THE SANITATION SYNDROME: BUBONIC PLAGUE AND URBAN NATIVE POLICY IN THE CAPE COLONY, 1900–1909

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The public health is the foundation on which repose the happiness of the people and the power of a country. The care of the public health is the first duty of a statesman.

Benjamin Disraeli
In debate on Public Health Act, 1875

The thesis of this article is that medical officials and other public authorities in South Africa at the turn of this century were imbued with the imagery of infectious disease as a societal metaphor, and that this metaphor powerfully interacted with British and South African racial attitudes to influence the policies and shape the institutions of segregation. In previous articles this writer has suggested that urban public health administration was of considerable importance in accounting for the ‘racial ecology’ of South Africa and of colonial societies generally. Overcrowding, slums, public health and safety, often seen in the light of class and ethnic differences in industrial societies, were in the colonial context perceived largely in terms of colour differences. Conversely, urban race relations came to be widely conceived and dealt with in the imagery of infection and epidemic disease. This ‘sanitation syndrome’ can be traced as a major strand in the creation of urban apartheid. As disease and epidemiology became a widespread societal metaphor during the late nineteenth and early twentieth centuries, other historical changes taking place in South Africa as elsewhere were leading to the evolution of segregationist ideology. In this context the accident of epidemic plague became a dramatic and compelling opportunity for those who were promoting segregationist solutions to social problems.

In a recent bibliographical essay, ‘Disease and Medicine in African History’, K. David Patterson has suggested that ‘studies of colonial medical efforts could tell us much about the attitudes, objectives, and priorities of European rulers’, but he does not discuss urban development. Some writers have touched upon the medical theme but almost no systematic

1 The research for this article was made possible by grants from Yale University, The American Philosophical Society and Miami University of Ohio.
urban history has been written from this perspective. J. L. L. Comhaire in 1953 noted the preoccupation with sanitation in African urban segregation, yet he dismissed its validity by pointing out that many Africans continued to live among Europeans and not in black locations: 'nothing, therefore remains of the medical arguments put forward in support of the segregation policy.'4 This does not, however, negate the point at issue here, which has to do with epidemiology and sanitation as motives and rationalizations, not with their reasonableness. We are interested in the power of a metaphor to shape perceptions and influence or justify behaviour. Thus Aidan Southall and Peter Gutkind observed in 1957 how conditions in the Kibuga, or traditional town of Kampala, were described by the Medical Officer of Health as 'the septic fringe' of the city and constituted 'a fundamental contributory factor to racial tension'. Likewise Richard Gray reflected upon the sense of medical menace induced by the African presence in Rhodesian towns, and D. H. Reader traced the continuity (and fecklessness) of hygienic anxieties in the development of East London's location slums from the nineteenth century to the 1950s.

The colonial pattern of the twentieth century set African and European urban communities physically apart. J. S. LaFontaine has noted this as 'a striking feature' of pre-independence Leopoldville: 'two distinct parts: European and Congolese... separated by a cordon sanitaire of uninhabited ground... designed to prevent the spread of African disease into the white residential areas.'6

The suddenness with which segregation might be imposed and locations established was usually associated with an epidemic emergency. L. H. Gann and Peter Duignan have mentioned that an epidemic of plague in the early 1900s apparently spurred the separation of poor whites and blacks in Salisbury and the removal of the latter to a location, after which urban segregation became a fixed policy of the Rhodesian government. Similarly John Maude noted in 1938 that Johannesburg had suddenly spawned its first detached African location at the Klipspruit sewage farm and burned down its African slums 'within a few hours' of discovering bubonic plague there in 1904.7 Of special interest is Raymond Betts’s detailed treatment of the French response to bubonic plague in Senegal. In two articles he has discussed 'the abrupt manner in which the policy of residential segregation replaced the earlier pattern of coexistence', showing how the French government, 'hastily urged' by its medical authorities, created the Medina

4 J. L. L. Comhaire, Aspects of Urban Administration in Tropical and Southern Africa, Communications from the School of African Studies, University of Cape Town, n.s. no. 27 (1953), 23-27.
as a separate African quarter of Dakar when plague first appeared there in
1914. The official argument for drastic action was not a racist one, says
Betts, but echoed earlier attempts to combat yellow fever and was based
upon medical quarantine principles and 'a benign cultural pluralism'.
Overt racism, he argues, emerged in the 1930s with urban planning (never
actually implemented) that sought to 'reserve the whole of modern Dakar
to the European population'. In the words of the planner Toussaint,
'between European Dakar and native Dakar we will establish an immense
curtain composed of a great park'. Finally, Richard Stren in a recent
analysis of urban policy in Africa has shown how the aims of colonial
administration, as originally influenced by European medical and sanitary
administration, have persisted and affected the planning and management
of African cities after independence as before it.

The sanitation syndrome in the Cape colony finds parallels in the
broader context of new trends in social and cultural history outside Africa.
In his presidential address to the American Historical Association in 1957,
William L. Langer pointed out the possibilities of applying the insights of
psychology to history and urged consideration of epidemic catastrophe as a
trauma of historical significance. Roderick E. McGrew's study of cholera
in Russia goes further than this, in supporting Louis Chevalier's thesis
concerning cholera in Paris: 'Epidemics do not create abnormal situations'
but rather sharpen existing behaviour patterns which 'betray deeply rooted
and continuing social imbalances'. As cholera attacked most dramatically
the poorest and weakest, the masses and the slums, it took on a 'class
character'. That the wealthy and civilized also contracted cholera and died
of it 'seemed only to underline the danger of living near the poor...'. The
poor on the other hand turned feelings of resentment, suspicion and blame
against the wealthy and those in authority, who in turn felt threatened by the
menace of social disorder and revolution. Whereas in the more westerly
European societies these epidemics stimulated preexisting social reform
movements and tended to enhance governmental assumption of responsi-
bility for social conditions, the response of autocratic Russia remained
essentially repressive in character, consistent with its fundamental social
structure. 'Both administrative and military officials treated the people as
a captive population in a conquered country...'. 'Imperial Russia was
better at devising restrictions than at offering positive reforms.'

8 Raymond F. Betts, 'The Problem of the Medina in the Urban Planning of Dakar,
Senegal', Urban African Notes, iv, 3 (Sep. 1969), 5-15, and 'The Establishment of the
9 Richard Stren, 'Urban Policy in Africa: A Political Analysis', African Studies Review,
xxv, 3 (Dec. 1972), 489-516, esp. 493-4.
10 William L. Langer, 'History's Next Assignment', American Historical Review LXIII, 2
(Dec. 1957), 283-304.
11 Roderick E. McGrew, Russia and the Cholera, 1823-1832 (Madison and Milwaukee,
1965), ch. 1, passim and p. 156. Cf. John T. Alexander, 'Catherine II, Bubonic Plague, and
Industry in Moscow', American Historical Review, lxxix, 3 (June 1974) 670-1, and Louis
Similar themes are developed in a wider and richer context by Gareth Stedman Jones in his superb study *Outcast London*. Jones shows how London became after the 1850s a focal point for the deepening fears and anxieties of the Victorian elite about the endemic poverty and potential violence of the ‘casual labourer’. These twin phenomena were viewed in the image of contagion as a threat to Victorian expectations of progress and social order. Theorists eventually concluded that urbanism had developed a pathology which endangered society in Darwinist terms. Their prescriptions for social policy were influenced by epidemiology and sanitary science, but were also developed as an exercise in moral philosophy. The early approaches employed sanitary legislation to attack overcrowding and slums, which were identified as the ‘rookeries’ or haunts of a criminal class and the ‘hot beds’ of social decay, ‘cholera, crime, and chartism’. The general failure of urban renewal policies to eliminate the social problem led to later proposals—which were never realized in law—for reclaiming the ‘respectable’ working classes for progressive society while segregating the ‘residuum’ of ‘unregenerate poor’. The latter would be removed, by compulsion if necessary, to labour colonies outside the imperial metropolis. There social discipline might be instilled and the ‘imperial race’ be saved from contamination.\(^{12}\)

That the responses to outcast London and cholera in Russia were not identical in origin or conception nor directly linked with the question of racial segregation in South Africa should not obscure their interest as analogues to the subject of the present article. Moreover, it is reasonable to expect that the European background formed a major source of inspiration for the white response to social problems in Africa. In South Africa, especially in Natal and Transvaal, fear of epidemic cholera, smallpox, and plague both roused and rationalized efforts to segregate Indians and Africans in municipal locations from the 1870s onward. The municipality of Durban, for example, attempted in the 1870s to establish an Indian location to remove the ‘breeding haunts and nursery grounds of disease, misery and discomfort’ with which Indian settlement was believed to menace the town. In the early 1890s Durban leaders tried again to impose municipal locations upon Indians in order to achieve, in the words of its Mayor, ‘the isolation with better hopes of cure of this our social leprosy’.\(^{13}\) In short, the metaphorical equation of ‘coolies’ with urban poverty and disease became a steady refrain of white opinion and a preoccupation of police and health officers in the South African colonies long before 1900.

The sanitation syndrome was a force in its own right, but it also provided a rationale for economic jealousy—the unemployment fears of white artisans and the trading rivalry of white shopkeepers—as well as the


\(^{13}\) Natal Mercury, 24 Mar., 13 Dec. 1870; Durban Mayor’s Minutes 1891, and 1870–93 passim.
political fear of electoral ‘swamping’ when white Natal moved toward self-government in 1893. Thus plague warnings helped foment and justify the famous ‘Asiatic invasion’ incident at Durban in 1897, when mass demonstrations opposed the landing of M. K. Gandhi and two shiploads of Indians. Likewise the Transvaal Law 5 of 1885 denied to ‘Asiatics’ the electoral franchise and withheld property or residential rights except in ‘such... locations as the government for purposes of sanitation shall assign’. This measure was defended before the Anglo-Boer war by the Transvaal State Secretary, W. Leyds, ostensibly on grounds of public health, and it was applied with vigour after the war by the British administrator, Sir Godfrey Lagden, who argued that ‘the lower castes... are as a rule filthy in habit and a menace to the public health’.15

Indians were a special target because they were at first the more obviously intrusive urban group, but Africans were increasingly included in this reaction. Natal again provides an example. The African presence in Durban and Pietermaritzburg, especially as unemployed or casual labour—and thereby not readily subject to the control of master and servant relations—was by the 1880s labelled as ‘the social pest... spreading like an epidemic... undermining all sense of security’.16 Sir Theophilus Shepstone, father-figure of Natal’s rural segregation, lent his support to urban pass laws because, as he said, ‘our towns become the pest spots of our body social and political; all such mischiefs [unruliness, crime, and vagrancy] radiate from centres which offer the conditions most favourable for their incubation’.17 Despite the occasional alarms, however, urban segregation was sporadic and ineffectual in the nineteenth century. A much more determined approach developed in the aftermath of the Anglo-Boer war, when in terms of scale and urgency a new era dawned.18 The imagery of infection now broadly embraced the rapidly emerging urban African populations. In this situation a crisis of bubonic plague, spreading to major centres of population, precipitated action which permanently altered the racial ecology of South Africa.

The third great pandemic of bubonic plague in recorded history began in South China in the second half of the nineteenth century. Reaching Canton

15 Huttenback, Gandhi, 107 ff. and 128; Joshi, Tyranny, 50 ff.
16 Natal Mercury, 2 and 3 Dec. 1886.
18 For the process by which urban apartheid was precipitated in Natal at this time see M. W. Swanson, ‘“The Durban System”: Roots of Urban Apartheid in Colonial Natal’.
and Hong Kong in 1894, it was carried by ocean shipping around the globe by World War I. It reached South Africa in 1900 during the Anglo-Boer War. There the seaports of Cape Town, Port Elizabeth, East London and Durban lay open to infection, burdened by wartime commerce, swollen with refugees from the interior and large numbers of migrant African labourers.

Cape Town was the first to be affected. Forage for the British army imported from Argentina, India or Australia carried the plague bacillus in the rats and fleas that accompanied it. By December 1900, rats were seen dying in great numbers at the docks but the military officers in charge did not report this to the public health authorities. Early in February 1901 the first human cases of plague appeared in the city among Cape Coloured and African dockworkers. Warned at last, but practically too late, the municipal and colonial Medical Officers of Health (MOH) anxiously informed their governments that, as Cape Town's mayor put it, 'the dreaded Bubonic Plague—the scourge of India—had at length made its appearance in our midst'. His tone expressed the thrill of fear which galvanized the city. Many citizens knew the baleful imagery of Europe's historic 'Black Death'. The others readily caught the mood and message it conveyed.

Cape Town's rulers had reason for concern—even alarm—over the condition of their city at the turn of the century. It was an old, slum-ridden town composed of a colonial society in which, in general, whites existed in favoured circumstances surrounded and served by 'coloured', Malay, 'Asiatic' and 'Kafir' or 'native servants'. Since the onset of the war, rapidly increasing numbers of black rural migrants from the eastern Cape and Transkei had been left on their own to 'pig it' where and how they could. Thus, of 64,500 inhabitants in 1900, 30,500 were whites, including about 7,000 poverty-stricken refugees. Of the rest some 7,000—the number growing rapidly—were Africans.

Faced with the plague crisis, the first and most powerful anxieties of the medical officers and the emergency Plague Administration focused on the presence of the Africans ('Kafirs'), whom they associated directly and inherently with the social and sanitary conditions that harboured the plague. 'Rest the blame where it may,' Cape Town's Medical Officer, Barnard Fuller wrote later, 'these uncontrolled Kafir hordes were at the root of the aggravation of Capetown slumdom brought to light when the plague broke out... [Because of them] it was absolutely impossible to keep the slums of the city in satisfactory condition...'. For years Fuller had warned of the danger of epidemic disease, such as typhus, arising from 'scattered nests of filth' where 'Kafirs' lived. Thus the plague itself did not

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20 Cape Town Mayor's Minutes (MM), 1900-1, 169-70 and cxxxix-cxli, Report of the Medical Officer of Health (MOH).
21 A term used by the Police Superintendent of Durban, describing conditions in that city to the South African Native Affairs Commission, 1903-5, Evidence, iii, 640-58.
22 Ibid. 205; MM 1904-5 Appendix 10 (Census of 1904).
create anxieties full-blown, but it focused them sensitively. The MOH of Cape Town directed the special attention of his sanitary inspectors to the systematic searching and cleaning-out of 'Kafir haunts' throughout the city.23

Far more drastic action was forthcoming: the Plague Administration sought no less than the mass removal of Cape Town's African population, even though the number of Africans contracting the plague was less than either whites or coloureds. For a year beforehand proposals had been under somewhat leisureed consideration for an African reserve or residential 'location' beyond the borders of Cape Town and its suburbs. In September 1900 the Prime Minister, Sir Gordon Sprigg, had appointed a commission to recommend action. The commission, chaired by Walter E. Stanford, Superintendent of Native Affairs, and composed of Dr John Gregory, Acting Colonial MOH, Capt. J. A. Jenner, Chief of Police, and Dr Barnard Fuller, had found 'frightful' living conditions, profiteering slumlords, and hearty support among 'leading men' (African clergy) for a special government location away from the city.24 Suddenly in February 1901 this idea became a priority. It was the merest step of logic to proceed from the isolation of plague victims to the creation of a permanent location for the black labouring class.

One of the first actions of the Cape government, therefore, was to rush a native location into being under the Public Health Act at the sewage farm called Uitvlugt, several miles from town on the Cape Flats. There was no other law affecting municipalities which provided the authority to remove Africans forcibly if necessary.25 This Act had been inspired by a devastating smallpox epidemic at Cape Town, May 1882 to March 1883, when over four thousand people died in ten months. The casualties had been mostly Cape coloureds and Malays; Africans had not yet appeared at Cape Town in significant numbers. The deaths vastly outnumbered those in the plague of 1901. The difference in response was a measure not only of the development of government powers and public health administration, but of the readiness by the 1900s of Cape authorities to turn to territorial segregation in dealing with the black presence in urban areas. In the midst of the plague during March 1901, some six or seven thousand Africans were moved to Uitvlugt (later known as Ndabeni), and settled in six

23 MM 1900-I, cxl, 172-3.
24 MM 1899-1900, 53; MM 1900-1, 179-80. See J. W. MacQuarrie, ed., The Reminiscences of Sir Walter Stanford, vol. II (Cape Town, 1962), 213. Stanford gives the impression that the Uitvlugt location was established before the plague, but the commission's recommendation did not appear until after the city council had appealed to the government on 14 Feb. 1901.
25 Public Health Act (No. 4 of 1883) as amended by Act No. 23 of 1897. Section 15: 'In cases of urgent necessity arising from the prevalence or threatened outbreak in any district of infectious disease...it shall be lawful for the Minister to make and proclaim such regulations to be in force within such districts as may be required to prevent the outbreak, or check the progress of, or eradicate such disease'. Cape of Good Hope, Acts of Parliament 3741-70. Cf. Stanford's Reminiscences, II, 214, n. 3.
hundred lean-tos, twenty-four huts, five hastily constructed wood-and-iron barracks, a twenty-bed hospital, and various outbuildings. Many officials and white citizens considered the move a major success, pointing the way to future policy and practice. The plague was arrested among Africans and because of that, it was believed, in the city. By September 1901 the plague had receded in Cape Town, with 807 cases and 389 deaths of which sixty-nine were whites, 244 coloureds, and seventy-six Africans. True, Cape Town employers experienced a labour shortage, but it was thought this might be alleviated if the location were set up as a labour bureau, funnelling Africans through a pass system to employers who applied for them.

At last, it seemed, a vexed question was settled. The Cape government had stepped in to relieve the city of its burden of uncivilized, low-paid, slum-bound, disease-ridden black labourers. But that, of course, was not really so. A vast issue emerging gradually for years past had merely moved another notch toward definition.

II

The underlying question was one of overall social control: how to organize society to provide for the mutual access of black labourers and white employers in the coming industrial age without having to pay the heavy social costs of urbanization or losing the dominance of white over black. This question arose in the 1890s as increasing numbers of Africans congregated in the vicinity of large industrial enterprises. White farmers raised the classic complaints of stock theft, ‘loafing’, drunkenness and disorder against these unregulated settlements. Their major motive was the traditional demand for ample, subservient rural labour—forced if necessary. The traditionally rural orientation of ‘native policy’ was, however, no longer going to be adequate.

Legislation was introduced in 1899 to provide a special jurisdiction where industrial employers could house and control their workers in

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Cases in point were the Indwe Company’s coal mines near Molteno in the eastern Cape and the DeBeers dynamite factory at Somerset West near Cape Town. Legislation was introduced in 1899 to provide a special jurisdiction where industrial employers could house and control their workers in
private locations. The new ‘Native Labour Locations Bill’ (Act 30 of 1899) proposed to exempt these industrial workers from the penalty tax formerly imposed on ‘lazy natives’ to shunt labour toward the farmers. Workers would pay instead a 10s. hut tax on location houses. ‘Undesirable elements’ would be excluded by a pass system tied to work contracts. ‘We must earmark the native’, said the Prime Minister, W. P. Schreiner. ‘A badge or ticket... [would enable] employers to protect themselves against loafers... and the public to protect itself against stock thefts.’ Schreiner, a renowned moderate in Cape politics whose increasing concern for African problems gave him a liberal reputation in post-war years, seemed concerned to avoid imputations of illiberality: ‘The badge,’ he assured his hearers, ‘would not in any way interfere with [the native’s] liberty.’

Although the Bill did not deal directly with urban areas, the ‘special problem’ of Cape Town was recognized in debate. Schreiner made the connexion specific. ‘We had in the neighbourhood of Cape Town,’ he believed, ‘some 10,000 raw natives. (Hear, Hear.)’ They lived all over the place.... And they were learning all sorts of bad habits through living in touch with European or Coloured surroundings. We could not get rid of them: They were necessary for work. What we wanted was to get them practically in the position of being compounded.... (Hear, Hear.) Keep the natives out of harm’s way; let them do their work, receive their wages; and at the end of their term of service let them go back to the place whence they came—to the native territories, where they should really make their home. (Hear, Hear.) The present Bill would at least make provision in this direction. The great difficulty was the enforcement of compounding, a thing they should not be afraid of, because it was really the solution of the whole question.

Schreiner concluded with a plea for the strictest kind of liquor prohibition—in that era the touchstone of liberal prescriptions for social policy.

His fellow-moderate, James Rose Innes, was even more strongly identified as a liberal friend to African interests. He hailed the Bill as ‘the first move’ in regulating how Africans were to be brought into contact with civilization, and referred to Kimberley’s mining compounds as ‘the only feasible and practical manner in which that question had been properly grappled’. As for Schreiner’s proposed ‘earmarking’, Innes had always been opposed to a pass law but now accepted it in the case of industrial labour because he believed the alternative was worse: corruption of the Africans. It fell to Herbert Travers Tamplin, who normally voted with Innes, to chide his colleagues: ‘He regretted to see a strong tendency on the part of the government to go in for Transvaal phraseology and practices. This badge of servitude, for instance, ... was not a healthy sign.’ But Tamplin, too, wanted locations in large centres like Cape Town.

Innes, indeed, took the case of Cape Town as his clinching argument. It was ‘overrun with hordes of natives—uncivilized barbarians.... [This]

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Bill contained the germ of principle which offered a remedy’, Innes said, but in order to apply that remedy the law must get hold of the independent, urbanized Africans as well. To do this, parliament must confront the ‘inconvenience’ of the Native Voters Act under which African property holders possessed civil rights that exempted them from a pass law. This independent class would hinder enforcement of urban locations. It interfered with control because it ‘erected a barrier against dealing with natives as a whole’.30

This is an important point, for it shows that in the minds of these Cape leaders urban social policy was to be founded on a racial category—‘natives as a whole’, rather than a non-racial pluralism. In this conception class and race converged. In effect, these guardians of the Cape liberal tradition seem to have been prepared from the outset to undermine for the sake of social and humanitarian concerns an already tenuous future for African liberties—the chance to enter a common society through the urban nexus. Their anxieties focused on the preservation of civilized society, which they believed was threatened with disorder and decay apparent to them in the festering ‘hordes’ of ‘raw natives’ at Cape Town and other urban centres. Their prescription included the major elements of urban policy as it emerged in the generations to come: that Africans should be considered as one category; that urban blacks should remain migrant labour segregated from white society lest they corrupt and be corrupted; and that the means to this end must be compulsory removal or expulsion to compounds and locations. The plague then catalysed this mixture with the fear of a medical disaster.

III

With the plague emergency the definitive step of quarantine and segregation was taken. Yet the public health laws of 1883 and 1897 provided no permanent solution, for the authority given by them depended upon the existence of ‘urgent necessity’ during an epidemic of infectious disease.31 The Native Labour Locations Act of 1899 was for private industrial locations only. The next step was, therefore, a search for new legal powers.

As the plague receded, administration relaxed and Africans drifted back into town in large numbers. As Innes had predicted in 1899, even the plague removal had been qualified by numerous exemptions for black freeholders and leaseholders, domestic servants and stevedores barracked near the docks. By December 1901, increasing complaints of disorder and vagrancy, and fears of reverting to pre-plague conditions, were voiced by the local authorities of Cape Town and its satellite municipalities.32 As for

30 Ibid. 31 n. 25 above. 32 NA598/1525, W. G. Cumming (SNA) to Prime Minister (PM), 6 Dec. 1901; Municipal Clerk, Sea Point, to Cumming, 21 Mar. 1902; File of petitions, certificates and memoranda in re exemptions.
Uitvlugt itself the brave start of 1901 soon ran into heavy weather. Deficits mounted to £1,500 a month. Yet the government was determined to make locations pay for themselves. Revenue was vital for the location schemes. But Africans, defended by white critics of the policy, some of whom as slumlords had interests of their own at stake, resented on principle having to pay rent where they were compelled to live. The doubtful legality of continued proceedings under the Public Health Act was advertised to the blacks and resistance developed. Riots at Uitvlugt created a sensation over location policy and something had to be done.33

Municipalities and government tossed the ball of obligation back and forth: who should have responsibility for urban Africans? Under what laws and regulations? Towns wanted the government to establish and operate locations. The colony’s Native Affairs Department (NAD) resisted, arguing that with the recession of the plague they could not do so, nor did they wish to, and that towns should use the 1899 Locations Law to establish private locations under their own control, since they were the beneficiaries of the labour thus acquired. Early in 1902 the Colonial Undersecretary for local government and public health went so far as to advise the town clerk of Sea Point (a residential suburb of Cape Town) that there was ‘nothing to prevent your Council from applying to have the whole of their Municipal area declared a Location... and then setting aside a portion of ground on which it should be compulsory for all natives to reside’. We may imagine the hilarity and exasperation with which Sea Point’s town councillors entertained the thought of proclaiming their entire municipality a ‘native location’.34

Soon a new ‘Native Reserve Locations Bill’, ‘for protecting and regulating the supply of Native Labour’ appeared in the Cape Parliament. It called for government powers to establish locations near urban areas; to compel residence in them; to exact rents under threat of criminal penalties; to control any and all public services such as sanitation, schools, and trade in them; and to prohibit the sale of liquor. But the government’s NAD sought to limit severely the bill’s compulsory powers and criminal penalties35 and wished municipalities to make their own regulations to force Africans into locations.

Dr A. John Gregory, Medical Officer of Health for the Cape Colony, was asked to advise in the preparation of the bill. Gregory was a man of intelligence, administrative ability and, as is common in medical men, authoritarian spirit. A certain bigotry was revealed by his petulant

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34 NA598/1525, esp. memos by W. G. Cumming to PM, 6 Dec. 1901, and Noel Janisch (Under Col. Sec.) to Town Clerk, Sea Point, 27 Mar. 1902. NA 533/617, W. G. C. to PM, 28 July 1902.

35 Ibid. 
opposition to changing the name of Uitvlugt Location to ‘Ndabeni’ because it was ‘not a good working name for Europeans’. He took a hard line against the position of the NAD. The latter, he asserted, were so reluctant to coerce Africans that they were trying to water down the legislation’s essential provisions. He had no doubt whatever that force was an absolutely necessary element in any effective urban native policy. Without it, ‘the Native. . . would leave the Location in favor of the attractions which residence in the Town offer[s] him’. Gregory went further, calling for total control through a comprehensive pass system applying to whole districts beyond municipalities and their locations. If the NAD was ‘squeamish’ about this, let the powers at least go to municipalities, and if they in turn failed to exercise them, the Governor himself should put them into effect.36

Gregory’s concern went far beyond health and sanitary matters alone. He believed Africans should be segregated on principle, and saw the police, not civil or medical administrators, as the appropriate agency. No permits of exemption from the new law should be allowed without the agreement of the police. Gregory’s police mentality showed that the sanitation syndrome implied much more than amelioration: ‘The Police are the proper authority [to permit exemption from locations]. . . especially as the mere question of the sanitary condition[s]. . . is of less importance than some of the other points. . . Indeed if only the sanitary condition of the premises is to form the basis of the decision then practically a very large number of Natives could be allowed to reside in Cape Town.’37

Gregory’s opinions were taken seriously and many of his proposals were agreed to. But W. G. Cumming, Secretary for Native Affairs, challenged his call for district-wide enforcement by asserting that urban Africans could be forced into locations merely by prohibiting urban employment to anyone without a pass. In this respect, the government had its eye cocked toward a major source of opposition to the new bill: farmers. Farm labour must be exempted from a location pass law. Thus Cumming evaded Gregory’s real point, which was the necessity to apply the law to all Africans over extensive areas. Here, the Prime Minister, Sir Gordon Sprigg, also temporized, not wishing to add wider pass and police powers. Leave it to Regulations,’ he said.38

Sprigg as leader of the Progressive Party, the inheritors of Rhodes’s imperial mantle, knew he faced vigorous opposition in Parliament from such liberal anti-Progressives as J. W. Sauer and John X. Merriman backed by H. T. Tamplin and J. T. Molteno, all from the eastern Cape

36 Ibid., Gregory to Colonial Sec., 2 Aug. 1902. Stanford, Reminiscences, 214–15, says Uitvlugt was renamed Ndabeni, using the name Africans had given to himself, at the request of black leaders, though Sprigg thought it was to celebrate his own role in the settlement.

37 NA598/I525, Gregory to Cumming, 8 Oct. 1902.

38 NA533/617, Gregory to Col. Sec. 2 Aug. 1902, Memorandum by W.G.C., 11 Aug. 1902.
where a large African as well as rural vote existed. In presenting the bill for debate, Sprigg appealed for wide support on the basis of segregation, saying that with the plague now receding there was no longer 'any [lawful] reason for refusing to allow the natives to associate with the white population'. Under the proposed law, the natives would emerge from barbarism 'so that they might no longer be a source of danger'. At Uitvlugt, for example, things were not so bad as alleged. There was a free hospital, churches were allowed, some 'better class' huts were being put up, and liquor was to be forbidden as in the Transkei.

But Sauer struck at ultimate implications, professing to be aghast at the Bill's 'extreme and oppressive' powers to invade 'the rights and freedoms of individuals—whether white or black'. He argued for a non-racial test on civilized standards: 'There were many natives who were fitted by education, by their habits and mode of life, to live where other civilized people lived'. Edgar Harris Walton of Port Elizabeth tried to counter Sauer's point by noting that registered voters were to be exempt, but Sauer replied that many of the Africans they actually would put into locations could qualify for the franchise, and there were many unqualified to vote, perhaps without education, who were otherwise respectable citizens. To Sauer and other critics, 'the real crux of the bill was the powers which it gave the Government'. They were too great, notwithstanding Dr Gregory's views, for they implied the establishment of labour locations anywhere in the country, threatening Africans and the white employers of farm labour far beyond the municipalities, and allowing expropriation of white and black alike.

Both Sauer and Merriman represented rural interests against the big towns, and Merriman launched his attack on economic as well as humanitarian grounds. Who should pay? It was a 'monstrous doctrine' to tax the colony generally to supply labour at sweated wages to urban employers. Let the municipalities pay. It was a question of responsibility. 'These men in Cape Town who had made big piles should be made to pay. They dragged these people from the farms and then left them to go body and soul to ruin in Cape Town. . . . A man could have a horde of barbarians sent down from the Transkei and . . . [then] send them down to the dog kennels at [Uitvlugt]'.

These critics, however, were not opposed to separating the mass of Africans, the 'raw natives' or 'barbarians', from the corruptions of the town. The conflict was really over how to segregate, under what conditions, and at what cost. For example, Walton, though he strongly favoured locations and supported the bill, sided with Sauer in opposing criminal sanctions against rent defaulters and pass violators (already a major headache of location administration). In this regard he believed the bill would fail. It would simply create a class of convicts. Others, however,

[References]

Cape House of Assembly (H of A), Debates, 144–7, (8 Sept. 1902).
Ibid. 145, and 326–7 (29 Sept. 1902).
Ibid. 146.
hailed the prospect of gaol for defaulters, since, in their view, the Africans were paid too much and simply squandered their money. Some wanted the towns to control locations for reasons exactly opposed to Merriman’s: not because towns ought to pay for what advantaged them, but because locations could be a source of municipal income. Still others, on the other hand, joined Walton and Sprigg in calling for the government to avert such exploitation. In the end, though divided on details, Parliament nevertheless agreed (Sauer least willingly) on the main issue: urban segregation had become necessary to save both Africans and the cities from each other. It was ‘absolutely impossible for the sanitation of the town to be attended to under present conditions’. The Attorney-General, Graham, reminded his colleagues vividly of why they had acted already to establish Uitvlugt in the plague emergency:

The condition of affairs which then prevailed in Cape Town was a disgrace to any country in the civilized world. Whole streets were inhabited by natives, and in some houses close to the leading thoroughfares the cellars were occupied by large numbers of men—Europeans, Malays, and raw Kafirs—all sandwiched together, living in a state of the utmost neglect, disease, and vice... and it was essential that the natives should be removed from the city.... The Premier and himself came to the conclusion that it was absolutely necessary to bring in a measure dealing with the natives in large centers.... The idea was to benefit the natives, and to keep them away from the contaminating influences of the town, and also indirectly to assist the labour market.43

In sum, the sanitation syndrome was everyone’s point of reconciliation. Beyond this point Sauer and Merriman prevailed over Dr Gregory, for the bill was watered down, and its original powers of compulsory location were drastically limited to areas within municipal boundaries and the locations themselves. The Native Reserve Locations Act (No. 40 of 1902) therefore left Africans free of control right up to the borders of the towns, as the municipality of Port Elizabeth discovered to its dismay.

IV

Now concern shifted to Cape Colony’s second largest city, Port Elizabeth, on the edge of South Africa’s main concentration of black Africans in the Ciskei and Transkei. There, as the government attempted to apply the new law, an utterly unmanageable situation developed. In the plague crisis of 1901–2, the authorities had driven the offending ‘Kafirs’ from their haunts. But, in contrast to Cape Town, no emergency camp or location was ready to receive them. Instead, several thousand Africans plus some hundreds of Chinese and Indian shopkeepers and a few whites simply migrated to private lands, called Korsten and Dassies Kraal, free of government control

42 Ibid. 145. 43 Ibid. 329. 44 Ibid. 654. Act 40 of 1902 was promulgated 18 Nov. 1902. Cape Government Gazette, supplement, 21 Nov. 1902, 88–91.
just beyond the city limits. Africans with the means bought or leased freehold plots and built their own huts. Others jammed into flop houses put up by slumlords or squatted in burlap, tin can and packing-case shanties. According to nervous officials they harboured not only epidemic disease but also thieves and illegal liquor sellers. At mid-year 1903, the mayor of Port Elizabeth reported that of ten thousand Africans in the municipality some four thousand had moved beyond the city limits, one thousand had left the district entirely, and two thousand or more had settled at Korsten.

The new Locations Act was finally proclaimed to take effect at Port Elizabeth in June 1903, in the hope of controlling this unregulated settlement by inducing them, together with Africans yet remaining in town, to move into a government location called ‘New Brighton’. But the inevitable ensued. Korsten and Dassies Kraal burgeoned as before, while New Brighton languished, rarely hosting more than a third of their number. By September 1903 the number at Korsten rose to 5,500 compared to New Brighton’s 1,400, and in November 1904 the local magistrate reported 7,500 at Korsten while New Brighton hovered at 2,000. ‘The people seem to prefer any shelter to that of a location’, lamented the Civil Commissioner.

As Dr Gregory had warned, the law was full of loopholes. Africans could be forced out of town but not into New Brighton. As at Cape Town, a flood of appeals against the new law emanated from employers protesting against the disruption of the labour market. The Harbour Board, other commercial employers and a legion of householders claimed the need for constant and immediate access to labour. New Brighton was almost twice as far from places of work (four miles) as Korsten was (two to three miles), and both imposed the time and costs of transport. Government bowed to the pressure and vested interests were given priority over the desire to clear out the town. Thus in August 1903 the Mayor, J. C. Kemsley, asserted that of Port Elizabeth’s ten thousand Africans, some three thousand were exempted from removal as franchised householders, domestics, dock and commercial labourers. It is likely that still more actually remained on the scene.

45 NA 598/1525 W. C. Becker, Magistrate Port Elizabeth (PE) to SNA 15 Nov. 1904, and enclosures. NA597/1524, ‘Papers Relating to the Administration of Natives Location, Port Elizabeth’.

46 Report of the Select Committee on the Native Locations Act (No. 40 of 1902) [A. I5. 1903], 11.

47 Civil Commissioner (CC) to SNA, 19 Aug. 1903, D18/45, 195/03; A. John Gregory, MOH, to Col. Sec. 1 Sept. 1903, B1792; NA597/1524, W. C. Becker, Magistrate PE to SNA., 15 Nov. 1904, NABB 1903 [G12–1904], 93.

48 NA598/1525, ‘Instructions to police officers... granting permits to Natives to reside within the limits of a municipal area’, to Town Clerk, PE, 25 Apr. 1903; PE Harbour Board protest 4 May 1903; report by Magistrate PE, and minute by SNA to PM, 15 May 1903; exemption applications; NAD telegram 622, 5 June 1903; CC teleg. 1903; Municipality of PE to SNA, 9 July 1903. See also passim for similar situation in re Ndabeni and Cape Town area. H of A, Debates, 18 June 1903; Report of Select Committee (n. 36), 10, 11, 25. Of Port Elizabeth’s approximately 10,000 voters in 1905, 2,500 were non-European, of whom some 800 were listed as ‘Kaffirs’, South African Native Affairs Commission, 1903-5 Evidence, 11, 51.
Many African householders forced from town reestablished themselves at Korsten as property owners, a status they were denied in the government location. At least three hundred Christian family heads were affected, representing some two thousand people. The locations law gave no legal power to invade the property right of this independent group, yet the authorities wished to control them, ostensibly for sanitary reasons. Together with the slumlords they were viewed as a magnet for the thousands of ‘barbarians’ who presumably menaced health and order in the European city. The locations law, as Sauer had warned in 1902, both ignored the interests and threatened the existence of this independent element.

This situation was complicated by disputes over compensation for properties and titles taken over in the plague emergency. The city council insisted it had paid out all it could afford or was strictly accountable for: some £5,500 to individual Africans, £7,000 to their churches, and sums to others (presumably Europeans and Asians), amounting to £47,000. It was these monies, apparently, which made possible the settlement of Korsten and Dassie’s Kraal. Hundreds of African complainants, however, remained unsatisfied. They claimed also to have received a commitment from the Cape Attorney General at the time of the plague crisis to establish a self-contained, freehold African township. Thus the Africans refused to enter any government location without compensation for losses and a transfer of title to property. Suspicion and resentment extended as well to the government’s policy of ‘open trading’ at the locations which gave preference to whites and Asians. Of twelve licenses available at New Brighton, only one or two were held by an African and the license fee was five times higher than Port Elizabeth’s former charge.

Blacks were especially resentful at the discriminatory application of the plague quarantine regulations. Officials called it ‘class discrimination’, but their attitudes were clearly racial and Africans complained bitterly of maltreatment and abuse on grounds of colour. The houses of blacks had been quarantined; those of neighbouring whites had not. The possessions of blacks had been burned; the goods, the stores, and the warehouses where they worked and contracted the plague had not been touched, because those belonged to whites. Even Dr D. C. Rees, Medical Officer of Health and Senior Government Plague Officer for Port Elizabeth, agreed, and identified the stores of commercial Port Elizabeth, not the locations, as the original foci of the plague. But because most cases of plague occurred among the blacks, they were labelled the source.

49 Ibid., evidence of J. C. Kemsley, Rev. H. C. Newell, F. Makwena and A. Ross. Attempts to control Korsten under the Locations Act No. 30 of 1900 were also ineffectual; see the case of Rex v. Woolf Jafta, NA597/1524. See also Petition of Korsten siteholders to PE Town Council 27 Apr. 1904, J. C. Kemsley to SNA 12 May 1904, W. C. Becker to SNA, 15 Nov. 1904 and enclosure, and A. J. Gregory to Col. Sec., 1 Sept. 1903: NA597/1524.

50 Report of Select Committee, passim, esp. 8, 9, 11, 36–9, 61, 62–7, 90–1, 101. NA597/1524, Mayor PE to SNA 12 May 1904.

For their part, Cape coloureds plainly resented being classed as natives under the plague regulations, and complained of being inoculated and otherwise subject to plague discipline while white members of the same families were not. ‘The question arises—are the coloured people more likely to convey the plague than Europeans?’ Apparently the medical and police authorities thought so. A case in point was the treatment given a coloured woman, her white husband, and her son. She was inoculated; they were not. An investigating committee attempted to get the witness to agree that such distinctions were not founded on colour, but on class: was it not that ‘dirty people’ were being subject to treatment? But the witness insisted that the plague officials were applying the test of colour.52

Coloureds were indeed treated differently from whites, said Dr Rees, but he insisted this was necessary because coloureds associated with the Africans. ‘If the coloured population was kept separate from the blacks, there would not be the same necessity of dealing with the coloured question’.53 Indeed, both at Port Elizabeth and at Cape Town the authorities wished to begin segregating coloureds from Africans in locations earmarked for them as separate groups.54 Finally, said Rees, the pass system despite evidence of its ineffectiveness was absolutely necessary because it prevented the spread of plague to other districts. Whatever the authorities did, they must do, because Port Elizabeth was ‘the most insanitary town in South Africa’. The clinching point was death rates: 39 per thousand compared to Cape Town’s 29. And plague would not be the end of it; typhoid, for example, ran five times the rate of Cape Town, which itself was egregious in the matter of pestilence.55

Government policy was diametrically opposed to African claims. Testifying to a Parliamentary Select Committee in 1903, the Secretary for Native Affairs, W. G. Cumming, rejected the property issue as a valid reason for New Brighton’s failure. He denied the claim that Korsten represented a legitimate interest. Rather it represented the interest of slumlords. In any case—and this was the nub of his position—Africans must not possess property in locations because they could not then be controlled. The main concern was to maintain sanitary standards. Cumming seemed to argue that Africans should not be established in the towns, as Schreiner had said in 1899. They were migrants or at best temporary sojourners.56

Still another bone of contention was New Brighton’s scale of rents and fees for accommodation. These regularly exceeded the rack-rents of Korsten and amounted to as much per month as had been charged per year for houses in Port Elizabeth’s old locations. But Cumming rejected proposals for a 50 per cent reduction as ‘ridiculous’. The government must have revenue; locations must pay for themselves; they must

52 Ibid. E. A. Burness, 77–86. 53 Ibid. 110. 54 NA598/1525, Edward Dower (NAD) to Sec. Public Works Dept. 18 Nov. 1905. 55 Report of Select Committee, 103–13. 56 Ibid. 1–9.
recover the £98,000 New Brighton had already cost, in addition to annual operating costs of £14,000 at present capacity of three thousand people. If the government were going to provide for seven thousand as was actually needed, capital investment alone would be £200,000. Pressed with the point that monthly fees as high as 30 s. for married men and 8 s. for singles at five to a room plus 6 s. each for transportation compared unfavourably to wages averaging £2 or £3 a month, Cumming replied, ‘Well, what we want to do with the location is to make it pay its way... Thirty shillings, after all, is not so much for a family to pay who enjoy all the privileges these people get’. The extraordinary policy was followed of imposing criminal punishment on rent defaulters and evicting them from the location in direct contradiction of the object of housing them there. Yet Cumming had no alternative reasons to suggest for the refusal of Africans to go to New Brighton.

Finally, the government’s extreme fiscal caution was reinforced as the post-war business recession took hold. Even if it had been possible to enforce wholesale removals from elsewhere, the government refused to build houses fast enough to accommodate them. This was a key to all frustrations, and when Act 40 had to be suspended in March 1904 for lack of housing, the Africans streamed out of New Brighton to Korsten or back into Port Elizabeth itself.58

But the sanitation syndrome was not suspended. Horrific medical reports stated that social conditions at Korsten and Port Elizabeth were appalling. A see-saw of alarm and frustration agitated officials on the spot and the government in Cape Town. Civil commissioners, magistrates, medical officers, town councillors and members of Parliament lamented the failure of New Brighton and the menace of its alternatives. Since September 1903 Gregory had resumed his scathing criticism of Act 40’s limited jurisdiction. ‘A menace to the general community’ was being created at Port Elizabeth, he told the Colonial Secretary. Renewed plague at Korsten gave him grounds for a fresh initiative: ‘the prompt forced removal of the Aboriginal Natives’ of the entire Port Elizabeth area ‘into a sanitary location,’ specifically New Brighton. So determined was Gregory that he offered plague funds to build housing immediately if the legislature failed to pass the pending regular estimates for the year,59 but his proposal foundered on

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57 Ibid. 6.
58 NABB 1904 [GI2–1905] J. A. Verschuur, ‘Report on PE Native Reserve Location...’, 116–17. NA597/1524, exchange of telegrams NAD and CC of PE 30 Mar. to 5 Apr. 1904. Similar frustrations bedevilled administration at Cape Town. Act 40 was suspended there in 1903. Overcrowding at Ndabeni ceased in 1904 and enforcement was resumed, but the municipalities and private employers reversed their plague-born anxieties and resisted the removal of African labour to Ndabeni. Although government officials decried the squalid conditions, the general practice was to avoid removing from the towns Africans who were employed or otherwise exempt. Even when 4,000 places were available at Ndabeni in Aug. 1904, W. E. Stanford as SNA instructed police to leave ‘respectable’ and employed Africans alone: NA598/1525, passim; NABB 1904, 111, and 1905, 70.
59 NA597/1524, B1972, Gregory to Col. Sec. 1 Sept. 1903.
the persistent refusal of other authorities to spend heavily. The dispute was exemplified by Cumming’s recommendation to put up new housing for only one thousand more people, while Gregory had pointed out there were at least six thousand to be moved into New Brighton at once.60

Early in 1904 W. G. Cumming was replaced by the more sympathetic W. E. Stanford, and with a new government in office under Leander Starr Jameson as Prime Minister, the NAD gradually turned toward acceptance of the owner-builder option for New Brighton in an effort to rescue their primary objective. But the African householders held out for full freehold rights and even free grants of land. They were encouraged, it was charged, by leading white citizens of Port Elizabeth.61 Even with such concessions, there was doubt the blacks would trust their future to government supervision.

Near the end of 1904 the abject failure of policy under Act 40 was detailed in a compelling report to the NAD by W. C. Becker, the resident magistrate of Port Elizabeth. Blaming with impartiality the unreadiness of government on the one hand and the machinations of slumlords on the other, he was supported by a vivid police report on thievery, drunkenness and other iniquities.62 The Medical Officer of Health, Dr Rees, added his own gloomy description condemning the whole area around the city as worse than ever. Breathing the spirit of the sanitation syndrome, Rees wrote that

At the present time all the factors exist, namely, a large coloured population, about six thousand, living under practically no local Government control, and in an area which has no water supply . . . [for] tuberculosis and enteric fever . . . to obtain a foothold, and there is every probability that outbreaks of infectious diseases including plague will sooner or later occur and jeopardise the health of the people living within the area itself as well as those residing in the neighbouring Municipality.63

These jeremiads galvanized the impulsive prime minister, for Jameson next visited Port Elizabeth himself to try to set matters right. Reversing the government’s stance, Jameson proposed a comprehensive scheme to reduce rents and lease sites for self-builders at New Brighton, including a deal to Korsten freeholders to exchange property there for equal titles in New Brighton.64 The scheme appeared attractive but this too dwindled away in legal uncertainty, bureaucratic qualifications, parliamentary foot-

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60 Ibid. Gregory to CC, PE, 28 Feb. 1905, in Gregory to SNA 13 Mar. 1905 (20 179/31, 20 130/31), and W. G. Cumming, memorandum on above.
61 Ibid. Telegrams nos. 346, 379, 400, 362, 432, NAD to CC, PE and replies, 30 Mar. 1904 to 9 Apr. 1904; Petition of Korsten siteholders to Mayor and Council PE, 27 Apr. 1904; and L. S. Jameson to Mayor, 4 May 1904 and Mayor to Jameson, 12 May 1904.
63 Ibid. D. C. Rees to Chairman, PE Plague Committee, and enclosure, 19 Nov. and 25 Sept. 1904.
dragging and African lack of trust once the prime minister had returned to his familiar haunts in Cape Town.65

The frustration of the Locations Act led to a new measure in 1905 which sought to bring Korsten and similar areas under compulsory controls. Jameson introduced the bill with the claim that its purpose was not to destroy the legal rights of respectable property owners, but 'to get rid of the insanitary portion of Korsten'. Clearly, however, he wished to assure that no more Korstens would happen in the colony. Jameson showed this by noting what little success he had gotten in his recent intense efforts to entice Korsten's freeholders as well as its poorer inhabitants voluntarily into New Brighton. Therefore, he said with delightful logic, the bill was necessary 'because, however successful voluntary effort might be, they always found that voluntary effort backed up by the power of compulsion was still more effective'.66 Recognizing the force of Dr Gregory's criticism, the Native Reserve Locations Amendment Act (No. 8 of 1905) allowed extension of its powers five miles from municipal boundaries, thus embracing Korsten and other unregulated settlements. A marvellously complex pass system was concocted to stop 'absconders' from leaving with rents unpaid. Farm labourers and freeholders of £75 valuation were still exempt from the law, but it also specified lease or freehold location plots for self-builders, and for the first time location advisory boards were to be allowed.67

Prosecutions under the amended act commenced at once with some effect. New Brighton grew, but Korsten still prevailed. It should be no surprise that there was little fundamental change. The pass system was abandoned as unworkable in December 1905. Chronic lack of accommodation still frustrated forced removals to New Brighton. In the hard times that characterized these years, Africans petitioned for relief and officials called for lower rents as defaults piled up and defaulters fled into free areas or back into Port Elizabeth itself. The government thought for a time to recover rents and reduce the influx of unemployed migrants by rounding them up as volunteers for mine labour contractors who would then pay the back rents by advances on wages, but with little success. Increasing African resistance to police raids for beer, liquor and vagrants led to renewed doubts and fresh prescriptions.68 A. F. Gilfillan, the magistrate at New Brighton, finally questioned the whole basis of their policy when he observed in 1907 that the Africans did not avoid New Brighton

66 Ibid. 225; see also 223-9, 78-80, 312-15, 319-20.
67 NA598/I525: text of Act 8 of 1905.
68 Ibid. Newsclip, 'First Cases under the New Act... ', 15 June 1905; J. A. Verschuur (Magistrate New Brighton) to SNA, 28 June 1905; same to same, 20 Nov. 1905; same to same encl. petition on rents, 30 July 1907 (D2/654/1907); A. F. Gilfillan (Magis. New Brighton) to SNA 22 June 1908 (D3/198/1908).
because of its expense; they avoided it 'because their pleasures and liberties are curtailed and among them are many worshippers at the shrine of Bacchus'.

V

By 1908 the frustration of policy was again manifest. Gradually, as the plague threat had receded, the tremendous wave of popular urgency that precipitated the urban locations ebbed, leaving intact the obdurate realities of private economic interest and white inertia, African resistance and the sheer press of their numbers. A kind of weariness set in as if officials had concluded that their quandary, like the poor, would always be with them. The Africans were like quicksilver under the thumb of 'native policy'. They could not be caught and held static in the matrix of 'reserve locations'. The government of John X. Merriman, who had opposed the location bills of 1902–5, took office in January 1908, with a less urgent, more liberal approach. The new mood was expressed by Magistrate Roberts at Ndabeni in 1909. Opposing a call from New Brighton authorities for yet more stringent regulations, he argued with more irony than he intended that these would only 'tend to create a feeling that government is but a Gaoler instead of a Protector'.

Roberts thought the real problem was the failure of municipalities to take responsibility and support government policy. This view was supported by Walter E. Stanford, who told Parliament in 1908 that the trouble had really begun with the plague, when the Africans had been dealt with 'in a very harsh manner' by the medical officers and local authorities. Stanford was the chief official critic of municipalities, which he had already charged in 1905 with taking a purely exploitative approach—simply 'farming natives' for profit and neglecting the obligation to ameliorate African urban life. Yet the government did not want to undertake the endless responsibility and incalculable expense of applying Act 40 beyond Cape Town and Port Elizabeth, and the legal basis for municipalities to establish locations remained as before in the Public Health Act, a circumstance loaded with hypocrisy. Stanford's critique illustrated the sanitation syndrome as a fundamental condition of the white response to African urbanization:

No gainsaying it—the main motive is the health of the community. Yet there is much inconsistency in our action for while we provided a place to locate them—selves with little or no means to improve the conditions of life amongst them, because living under insanitary conditions they may become a danger to the
health of the community, we at the same time employ them in our business
places and our homes. . . . We will only get improvement in our social problem
in proportion as we take practical measures to encourage and protect our Native
Labourers and improve their social system. This I have always regarded as the
duty of the local authorities. Measures taken at Cape Town and Port Elizabeth
were taken by (or it may be said forced on) the Central Government under ab-
normal conditions. . . . But having taken the matter in hand the government
should I think see it through at the places mentioned. The country and all con-
cerned will in the long run profit by the example.73

The location legislation of 1902–5 could never solve the problems of
African urbanization and white anxiety, but it served to define the issues
and set the pattern of response. Although administration relaxed, it became
clear that by the end of the decade the ideological and institutional founda-
tions of urban segregation had been laid. Doubts, hesitations, and symp-
athy notwithstanding, the sanitation syndrome penetrated into all
perceptions and prescriptions of the day: urbanization was seen as a
pathology in African life and therefore a menace to 'civilized' (i.e. white)
society. Disease was both a biological fact and a social metaphor. The
magistrate of Port Elizabeth in 1909, W. C. Scully, signified this influence
in yet another unsuccessful prescription. He expressed a typical and
eloquent view of urbanization as a social crisis in which the city was a kind
of moral and physical cesspool where Africans contracted as a deteriorating
virus 'the more disreputable side of our (so-called) civilization'. There was,
however, a salvable remnant of hundreds, 'industrious, frugal and law-
abiding', who might be encouraged with limited proprietary rights as an
example to influence the rest. This was a plan, he averred, which could do
more 'than a regiment of police'. Scully may have been heading in a
promising direction, but he spoiled his aim by denying his salvable remnant
enough to be independent or socially mobile.

It would not, in fact, be advisable to encourage natives to live here except as a
labouring class . . . available for the needs of the general community. It is as a sup-
plement to wages—as a means of making life more comfortable and healthful,
that the privilege of acquiring rights . . . should be regarded.74

Traditionally 'Cape Liberalism' is thought to have drawn a line among
Africans between the barbarous and the civilized, yet Cape urban policy

73 NA598/1525, W. E. Stanford memorandum, 'Municipal Legislation in Relation to
Natives', on N. Janisch to Stanford, 16 Jan. 1905. Prefiguring liberal views on later urban
areas legislation, Stanford also argued that an African urban middle class should be en-
couraged in the government locations and African civil rights ought to be entrenched
against arbitrary search and seizure by means of the common law requirement for warrants
before police entry to any location domicile. He opposed urban pass laws as unworkable in
view of the general past failure of such laws in the Colony: NA703/2845, 'Papers Relating
to Municipalities', Stanford to Under Col. Sec. 10 Mar. 1905, and passim.

74 W. C. Scully memorandum 31 July 1909, reply to PM request 23 July 1909, PM (ref.
D/33/370). Scully was an accomplished author, well-known for his sympathy with Boer
victims of the war as well as his interest in African welfare.
well before 1910 sought to link them together. Officials like Stanford and Scully were interested in African ‘improvement’ as well as amelioration (e.g. see note 73 above) but they were fundamentally paternalist and segregationist. They wished to protect the ‘barbarians’ while they evolved, and the European towns at least until they evolved, but there would be no end to the process and, in common with parallel developments elsewhere in South Africa, these initiatives became the seed bed of urban segregation.

In conclusion, Cape Town’s and Port Elizabeth’s experience with bubonic plague transcended its purely epidemiological dimensions. The plague had been identified with their black populations and they with it. Steps taken to stop the plague persisted after the emergency. Sanitation and public health provided the legal means to effect quick removals of African populations; they then sustained the rationale for permanent urban segregation.

The locations themselves, at first perceived as the means to remove a medical menace from white towns, came to be viewed as an equal danger. Alarm mounted at obvious degeneration in the mushrooming urban locations and slums after 1912, and most dramatically in the frightful influenza epidemic of 1918 when over 130,000 Africans died. In 1914 the Union Government’s Tuberculosis Commission condemned locations and slums together as ‘a menace to the health of their inhabitants and indirectly to the health of those in the town’, and identified white slumlords as a major problem whose property interests prevented action by local authorities. African property rights were equally condemned. In general, private property of either description was seen as a stumbling block to improvement and protection of urban Africans. Officials wished to break this economic nexus of African ‘squalor’. They prescribed government control or laws enjoining municipalities to enforce sanitation and eschew profit motives in location management. The 1918 Influenza Commission did recommend ‘security of tenure’ for householders to encourage better housing, but the 1923 Natives (Urban Areas) Act abandoned this possibility in favour of allowing municipal funding of improvements through the revenues of the native beer monopoly system. In promoting this legislation the Union Native Affairs Department noted that ‘The Influenza Epidemic [had been]... a startling revelation [of African conditions] and to what extent these conditions were a standing menace to the health of our whole population’. 

The essential point was not that locations were wrong, but that uncontrolled and insanitary locations were wrong, and that municipalities and private interests were responsible. The constant aim of official policy remained to reinforce segregation by seeking to make locations more viable in serving their isolating function along the lines of the medico-social analogy already so familiar. The unresolved issues of 1902–5 would come to a head in future times of critical growth, ever larger in scope and more daunting in their implications.

**SUMMARY**

Infectious disease and concepts of public health, operating as societal metaphors, seem to have exercised a powerful influence on the origins and development of urban segregation in South Africa. Between 1900 and 1904 bubonic plague, threatening major centres, occasioned the mass removal of African urban populations to hastily established locations at the instigation of medical authorities and other government officials under the emergency provisions of the public health laws. Inchoate urban policy, under tentative consideration since the 1890s as economic development and social change began to stimulate black urban migration, was precipitated by this episode into specific legislation and permanent administration. Cape Town and Port Elizabeth were the two foci of this development in the Cape Colony, where the government locations at Ndabeni and New Brighton exemplify the process. These moves and the effort to consolidate them were to a large degree frustrated by practical administrative, legal, economic and human factors which have characterized the anomalies and contradictions of urban location policy ever since. A black 'middle class' resisted the loss of property rights and clung to aspirations of economic and social mobility or legal independence. Especially at Port Elizabeth, where independent peri-urban settlements proliferated, white officials and politicians laboured in an administrative and legal quagmire. White employers and black migrants proved only marginally amenable to location concepts modelled on the principles of quarantine. But 'the sanitation syndrome', equating black urban settlement, labour and living conditions with threats to public health and security, became fixed in the official mind, buttressed a desire to achieve positive social controls, and confirmed or rationalized white race prejudice with a popular imagery of medical menace. These issues of urban social order would be repeated again in connexion with such dire events as the 1918 influenza epidemic as the foundations of Union-wide policy and law were laid during and after World War I.