PART I

THE ASHES OF DEFEAT

1

Introduction

PICKING THE EYES OUT OF THE COUNTRY

As a student I had been taught that South Africa was a place where the rule of law was paramount and applied to all persons, regardless of their social status or official position. But my career as an activist and a lawyer removed the scales from my eyes. I saw that there was a wide difference between what I had been taught in the lecture room and what I learned in the courtroom.[1]

Nelson Mandela circa 1993

South Africa, as far as we aboriginals are concerned, is a country perpetually in the throes of martial law, from which there is no escape.

D. D. T. Jabavu circa1934[2]

[I]t [the law] is just like a river in full flood … you've got nothing in your hand with which to stem them [sic].

Kas Maine circa 1984

Power and violence have played an integral role in shaping the lives and expectations of South Africa's population for more than three centuries. Getting to the root of political violence in South Africa, however, requires a healthy dose of skepticism about the apparent certainties of the master narrative of South African history. W. M. Macmillan and his student, C. W. de Kiewiet, were arguably among the first skeptics or revisionist South African historians between the two world wars. During the early phases of his career, for example, Macmillan claimed the Frontier Wars of the first half of the nineteenth century – the "Kaffir Wars" of a less charitable time – were "mere stages in the triumph of the robust colonial community over the forces of barbarism

[1] Nelson Mandela, *Long Walk to Freedom* (Boston: Little, Brown and Company, 1994), 226.
[2] Quoted in Martin Chanock, *The Making of South African Legal Culture* (London: Cambridge University Press, 2001), 42.

which hemmed it in."[3] A generation later, Macmillan's view had become a bit more ironic:

> [W]hat passed for South African history when I started my teaching career was the tale of the conquest of a new country by lonely and scattered white men, with no regard whatever for the interests or the fate of Bushmen [San], Hottentots [Khoikhoi], the mixed races or African tribes. History was the triumph of white power in crushing all these peoples.[4]

During the 1970s and 1980s, popular African protest swelled out of threadbare and beleaguered schools and workplaces. Its rapid spread knocked the apartheid state back on its heels – particularly because Prime Ministers John Vorster and P. W. Botha believed they had locked up or sent into exile all the "usual suspects" among its foes in the African National Congress (ANC) and the Pan Africanist Congress (PAC).[5] In turn, South African historians began to search for clues from the past that might help them explain the popular groundswell among the African majority and the unprecedented scale of state violence and terror deployed to suppress what appeared to be an unheralded mass expression of "African agency." Under the rubric of "History Workshop," the admirable work of Keletso Atkins, Willliam Beinart, Belinda Bozzoli, Phillip Bonner, Helen Bradford, Colin Bundy, Saul Dubow, Timothy J. Keegan, Shula Marks, the late Stanley Trapido, Charles van Onselen, and others shined a great deal of light on the capacities of ordinary Africans to act on their own behalf – even when their choice of action did not appear to be self-interested or politically motivated. Despite the hard work of these historians who plotted out the causes and significance of Africans acting on their own behalf, there remains much work to do. Is it now time to look at the violence of the initial European conquest, the violence of the frontier wars, the violence of apartheid and of the struggle against apartheid, the criminal violence of gangs, and the ritualized violence of the faction fights from a different vantage point?[6] The current patterns of violence in South Africa also need to be understood against

[3] For example, see Paul Landau, *Popular Politics in the History of South Africa, 1400 to 1948* (New York: Cambridge University Press, 2010); see also Martin Chanock, *The Making of South African Legal Culture* (London: Cambridge University Press, 2001), 42.

[4] As quoted in Ken Smith, *The Changing Past: Trends in South African Historical Writing* (Athens, Ohio: Ohio University Press, 1988), 109.

[5] Colin Bundy, "Street Sociology and Pavement Politics: Aspects of Youth and Student Resistance in Cape Town, 1985," *Journal of Southern African Studies*, Volume 13, Number 3 (April 1987), 303–318; see also Raymond Suttner, "'It Is Your Mother Who Is the Enemy Now!'; An Account of the Imprint of African National Congress [ANC] Underground Activity in the 'Lull' after Rivonia," paper presented to *International Political Science Association Conference*, Durban, June/July 2003, 19–22.

[6] André Du Toit, "Understanding South African Violence: A New Problematic?," *United Nations Research Institute for Social Development (UNRISD)*, Discussion Paper 43, April 1993, 6–10; see also William Beinart, "Political and Collective Violence in Southern African Historiography," *Journal of Southern African Studies*, Volume 18, Number 3 (September 1992), 455–486.

the background of local struggles against private and government attempts to contain and manage the aspirations and expectations of the African majority.[7] The lack of redress in the latter area accounts for much of the black indifference to the outcomes of a new, more democratic post-1994 political dispensation.[8] In fact, South Africa's violent past has spawned a violent present.

Today South Africa's population is struggling to make popular elections and the drafting of new laws and constitutions the only legitimate means of political contest. However, the quest for a workable democracy has clearly had its challenges. Between 1997 and 2003, South Africa experienced a sharp spike in *plaasmoorde* or murders of white farmers in North-West Province. Later, in 2003, Thabo Mbeki's government brought the *Boeremag* ("Boer Power") assassins and saboteurs to trial for blowing up a bridge in the Eastern Cape, a portion of the Soweto residential area, and attempting to assassinate the former president Nelson Mandela. In 2007 and 2008, "de la Rey," a song that recalled the life of one of the chief architects of the guerrilla phase of the Anglo-Boer or South African War and asked why Afrikaners seemed incapable of producing similar leaders now, was the most popular song on South African radio stations that catered to white Afrikaans speaking listeners. Throughout 2009 many indigenous black South Africans engaged in violent intimidation and looting of recent African immigrants from other parts of the continent. In April 2010, Eugene Terre'Blanche, the controversial leader of the *Afrikanerweerstandbeweging* (AWB), was murdered. Finally, in October 2012, when thousands of African platinum workers went on strike in the Rustenburg region's company towns, South African police killed thirty-six workers at Marikana. Many subsequent commentaries on the killings likened them to the 1961 Sharpeville massacre. These and other violent forms of contest threatened to ring down the curtain on Nelson Mandela's "rainbow nation."[9]

[7] See Aninka Claassen, *Umhlaba: Rural Land Struggles in the Transvaalin in the 1980s* (Johannesburg, South Africa: Transvaal Rural Action Committee, 1989); see also André Du Toit, "Understanding South African Political Violence: A New Problematic?," *(UNIRSD) United Nations Institute for Research and Development*, Discussion Paper 43, April 1993, 6–10.

[8] In an address to the Central Committee of the National Union of Mineworkers (NUM) at Rustenburg on 18 March 1999, James Motlatsi, the president of the NUM at the time, stated, "The mood of the people is somber. They are not bristling with excitement.... People may not bother to vote. Why? Because they believe that their votes in 1994 have made no perceptible differences in their lives." See "The Freedom Struggle in Rustenburg," *South African History Online* (SAHO), http://www.sahistory.org.za/article/freedom-struggle-0; see also Wendy Davies, *We Cry for Our Land: Farm Workers in South Africa* (Oxford: Oxfam, 1990), 6–32.

[9] See David Smith, "Tension Simmers as Terre'Blanche Is Laid to Rest," *Mail and Guardian*, 10 April 2010 (http://www.mg.co.za/article/2020-04-10-tension-simmers-as-terreblanche-is-laid-to-rest); Stephanie Niewoudt, "The Brandy and Coke Approach," *Mail and Guardian*, 9 April 2010 (http://www.mg.co.za/article/2010-04-09-the-brandy-and-coke-approach); Richard Lapper, "A people set apart," *Financial Times*, April 10/April 11, 2010, 5; *Report of the Special Committee of Inquiry on Farm Attacks* (henceforth *SAPS Report*, 2003), "The Nature of Farm

Violence and aggression in any society embrace related problems of social and political costs, morality, social cohesion, and authority – in short, which persons, through the agency of the state, can legitimately do violence to other people. Because there is no known human society where violence and aggression do not occur and because the range of violent expression can also vary – from a hostile glance to the extermination of entire segments of a population – it is more useful to think of violence in terms of capacities rather than instincts.[10] Actual acts of terror and violence only amount to the most obvious features of the problem. One must reconstruct why a violent act occurred on the basis of its details in a manner that is consistent with the aims of the perpetrators and the amount of force that a given state would impose on them before, during, and after the act was completed. Assuming that collective violence is gratuitous is almost always a serious error of judgment.[11]

For most of the period in question rural white violence against Africans and other nonwhites had two sides. One was formal and conformed to the legal expectations of the segregationist state; the other was extralegal and based itself on rural white aspirations for a *boerestand* – an economic safety net out of which no rural white household could fall. Collective violence to secure the latter was therefore a central feature in the economic transformation of South Africa's countryside during periods of rapid but selective industrialization. Historians and other scholars have attempted to address the Janus-faced nature of collective violence in South Africa by way of the "cheap labor thesis."[12] The "cheap labor" thesis operates under the assumption that employers presumed African agriculture's capacity to mitigate in part the low wages of African workers and thereby "mystify" their exploitation. Managed interethnic rivalry among Africans at the workplace was the second pillar of the process. The segregationist state and white employers thus effected a modern-day version of Tacitus' prescription for the maintenance of Roman rule in Germania, that is, "If the natives will not love us, let them long hate each other."[13]

Attacks (Chapter 1)," 1–12; Andrew England, "South African Mining Sector Struggles to End Unrest," *Financial Times*, Wednesday, 17 October 2012, 3.

[10] See for example, William T Vollmann's insightful examination of the justifications for various kinds of collective violence: *Rising Up and Rising Down* Volume II (San Francisco: McSweeney's Books, 2003); see also Misha Glenny, *McMafia* (New York: Knopf, 2007), 147–152.

[11] See Anton Blok, "The Meaning of 'Senseless Violence'" in *Honour and Violence* (Oxford: Blackwell, 2001), 103–117.

[12] For the most comprehensive explication of the "cheap labor thesis," see Harold Wolpe, "Capitalism and Cheap Labour-power in South Africa: From Segregation to Apartheid," *Economy and Society,* 1/4 (1972), 425–456; see also Michael Burawoy, "The Functions and Reproduction of Migrant Labor: Comparative Material from Southern Africa and the United States," *American Journal of Sociology*, Volume 81, Number 5 (March 1976), 1050–1087; Debra Posel, "Rethinking the 'Race-Class Debate' in South African Historiography," *Social Dynamics* 9/1 (1983), 50–66.

[13] Cornelius Tacitus, *Tacitus Dialogus, Agricola and Germania* (Oxford: Clarendon Press, 1908), 108–109.

While learning from this tradition that filters racial domination through the lens of political economy, I also posit the significance of what might be described as the "psychological coordinates" of collective violence and white domination. I do so by "fine-tuning the intricacies of domination and subordination" and probing the fissures within the apparent certainty of white solidarity.[14] I demonstrate throughout this book that the plight of Africans was also a dynamic and significant feature of the state's attempt to manage collective violence. That many rural white families continued to fall short of a minimum living standard during periods of sharp economic conjuncture, however, particularly during the depression and drought of 1932, undermined the state's claims of having created a "White South Africa" in a most fundamental manner. Consequently, however integral and significant the circumstances of Africans were to economic transformation, they cannot bear the entire weight of explaining the kaleidoscopic shapes rural white violence assumed in the run-up to apartheid. In addition, the dark array of Afrikaner hostility to English-speaking whites, Africans, and other nonwhites cannot be attributed simply to a series of vaguely defined antagonisms. *Collective Violence and the Agrarian Origins of South African Apartheid, 1900–1948* makes a distinction between official and extralegal collective violence by showing how a tangled nest of specific and definite grievances fueled rural Afrikaners' attraction to extralegal violence. Finally, it demonstrates how both forms of violence continue to exist in present-day South Africa for historical reasons.

Assessing what kind of violence would achieve a desired end is sometimes as hard for academic researchers as it is for potential perpetrators of violence. What might be the social and moral costs? Would there be formidable opposition? Will the state punish or reward and congratulate the perpetrators? Moreover, modern states still find it difficult to anticipate the desires and aspirations of marginalized protagonists during moments of sharp economic and political conjuncture.[15] The publication of Ivan Evans's *Cultures of Violence and the Origins of Segregation in South Africa and the American South*, Jeremy Krikler's *White Rising: The 1922 Insurrection and Racial Killing in South Africa*, and Robert Turrell's *White Mercy: A Study of the Death Penalty in South Africa*, however, has made it easier for future scholars to determine how various forms of violence underwrote white supremacy in South Africa.[16]

[14] See Michael Burawoy and Karl Von Holdt, *Conversations with Bourdieu – The Johannesburg Moment* (Johannesburg: University of Witwatersrand Press, 2012), 24–27; see also Ari Sitas, "Review of Michael Burawoy and Karl Von Holdt's *Conversations with Bourdieu – The Johannesburg Moment*, *Global Labour Journal*, Volume 3, Issue 2 (September 2012), Number 6, 271–277.

[15] James C. Scott, *Seeing Like a State* (New Haven, Connecticut: Yale University Press, 1998), 5–6.

[16] See Ivan Evans, *Cultures of Violence: Racial Violence and the Origins of Segregation in South Africa and the American South* (Manchester and New York: Manchester University Press, 2009); see also Jeremy Krikler, *White Rising: The 1922 Insurrection and Racial Killing in South*

Evans' study is poignant and insightful. It begins at the close of the American Civil War and the Anglo-Boer or South African War and ends up in the recent past. His distinction between the private violence of white South African farmers and workers against blacks and white Southerners' inclination toward more communal forms of violence such as lynching is an important one that will command the attention of future researchers. In his estimate, the volume of public violence and expressions of white supremacy at any given moment is determined by the configuration of the state's institutions. He examines the impact of white supremacist violence in three sites of civil, political, and economic activity – the workplace (in both city and countryside), the state's bureaucracy, and the church.[17]

Toward the end of the second chapter, Evans states, "In sharp contrast to the American South, South Africa's legal system militated against a culture of vengeance and denied mob tyranny a purchase within the state."[18] He attributes this to a more centralized and interventionist state in South Africa. He also notes, however, that private instances of white violence against black South Africans were characteristic and pervasive on the farms of South Africa's highveld or *plaateland* and on its numerous gold mines. Could the grammar of motives informing private white citizens of the two respective countries be read another way?

Evans might have also emphasized the protracted nature of the 1838 Afrikaner "Great Trek." The trek's protracted nature is key to understanding the denominational differences within the Dutch Reformed Church (DRC), which Evans does carefully describe. A dearth of clergymen in the fledgling Boer republics punctuated the trek's protracted nature. Moreover, all the *dominees, predikants*, and congregants of the *Gerformeerde Kerk* or "Dopper" denomination of the DRC and many *Nederduitse Hervormde Kerk* (NHK) congregations opposed any ecumenical overtures to other Christian denominations and, by the late 1870s, became convinced of their unique position in overcoming Africa's "darkness" by compelling its original inhabitants to submit to their will (and ostensibly God's) through unremitting toil.[19] Anecdotes conveying these sentiments abound in the memoirs and testimonies of Boer republicans from the pre– and post–South African War generations – from President Paul Kruger's account of his flogging of the Bakgatla Chief Kgamanyane for not being more forthcoming with labor for his Boekenhoutfontein farm to accounts

Africa (Manchester and New York: Manchester University Press, 2005); Robert Turrell, *White Mercy: A Study of the Death Penalty in South Africa* (Westport, Connecticut: Praeger, 2004), see especially 50–52 and 122–132.

[17] Ivan Evans, *Cultures of Violence: Racial Violence and the Origins of Segregation in South Africa and the American South* (Manchester and New York: Manchester University Press, 2009), 50.

[18] Ivan Evans, *Cultures of Violence*, 50.

[19] See T. Dunbar Moodie, *The Rise of Afrikanerdom: Power, Apartheid and the Afrikaner Civil Religion* (Berkeley and Los Angeles: University of California, 1975), 58–61; see also S. J. P. Kruger, *The Memoirs of Paul Kruger* (New York: The Century Company, 1902), 70–75.

of Bafokeng adolescent girls recounting how Paul Kruger's son Piet forcibly harnessed their mothers to plows on his.[20]

Evans aptly notes that both Afrikaner politicians and DRC clergy often expressed the terms of segregation in the 1920s and apartheid in the 1930s and 1940s in language derived from Dutch theologian Adam Kuyper's notion of "sovereignty in one's own circle or sphere." By 1948, they had transformed this idiom into a benevolent gloss for apartheid. However, their views were also riddled with paradoxes that Evans might have analyzed in greater detail. For example, throughout 1920s and 1930s, D. F. Malan preached that the alarming increase in white poverty derived from the indifferent attitude Africans had to the prospect of being bossed up by rural Afrikaners. Even though the Carnegie Foundation recruited a virtual army of more rigorous researchers to study white poverty in South Africa between 1932 and 1937, it was Malan's view that eventually prevailed among many Afrikaner politicians and theologians.[21]

Karl Marx and Jean-Jacques Rousseau got it right a long time ago: the state must make its use of violence appear to have legitimate cause, for violence and coercion alone cannot sustain state power over many generations. In so doing, the state must also recruit a portion of the most able and intelligent among the exploited and oppressed to enforce its edicts.[22] As long as the state maintains this balance, its administrative reach can affect every layer of society. There have been times, however, when the state's reach was shortened and power could not be exercised in the old way in South Africa. Halfhearted attempts at appeasing those segments of the white population that were dissatisfied with the state's racial policies often led to more violent and virulent opposition later on.

One of the factors occasionally tipping the balance of the ship of state in South Africa has been Afrikaner nationalism's tendency to cast itself as an "insurgent force" throughout much of the twentieth century.[23] Once Afrikaner Nationalists were obliged to form governments in 1924, 1929, and 1932, the practical exigencies of governing complicated their outsider claims. Only after the outbreak of the Second World War and the popular and violent Afrikaner demonstrations against South Africa entering the war on the side of Great

[20] See AG 2738, Historical Papers, William Cullen Library, University of Witswatersrand, Johannesburg, South Africa, *Sharecropping and Tenancy Project*, "Interview with Mr. M. Moloko [Mr. B. Moeketsi, interviewer]," Sekama/Mathopestad, Boons, 20 November 1979; see also Belinda Bozzoli with Mmatho Nkotsoe, *Women of Phokeng* (Johannesburg: Ravan Press, 1991), 40.

[21] Ivan Evans, *Cultures of Violence*, 161–162 and 177.

[22] See Karl Marx, *Theories of Surplus Value* Part III (Moscow: Progess Publishers, 1971), 62–63; see also Karl Marx, *Capital* Volume III (New York: International Publishers, 1967), 385; Jean Jacques Rousseau (G. D. H. Cole trans.), *The Social Contract and the Discourses* (New York and Toronto: Everyman's Library, 1992), 184–190.

[23] See John Cell, *The Highest Stage of White Supremacy: The Origins of Segregation in South Africa and the American South* (New York and London: Cambridge University Press, 1982), 6.

Britain and the Allies did this claim once again seem credible. *Cultures of Violence* has opened up an important debate about times when state power in South Africa and the American South did not see itself faithfully reflected in the expectations of a significant portion of their black and white populations. It sought to examine the past, but its import and instructive insights remain useful barometers of the current dilemmas of South Africa and the United States.

In *White Rising* Jeremy Krikler has brilliantly reclaimed the voices of white miners – many of whom had been farmers in the western Transvaal before 1914 – that demanded a more generalized distribution of the privileges of white supremacy, but in a manner that was as discursive as it was contentious during the violent general strike and rebellion of January to March 1922. Together with the earlier contributions of Belinda Bozzoli, Patrick Harries, Norman Herd, Alan Jeeves, Frederick Johnstone, Elaine Katz, A. G. Oberholster, and Charles van Onselen, Krikler's book shows that race and violence were indeed integral features of South Africa's industrial and labor history, but that they do not sufficiently explain the moments when discrete groups of people chose to use them as weapons or bargaining tools.[24]

The compressed and intensely violent rebellion of South Africa's 20,000 white mineworkers had several overlapping features. Within a matter of days – from 6 March to 12 March – it went from a general strike to a racial pogrom and insurrection against the government of Prime Minister Jan Smuts. Throughout all these twists and turns the battle standard remained, "Workers of the world unite and fight for a White South Africa!"[25] Krikler analyzes these swift transformations with great verve and a sweeping narrative, but his discussion of their timing and likely causes and his use of what might be called "volcanic causal imagery" raise a number of important questions – particularly with respect to how rebellious white workers chose their course of action at each major turn of the conflict.[26]

[24] See Belinda Bozzoli, *The Political Nature of a Ruling Class* (London: Routledge and Kegan Paul, 1977); see also Patrick Harries, *Work, Culture and Identity: Migrant Laborers in Mozambique and South Africa* (Portsmouth, New Hampshire: Heineman, 1994); Alan Jeeves, *Migrant Labour in South Africa's Mining Economy: The Struggle for the Gold Mines' Labour Supply, 1890–1920* (Kingston, Ontario: McGill-Queen's University Press, 1985); Frederick Johnstone, *Class, Race and Gold* (London: Routledge and Kegan Paul, 1979); Norman Herd, *1922: The Revolt on the Rand* (Johannesburg, South Africa: Blue Crane Books, 1966); Elaine Katz, *A Trade Union Arisocracy: A History of White Workers in the Transvaal and the General Strike of 1913* (Johannesburg, South Africa: University of Witwatersrand Press, 1976); A. G. Oberholster, *Die Mynwerkerstaking: Witwatersrand, 1922* (Pretoria, South Africa: *Raad vir Geesteswetenskaplike Navorsing*, 1982); Charles van Onselen, *The Small Matter of a Horse* (Pretoria, South Africa: Ravan Press, 1982); Charles van Onselen, *Essays in the Social and Economic History of the Witwatersrand, 1886–1914* Volumes 1 and 2 (London: Longman, 1982).

[25] Norman Herd, *1922: Revolt on the Rand* (Johannesburg: Blue Crane Books, 1966), 104–109.

[26] See Roderick Aya, *Rethinking Revolutions and Collective Violence* (Amsterdam: Het Spinhuis, 1990); see also Charles Tilly, *The Politics of Collective Violence* (New York and London: Cambridge University Press, 2003), 3–7.