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STRUCTURE AND EXPERIENCE IN THE MAKING OF APARTHEID

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TITLE: Popular Politics and the Rationalization of "Urban Native" Administration in Brakpan, 1943 - 1948

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Structure and Experience in the Making of Apartheid

Popular Politics and the Rationalization of "Urban Native"  
Administration in Brakpan, 1943 - 1948

On a hot afternoon in October, 1947, a brawl erupted on the streets of the Brakpan Municipal Location outside the superintendent's office. Almost immediately, the location superintendent and an Advisory Board member who were standing by separated the two pugilists.<sup>1</sup> Now in themselves, there was nothing remarkable about brawls in this East Rand location; indeed, street violence had been part and parcel of daily life in the location since its establishment in 1927. The distinguishing features of this particular fight, however, and that which marked it out as unique, were the identities of the two protagonists. Unlike the regular brawl, usually fought out between visiting miners and local residents, the men were two prominent Brakpan residents, Dr F.J. Language, municipal manager of Non-European Affairs in Brakpan and Mr David Wilcox Bopape, local Advisory Board representative, secretary of the Anti-Pass Campaign of 1943 and 1944 and one of the location's leading communists.<sup>2</sup> Further, as a consequence, unlike most other location fisticuffs, this matter was to be elevated from the dusty location streets and adjudicated in the more rarified atmosphere of the magistrates and supreme courts. It was also an affair which reverberated far beyond this small town. It was the cause of some consternation to the central government Native Affairs Department which was intent on implementing a reformist programme of "native administration" and thus concerned to avoid any actions that might jeopardize this project.

Yet, despite the tremors set off in the corridors of power, and the fears stirred within the local white community, the surface of the Brakpan racial and social order remained essentially undisturbed. The fight, however, did signify a shift in the decade-long struggle for control of the location. The local non-European Affairs Department, under the leadership of Language

1 Brakpan Herald, 2 April, 1948

2 Central Archives Depot (CAD): Native Affairs Department (NTS) 4320 179/313 Transcripts of evidence from Rex v F.J.Language, 18 November, 1947

gained the upper hand and proceeded to enforce a rationalized and harsh system of location controls, measures, which in their severity anticipated much of the urban apartheid programme of the new government which came into power a year later. From this time too, the popular protest movement in the location, under the leadership of Bopape subsided briefly into a state of dormancy, only to be ignited during the country-wide mass political mobilisation of 1950.

The aim of this paper is to explore the history of the antagonism between the two men. While the story of a clash between a white official and black leader in South Africa of the 1940s is of immense social and psychological interest, it also illustrates wider aspects of urban "native" policy and black political consciousness and organisation in the decade which preceded apartheid. In doing so, it points to some of the continuities between the segregationist world of the Smuts administration and the urban apartheid order constructed by its successor, the Nationalist government, as well as some of the currents which fed into the African mass political culture of the following decade.

The paper also aims to point to some of the lacunae in the existing literature about state policy and African political struggles in the 1940s. Most commentators of the period have examined the radical reappraisals of the "urban native" question in governing circles between 1940 and 1942 and 1946 and 1948 and the new element of flexibility in the debates manifested in the greater influence of the Native Representative Council (NRC) and in the various state departmental commissions of inquiry into the conditions of urban Africans.<sup>3</sup> Nevertheless, as most writers note, despite these portents of reform and the prime ministers' own momentary disavowal of segregation of 1942, the Smuts government's urban "native policy" was characterised by vacillation, eclecticism and uncertainty. No resolute action, either in the implementation of the recommendations of the commissions of inquiry or in providing the means with which to house the burgeoning urban African population emanated from the government. As a consequence, slumdom, intense overcrowding, squatting and periodic outbursts of worker and popular militancy were the characteristic features of the larger urban centres in the decade. In many accounts, various explanations for the government's irresolution and its tendency to ricochet between reform and repression have been advanced. Factors such as

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3 D. Hindson, Pass Controls and the Urban African Proletariat, (Johannesburg, 1987), pp. 239 - 245; T.R.H. Davenport, A Modern History (Johannesburg, 1977), pp. 239 - 245; P. Walshe, The Rise of African Nationalism in South Africa (University of California Press, 1971), pp. 269 - 271

financial stringency, bureaucratic inefficiency, divisions within the Department of Native Affairs and reflexive responses to Malanite racialist electioneering in 1943 and 1946, for example, have been forwarded by liberal scholars.<sup>4</sup> Materialist analyses on the other hand, point to underlying structural features such as the conflicting and irreconcilable labour demands of mining and manufacturing capital. The government they argue, was unable to act decisively, trapped as it was between mining capital's demand for the retention of a migratory labour system and manufacturing's call for the "stabilisation of a permanently urbanised African proletariat."<sup>5</sup> Despite the differences in interpretation, the central government's Department of Native Affairs emerges in the literature as a vacillating and effete institution lacking in the resolve and resources to deal with the massive social consequences of African urbanisation. What is lacking in most accounts, however, is a glimpse into the day-to-day functioning of "urban native" administration, the major burden of which fell squarely on the shoulders of the local authorities. It is suggested that by looking more closely at one local state's dealings with the crises of urbanisation and popular struggles and at its relationship with the Department of Native Affairs, a more complex and nuanced view of the crises of urban management and of the evolution of "urban native" policy in this decade begins to emerge. This and other recent studies demonstrate how, in the absence of coherent state policy direction or initiative, local authorities tended to respond to the urban crises with ad hoc and piecemeal measures which, on occasion, ran counter to government policy and to the demands of an increasingly assertive urban African population.<sup>6</sup>

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- 4 See for example W.C. Hancock, Smuts: The Fields of Force, 1919-1950 (Cambridge, 1968), p 479; T.R.H. Davenport, South Africa, pp. 234 - 244 and P. Walshe, The Rise of African Nationalism, p. 270
- 5 R. Bloch and P. Wilkinson, 'Urban Control and Popular Struggles: A Survey of State Urban Policy, 1920 - 1970' in Africa Perspective, no. 20. 1982, p. 19. See Hindson's study of debates about the debates amongst scholars about the reappraisals of urban African policy in his Pass Controls, pp.52 - 61
- 6 See for example P. Wilkinson, 'A Place to Live': The Resolution of the African Housing Crisis in Johannesburg, 1944 - 1954' in D. Hindson (ed.) Working Papers in Southern African Studies, Volume 3 (Johannesburg, 1983), pp. 65 - 90 and P. Bonner, "'We Are Digging, We Are Seizing Great Chunks of the Municipalities' Land": Popular Struggles in Benoni, 1944 - 1952', paper presented to the African Studies

The paper also attempts to address a second gap in the general literature, that of the nature and dynamics of the mobilisation of urban Africans in the 1940s. Until recently, the decade of the 1940s has been viewed as the dress rehearsal for the mass protests of the 1950s; the spontaneous outbursts in locations, factory floors and squatter camps is viewed merely as the prelude to the ANC - led campaigns of the following decade and the major organisations of the day. Little is known of the precise mechanics of the struggles, their local quality and character, of the roles of tenant and resident organisations such as Vigilance Associations, Advisory Boards and teachers associations in contributing to political consciousness.<sup>7</sup> This paper cannot hope to address all these gaps, but it is suggested that by focussing more closely on the personalities, social backgrounds and worlds of the chief actors in this story, we are afforded a unique opportunity of peering more closely at one urban African community, its struggles against evolving and ever-refining forms of control and at the role of the state and local state officials in this important period of transition and flux. It shows how the Brakpan local authority in the 1940s was considerably closer to the more repressive Stallardist position than the central state department and thus, gave the local African inhabitants a foretaste of the subsequent urban apartheid forms of urban controls.

Dr Francis Joseph Language (1910 - 1981)

Francis (Frank) Language was born on a farm in the Lydenburg district in 1910. He was the oldest son of a family of six children. Like many rural Afrikaans-speaking families of the period, his was a family of "Bloedsappe", a legacy which the young Language would soon discard. Language matriculated in 1930 from the local school and went to the University of Stellenbosch to study a Bachelor of Arts in anthropology and African languages in 1933 and graduated two years later with distinction. From May 1934 to December 1936, he interrupted his studies and worked as a clerk in the Pretoria office of the Department of Native Affairs, where he was first introduced to the problems associated with urban "native administration." In 1937, he returned to his alma mater to continue with his studies in anthropology and to take up a position as lecturer in that department. Once again, he demonstrated his academic excellence and at the end of that year,

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Institute Seminar, University of the Witwatersrand (UW), 28 October, 1985

7 One of the notable exceptions to this is the work of Y. Lodge. See his Black Politics in South Africa since 1945 (Johannesburg, 1983)

he was awarded a masters degree with distinction. Language was awarded a Webb stipend by the National Research Board in 1938 and began his research for his doctoral thesis which he completed in 1941. It was an influential work, and was subsequently published under the title of "Stamregering by Thlaping".<sup>8</sup> His years at Stellenbosch were extremely formative, a time when the foundations of his political thought were laid. His anthropological studies were crucial in shaping his political vision and in developing his understanding of the great "native question" of the day. This background, and his years living and researching amongst the Thlaping were seminal in the evolution of his thinking about the origins of, and solutions to the massive social and political problems which had resulted from African proletarianisation and the erosion of the economic bases of the "reserves". It was in this period that he became conscious of the need to combat "detrribalisation" and of the value of anthropological study to achieve this end.<sup>9</sup> In the Stellenbosch of the 1930s, Language was also introduced to the flourishing Afrikaner nationalist movement amongst students and intellectuals and to the ideals of Christian Nationalism which was to serve as the bedrock of his thought. It was here too that he was inspired to join the populist extra parliamentary Afrikaner movement, the Ossewa Brandwag, an organisation committed broadly to the maintenance of Afrikaner values, the nurturing of patriotism and group pride and the vigorous defence of the "Afrikaner way of life"<sup>10</sup> It is unclear though how he responded to its increasingly paramilitary and neo-fascist character.

He was educated in a climate when Afrikaner students and intellectuals had become increasingly conscious of the considerably more sophisticated thinking of "die liberalistiese en negrofilistiese seksie onder ons land se intellegentsisisa" on the "native question" and of the need for Afrikaner intellectuals to equip themselves intellectually to take on the hegemonic English race - relations discourse. In an issue of the Afrikaanse Nasionale Jeugbeweging journal, Wapenskou of 1943, for example, the editorial urged Afrikaners to engage in scientific research

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- 8 This account has been stitched together from the following sources: H. Sapire, interview with Mrs F.J. Language, Pretoria, August, 1988; "Brakpan Verloor Groot Deskundige" in Springs and Brakpan Advertiser, 15 January, 1960; C.J. Nel, "Gedenks: F.J. Language" in Iydskrif vir Rasse Aangeleenthede, vol 32, no.4, 1981
- 9 See his article, "Naturellevraagstuk by Uitneemendheid Probleem van die Blanke" in Die Vaderland, 13 March, 1936
- 10 T.R.H. Davenport, South Africa: A Modern History (Cape Town, 1988), p. 333

into the "native question" and a thorough immersion in ethnological study to equip them with an understanding of the contemporary problems.<sup>11</sup> This was an important period of Afrikaner intellectual ferment and the period in which the "apartheid" concept originated among Afrikaner intellectuals who wanted "vertical" separation of the races.<sup>12</sup> The culmination of these various influences in Language's thinking are evident in a pamphlet, co-written with P.J. Coerze and Professor B.I.C. van Eeden, both of whom, together with Language were to become influential "visionaries" of SABRA.<sup>13</sup> The authors assert the importance of Christian Nationalism as the basis of the ethical life of Afrikaners; the god-ordained nature of the separation of races (race apartheid); the unique role of the Afrikaner in South Africa and the desirability of a radical and just policy of total apartheid. They castigate Afrikaans speakers for their ignorance about "native tribes" and about the total extent of the "native question", a problem which needed to be redressed if the Afrikaner was to play their rightful role in the resolution of the race issue. Their article points to the disruption of traditional African social structures and to the solvent effects of urbanisation and economic integration upon traditional social restraints. This, they opine, had resulted in a "new spirit of irresponsible individualism and egocentricism" amongst Africans. Stripped of the restraints of traditional society, urbanised Africans had absorbed the worst of white values and had come to lead lives of degeneracy and dissipation in the cities. Moreover, unrestrained urbanisation and "economic integration" had brought about the evil of "blood mixing". The moral and practical solution they offer is the reconstruction of the "original" tribal order and a total separation between white and "natives" in all areas of life. These, crudely summarised, were to remain the essential guiding principles of Language's thinking. Despite his confrontation with the realities of administering an African community in one of the most populous and industrialised urban regions in the 1940s, he, together with other SABRA

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- 11 "Die Naturellevraagstuk en die Afrikaner Student" in Wapenskou, April, 1943. For a discussion of the relationship of "English" anthropological study and state policy, see S. Dubow, "Race, Civilization and Culture: The Elaboration of Segregationist Discourse in the Inter-War Years" in S. Marks and S. Trapido (eds.), The Politics of Race, Class and Nationalism in Twentieth Century South Africa (London, 1987), pp.71-94
- 12 T.R.H. Davenport, South Africa, p 356.
- 13 P.J. Coerze, F.J. Language and B.I.C. van Eeden, "Die Oplossing van die Naturellevraagstuk in Suid Afrika: Wenke Ooreenkomstig die Afrikanerstandpunt van Apartheid" (Johannesburg, 1943)

"visionaries", would continue to call for the urgent resuscitation of the ailing reserve economies as a precondition for effective "vertical" separation of the races and to chide the governments of the day for their laggardness in effecting this. This idealistic or "visionary" strain in his thinking which demanded total territorial segregation, was to run counter not only to that of the Department of Native Affairs of the Smuts administration, but later, to that of the first Nationalist Native Affairs minister, Verwoerd.<sup>14</sup>

Language, however was not content to remain aloof from what he saw as the great challenges of the day, and in 1943, applied for the job of Manager of Non-European Affairs advertised by the East Rand municipality of Brakpan. Of all the applicants for this post, Language proved to be the most eminent. With his fluency in African languages and expertise in "native" affairs and "psychology", he was regarded as the ideal candidate. This was a new post created by the Brakpan Municipality and great hopes were invested in Dr Language. In the preceding four years, the administration of the local African populace was in a state of total disarray. The abolition of pass controls in the early phases of the war, the relaxation of the local resident permit system since 1938 and the impoverishment in the reserves had resulted in the flooding of Africans to the East Rand. The previous superintendent had been unable to prevent "an extraordinary and unprecedented" flow of Africans from nearby farms, surrounding gold mines and reserves who settled in the municipal location and shacks on the peri-urban plots and small farms on the periphery of the town. By the mid-1940s, the permanently settled African population of Brakpan had grown to over 16 000. (This figure excludes the 30 000 odd African miners living in compounds on the nearby mines.) The municipal location accommodated between 8 and 10 000 of these people. The remainder lived as squatters on the plots and in backyard hovels in the white town.<sup>15</sup> Not only did this influx exacerbate an already acute housing shortage, but the town's economy proved to be singularly incapable of providing employment to the newcomers. Although situated in the heart of this industrialised region, Brakpan was one of the smaller centres with an underdeveloped industrial and commercial sector. Moreover, because of the absence of an adequate industrial infrastructure, many existing

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14 For a discussion of the "purist" strain within SABRA, see J. Lazar, "Verwoerd versus the Visionaries: The South African Bureau of Racial Affairs and Apartheid, 1948 - 1961", paper presented to the "South Africa in the 1950s" conference, University of Oxford, September, 1987

15 CAD: Brakpan Municipal Records (BMR) N3/57 Report of the Manager of Non-European Affairs, 24 January, 1943



employers relocated their enterprises to areas with local authorities more solicitous to the needs of manufacturing. While some Africans employees followed their employers, the closing down of such outfits inevitably left unemployed Africans in their wake.<sup>16</sup> The new numbers of rural immigrants thus also contributed to high levels of unemployment. In conditions of unemployment, the one economic activity which did flourish was that of beer brewing and liquor smuggling, a trade which grew to mammoth proportions.<sup>17</sup> Conditions in the location itself were appalling; households doubled up and the additional numbers placed immense strains on all urban amenities. Moreover, the administration of the location was being conducted at tremendous cost to this rather impecunious local authority. The native revenue account showed a deficit, a factor due in large part to the hundreds of residents in arrears in their rents. Most alarming for the municipality, was the increasingly militant assertions of discontent from location residents and the appearance in the location, for the first time ever, of effective political organisation.<sup>18</sup> The total breakdown of controls decided the council in 1942 that it was necessary to overhaul the entire system of location administration. Investigations into the matter revealed to them that the existing superintendent had been derelict in his duties, in suppressing the liquor trade, in collecting outstanding rents, in enforcing the residential permit system and in monitoring political activity. Although this official was held to be incompetent, it was realised that the municipality lacked the appropriate bureaucratic and administrative machinery to govern its local African population. During this time the town clerk, together with subordinates, including the location superintendent were responsible for the supervision of the municipal compound, location and beerhall and for the inspection of the smallholdings for unauthorised African occupation. Given the "increasing complexity" of "native administration", it was decided to follow the direction of the larger Reef municipalities and to create a municipal non-European Affairs Department and to appoint a Manager of Non-European Affairs to co-ordinate the duties and responsibilities of ruling this increasingly restive African population. The manager's task would be to enforce the Native (Urban Areas) Act (1923) and to

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- 16 Brakpan Municipal Archives (BMA): BMR 14/7/7 Undated letter to the Town Clerk from the Brakpan Location Joint Organisations Committee (circa September, 1947)
- 17 CAD:BMR N3/57 Minutes of the Meeting of the Location Sub-Committee, 29 March, 1943
- 18 For a detailed discussion of socio-economic conditions in the location, see H. Sapire, "African Urbanisation and Struggles Against Municipal Controls in Brakpan, 1920 - 1958", Ph.D thesis, UW, 1989

establish both the new department and a council of sub-committee of "experts".<sup>19</sup>

Language left the Cape to take up this challenge in 1943. The Brakpan in which he found himself, was, as today, one of the poorer and drabber towns of the East Rand. Its white population were mainly miners and artisans living in three small suburbs or on the plots and smallholdings on the edges of the town. Unlike some of the larger East Rand towns, the commercial and industrial sector was a small and socially insignificant force in civic life. It thus lacked the social and cultural pretensions of the petty bourgeoisie and bourgeoisie with their demands for liberal improved social conditions for the African population. Despite strenuous efforts, it had been impossible to muster sufficient support to establish a Joint Council of Europeans and Non-Europeans in the town. Race relations were harsh; the white inhabitants had a strong sense of the threat posed to their privileged and protected positions by African urbanisation and by their acquisition of industrial skills. As was the case in most towns, the location and the white town were totally cut off from one another. A high fence surrounded the location and interaction between the two societies was restricted to rigid master-servant relationships. It was probably only on the plots and small towns that there was a greater degree of social intimacy between the two races. This social environment, as much as his own political credo was to inform Language's "native" policies in Brakpan.

Although it was to become a nationalist stronghold in later years and to have a nationalist minority in the town council, when Language first arrived, Brakpan was a United Party parliamentary seat and the town was English dominated.<sup>20</sup> Indeed, one of the major social tensions of these years was that which existed between the English and Afrikaner townfolk. Yet, Language and his wife were able to find likeminded people and fellow Afrikaans speakers who similarly felt stifled by the Englishness of the town. Amongst their close family friends was Balthazar John Vorster who was later to become prime minister: Language was also to become a staunch church elder of the NGK and a voluntary member of the Springs shooting commando. Despite some initial social alienation,<sup>21</sup> as the Afrikaans speaking population grew in size and confidence, and as he won the respect and total support of his colleagues on the town council, he was to become

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19 CAD:BMR BS/57 Minutes of the Meeting of the Town Council, 26 April, 1943

20 See F.J. Nothling, "The Story of Brakpan", undated, unpublished manuscript

21 H. Sapire, interview with Mrs F.J. Language, Pretoria, August, 1988

one of the foremost citizens of the town. Indeed, from the moment of his arrival, Language applied himself energetically to the tasks before him.

As has been mentioned, one of the reasons for the creation of the new post of manager and the new department of non-European Affairs was the rumblings of political activity within the location and the growth of the Communist Party of South Africa. (CPSA). By 1943, the Brakpan Location was the scene of regular political meetings, addressed by local and national political figures, who, because of the laxity of the location controls, enjoyed free access to the location. One of the figures at the centre of these developments within the local location was David Wilcox Bopape the man who would become Language's chief antagonist over the next decade. It is thus to Bopape that this paper now turns.

#### David Wilcox Bopape (1915 - )<sup>22</sup>

Like Language, Bopape was Transvaal born. He was one of three children of a labour tenant family living on a farm in the Pietersburg district. At the time of his birth, 22 September, 1915, his father was away in war-torn Europe with the "native contingent". Although the Bopape family lived in conditions not dissimilar to other rural black cultivators, his social origins were considerably more patrician than many of his counterparts in the area. His grandfather was a minister of religion and owner of land in the area and like many contemporary prosperous African farmers, his family valued education as a prized commodity. When his father returned to the farm after the war, his family left the farm to live with his grandfather. After completing his standard six at Kransenstein Mission School in 1932, Bopape went to Dison (?) College near Middelburg where he passed his junior certificate and received training as a school teacher. Between 1933 and 1938, Bopape worked as a school teacher in Tzaneen and Middelburg. It was in these years that he joined the Transvaal African Teachers Association (TATA) an organisation which was to play a significant role in the shaping of his political consciousness.

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22 This account of Bopape's early life has been drawn from various interviews conducted with him over the last few years. See D. Cachalia, interview with David Bopape, Johannesburg, 31 May, 1982 (Records of the South African Institute of Race Relations (SAIRR), UW; H. Sapire and A. Cobbley, interview with D. Bopape, Johannesburg, August, 1983; H. Sapire, interview with D. Bopape, Johannesburg, April, 1988 and P. Delius, interview with D. Bopape (date?)

In 1938, Bopape left the northern Transvaal for the Reef. He had been appointed as a teacher at the Berlin Mission School in the Brakpan Municipal Location. In Brakpan, he found himself in one of the smaller, more squalid Reef locations. Although the Brakpan location of the 1930s housed a cowed and politically apathetic population, the war years were to usher in a new political radicalism, fuelled by massive urbanisation, the experience of war time privations and by the stirring into action of the CPSA and the African National Congress. (ANC)<sup>23</sup> In his first year in Brakpan, 1939, it appears that his energies were absorbed in completing his matric while teaching at the school. It was probably in the next three years he became increasingly active in community life. He became chairperson of the Lawn tennis Association, secretary of the Location Child and social Welfare Society, Secretary of the Vigilance Association and "Boys Club" and an elected Advisory Board member. It is probably not surprising that he should have risen to a position of social prominence. For apart from his charisma and energy, testified to by all informants, as a school teacher, he occupied a position of great social prestige. In the Brakpan Location, as in other underprivileged communities where educated people were essential to explain and interpret the various regulations governing their lives and to mediate between the community and white officialdom, teachers occupied a natural position of leadership. It was also the case that the absence of clerical work for Africans in the town and stringent controls on petty entrepreneurship, the educated and relatively more prosperous elite were school teachers. This was reflected in the composition of the Advisory Board; throughout the 1940s and 1950s, this institution was virtually run by the local teachers.

It was though his activities in TATA, and in its campaigns for higher salaries for teachers that Bopape was first introduced to mass politics and to wider political currents within black society. In the TATA "blanket campaign" of 1941, Bopape participated in teachers' demonstrations in the streets of Johannesburg.<sup>24</sup> In this year too, Bopape first came into contact with the CPSA. He apparently attended a meeting in the Gandhi Hall in Johannesburg and was inspired by the speeches and by the dynamism of the organisation. In these years, the CPSA had certainly made a dramatic recovery from its pre-war lethargy and through its involvement in trade union work amongst Indian and African workers, its participation in white municipal elections and in its rapprochement with the ANC, had begun to extend its

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23 H. Sapire, "The Stay-Away of the Brakpan Location, August, 1944" in B. Bozzoli (ed.) Class, Community and Conflict: South African Perspectives (Johannesburg, 1987)

24 T. Lodge, Black Politics, p. 132

influence. African membership soared, and the CPUSA began to play an increasingly important role in organising location communities in areas like the East Rand around the immediate, material struggles of its inhabitants.<sup>25</sup> The latter aspect of their strategy particularly attracted Bopape and he was to become a key exponent of this policy as a member of the Brakpan CPUSA branch and of the East Rand District Committee of the Party. His membership of the Party, however, did not prevent him from joining the local ANC branch in the following year or from becoming a founder member of the Youth League in 1944. Bopape succeeded in balancing these two positions, and indeed, in the joint CPUSA-ANC anti-pass campaigns of 1943-1944, united them in his person as secretary of the Anti-Pass Council which had emerged in response to the State's crackdown on pass offenders. Yet, while he could comfortably reconcile his membership of both organisations, he was regarded with some suspicion by some of his ANC colleagues, particularly by Youth Leagues with their antipathy to communism and to the CPUSA's advocacy of using "dummy institutions" such as Advisory Boards as a means of establishing footholds in urban African locations. This was a strategy employed to great effect in the Brakpan Location and in no small way, a tribute to the persuasiveness and dynamism of Bopape and some of his fellow CPUSA colleagues in the location.

#### The Meeting of the Two Men

Under the influence of a newer, more dynamic generation of location leaders, the Advisory Board had become an active force in the location. Community leaders used the institution as a means communicating grievances to town council, of holding it accountable to the residents and of mobilising the local community around issues which affected their daily lives. Many of these issues revolved around the basic survival struggles in which most urban Africans were engaged in these years. The battle to stretch wages to meet soaring food, shelter and transport costs were issues which were taken up by the communist-dominated Board as were the grievances related to some of the more petty controls embodied in the location regulations. The Advisory Board had also become a platform for the expression of wider political ideals, both in the local and national sense. Locally, it but it became a vehicle for the expression of ideals for greater representation and responsibility for Africans in urban affairs. The Board continually called for the establishment of their "own treasury" and for African representation on the town council. It was precisely these sorts of demands, that is

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25 Inkululeko, 30 October, 1944; T. Lodge, "Class Conflict, Community Struggles and Patriotic Unity: The Communist Party of South Africa During the Second World War", paper presented to the African Studies Institute Seminar, UW, October, 1985.

the call for wider political rights within the urban area which were viewed by Language as one of the most dangerous consequences of the government allowing unrestrained urbanisation and "economic integration".<sup>26</sup> The fact that these demands were being made by CPSA members made the situation all the more ominous for him. Space does not allow for a more detailed account of the activities of the Advisory Board and of the Vigilance Association which worked together in local struggles for betterment and against some of the more arbitrary and petty restrictions of location life. Suffice it to say, by the early 1940s, unlike their predecessors which had represented the narrow, sectional interests of the location's petty bourgeoisie, these institutions achieved a genuinely popular following.<sup>27</sup> Their commitment to the parochial, daily struggles of residents, moreover, did much to expand the local following of the CPSA. By the early 1940s, as a result, Brakpan had become one of the most active CPSA centres on the East Rand.<sup>28</sup>

In a situation in which location organisations were calling for greater community participation in the running of the location, the announcement that a new streamlined "native affairs" department headed by a known Nationalist Party and OB member was to be installed, was the cause of alarm. The residents had held the location's first superintendent, Mr Gould in affection and had become accustomed to the even more relaxed atmosphere under the ineffectual administration of his successor, Mr Abrahams in the early war years.

Language's first actions as manager confirmed all of their fears. His period of service opened in mid-1943 with tighter influx controls, the enforcement of the visitors permit system, an increase in lodgers fees and the harassment of rent defaulters. Beer raids were reintroduced and police spies infiltrated all political meetings.<sup>29</sup> It is small wonder then that the meeting of "welcome" to Language in November was seized as an opportunity to voice the discontent and resentment at these changes and to reassert the demand for representation on the council. It was at this meeting, that Bopape, who had been elected by the residents to address the meeting, first came to Language's notice. While most residents were of the view that Bopape was merely forwarding

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26 CAD:NTS 4320 179/313 "Native Unrest in the Brakpan Location - Confidential Report"

27 See H. Sapire, "African Urbanisation", chapters 3 and 4

28 T. Lodge, Black Politics, pp. 26 - 29

29 Inkululeko, 4 March, 1944; CAD:BMR S37 Location Superintendent to the Manager of Non-European Affairs, 7 September, 1945

their grievances, Language felt that Bopape's speech was "antagonistic" and "inflammatory". He became convinced in an instant that Bopape's continued presence in the location posed a profound threat "to good government in the location." 30

If members of the town council had any doubts about the danger of Bopape's presence in the location, these were laid to rest by the tumultuous local response to the Anti-Pass Campaign in June and July of the following year. Throughout these months, in defiance of a ban on "social gatherings", regular meetings were held in the location addressed by local ANC and CPUSA activists and by national figures such as Gana Makabeni, Edwin Mofutsanyana and C.S. Ramohano.<sup>31</sup> It was in these circumstances that the council agreed with Language's proposal to have Bopape dismissed from his post as the first step towards forcing him out of the location altogether. Despite careful surveillance of political meetings, Language clearly did not realise either the extent of Bopape's following or that of popular dissatisfaction with his regime. For in the wake of the dismissal, he and the council were taken completely by surprise by a schools boycott and total stay away from work in protest against the dismissal was organised by the Vigilance Association and elected Advisory Board members in July and August of that year. 32 After hours of negotiating with the council, the Vigilance Association and Advisory Board agreed to call off the strike; in return, the council undertook to investigate the strike demands and grievances of the residents. Amongst the demands were the reinstatement of Bopape in his post as teacher and the dismissal of Dr Language from his.

Although the resolution of disputes and problems in locations was regarded by the Department of Native Affairs as the domestic concern of individual municipalities, this incident was one which seriously disconcerted them. Not only had the NRC adjourned on the day of the strike, but over the following few weeks and months, the Department was inundated with petitions and letters from the Vigilance Association protesting against the council's "betrayal" of promises look into their grievances and to investigate Language's conduct and the reinstatement of Bopape. Language on the other hand appealed to the Minister of Native

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30 BMA:EMR 14/1/1 Minutes of the Meeting of the Town Council, 26 November, 1943

31 CAD:NTS 4320 179/313 Report of the Superintendent of the Brakpan Location: Native Unrest in the Location (circa August, 1944); CAD:NTS 4320 179/313 Report of Meeting Held in the Brakpan Location Shop Square, 28 June, 1944; T. Lodge, "Class Conflict"

32 For a detailed discussion of these events, see H. Sapire "The Stay Away"

Affairs to take action against Bopape and his "clique of malcontents." 33 The Native Affairs Commissioner stationed in Benoni was thus instructed to launch a full-scale enquiry into the events and allegations. After extensive discussions with both the location representatives and the council, the Native Commissioner acknowledged that Language's action had been the cause of widespread anger. Nevertheless, he agreed with the council's view that Bopape and "his lieutenants" exercised a tyranny over an essentially law-abiding, peaceful community and that they had incited them to acts of defiance for reasons of political expediency. However, the Department concluded, no good purpose would be served by taking punitive action against Language as this would merely fuel the propaganda of the location organisations.<sup>34</sup>

The outcome of the enquiries and the failure to address any of their grievances did little to assuage the resentment of location leadership. The involvement and visibility of the CPFA in the stay away and the support shown for their cause in the pages of Inkululeko had the effect of enhancing, rather than diminishing the prestige of the Party, a factor which was demonstrated in the Board elections for 1945. In this election, the communist members, including Bopape swept the polls. Further, the council's assertion that the CPFA enjoyed the support of only a fraction of the location, was contradicted by the total support shown for the bus boycott organised by this communist - led Board.<sup>35</sup> Thus, apart from the tasks of imposing effective influx controls and eradicating the deficit of the Native Revenue Account, Language set himself the task of crushing political activity. In all projects, he was to meet the implacable opposition of the residents, and in each project, the enmity of David Bopape.

The years of conflict between these two men were portentous ones nationally. At this time, the government grappled to formulate a workable urban "native" policy and to come to terms with the realities of massive and rapid proletarianisation. After the crack-down on passes in 1944 and the promulgation of the amended Natives (Urban Areas) Act of 1945, the Government once again seemed to be changing direction. The worsening of the political situation in 1946, the year of the massive African mine workers strike, the disbanding of the (NRC) and the indications that the

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- 33 CAD:NTS 4320 179/313 Town Clerk to the Secretary for Native Affairs, 12 February, 1945; Brakpan Herald, 5 November, 1945
- 34 CAD:NTS 4320 179/313 Secretary for Native Affairs to the Native Commissioner, Benoni, 22 July, 1944
- 35 BMA:BMR 14/3/2 Minutes of the Meeting of the Advisory Board, 14 December, 1946; Inkululeko, 4 April, 1946



militant tendency in African political opposition to the state was gathering momentum, had led to the appointment of the Native Laws Commission of Enquiry under the chairmanship of the former Minister of Native Affairs, H.A. Fagan. This commission had been charged with the investigation of far reaching reformulation of "native policy".<sup>36</sup> On the other hand, these years saw the refinement of an alternative policy, to be embodied in the Sauer document which was to serve as the National Party's election manifesto in 1948. This policy was premised on the reversal of African urbanisation and total segregation. It was in the latter camp that Language fell. The manifest inability of the state to deal with the urban growth, slums, poverty and shanty towns was criticised heavily by Language both in his testimony to the Fagan Commission and in his correspondence with the Department. His diagnosis of the problems and his proposal for their eradication corresponded closely with the ideas articulated in the Sauer Report. As Language saw it, the relaxation of pass laws and influx controls during the war years and the government's erratic reapplication of such measures thereafter, had resulted in the creation of an inordinately large urban African population. He also felt that the overlapping jurisdictions of the various branches of state responsible for "native administration" hindered effective administration. He continually called for the centralisation and rationalization ; he believed that the Smuts Government was moving towards decentralisation, which would presage the abandonment of influx controls and thus segregation altogether. He also believed that the state should assume responsibility for African housing and that by not assuming this responsibility, it was contradicting its own avowed intentions of stabilising the urban population. He suggested that the government would better expend its energies in resurrecting the reserve economies and redirecting African economic, social and political aspirations there. To this end, he believed that tighter influx controls were essential.<sup>37</sup>

It was these ideas which informed Language's administrative practice in Brakpan from 1944 to 1948. While the measures he introduced were invariably justified on humanitarian grounds, they elicited unprecedented opposition from the African population which believed that they were introduced with a marked absence of sympathy. The Department of Native Affairs, similarly was similarly disconcerted by the zeal with which Language went about his tasks. It was felt that his inflexibility at a time of reassessment of national policy was impolitic and that his

36 D. Hindson, Pass Controls, pp. 52 - 61

37 Records of the SAIRR, UW : Miscellaneous Files AD 1756. Evidence submitted to the Native Laws Commission of Enquiry (FAGAN), 1947 : Minutes of Evidence of F.J. Language.

actions would antagonise Africans at precisely the time that their goodwill ought to be cultivated.

These years were also of considerable moment within African political circles. The advances made by the CPISA in the townships of the East Rand have already been alluded to. The ANC too had undergone significant shifts in the war years, and with the national organisation increasingly under the dominance of a younger generation of leaders who saw the political potential of mass based politics, it began to adopt an increasingly sensitive approach to the problems and views of the mass of urban Africans. However, despite the greater receptiveness to the social problems in the locations and squatter camps in the war years, they never displayed the social radicalism of the CPISA. The national leadership remained wary and held back from mass organisation and the shifts were more apparent on the ideological level as for example in the adoption of a Charter of Rights modelled on the Atlantic Charter calling for universal suffrage and increased state responsibility for social welfare. 38 In Brakpan, though the ANC branch began to develop a more proletarian following. This was due in no small way to the calibre of local CPISA-ANC leadership and their accessible political style. Indeed, as so many activists were members of both, the leadership of the two political organisations in the location were, in later years, virtually indistinguishable. Inkululeko, The Guardian and other Communist Party pamphlets were distributed at ANC meetings, while CPISA meetings resounded with the cries of "Mayibuye Afrika". 39 In 1943, a local Women's League had been formed and the ANC, CPISA, Vigilance Association and Advisory Board leaders worked together in local campaigns. Yet, it was the CPISA which really enjoyed the higher profile in the location due to its championing of local disputes and causes. The East Rand branch of the Party was also considerably more responsive to local developments and struggles than were any of provincial or national ANC structures. It was thus the Party, rather than the ANC which became thorn in the side of the local administration and thus one of its chief obsessions.

The following section of the paper concerns itself with Language's efforts to tighten influx, residential and political controls and the responses these elicited from the location community and from the Department of Native Affairs.

#### Language's Anti-Squatting and Permit Campaigns

Language's first area of concern, the elimination of squatting

38 P. Walshe, The Rise of African Nationalism, p. 334

39 CAD:NTS 4320 179/313 "Report of Meeting held by ANC, Brakpan Hall, 26, June, 1944"

need not detain us here. Suffice it to say, he endeavoured between 1945 and 1947 to rid the plots and smallholdings in the town's hinterland of its squatter population, estimated at 12 000 in 1945. Apart from the breakdown of controls which their very presence signified, the militant squatter movements in Benoni, Johannesburg and Alberton haunted Language. He was also mindful of the widespread anger amongst white plottolders over the gangsterism, shebeens and carousings of miners in shacks on the smallholdings. Yet as in other fields of urban "native administration" in these years, in his efforts to rid Brakpan of its "surplus" population of squatters, he was to receive little support from the central government. To make matters worse, the absence of alternative accommodation for the "bong fide employees" of the town who were living on the plots and the reluctance of many white plottolders to expel their tenantry and thus relinquish income in the form of rentals made Language's efforts futile. The mass evictions instituted by his department during 1945 and 1946 caused untold distress. The chaos caused by homeless Africans roaming in search of shelter on the plots and the inability of the Council to house those amongst them who were legally entitled to municipal housing, demonstrated that until new housing projects were embarked upon, it would be useless to persist in enforcing expulsions. Until such time, the council was compelled to sanction African settlement on the plots and to accept that squatting in unpoliced and uncontrolled areas would remain a major form of accommodation for Africans in the Brakpan area. It was only to be in 1948, under a government more sympathetic to the problems of the municipality that Language's efforts to eliminate squatting were to receive central government support. In that year, the town was proclaimed under emergency regulations which provided for the removal of squatter settlements.<sup>40</sup>

A related programme which Language instituted, and one which is of more relevance to our story, is that of the reintroduction of the permit system. While he was forced to turn a blind eye to the persistence of squatting, his attitude towards the large numbers of Africans in the location who were neither employed within the Brakpan municipal area nor employed at all, was considerably less conciliatory. His efforts to rid the town of these people was to be one of the factors leading to clashes with both the central government and the local African population. The ruthlessness with which he and his Department attempted to reduce the location population to those who provided labour to the town led residents to characterise his appointment and the reintroduction of the permit system as the "opening of an era of unprecedented and continual prosecution... of constant fear and insecurity". The

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40 For a fuller discussion of Language's fight against squatting, see H. Sapire, "African Urbanisation", chapter 4.

introduction of this system, together with a local system of controls on the influx of women led location organisations to accuse the by-now Nationalist-dominated council of using the location as a "testing ground for their political theories."<sup>41</sup>

Soon after his appointment in 1943, Language was alerted to the fact that while many of the town's bona fide employees lived as lodgers in the location or as squatters on the plots, large numbers of Africans living in the location houses were either unemployed or employed in centres outside of Brakpan.<sup>42</sup> Not only did their presence in the location hinder attempts to house all bona fide workers in the municipal area, but they were seen by him as a drain on the location's finances for as a consequence of unemployment and indigence, many residents were in arrears with their rents. He also felt that the rising crime rate and political volatility of the location could be explained by the presence of unemployed "agitators" who were not entitled to municipal accommodation. Dr Language believed that these problems were the direct result of the council's failure to implement the permit system in the years 1938 to 1943. In December, 1944, the council unanimously accepted a proposal of Language to reinforce regulation 24 (c) of the location regulations which made the granting of a residential permit conditional upon employment in the municipal area. According to this regulation, all permits expired each year on 31 December and it was incumbent upon each permit holder to reapply for the renewal of their permit before that date. Qualification for renewal required that applicants be employed or engaged in a "legitimate business" in the municipal area. Only "fit and proper" married men who had paid all amounts due to the council in fees, rents and other charges up to the preceding November and who had not been convicted for criminal offences were eligible for renewal. Those who failed to qualify could be removed from the location by the council.<sup>43</sup> After six years in which the permit system had been held in abeyance, the change in policy took some time to register in the minds of the residents. The slow response and gradual trickling in of applications in 1945 led Language to believe that a boycott of the permit system had been organised by the Advisory Board. This determined him to take firm action. This perception of Language was not altogether unfounded; as a later section in the paper

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- 41 BMA:BMR 14/7/77 Manager of Non-European Affairs to the Town Clerk, 8 December, 1944
- 42 BMA:BMR 14/7/77 Report of the Manager of Non-European Affairs, 1 March, 1945
- 43 BMA:BMR 13/7/77 Minutes of the Meeting of the Finances and General Purposes Committee, 18 June, 1945; BMA:BMR 14/1/18 Manager of Non-European Affairs to the Town Clerk, 8 March, 1946

will demonstrate, the Council had reached deadlock in negotiations with the Advisory Board, the Vigilance Association and Brakpan Ratepayers Associations over other matters.<sup>44</sup>

In the following year, the council thus began to enforce the permit system on an "extensive scale". Not surprisingly, in a context of widespread unemployment and desperate housing shortages across the Reef, this measure sparked off discontent. For while the measure was originally aimed at the "undesirable" elements and the unemployed, they threatened a much wider cross section of location society. Many of the residents who were subsequently prosecuted and threatened with evictions had lived in the location for over ten years and had worked in the Brakpan municipal area for substantial periods of time. Because of the high levels of job insecurity, many such people had lost their jobs in Brakpan and had found alternative employment in other East Rand towns. The Vigilance Association secretary, Mr Pakade, for example worked as a shop assistant in Johannesburg.<sup>45</sup> Alfred Nhlape, who had been retrenched from his job as a dental mechanic in Brakpan after 16 years of employment was re-employed outside Brakpan. Others who found themselves in similar positions were ex-soldiers who were unable to find work in Brakpan after demobilisation.<sup>46</sup> The tensions and fears generated by the ever present spectre of unemployment were greatly aggravated by the new threat of prosecution. As the residents expressed it,

"It means that the whole population of Brakpan Location, a population of workers lives under the constant threat of prosecution by ...(the) Council as soon as they have lost their employment in Brakpan"<sup>47</sup>

It was the view of the residents that the Council had made this situation even worse by its persistence in engaging only "Reserve natives" in the municipal labour force, "thus further restricting the field of employment for the unfortunate Africans who live in the location". In the face of the threat of prosecution, many

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- 44 BMA:BMR 14/7/7 Minutes of the Meeting of the Finances and General Purposes Committee, 18 June, 1945
- 45 H. Sapire, interview with Mr E. Pakade, Tsakane, January, 1985
- 46 BMA:BMR 14/7/7 Undated letter to the Town Council from the Secretary of the Locations Joint Organisations Committee, (circa November, 1947)
- 47 BMA:BMR 14/7/7 Undated letter to the Town Clerk from the Secretary of the Location Joint Organisations Committee (circa November 1947)

residents were forced to sell their houses (some houses were privately owned) and to search for alternative housing in the other, equally overcrowded locations of the Reef. The vulnerability of deserted wives and widows in the urban area was sharply underlined by the re-imposition of the regulation. No longer attached to permit - holding men, they were now deemed illegal residents and instructed to leave the location.<sup>48</sup> Teachers were another group of residents who fell foul of the regulation. Because of the paucity of educational institutions in Brakpan, qualified teachers taught elsewhere on the Witwatersrand while living in Brakpan. The council's firm stand on the regulation compelled some to relinquish their jobs, a factor which further inflamed the discontent of the already disaffected teachers who found that they would have to "either face prosecution or accept less remunerative jobs in Brakpan eg. domestic service just in order to retain their houses."

It became evident by 1946 that the permit issue had the potential to become explosive. In an attempt to defuse the situation, the council summoned a residents meeting to explain the rationale for this policy. The residents, however, were not amenable to the council's reasoning and they remained convinced that the permit system was yet another weapon in the segregationist arsenal. As superintendent reported to the council, at the meeting,

"Speeches of a political nature were made and the regulations were connected to the Pass Laws and other discriminatory laws applied to the Natives by the government".<sup>49</sup>

And it was here, at this meeting, that Bopape, who was chairing the meeting, once again aroused the ire of the council. According to the superintendent, Mr Roux, Bopape encouraged the audience to cross-examine him. Roux reported that so hostile was the audience and so longwinded were the speeches, that he found himself constrained to treat the questions "broadly" in order to prevent "disturbances". Roux's evasiveness, however, merely served to inflame the crowd and the meeting ended in uproar, the audience apparently roused by Bopape's concluding words

"While you are sitting here, the Manager of Non-European Affairs and the town council are busy

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48 BMA:BMR 14/7/7 C. Joffe to the Town Clerk, 14 February, 1949

49 BMA:BMR 14/7/7 Location Superintendent to the Manager of Non-European Affairs, 13 December, 1946

making more laws to apply to you"50

Feeling ran so high in the days following the meeting that the council began to fear another strike if it went ahead with the enforcement of the permit system.<sup>51</sup> Although no such strike eventuated, by January 1947, only 30% of permit holders had applied for the renewal of permits. This strengthened Language's resolve to prosecute 64 residents who had failed to renew their permits.<sup>52</sup> The pending evictions throughout 1947 meant that the location was enveloped in an atmosphere of sullen hostility towards the council and Language. Not only was the measure in itself offensive to location organisations, but they were outraged that it had been reintroduced without consultation with the Advisory Board.<sup>53</sup> To make matters worse, location residents were well aware that Brakpan was the only municipality on the reef which continued to enforce a residential permit system in the late 1940s. Elsewhere, because of the acute housing shortages, the municipalities adhered to the resolution of the Association of Administrators of Non-European Affairs not to take any steps against Africans who lived in the location of one municipal area but who worked in another.<sup>54</sup>

In February 1947, Bopape and a deputation of Advisory Board and Vigilance Association members went to see the Native Commissioner in Benoni. They hoped to persuade him and the Department of Native Affairs to intervene in the matter and to press the council into allowing persons employed in other towns to remain in their homes in the Brakpan Location. They detailed the hardships caused by the manager's intransigence and appealed to the Commissioner to intercede in the matter.<sup>55</sup> The deputation found a sympathetic audience in this official as he was well aware of the acute housing shortages on the Reef. His own appeals to the council to relax the regulation, however, fell on deaf

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- 50 BMA:BMR 14/7/7 Location Superintendent to the Manager of Non-European Affairs, 13 December, 1946
  - 51 BMA:BMR 14/7/7 Native Commissioner, Benoni to the Town Clerk, 28 January, 1947
  - 52 BMA:BMR 14/7/7 Manager of Non-European Affairs to the Native Commissioner, Benoni, 20 January, 1948
  - 53 BMA:BMR 14/3/2 Minutes of the Meeting of the Advisory Board, 13 February, 1947
  - 54 BMA:BMR 14/7/7 Minutes of the Meeting of the Finances and General Purposes Committee, 17 May, 1948
  - 55 BMA:BMR 14/7/7 Native Commissioner, Benoni to the Town Clerk, 25 February, 1947

ears and prosecutions continued unabated.<sup>56</sup>

The failure of the Native Commissioner and the Advisory Board's efforts to persuade the council to desist from prosecutions decided location leaders that more forceful measures would be required. They accordingly mounted an anti-permit campaign which was to continue through to 1948. There were two components of their strategy. Firstly they enlisted the legal help of Senator Basner and Lewis Baker (a Benoni lawyer and prominent member of the CPISA East Rand branch) to approach the government and to defend residents in court. Secondly, they dispatched letters of protest to the press, council, Native Commissioner and Minister of Native Affairs. The legal battles in the courts proved to be the less effective of the two strategies as residents frequently lost cases in the courts on fine points of law.<sup>57</sup>

In their letters to the minister, the Location Joint Organisations Committee detailed the hardships of "decent workers" who were being harassed and prosecuted by the council. The Committee wrote that Africans had invested great hopes in the Fagan Commission and in the speculations that the government intended improving the conditions of urban Africans. The Brakpan Town Council's policies, they wrote, made such "promises" appear hollow, for at precisely this moment of hope for Africans countrywide, they were being subjected to measures which were "contrary to all principles of justice and humanity" and had caused "immeasurable misery and sufferings".<sup>58</sup> Such appeals, together with stinging attacks on the Brakpan Town Council made in the liberal press caused the Department acute discomfort.<sup>59</sup> The Secretary for Native Affairs attempted to urge the council to adopt a more flexible approach to the implementation of regulations and to conform to the general trend on the Rand of accommodating workers who lived in other Reef towns until such time as departmental clarity on issues such as influx and pass controls had been reached. In view of the general housing shortage, he argued, it was not practicable to apply that section of the 1945 Urban Areas Act which empowered the local authority to remove Africans not employed within the urban area. No precipitate action should be taken prior to the release of the

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- 56 BMA:BMR 14/3/2 Minutes of the Meeting of the Advisory Board, 15 October, 1947
- 57 BMA:BMR 14/7/7 Manager of Non-European Affairs to the Native Commissioner, Benoni, 20 January, 1948
- 58 BMA:BMR 14/7/7 Secretary, Brakpan Location Joint Organisations Committee to the Administrator, 1 October, 1947
- 59 Rand Daily Mail, 6 October, 1947



findings of the Fagan Commission.<sup>60</sup>

By this time, Language was highly irritated by the representations of both the residents and the Department. He was convinced that the groundswell of resistance to the permits had originated in the agitation of "a few communists" who had based their grievances on "falsehoods" and was satisfied that the policy was being applied in an "efficient and reasonable manner." He responded sharply with the reply that by law, (the Natives (Urban Areas) Consolidation Act of 1945), he, was compelled to execute the statutory functions placed upon him and that nobody, not even the Department of Native Affairs could instruct him not to carry out duties laid down by the law. The act left no room for administrative discretion, he said and he was persuaded that the only means of solving the local housing crisis was through the implementation of the permit system. The government's responsibility in turn, one which it had shirked, was to prevent the influx of Africans from the rural areas.<sup>61</sup> The prosecutions thus continued unabated throughout the remainder of 1947 and 1948.

Both the inflexibility of Language and the Department of Native Affairs' desire to "soft pedal" the whole permit issue is best understood within the context of the growing politicisation of location issues and the bitter struggles which had emerged between the town council and Advisory Board over the role and "powers" of the Advisory Board. It was these struggles which really brought about the final, undignified denouement in the Bopape - Language story. It is thus to these issues that this paper now turns.

#### Advisory Board - Town Council Relations, 1944 - 1948

One of the major demands of the 1944 stay away had been for greater decision making powers for the Advisory Board. Indeed throughout the decade, location leaders had been calling for an "own treasury" and for direct representation on the town council. A major cause of resentment was the impotence of the Board and its dominance by the manager and council members. It has been mentioned that the CPFA viewed the Advisory Board system as useful in garnering support bases in locations and in acquiring a position of leverage in bargaining with the local authorities. In Brakpan, this strategy had been effectively put into practice, so

<sup>60</sup> BMA:BMR 14/7/7 Native Commissioner, Benoni to the Town Clerk, 21 October, 1947

<sup>61</sup> BMA:BMR 14/7/7 Manager of Non-European Affairs to the Town Clerk, 7 February, 1948; CAD:NTS: 4320 179/313 Secretary for Native Affairs to the Director of Native Labour, 21 October, 1947

much so that this "dummy" institution, much reviled by Youth Leaguers and the national ANC body, had succeeded in developing a genuinely popular standing in this community. It was seen to relay demands of residents to the council and to report back religiously to its constituents on the progress of its negotiations with the council. It also, on occasion was successful in mobilising the entire location around specific campaigns such as the boycott of the municipal bus in 1946.

It was not only the CPSA which was alerted to the politicising and mobilising potential of the Advisory Board. Both its potential to organise the community around particular campaigns and its demands for greater powers of decision making was viewed with unease by Dr Language. Thus, in the aftermath of the stay-away, along with his determination to stifle the CPSA and ANC in the location, went the resolve to bring the Advisory Board to heel. This took the form of attempts to discredit the Board in the eyes of the Department of Native Affairs and to fight for the diminution of the Board's already limited "powers".

Between 1944 and 1947, tension between the Board and Language was acute. The tension was fuelled by conflicting perceptions of the situation. The Board felt frustrated that none of the grievances around living conditions, educational facilities, housing shortages, bus fares and rentals were addressed by the council, while Language and his colleagues believed that these grievances had been exaggerated by communist Advisory Board members for reasons of political expediency. These different perceptions meant that an atmosphere of profound mistrust existed between the council and the Board. The first major clash between the Advisory Board on the one hand and Language and the Council on the other occurred in 1945. In this year, the Department of Native Affairs announced its intentions of extending powers to the Advisory Boards in accordance with the provisions of Act 46 of 1944, which would give them a greater say in the disposal of location revenue. It would mean that Advisory Boards as well as town councils would now be required to submit their views on financial estimates for "native administration" to the Secretary for Native Affairs.<sup>62</sup> It was a proposal which left Language and his Department aghast. In a meeting with the Minister of Native Affairs in April, 1945, Language and his deputation gave vent to their frustration with the entire system of Advisory Boards and to their fears of seeing any augmentation of power to these institutions. The deputation told the minister, that while the Advisory Board members were urbanised, they were not "sufficiently developed to have a clear insight into and understanding of technical matters like financial issues and statutory regulations, with the result that they are easily prejudiced and either wasted precious time with unnecessary

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62 Brakpan Herald, 20 April, 1945

argument or refuse altogether to co-operate". Moreover, they asserted, Advisory Board members were politically immature, simply "not ready for democratic representation of the western European type" because they displayed an "overreadiness to ... accept without question anyone posing as a leader, especially one with anti-European sentiments". This propensity, they believed, had led to communist control of the Board. The Department's proposal, they opined, would bring the council under the control of the Advisory Board, which given its technical incompetence and political credulity, would be "most undignified and embarrassing".<sup>63</sup> In the council's view, Advisory Boards "were intended to be and should remain subsidiary to the Town councils who are responsible controlling bodies of urban locations". As if realising that bombast was not enough, the deputation fell back on the law, arguing that the Department's latest requirement had no legal standing. According to the Act, they submitted, reports of the Board should be considered by local authorities, and not by the Department.

As in the permit controversy, Language's arguments carried the day and Language remained convinced that consultation with the Advisory Boards over location spending was unnecessary and undesirable. Accordingly, in the following year, when the beerhall profits were used by the council for cleaning and tarring the location streets and for debiting the losses on a new housing scheme, the council did not see fit to inform the Advisory Board beforehand of its intentions.

The comments made by the deputation to the Minister soon reached the ears of the Board members, as the discussions were widely reported in the Brakpan Herald and Rand Daily Mail. Not suprisingly, the news of this interview aroused widespread anger. The depiction of the Board as incapable of understanding financial and technical matters and as a coterie of misguided communists raised a storm of protest in the location. Mass meetings were summoned, indignant letters were sent to the press, council and Department of Native Affairs protesting against the attack on the integrity of the Board and in defence of the institution as useful and valuable to urban African communities.<sup>64</sup> A secondary controversy raged over the council's diversion of beerhall funds into street cleaning, which together with anger against the Council's insulting depiction of the Board, once again prompted central government intervention. The Department announced that beerhall funds should no longer be used

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63 CAD:BMR NS/74 Interview with the Minister at Cape Town: Memo Covering Points for Discussion between the Minister of Native Affairs, Major F.V.G. van der Byjl and Deputation from Brakpan Town Council, 5 April, 1945

64 Brakpan Herald, 21 April, 1945

for such purposes.<sup>65</sup>

Relations between the council and Board reached breaking point in the following year. This was partly because it was a year of accelerated political activity in which Board members were seen to be major actors. Anti-pass struggles were renewed in this year following Bopape's suggestion at the Anti - Pass Conference of the ANC in Johannesburg that a "mass struggle" commence in June and culminate in a national stoppage of work and the burning of passes.<sup>66</sup> In the context of dissatisfaction over the permit system, the anti-pass call in June evoked an immediate response in the location. The central role played by the Advisory Board in hosting the meetings and marches and its relentless criticisms of the council led to a renewed attack on the Advisory Board in August. In a "Statement to the Advisory Board", councillor Davey made a blistering attack on the 'Advisory Board members for hosting of political meetings, for sending streams of letters to the press and government and for organising boycotts of council - called meetings. The "statement" concluded with the threat that "serious consequences" would follow if the Board continued in its obstructionism.<sup>67</sup> The "statement" by Councillor Davey was followed by a similar "statement" to the location's churchmen, who, it was alleged, had become "instruments or cat's paws of ... movements whose principles clash with those of the churches" and with the intimidation of politically active residents. In the following month, the council took steps to control open air meetings. From this time, persons wishing to hold meetings in the location were to give the council 24 hours notice of their intentions.<sup>68</sup>

In the hopes of resolving what had become a deadlock, the Advisory Board approached the Native Commissioner of Benoni. By this date, the Department had become seriously alarmed by the letters of complaints and the Native Commissioner thus agreed to meet a deputation on the 23 September which laid all their

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- 65 BMA:BMR 14/3/2 Minutes of the Meeting of the Advisory Board, 14 February, 1946
  - 66 BMA:BMR 14/1/3 R. Khanoe, branch secretary, ANC, Brakpan to the Mayor and Members of the Town Council, 1 July, 1946
  - 67 BMA:BMR 14/3/2 Statement by Councillor F.C. Davey before the Brakpan Native Advisory Board, 8 August, 1946
  - 68 BMA:BMR 14/8/1 Location Superintendent to the Manager of Non-European Affairs, 7 August, 1946' BMA:BMR 14/8/4 Secretary for Native Affairs to the Director of Native Labour, 10 October, 1946

complaints against Language and his department before him. After the meeting, the Native Commissioner concluded that the residents' hostility was indeed "natural", given the harshness of the location administration. He noted that a "more tolerant and sympathetic attitude" on the council's behalf would be "beneficial". He informed the Director of Native Labour that he believed that there was insufficient consultation with the Advisory Board and that "understandable" frustration had arisen as a consequence. The meeting, however, did little to improve communication between the council and the Board. Attitudes hardened, and communication between the two bodies all but broke down. All the other organisations in the location shared the view of the Board, that the tensions had been caused by the "hostile attitude" of the location officials, particularly Language and his superintendent who "treated Africans as "kaffirs" to be put in their place, rather than as human beings who contributed to the prosperity of Brakpan."<sup>69</sup>

In the following year, with the opening of the anti-permit campaign, the council alienated itself even further from the location inhabitants when it forced Bopape and fellow communist and ANC Advisory Board member, Mr Nchabaleng to resign from the Board. Bopape was forced to resign on the grounds that as he was no longer a registered occupier of a house in the location (he was no longer employed in Brakpan - by this time he was working as full time secretary of the Transvaal ANC) and Nchabaleng on the grounds that strictly speaking, teachers were not eligible to serve on Advisory Boards. This action, however was seen by most residents as an unequivocal attempt to silence location leadership.

Despite the council's efforts to push men like Bopape and Nchabaleng out of Advisory Board politics and their assertion that the communist members of the Advisory Board did not enjoy real support, in the October elections of that year, Bopape, Sideon Ngake and Efraim Pakade, all CPUSA and ANC members, swept the polls.<sup>70</sup> Under their leadership, the campaign for the removal of Language was intensified, as was the struggle against the permit system. Language had by now lost all patience; any trivial matter would now trigger his temper.

Towards the end of October 1947, a special meeting of the new Advisory Board was convened to discuss additional expenditure from the Native Revenue Account. Bopape proposed that the meeting be postponed in order to allow the members sufficient time in

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69 EMA:BMR 14/3/2 Minutes of the Meeting of the Advisory Board, 28 November, 1946

70 BMA:BMR 14/3/1 Manager of Non-European Affairs to the Town Clerk, 19 April, 1947

which they could study the proposed expenses. The proposal was seconded and passed. As the meeting was being closed, an angered Dr Language left the Advisory Board room.<sup>71</sup> According to the testimony given by Bopape and Pakade in court, the two of them left the room minutes later. As they passed by the location offices where Language was standing, he allegedly called out to Bopape, "Jou verdome Kaffir". As Bopape told the court

"He looked at me as he said it and when I kept quiet, he repeated the remark. I replied that the Manager is an important official of the town council and should not use obscene language. He replied, "Ek sal vir jou wys kaffir"... He then landed a blow with his right fist in my left eye....I retreated and he advanced on me and struck me a second blow with his right fist on my right temple. I resisted pushing him back] with my fists. At that stage, the superintendent came and caught hold of Dr Language. We were then separated and Pakade got hold of me and the superintendent got hold of the accused and we were separated."<sup>72</sup>

The matter ended in the magistrate's court in which Language was found guilty of assault. He then took the case on appeal, but the appeal was dismissed with costs and Language was compelled to pay L28 damages to Bopape.<sup>73</sup> Not surprisingly, this latest development in the Brakpan saga alarmed the Department of Native Affairs which opened a fresh investigation into Language's conduct. After reviewing the history of his administration and the events leading up to the assault on Bopape, the Department concluded rather mildly that Language indeed had been lacking "in dignity in dealing with Bopape". However, they decided, "in the circumstances", the removal of either Bopape or Language would have "serious repercussions amongst the European and Native

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- 71 CAD:NTS 4320 170/313 Report of Special Brakpan Advisory Board Meeting on 22 October, 1947 and Assault of Bopape by the Manager of Non-European Affairs - confidential report.
- 72 CAD:NTS 4320 323/179 Records of Proceedings in Rex v E.J. Language charged for assault (common), 28 November, 1947
- 73 CAD:NTS 4320 313/179 H. Basner to the Secretary for Native Affairs, 26 December, 1947

public."74

Language was thus retained as manager, a position he was to occupy until 1960 when he left the municipality to take up a chair in anthropology at the University of the Orange Free State. In the last years of the 1940s, he succeeded in expelling much of the "surplus" population of the location through the permit system. Political and social controls were introduced through overnight permits, curfew bells and tighter policing. Indeed, as one journalist claimed, by the end of the decade, Language had succeeded in making the Brakpan Location "een van die makste in die land".75 Later events however, would prove this pronouncement to be inaccurate, as in the following decade, the Brakpan Location was to become one of the most active ANC centres on the Witwatersrand and the scene of renewed acts of insurgency.

In the 1950s, Language was to enjoy acclaim as an administrator. He was one of the founder members of the Association of Administrators of Non-European Affairs of Southern Africa and president of this professional association in 1956. He was also on the examination board of the Association. Throughout his life, he sustained an unbroken membership of SABRA and in 1974, was honoured by this organisation when he was made honorary president in recognition of his contribution. In these years, Language published several articles and gave speeches on urban administration, a field in which he was regarded as one of the country's experts. The establishment of Tsakane township in 1959, the new "apartheid" township for Brakpan was seen as the crowning achievement of his period as Manager of non-European Affairs. In 1960, after seventeen years service, he took up the position as Professor of Anthropology at the University of the Orange Free State. He was an esteemed and respected teacher and played a significant role there in the promotion of research. He retired in 1975 and went to live at the Strand with his wife, until his death in 1981.

Bopape's political career was a less auspicious one in the years that followed his assault by Language. After his dismissal from the Amalgamated Mission School, 1944 Bopape took up the full time position as Transvaal secretary of the ANC. He travelled frequently throughout the province in this capacity. Bopape's political career was to be cut short five years later in 1952, the year of the Defiance Campaign. In May that year, before the opening of the Campaign, he was banned together with J.B. Marks and Moses Kotane and compelled to resign from all political organisations. Henceforth, he would have to watch the major

74 CAD:NTS 4320 179/313 Native Commissioner Benoni to the Director of Native Labour, 5 May, 1948

75 Sondagnuus, 19 October, 1947

political upheavals of the succeeding decades from a distance and reconstruct a life outside of politics.

### Conclusion

This paper has attempted to examine the impact and contribution of two key figures in urban policy-making and political circles in the 1940s. While the stature and importance of both men in their respective communities is undeniable, it may be necessary briefly to reinsert them into the worlds that shaped their ideas and actions.

Attention has already been devoted to Language's formative years in Stellenbosch. The environment and social world he inhabited in Brakpan was probably as important an influence in the formation of his policies. Although it is tempting to characterise Language as an arch ideological zealot, the sometimes extreme actions which he took in Brakpan were wholly endorsed by the council, and by implication too, by the broader white constituency. As has been suggested, the local white populace, probably more than any other on the East Rand shared the perceptions of Language with regard to African urbanisation and the threats that this posed to the town's social order. He was also thus a man of his time and his place.

Similar comments may be made about Bopape. His energy, commitment and persuasiveness are likewise undeniable. Informants all testified to the strength of his personality and to the sustained leadership position he enjoyed in the location. But he too was profoundly affected by his environment and his age. Like Bopape, an entire generation of African politicians were roused by the democratic ideals espoused in the war years and were inspired by the spontaneous ferment within the squatter camps, locations and the mines. Bopape's methods of harnessing this militancy was similarly not unique. His advocacy of using "dummy institutions" to further "the struggle" and his commitment to fighting both local struggles as well as national political struggles, for example, was echoed throughout the region. Indeed, the East Rand locations of Payneville, Germiston and Heidelberg witnessed similar trajectories of struggle and threw up similar local politicians committed to grassroots mobilisation as a means of drawing their constituencies into the larger political fray. Bopape moreover was not the only local politician of note in Brakpan. The careers of men such as Pakade, Nchabaleng and Ngake, all CPISA and ANC leaders who participated in local and Advisory Board politics echo Bopape's experience and political development.

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