salaries?<sup>588</sup>

Johnson feels strongly that the ANC is strongly to blame for the current situation that exists on farms and in the country regarding the ripple effect the government’s policies had on political, social and economic issues. He concludes that:

The result is that on the ANC’s watch we have seen huge acreages taken out of production and returned to subsistence farming, we have seen South Africa become a net food importer, we have seen the collapse of the public health service and the steady deterioration in the welfare and life expectancy of the black majority. None of these things are necessary. To produce such results and to refuse to change the policies which produce them, you have to be very deeply stupid. I knew, from my own experience as an ANC supporter in the 1960s that it was not exactly a brainy organization but I have to admit that I grossly underestimated the situation.<sup>589</sup>

It is thus apparent that the farm labour controversy in all its dimensions persists.

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<sup>587</sup> R.W. Johnson, “A special kind of stupidity”, 10 January 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=21674&s=Detail&pid=71616> (accessed: 11 January 2011).

<sup>588</sup> R.W. Johnson, “A special kind of stupidity”, 10 January 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=21674&s=Detail&pid=71616> (accessed: 11 January 2011).

<sup>589</sup> R.W. Johnson, “A special kind of stupidity”, 10 January 2011, <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=21674&s=Detail&pid=71616> (accessed: 11 January 2011).

## CHAPTER 6

### CONCLUSION: CONTEXT AND CONTINUITY

This dissertation attempts to contextualise allegations of farm labour abuse in historical context during the period 1948 to 1960 on the eastern Transvaal Highveld. The year 1948 in which the National Party came to power is generally considered a turning point in South African history. However, some historians suggest that the emphasis placed on 1948 as a watershed in South African history is perhaps over exaggerated.<sup>590</sup> This dissertation aligns with this view and shows, especially relating to the provision of farm labour by the state during the pre and post-1948 period, that there was very much a continuation in policy at least from the 1940s up to the 1960s. For all the political hype of what happened before and after 1948, a strong argument can be made that even though things did change, things also by and large remained the same. In line with this Beinart and Dubow perceptively states:

Apartheid is not merely an extension of segregation, as some have argued; nor does it represent a fundamental rupture from the past as others have supposed. Indeed it is inconceivable that apartheid could have been imagined, let alone implemented, had it not been able to build on segregation.<sup>591</sup>

Chapter 2 of this dissertation sets out an overview of measures taken by the various Union governments during the era of segregation (1910-1948) to supply farmers with labour. This section provides not only the context for understanding how the NP government provided farmers with labour during the 1950s, but also shows the continuity in the state's actions in the post-1948 period. Certainly in terms of the farm labour issue it is indeed evident that during the 1950s the NP government continued to build on the foundations laid by the previous Union governments.

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<sup>590</sup> See for example: W. Beinart & S. Dubow (eds), *Segregation and apartheid in twentieth century South Africa* (London & New York: Routledge, 1995), D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), P. Bonner, P. Delius & D. Posel (eds), *Apartheid's genesis: 1935-1962* (Johannesburg: Wits University Press, 1993).

<sup>591</sup> W. Beinart & S. Dubow (eds), *Segregation and apartheid in twentieth-century South Africa* (London & New York: Routledge, 1995), p. 177.



The various measures introduced by the apartheid state to provide farmers with labour during the 1950s, as discussed in chapter 3, ultimately points to a government which at times took a very haphazard approach to firmly deal with and address the perceived farm labour shortage question. The latter was not unlike the approaches taken by the various Union governments up to 1948 as is evident in chapter 2. The establishment of labour bureaus; further action taken in terms of legislation to eliminate squatting and labour tenancy; the use of convicts on farms and the establishment of farm prisons; the provision of harvesting teams by the NAD and then also the illegal scheme of sending offenders of petty apartheid laws to work on farms; are all examples of this largely unsystematic and reactive approach taken by the NP government during the 1950s to solve the farm labour question.

In fact, as discussed in chapter 3, one of the main sources of providing labour to farmers on the eastern Transvaal Highveld during the 1950s, the so-called “petty offenders’ scheme”, was a scheme already implemented in 1947 in the wake of the faltering moments of the second Smuts government. This scheme was temporarily suspended and then reintroduced during the early 1950s. An argument can be made that the establishment of the labour bureaus greatly facilitated in streamlining the implementation of this scheme during the 1950s, as the bureaus could now more effectively canalise this labour source. Thus, in this regard it can be seen that a policy already conceived of in the pre-1948 period was again implemented in the early 1950s, but done so in a much more coercive manner by engaging the various “pass laws” to send “offenders” as labourers to farms.

Chapter 4 gives an account of the suffering experienced by many farm workers on farms. It specifically addresses the coercive nature of the “petty offender’s scheme” and points out that even though this scheme was one of the most successful ways in which farmers did actually obtain labour during the 1950s, it was indeed an illegal measure. The various exposés in the press, pressure by liberal and leftwing individuals and organisations forced the state to admit as much and also to discontinue the scheme in 1959. The Potato Boycott called out by the ANC, which followed in the wake of the scheme being abandoned, put further pressure on the government and highlighted the plight of the black farm worker. It also provided blacks with an opportunity to engage in resistance against the clutches of the coercive apartheid state.

The fact that the government retracted its policy and discontinued the scheme, interestingly points to a reversal of policy from a government which was becoming increasingly coercive in its measures against black people. It also reinforces views held by certain historians that apartheid was indeed not just the implementation of a long term “grand plan” devised by the NP before it assumed control of the government in 1948. What this dissertation attempts to show, regarding the provision of labour to farmers, is that the state at times was indeed “fraught with tensions, contradictions and changes”<sup>592</sup> and also reactive in its policies. Regarding the development and implementation of apartheid during the 1950s, historian D. Posel astutely states that apartheid had in fact been

forged through a series of struggles within and beyond the state, which forced the architects of state policy to adapt and revise many of their original strategies. Uncertainties, conflicts, failures, and deviations, although often less visible than the continuities and triumphs of Apartheid, were fundamental to its development.<sup>593</sup>

Another important aspect that follows not only on the events described in chapters 2 and 3, but also on the question of “scandal” posed in the title of this dissertation – “Farm labour scandal?”, is the subsequent events described in chapters 4 and 5. Although, chapter 5 does not deal directly with the coercive nature of agriculture labour during the 1950s, the link between the controversy surrounding the farm labour scandal as exposed during the 1950s and culminating with the Potato Boycott in 1959 as discussed in chapter 4, resonates with the scandal and controversy that emerged with the commemoration of the boycott a half century later.

It is evident that the coercive measures introduced by the state, and more specifically then the treatment of labourers on some farms on the eastern Transvaal Highveld during the 1950s, was indeed a scandalous affair. The commemoration of the Potato Boycott 49/50 years later again elicited controversy, allegations of corruption and also historical fabrication. The continuity of scandal between the past and present is an

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<sup>592</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 105.

<sup>593</sup> D. Posel, *The making of apartheid 1948-1961, conflict and compromise* (Clarendon Press, Oxford, 1991), p. 105.

unfortunate yet poignant reminder that commemoration, especially if ideologically driven, will remain controversial.<sup>594</sup>

The fact remains that the past with its legacy of farm labour abuse still resounds. The abuses suffered by farm labourers during the 1950s were indeed scandalous. However, the word “scandal” at the time became an exhortation (*mot à la mode*) thrown around by the various affected parties in the saga. For the NP government, farmers and the conservative press the real scandal was the attack launched against the farm labour scheme and the alleged abuses farmers would have committed against their labourers. For the official opposition, the UP, non-government organisations, – such as the Black Sash, the SAIRR, the ANC and the liberal and radical press – the real scandal was the illegality and coercive nature of the farm labour scheme, as well as the maltreatment of labourers on farms.

More recently with the commemoration of the Potato Boycott in 2008/2009 the farm labour “scandals” of the 1950s were put in the spotlight and again various scandalous allegations were hurled at farmers who were accused of still abusing their labourers. However, what could have been a dignified commemoration to highlight the plight of farm labourers and specifically highlight the abuses they suffered during the 1950s ended up in a farcical commemoration that apparently only sought to drive a further wedge between farmers and their labourers. The affair was indeed scandalous in its time. The true scandal is that farm labourers to this day remain a marginalised group floating on the periphery of society. In the 1950s farm labourers were simply seen as a source of fringe cheap, exploitable labour. Fifty years hence, they were again only political pawns to serve the outdated ideological paradigms of a government that still does not really seem to care. The government’s actions, whether implemented with good intentions or devised to deviously right past wrongs, once again have a negative impact on the lives of these workers. The “Farm Labour Scandal”, in its various guises, continues to this day.

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<sup>594</sup> See for example, G. Baines, “The politics of public history in post-Apartheid South Africa”, in H.E. Stolten (ed), *History making and present day politics: the meaning of collective memory in South Africa* (Uppsala: Nordiska Afrikainstitutet, 2007).

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