

## ***Lord Milner's Registry: the origins of South African exceptionalism.***

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Many black South Africans have complained bitterly about the oppressive burden of documents in the 20<sup>th</sup> century, but few have expressed it as succinctly as Peter Abrahams. In his novel *Tell Freedom*, published in 1954, Jim, a migrant worker in the Transvaal in the interwar years, observes ironically: "A man's life is controlled by pieces of paper."<sup>1</sup> Michel Foucault has also traced what he called "power of writing" as an "essential part in the mechanisms of discipline." In Foucault's account of modernity, particular kinds of "normalizing observation" were supported and reinforced by what he calls a "network of writing." Modern discipline is maintained, in this account, by a dispersed "meticulous archive" that situates individuals in "a mass of documents that capture and fix them."<sup>2</sup> My project here is to trace the origins and character of this documentary state in modern South Africa.

My argument is simply that modern South Africa was profoundly exceptional in at least two respects. In the first instance, in the degree with which the Benthamite technologies—the same ideas that Foucault has so eloquently examined in *Discipline and Punish*—were implemented. The ferocity of the "power of writing" in South Africa in the Milner era must lead one to wonder whether it is, at least in its untempered form, a defining feature of modern discipline. The South African state is also exceptional in another respect: it exercised a form of control over its African subjects that is qualitatively unlike any of its colonial peers and, notwithstanding some excellent recent scholarship arguing to the contrary, dramatically unlike its African neighbours. I can list some of the reasons for this exceptionalism briefly here: the extent, character and expense of the war of conquest between 1899 and 1902; the political and financial power of the finance houses that controlled the gold mines of the Witwatersrand; the flows of imperial finance and speculative capital that followed the British conquest of the Transvaal; and, most importantly, the intense cooperation between the mining houses and the new state in the decades after 1902. But most importantly the origins of South African exceptionalism lie in the form of the state fashioned during the period of the Milner administration. The modern South Africa I will describe here is unique.

### **War and the making of the South African State**

The African mine workers who had been trapped on the Witwatersrand for the first six months of the war between Britain and the Boer Republics greeted the arrival in Johannesburg of the forty-thousand men of General Lord Roberts' Grand Army by tearing up their paper passes. The workers anticipated the end of the racial documentary order of the old Transvaal. Just six months earlier Joseph Chamberlain had, after all, justified the coming war because of the Transvaal's "brutal and disgraceful" treatment of its African population. But the workers were to be disappointed. Within a week, the British army had reasserted the validity of the Republican "Pass Law", and re-established the old Republican mine police, courts and a makeshift prison, to keep Africans off the streets and coerce workers into the new railway building project that provided a "new and much-needed coal-line, which ran for thirteen miles along the Rand."<sup>3</sup> This

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<sup>1</sup> Peter Abrahams. *Tell Freedom*. (London: Faber and Faber, 1981) 180.

<sup>2</sup> Michel Foucault. *Discipline and Punish: The Birth of the Prison* (London: Penguin Books, 1977) 170-194, 189.

<sup>3</sup> Donald Denoon. *A Grand Illusion: the failure of imperial policy in the Transvaal Colony during the period of reconstruction, 1900-1905*. (London: Longman, 1973). 3, 14. Peter Warwick. *Black People and the South African War, 1899-1902*. (Cambridge: Cambridge University Press, 1980) 134. *The Times History of the War in South Africa*. Volume 6. Edited by L S Amery. (London: Sampson Low, Marston and Company, 1907) 595. Diana Cammack *The Rand at War*,

rapid restoration of the Republican precedent hides an important difference between the nineteenth and the twentieth century Transvaal. For the invocation of the old Republican law obscures the radical character of the new British documentary state. The administration that Lord Alfred Milner, Britain's 20<sup>th</sup> century apostle of empire, built in the Transvaal after 1900, bore scant resemblance to President Kruger's Republic. The Milner state fashioned an invisible administrative revolution, which developed and then generalized the tools of the documentary registry to the regulation of the entire African population of the Transvaal. Within months of the establishment of the civilian administration, black workers found themselves trapped in a documentary web designed to control their identities, movements and behaviour.

If it is true that the modern state has its roots in the demands and consequences of war-making, then the 20<sup>th</sup> century South African state must be its purest form.<sup>4</sup> To defeat the small Boer armies that remained in the field after the fall of Johannesburg and Pretoria in May 1900, Britain deployed a vast military infrastructure across the South African highveld that gave it direct physical control of the territory in the old Boer republics. By May 1901 there were 240,000 British soldiers in South Africa (an army three times the size of the British Expeditionary Force that arrived in Rouen in August 1914) chasing Boer commandos that numbered less than 20,000 men. The war cost in excess of two hundred million pounds, a sum that amounted to two-thirds of the total capital attracted to the Witwatersrand gold mines before the Great Depression. Much of this expense was prompted by the effort to destroy the household basis of the old Boer republics: the burning of crops and houses, the transportation of people, and the destruction of herds and water sources. Yet the Boer commandos, with their wives and children in the British concentration camps, trod lightly on the land and stole most of what they really needed from their pursuers. By the end, when the numbers of active commandos dwindled to a few thousand men, the war had become a struggle for control over every square mile of the Highveld.

For Milner the war was a foundational act, designed to wash South Africa (and the Empire) clean of the corruptions and dangers inherent in Boer control of the treasure of the Witwatersrand, and it was Milner's idea to fight the war as an act of possession. In November 1900, just as the Republican generals were beginning to understand the logistical weaknesses of the massive British armies, Milner wrote to the new Minister for War, St John Broderick. "The time for over-running is over," he explained to his friend, "stage 2 is a gradual subjugation, district by district, leaving small entrenched & well-supplied garrisons behind your columns as they sweep the country & mounted police to patrol between these posts."<sup>5</sup> It took some time for General Roberts' successor, Lord Kitchener, to see the logic of Milner's strategy, but by the middle of 1901 he had begun to subjugate the highveld in a manner unprecedented in the colonial world.<sup>6</sup> The tool that was to provide this intimate control of the land was the fortified blockhouse.

Like so many other early twentieth century military technologies, the blockhouse was a creature of corrugated iron, earth, and barbed wire attached to the rail and telegraph networks. It was developed to allow for rapid deployment, and consisted of an octagonal wooden-frame binding two skins of corrugated iron filled with the quartzite earth of the highveld. The blockhouses were tied together, and surrounded by, lashings of barbed wire. Each emplacement had a garrison of 10 men, 6 white soldiers for day time duty, and 4 Africans assigned to the hidden fighting of the night shift. By March 1901 factories on the railway lines were manufacturing blockhouses at a cost of £16 per unit. Remorselessly "the trains, the permanent way and the

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1899-1902. (Berkeley: University of California Press, 1990) 136. W Basil Worsfeld. *Lord Milner's Work in South Africa: From its commencement in 1897 to the Peace of Vereeniging in 1902*. (London: John Murray, 1906) 534.

<sup>4</sup> Charles Tilly. *Coercion, Capital and European States, AD 990-1992*. (Oxford: Blackwell, 1990).

<sup>5</sup> Pakenham 468-9, 534-50.

<sup>6</sup>

telegraph” on the lines running up to the Witwatersrand from the Cape, Natal and Delagoa bay were secured by placing blockhouses at initial intervals of a mile and half, and then steadily bringing them closer together until they were 200 yards apart on some sections of the Cape lines.<sup>7</sup>

In the middle of 1901 Kitchener realized that he could transform defensive necessity into offensive virtue, giving substance to Milner’s original strategy of possession, by “carving up the whole country into fenced areas of workable size.”<sup>8</sup> Branching off the railway lines, he began to weave a web of fortified concentric rings around the cities of Johannesburg and Pretoria. [Figure 1]. The ties binding the blockhouses together were hardened as the Boers become more skilled at cutting the wire and overturning fences. Soon they were connected by quarter-inch rigid steel cables strung between entrenched fence posts and festooned with noisy metal tins. After six months of frenzied work, fifteen thousand square miles of the southern highveld had been swept, and held, “absolutely clear” by the blockhouse network. When the war ended, there were over 8,000 of these tiny forts on a linear network 4,000 miles in extent, guarded by some 65,000 troops.<sup>9</sup>

Some of the Boer commandos viewed the blockhouses with contempt—De Wet famously called them the “blockhead system”—but they could also be hideously dangerous, especially at close range. “Rifle fire,” Deneys Reitz wrote of a failed effort to cross a blockhouse line at night, “at point-blank range is unpleasant at the best of times, but when one is on a maddened horse amid wire loops, it is infinitely more so.”<sup>10</sup> As Kitchener weaved his network of little fortresses across the grazing land of the platteland, he gradually stripped the Boers of the two resources that allowed them to resist: mobility and intelligence. By 1902 the commanders came to the dawning realization that they were “taken like flies in a spider’s web.”<sup>11</sup>

The other two arms of Kitchener’s strategy—the “Drive” and the concentration camp—created a void between the strands of the blockhouse line. His drives were modelled on the favourite sporting activity of the English aristocracy: thousands of mounted beaters systematically flushed every square foot of designated veld: torching the homesteads and sweeping the landscape clean of the Boers and anything that might aid them, “not only horses, but cattle, sheep, women and children.”<sup>12</sup> Like a demented celestial gamekeeper, Kitchener methodically tracked his progress at the end of every week in the numbers of Boers “bagged.” A better measure of his control of the land was the great mass of people, white and black, imprisoned in the new British concentration camps. Kitchener swept and secured the land bordered by Barberton in the east, Kimberley in the west, Pietersburg in the North and Colesburg in the South.

The combination of Kitchener’s industrial war making, and Milner’s determination to impose a “clean sweep” victory, implied the piecemeal dismantling of the administrative infrastructure of the Republican states.<sup>13</sup> From the start of the war the army governed the conquered territories, and much of the Cape Colony and all of Natal, using an extempore martial law that defined regulations, crimes and penalties at the whim of local commanders. In so far as there was a system of government under martial law, it was a documentary order that prefigured elements of the state that Milner would build after the Vereeniging Peace agreement. In the

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<sup>7</sup> *Times History of the War in South Africa*. Volume 5 Edited by Erskine Childers. (London: Sampson Low, Marston and Company, 1907)

<sup>8</sup> *Times History of the War* Volume 5 396.

<sup>9</sup> Pakenham *Boer War* 536-7

<sup>10</sup> Deneys Reitz. *Commando: A Boer Journal of the Boer War*. (London: Faber and Faber, 1929) 192.

<sup>11</sup> *Times History of the War in South Africa*. Volume 5. 403.

<sup>12</sup> Pakenham *Boer War* 493.

<sup>13</sup> Pakenham *Boer War* 488.

proclaimed areas of the Cape the army attached a printed form to the front door of every house that listed the “name and description of every person.” Military patrols were instructed “to arrest any unauthorized person found in any house or farm, and to note the names of absentees, who, failing a satisfactory explanation, were liable to be treated as rebels.” A similar military passport “was required to enter, leave, or move to and fro in a district, or to enter or leave any town.”<sup>14</sup>

On the train journey back to Johannesburg in August 1901, Milner observed that Kitchener left “death and destruction everywhere” and, echoing Tacitus, that he had made the highveld “virtually a desert.”<sup>15</sup> Yet the combination of blockhouses, the concentration camps, the enormous body of troops, and martial law provided a degree of control over the land and its people that was completely unprecedented, just as the British began the task of state-building in South Africa. After the exhausted commandos finally agreed to peace in April 1902, and Kitchener left to take up his reward as commander of the India Army (having fought terrible wars at both ends of the African continent for most of the previous decade), Milner began to fashion a state that mimicked these systems of military control.

## Milner

Arthur Balfour, Winston Churchill, Jan Smuts, David Lloyd George, Mahatma Gandhi, not to speak of the generals—Horatio Kitchener, Douglas Haig and John French: the second South African War was a catastrophic rehearsal for the terrible drama of the First World War. And yet, although so many of the great political figures of the last days of British imperial politics played key parts in the war, the events themselves, and the new state that emerged from the war, were shaped by the ideas of one man: Alfred Milner, raised to the peerage as Viscount Milner of St James and Cape Town in May 1901, a full year before the war reached its pathetic conclusion. It was Milner and Lloyd George who did what was necessary to get Britain through the Great War, and it was Milner and Chamberlain who made modern South Africa.

Milner hated living in South Africa. He missed his friends, and the Thames, and the house parties of London. Like George Grey half a century before him, he was resident here for less than a decade. In that short time, he ruled with a relentless energy. As he so often said himself, he swept clean the “Augean stables” of 19<sup>th</sup> century South African politics, and established the rules of government for a single, autonomous state wedded to the South African gold mining industry and rigorously committed to the precocious development of new forms of bureaucratic power.<sup>16</sup> Milner wielded this influence in South Africa because he, unlike every other major figure in South African political history, dominated London;<sup>17</sup> his project of state-making in South Africa, was intrinsically a project of metropolitan renewal. He exercised a hold over the imperial centre, a power the leader of the Liberal opposition, Campbell-Bannerman, called the *Religio Milneriana*, because he seemed to personify the intellectual and political ideals of his age.<sup>18</sup>

Milner was scholastically brilliant at a time when competitive examinations, not just an Oxbridge or aristocratic pedigree, opened the door to state power. From the day he won a senior scholarship to Oxford until his departure from Balliol with a Prize Fellowship to New College, his undergraduate career was an unequalled triumph. Milner was the “most brilliant son” of a generation of Balliol undergraduates, and his career evolved under the protection of the Master,

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<sup>14</sup> *The Times History*. Volume 6. 566

<sup>15</sup> Cited in O'Brien *Milner* 189-90.

<sup>16</sup> For similar lines of reasoning, Shula Marks and Stanley Trapido, & van O “Total In

<sup>17</sup> His closest rival in this respect was Jan Smuts. While they shared similar roles between 1917 and 1921, Smuts never came close to exercising the kind of political influence that Milner controlled from the late 1890s.

<sup>18</sup> O'Brien *Milner* 177

Dr Jowett while he was at the height of his formidable powers.<sup>19</sup> Throughout his life, Milner was able to call upon a host of striving Balliol graduates, and their associates, for insight and assistance. These friends, more than any other asset, equipped him with unmatched influence in the imperial capital.

Milner's lifelong friendships with Jowett and his Balliol companions reflected another key aspect of his personality. He was—at least until he reached South Africa—a master of equanimity. Unlike many of his own subordinates, he understood the enormous value placed on “tact, temper, and judgement” by the leaders of both the Liberal and the Tory parties. [O'Brien 73, Pakenham]. The tone of his voluminous published dispatches is always strikingly authoritative—cool, dispassionate, ironic. His official letters reveal an almost sinister mastery of the politics of the qualifying subordinate clause. His private letters, especially as metropolitan politics began to unravel his carefully laid plans for South Africa, were more often aflame (especially against the corruptions of the British parliamentary system Pak 551) but even these rarely display the kinds of self-regard that is common in private letters. Before he was sent to Cape Town, Milner was a man who seemed to have complete control of himself. He was chosen to go to South Africa because he was “absolutely sound and reliable.”<sup>20</sup> Only his most intimate enemies, like Jan Smuts and Margot Asquith could see that “there was a sort of violence in Milner's mind.”<sup>21</sup>

He was also singularly well-connected. He was a generous listener and a charming conversationalist, and he had “a kind of genius for friendship.”<sup>22</sup> Throughout his life he collected powerful personal friends like precious works of art, and they became his most effective political agents. After leaving Balliol, he worked briefly at the bar before making an unsuccessful effort to become a Liberal MP. He then slid, almost by default, into work at the *Pall Mall Gazette* as an assistant to its muck-raking editor, W T Stead. Drawing on his own experiences of the Whitechapel settlement work of Reverend Samuel Barnett, he worked with Stead on the publication of the *Bitter Cry of Outcast London*.<sup>23</sup> Milner left the *Gazette* in time to avoid being associated with the unsavoury controversy that followed Stead's staged purchase of a young girl to publicize his White Slavery exposé.<sup>24</sup> Back under Jowett's sponsorship, he was drawn into the orbit of Lord George Goschen, the Liberal Unionist Chancellor, and served as his principal private secretary for two years at the end of the 1880s, at precisely the time that the Witwatersrand gold fields began to refashion the international politics of the sterling gold standard. From this point, while he was still in his early thirties, until the Liberal victory twenty years later, Milner was never more than one friend short of the apex of imperial power.<sup>25</sup>

Milner had a genuine talent for fiscal arithmetic. His reputation for mastery of the complexities and contradictions of English taxes gave Milner authority in the imperial establishment possessed by few outside of the Treasury. He was able to use his experience of tax reform and budgeting under Goschen to secure a job in Egypt as the Undersecretary for Finance in the veiled British protectorate. Rowing with the ‘half-dozen excellent crewmen’ of Cromer's unshackled dictatorship gave Milner a taste for the heady pleasures of colonial state-making, and a model for his South African administration. But he did not stay long in Egypt. After

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<sup>19</sup> Pakenham *Boer War* 13. O'Brien *Milner* 31-43. Geoffrey Faber. *Jowett: a portrait with background*. (London: Faber and Faber, 1957) 357-364. Speech by Stanley Baldwin at Oxford in 1925 in Headlam *Milner Papers* Volume 2, 475.

<sup>20</sup> Pakenham *Boer War* 13.

<sup>21</sup> Marlowe *Milner* 129. Hancock *Smuts: the Sanguine Years* 98.

<sup>22</sup> Marlowe *Milner* 14.

<sup>23</sup> Gareth Stedman Jones. *Outcast London*:

<sup>24</sup> Marlowe *Milner* 12.

<sup>25</sup> O'Brien *Milner* 44-86.

two years he returned to England in 1892, published an acclaimed defence of British imperialism in general, and the veiled protectorate in particular, and then moved properly into the Treasury, taking the strategic post of Chairman of the Inland Revenue Board.

In the mid 1890s Milner was one of the imperial mandarins he would later despise, and a prominent member of the London social establishment. When Joseph Chamberlain offered him the joint posts of High Commissioner of South Africa, and Governor of the Cape Colony in 1897, he was already the most prominent advocate of the New Imperialism. Nobody quite like him had ever been sent to the South African backwater, and his appointment reflected the potent mix of political and economic events underway in the Transvaal. Harassed on all sides by the growing economic and political power of the continental powers and the USA, the New Imperialists saw South Africa, and the Transvaal in particular, as the lynch-pin of a revitalized greater Britain. The Witwatersrand promised both to secure British financial hegemony by directing the bulk of the world's gold to London, and to fund the development of an integrated and prosperous colony at the maritime cross-roads of the global empire. Alas, the gold-mines brought with them half-a-dozen immensely wealthy and similarly troublesome Randlords, including the particularly destructive energy of Cecil John Rhodes. His juvenile imperialism had just culminated in the international embarrassment of the Jameson Raid, leaving the Republican Transvaal in an apparently unassailable position and Chamberlain inches from impeachment. Milner's task was to sort out the mess left in the wake of the Raid, and to find a solution to the larger South African problem.

The story of Milner's effort to "force the pace" to war has been well told several times.<sup>26</sup> Aided by the Randlords and his friends in the imperial bureaucracy and the press, Milner used the public platform provided by the Blue Books, and a massive and continuous stream of private letters to his friends in London to build the momentum for war, in the face of a hesitant Colonial Secretary and a skeptical cabinet. The wider political effect of this letter-writing campaign was neatly summed-up by the Marquess of Salisbury, the venerable Tory Prime Minister who, much against his will, found himself forced to sanction the largest British war since Napoleon. "We have to act," he complained to the Secretary for War, "upon a moral field prepared for us by Milner and his jingo supporters."<sup>27</sup>

It was "Jowett's simple gospel of hard, honest, brainwork" that gave Milner the strength to shape events in South Africa. Once the first months of Boer success had passed, and the enormous British armies had lumbered their way into the highveld cities, the pacification of the republics became a minutely choreographed exercise of control, reflecting the demonic energy of Milner and his military counterpart, Lord Kitchener. As much as Milner longed for the idyllic pleasures of the English aristocracy, he was devoted to the Balliol "living tradition of strenuous work" as the key to a meaningful life.<sup>28</sup> For Kitchener work was life: "All day, he sat at the desk ... devouring files and telegrams, and scattering papers to the winds ... the very incarnation of superhuman will-power and machine-like energy."<sup>29</sup> Where Kitchener's effort was dispersed by the immense military machine that he was deploying across the highveld, Milner's was directed in two directions: building a new South Africa from the ground up and molding the imperial public to completing the task. Letter-writing was his tool. As Milner often noted, the volume of the published official correspondence of his brief tenure in South Africa is staggering, and matched by a similarly voluminous body of private letters.<sup>30</sup> "I have been *forced*, in these last few years, to

<sup>26</sup> J S Marais. *The Fall of Kruger's Republic*. (Oxford: Clarendon Press, 1962). Pakenham *Boer War*. Eric Stokes "Milnerism" *Historical Journal* (5:1, 1962) 47-60.

<sup>27</sup> Marais *Kruger's Republic* 318.

<sup>28</sup> Faber *Jowett* 359.

<sup>29</sup> Pakenham *Boer War* 492

<sup>30</sup> Extracts of some these letters have been carefully edited under Lady Milner's watchful eye to provide an almost comical defence of Milner's South African work in *The Milner Papers (South Africa) Volumes 1 and 2*. Edited by Cecil Headlam. (London: Cassell and Company,

pour out, to my own great exhaustion, perfect volumes of what I can only call private despatches," he observed at the end of his time in South Africa, "For I have been obliged to carry on my work here mainly by the method of *personal appeal*, with the machinery and routinery mostly against me, as it must be against all innovators."<sup>31</sup> As one of his biographers has pointed out, these letters—always long, elegant and lucid—"were Balliol essays parading the arguments against the policy he thought proper, then refuting them as a prelude to arguing in detail what ought to be done."<sup>32</sup>

What did Milner want to do in South Africa? At the end of his life, looking back twenty years after he had left South Africa, having served as the Secretary of State for War and for the Colonies through the grinding brutality of the Great War and the Peace that followed it, he explained what he called his Credo:

I am a Nationalist and not a cosmopolitan ... I am a British (indeed primarily an English) Nationalist. If I am also an Imperialist, it is because the destiny of the English race, owing to its insular position and long supremacy at sea, has been to strike roots in different parts of the world. I am an Imperialist and not a Little Englander because I am a British Race Patriot. ... The British State must follow the race, must comprehend it, wherever it settles in appreciable numbers as an independent community.<sup>33</sup>

Like almost all of his English contemporaries he was captivated by the romance of race, and racial struggle. Indeed, much of his explicit project in South Africa was concerned with engineering the demographic, and cultural, supremacy of English-speakers as the solution of what he and others called the racial problem. His failure in this area, and the political splintering of the English in the Transvaal, implied the failure of the project of British supremacy in South Africa.<sup>34</sup>

But Milner's treatment of the politics of race was different from the eugenic enthusiasm that captured many of his peers. Unlike Arthur Balfour, Havelock Ellis or John Maynard Keynes, Milner showed little interest in Francis Galton's genetic management of heredity as a means of addressing the pressing social problems that Britain faced at the turn of the 19th century.<sup>35</sup> Nor was he unconcerned by the condition of the poor. With his closest Oxford friend, Arnold Toynbee, he was one of the most vocal advocates of the welfare work of the Charity Organisation Society in London's East End. Unlike the missionaries of the COS, Milner's solution to the problem of structural poverty in the city was state intervention on a massive scale. One of the members of Toynbee's Oxford circle remembered Milner coming up from London after he had graduated, dismissive of both the pessimism of the Tories and the moralizing paternalism of the missionaries, "he was obviously much impressed with Bismarckian State Socialism and aired a number of ideas and schemes of that complexion which astonished some of us not a little."<sup>36</sup>

He was, like his boss Joseph Chamberlain, a social imperialist, who looked to strengthen Britain, and uplift the poor, by strengthening the administrative institutions of the empire.

1931). For his comments on the volume of written material see Milner to Gell, 19/11/1903 and Milner to Lyttelton, 16/5/1904, and for writer's cramp, 315.

<sup>31</sup> Headlam *Milner Papers*, II, 537-8.

<sup>32</sup> O'Brien *Milner* 13.

<sup>33</sup> W K Hancock. *Smuts Volume 1: The Sanguine Years* (Cambridge: Cambridge University Press, 1962) 74. (Found in his papers after his death and published in *The Times*, 26 July 1925).

<sup>34</sup> See Denoon *A Grand Illusion*

<sup>35</sup> Nancy Stepan. *The Idea of Race in Science: Great Britain, 1800-1960*. (London: Macmillan,

<sup>36</sup> Cited in Marlowe *Milner* 6-7.

Throughout his life Milner was obsessed with increasing the power of the constituent parts of the imperial state, and dismissive of the short-term parsimony of laissez-faire economics. He sought more than anything else to fashion an Imperial state form, freed from the polluting effects of parliamentary democracy, that would ensure what he called the “organic unity” of the dispersed fragments of the British empire, and dominate the world. The Imperial War Cabinet that bolstered the British war effort after 1917 was the closest he ever came to realizing this aim. In South Africa he was certainly looking to secure British cultural and political supremacy, with gold resources that would serve as an imperial treasury. But his life’s work was state-building, and the success or failure of his project in South Africa is better discerned in the form of the state that he left behind him.

It was a famously racist state. During the drafting of the Treaty of Vereeniging, Milner, against Chamberlain’s advice, endorsed Smuts’ careful rewording of Article 8 to delay the decision over the black franchise until the “after the introduction of self-government,” a postponement that would endure a century.<sup>37</sup> Three years later, looking back at the end of his time in the Transvaal, Milner regretted this decision. “If I had known,” he wrote to his successor, “as well as I know now the extravagance of the prejudice on the part of almost all the whites—not the Boers only—against any concession to any coloured man, however civilized, I should never have agreed to so absolute an exclusion, not only of the raw native, but of the whole coloured population from any rights of citizenship.”<sup>38</sup> Yet there is something implausible about this melancholic regret.

Milner meticulously redrafted the terms of the Treaty of Vereeniging to ensure that he got exactly what he needed out of the war. His acceptance of Smuts’ position on the black franchise was, no doubt, intended to counter-balance the conditions that really mattered to him: the cultural and political supremacy of the English language and an indefinite date for the establishment of representative government. But his own distaste for liberal democracy shaped his attitude to the black vote, and to local representative government in general. Parliamentary institutions, with the necessary “rottenness of party politics”, were not initially part of his plans for the new colonies. And in the long term he dreamed of an “Imperial Council to take things out of the hands of that mob at Westminster.”<sup>39</sup>

As the likelihood of a Liberal election victory in England, and the establishment of the local representative government that must follow, grew in Milner’s mind, so he began to think about ways of incorporating black people into the parliamentary mix. He did not think much of the Cape African franchise. “The blanket vote is detestable, and I do not know that one at least of the suggested alternatives, members returned to Parliament by the natives voting separately—is much better,” he wrote to Ramsay Collins, the editor of the *Natal Mercury*. The examples of his most despised parliamentary enemies, the Afrikaner Bond at the Cape and the Irish at Westminster, lay heavily across his mind: “Rival white candidates competing for the support of a native party in Parliament (though that party consisted of only a few members, it might hold the balance of power) would be almost as bad.”<sup>40</sup> Notwithstanding his later crocodile tears about the denial of the “civilized” black vote, Milner’s preferred solution when he was in power was for a separate “Native Council” made up of “Natives elected by Natives” with limited legislative powers “in matters affecting Natives only within the areas of native districts.”<sup>41</sup> It was this racially segregated model of parliamentary representation that would form the basis of the National

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<sup>37</sup> Leonard Thompson. *The Unification of South Africa, 1902-1910*. (Oxford: Clarendon Press, 1960) 11. Hancock Smuts 159

<sup>38</sup> Headlam *Milner Papers Vol 2*, 353.

<sup>39</sup> Headlam *Milner Papers Vol 2*, 291.

<sup>40</sup> Headlam *Milner Papers Vol 2*, 512.

<sup>41</sup> Headlam *Milner Papers Vol 2*, 512.

Party's attack on the black voters in the Cape in the 1930s. In this respect, at least, Milner got exactly what he was looking for.<sup>42</sup>

What stands out, looking back a century after Milner's reconstruction of the Boer colonies, is the startling proportion of the key governmental institutions of the 20<sup>th</sup> century that were established in these five years: a paramilitary police force, the Central South African Railways, national education for white children, the Rand Water Board, a government Postal and Telegraph Service. All of these were powerfully centralised institutions, organised in a manner exactly opposite to the local government structures that developed in Britain in the decades that followed.<sup>43</sup> Driving through the towns of the highveld it is difficult not to notice the public buildings that date from this period: armouries, courts, police stations, prisons, hospitals, even Weskoppies in Pretoria, which Milner described as a "lunatic asylum of exceptional excellence."<sup>44</sup> In comparison with later governments Milner spent lavishly. The £3,000,000 grant that the British government set aside for reparations vanished in the effort to put white farmers back on the land. Similarly sized loans were spent in the, largely unsuccessful, effort to place British settlers on the land. And the huge development loan of £35,000,000 guaranteed by the British Exchequer was rapidly spent (most of it in the purchase and extension of what remained of the Netherlands-South African Railways).

Under Milner the state consolidated the military infrastructure to give it meaningful authority over its entire territory for the first time. He extended and integrated the railways to bring outlying districts closer to the market of the Rand, and to the centre of government.<sup>45</sup> "Immense sums have been spent on the improvement on the roads in the country districts, which were never good, and at the end of the war were in a really shocking condition."<sup>46</sup> In addition to restoring the power and some of the prosperity of white farmers,<sup>47</sup> the state began its century long effort to bolster commercial white farming through the provision of financial and scientific support, irrigation systems and national forests. "We have made this country for the Boers," Milner observed when he returned for the first time twenty years later, "They could never have done it for themselves."<sup>48</sup>

## The mining imperative

The most enduring element of Milner's state-building project was the grafting of the state into the administrative fabric of the Gold Mining Industry. Milner ensured that in South Africa, as Max Weber observed at the time, "capitalism and bureaucracy have found each other and belong

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<sup>42</sup> Milner also famously drafted the local government franchise specifically to exclude all blacks, and vetoed the Colonial Office's effort to enfranchise "British Indians." See G H L Le May. *British Supremacy in South Africa, 1899-1907* (Oxford: Clarendon Press, 1965) 179. For similar views from John Buchan, Milner's personal private secretary, see Preben Kaarsholm. "Monument of Empire: Aesthetics, Politics and Social Engineering in the Writings of John Buchan" *The Humanities between Art and Science: Intellectual Developments 1880-1914*. Edited by M Harbsmeier and M Trolle Larsen (Copenhagen, 1989).

<sup>43</sup> A J P Taylor.

<sup>44</sup> See Robert R Edgar and Hilary Sapire. *African Apocalypse: The story of Nontetha Nkwekwe, a Twentieth Century South African Prophet*. (Johannesburg: Witwatersrand University Press, 2000) 63-67.

<sup>45</sup> Thompson *Unification* 15

<sup>46</sup> Headlam *Milner Papers*, Vol 2, 545.

<sup>47</sup> Krikler

<sup>48</sup> Headlam *Milner Papers*, II, 534.

intimately together.”<sup>49</sup> These relationships were certainly personalized—like Milner’s friendships with the leaders of the dominant mining houses, Percy Fitzpatrick, Lionel Phillips, and George Farrar, but they were also formalized in the shared drafting of legislation, the carefully choreographed operation of commissions and continuous meetings and discussions between the Chamber of Mines and the new bureaucracy.<sup>50</sup> As the Liberal Party discovered to its great political advantage after 1902, there was something undeniably unsavoury about the marriage of Milner’s Crown Colony government and the Randlords’ gold mines.

But Milner was not the agent of the Randlords. On the contrary, they served him. Nor was the steward of capitalist development in South Africa. His project was state-building, and it was much more ambitious than the refashioning of social relations in the Transvaal. Milner, as John Buchan observed long after his death, “espoused the state.”<sup>51</sup> The profit of the gold mining industry, Milner’s famous “overspill,” was a means, not an end. He made onerous contemporary (and future) demands of the industry that the Kruger government had steered well clear of. One way to describe this relationship would be to say that, after Milner, the state and the mining industry shared administrative intimacy and fiscal detachment. Embedded autonomy is another. The continuous growth of gold mining and the expansion of the state before the delusional epoch that began in the 1960s were products of a relationship of distinctively embedded autonomy—a condition that South Africa shared with the precociously developmental states of the second half of the 20<sup>th</sup> century.<sup>52</sup> The enduring power of the administrative systems that were built by the relationship between the mines and the state before 1907 is even more striking. It was the particular informational requirements of the gold mining industry, geared to the regulation of a vast African labour force, that set the foundations for the state. These informational foundations endure a century later, long after the state has escaped from the embrace of the gold mines.

Milner started his term as Administrator of the Crown Colony of the Transvaal disposed to assist the gold mining industry, and its owners. The two wealthiest Randlords, Julius Wernher and Alfred Beit, had been useful allies in the effort to “force the pace” towards war.<sup>53</sup> Percy Fitzpatrick, author of *The Transvaal from Within* and the local director of the predominant Corner House Group was his agent amongst the *Uitlanders* in Johannesburg. For the British Cabinet the shocking expense of the war, draining money from the British exchequer at a rate in excess of a million pounds a week, meant that the effort to restart the “industrial life” of the new colonies was a matter of the utmost political importance.<sup>54</sup> And then there was Milner’s all-consuming state-building project, which had always assumed that profits from the mines would be able to fund a systematic effort to “raise the level of civilization” in the Transvaal. Very soon into the Milner administration it became clear that African migrant workers on the gold mines were going to bear the cost of providing these resources.

The Quaker leaders of the British Anti-Slavery Society understood early on what Milner had in mind for the Transvaal, and they moved quickly to extract a commitment from Joe Chamberlain that Britain would not sacrifice Africans “to the greed of the mine owners.” For Thomas Fowell Burton, the son of the Quaker parliamentary leader of the same name who had

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<sup>49</sup> Max Weber. *Economy and Society*. Edited by Guenter Roth and Claus Wittich. (New York: Bedminster Press, 1968) 1395, n4. Cited in Peter Evans *Embedded Autonomy: States and Industrial Transformation*

<sup>50</sup> Donald Denoon. “Capital and Capitalists in the Transvaal in the 1890s and 1900s.” *Historical Journal*. 23,1 (1980) 117. Marks and Trapido “Lord Milner” 80. Richardson *Chinese Mine Labour* 29.

<sup>51</sup> John Buchan. *Memory hold the door*. (London: Hodder and Stoughton, 1940) 98.

<sup>52</sup> Peter Evans *Embedded Autonomy: States and Industrial Transformation*. (Princeton: Princeton University Press, 1995) 48-52.

<sup>53</sup> Pakenham *Boer War* 89.

<sup>54</sup> Pakenham *Boer War* 512.

made the odious compromises necessary to end British slavery in 1833, the coercive logic of mine labour administration was obvious. “It is in the highest degree necessary,” he observed in the opening letter of the Blue Book, “to provide safeguards, especially in mining districts, against the appearance of slavery under the form of apprenticeship, labour taxation, and the oppressive exercise of Pass and Compound systems which are liable, if not strictly kept within due limits, to gross abuse.” Buxton demanded the abolition of “all forms of involuntary servitude” for Africans in the Transvaal and the establishment of “full personal liberty.”<sup>55</sup>

Milner wrote the concluding dispatch to the Blue Book begun by the Anti-Slavery Society’s appeal. It is a long letter, just short of six thousand words, and it covers the new regime of Native Administration ushered in by Proclamation Number 37 of 1901 with Milner’s characteristic authority. The dispatch is a comprehensive rejection of the demands made by the Quaker humanitarians, and it closes with these words:

If the Government has a duty towards the native, and should see to it that his engagement is voluntary, that faith is kept with him, and that proper provisions are made for his health and comfort, it has also a duty to his employer, and to the whole white population, whose well-being is in a hundred different ways so deeply affected by the prosperity of the mines. It will be none the worse for the natives, indeed it will be all the better for them, if, while jealously protecting native interests, the Government are also animated by a spirit of fairness and friendliness to the great industry—built up by the skill, the science, the indefatigable labours, the enterprise undaunted by official bullying and discouragement, of thousands of our fellow-countrymen and other Europeans—upon the continued progress of which the welfare of the Transvaal, and indeed of all South Africa for at least a century, will mainly depend.<sup>56</sup>

These were fateful words indeed.

## **Founder of the Native Affairs Department.**

The architect of the new relationship between Labour and Capital that Milner sought to build on the Witwatersrand was Sir Godfrey Lagden. He is well remembered in the history of South Africa as the Chair of a massive commission of enquiry into the “Native Problem” that produced the first published blue-print for racial segregation.<sup>57</sup> But his effects on the long term character of South Africa were actually of a much more practical nature, although largely invisible. It was Lagden who built the documentary registry into the heart of the South African state, and he did it at the specific behest of the Chamber of Mines. Milner’s political agenda and authority exceeded the gravitational pull of the gold mining industry, but that can not be said of the man who served as his engineer of the new racial order in the Transvaal. Sir Godfrey Lagden, Director of Native Affairs in the Transvaal Crown Colony, was the creature of the gold mining companies.

Lagden was an outsider in Milner’s Kindergarden. He had none of the scholarly credentials or aristocratic blood of the other young members of Milner’s new government. After school he had been lucky to win a position as a clerk in the British Post Office. In 1877, after a decade of work as a postal administrator—where he was distinguished more as a rugby player than a bureaucrat, he suddenly bought a ticket to South Africa. Making his way to Pretoria, he managed to get himself appointed as a low-level imperial official in the first, and disastrous,

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<sup>56</sup> Milner to Chamberlain 28 December 1901.

<sup>57</sup> See Edgar Brookes. *History of Native Policy in South Africa from 1830 to the Present Day*. (Pretoria: Nasionale Pers, 1924) 132-38. Adam Ashforth. *The Politics of Official Discourse in Twentieth-Century South Africa*. (Oxford: Clarendon Press, 1990) 22-68. D R Burton. “The South African Native Affairs Commission, 1903-5: An Analysis and Evaluation.” MA Thesis, Unisa, 1985.

British occupation of the Transvaal. After a brief sojourn away from South Africa, Lagden returned to take up a post in Lesotho, where, as Resident Commissioner, he earned Milner's admiration, the Colonial Office's gratitude and a knighthood, by single-handedly extracting compliance from the apparently defiant Sotho monarch, thus avoiding war with the Basotho at precisely the moment that Milner had his hands completely full with the Transvaal.

Lagden's reputation as a "native expert" stemmed from this outpost duty. Unlike many of the men who worked under him, he had no particular interest or sympathy for Africans, and his diary entries from Basutoland suggest that he spent much of his time there worrying about becoming another martyr in the cause of imperialism.<sup>58</sup> Unlike the most important of his contemporaries (Taberer, Marwick, Stuart, and Wheelwright) Lagden had no childhood familiarity with Africans, and no linguistic proficiency. He was unusual amongst the generation of "Native Experts" that emerged to shape the imperial project in South Africa at this time in sharing the 19<sup>th</sup> century racists' phrenological explanations of individual intellectual capacity. When Lord Selbourne replaced Milner in 1906 he urged that a more generous and expansive policy of education for Africans should be introduced in the Transvaal. At the time Lagden was spending about £6000 on the educational subsidy, less than one percent of the revenue paid by Africans in the Transvaal, and he did not see any possible benefit from increasing this amount. "It is notorious that the present generation as a whole can with difficulty reach a low elementary standard of education beyond which they are incapable of moving," he responded to his new boss, "A study of the physiognomy of the masses shows plainly the lack of intellect ... [and gives] the impression of being not unlike baboons."<sup>59</sup>

Lagden was also an accident-prone imperialist. He had a particularly nasty habit of setting himself on fire, with devastating consequences for those around him. The first of three such events in South Africa happened just a week after he arrived in the country, and it serves as a useful parable of Lagden's career as a bureaucrat. He was camping near the coal-mining town of Newcastle in Natal, on his way up to the Transvaal, when his campfire spread to the bush. A raging veld fire destroyed all of his own possessions, and the houses and belongings of the AmaZulu villagers who lived nearby. They promptly pounced on him, and dragged him to the local British magistrate for some kind of remedy. The magistrate recognized Lagden (they had spent a few months at school together) rescued him, fitted him out with a new set of clothes and sent him on his way, leaving the villagers to deal with the consequences of his actions. By building the state around the disciplinary requirements of the owners of the gold mines Lagden set a fire that beset black people in South Africa for decades after he had gone on his way back to England.<sup>60</sup>

The Chamber of Mines wasted no time after learning in December 1900 that Lagden was to be the new Commissioner for Native Affairs in the Transvaal. With Milner's support, they immediately sent a deputation to intercept him on his journey back to England to probe his views on the issue that always concerned them most. "Received a deputation of the Chamber of Mines re. Labour, " Lagden noted in his diary, "and sent them away happy."<sup>61</sup> The mine owner's gratification was promptly reciprocated. While he was in London, Lagden met with Alfred Beit, the founder of Rand Mines, and received the gift of a house on the Parktown ridge, between Milner's Sunnyside villa and Lionel Phillips' palatial Hohenheim. When he arrived in Johannesburg in August 1901 the house was still under construction, so Percy Fitzpatrick was forced, to his intense annoyance, to vacate the Hohenheim mansion.<sup>62</sup> And when his house was

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<sup>58</sup> David Burton. "Sir Godfrey Lagden: Colonial Administrator." PhD Thesis, Rhodes University, 1989

<sup>59</sup> cited in Denoon *Grand Illusion* 100

<sup>60</sup> Burton "Sir Godfrey Lagden" 17.

<sup>61</sup> Burton "Sir Godfrey Lagden" 263.

<sup>62</sup> *Fitzpatrick: Selected papers, 1888-1906*. Edited by A H Duminy and W R Guest. (Johannesburg: McGraw Hill, 1976) 303.

completed Lagden demanded furniture and other improvements from Rand Mines “on the grounds of want of means and the demands of his public work upon his time.” Fitzpatrick, serving as the President of the Chamber of Mines at Milner’s suggestion, understood the relationship quite clearly. “He is first-class in his work,” he explained to Beit after the proclamation of Lagden’s new Pass Law, “but quite ruthless in his determination to get all he can out of us in the time!”<sup>63</sup>

Lagden was not the Chamber’s stooge. He was able to see the medium-term consequences of current events much more clearly than the mine directors and owners, obsessed as they were with short-term profit margins. He took seriously the three obligations of colonial paternalism that Milner had laid out, and designed an administration that worked hard to ensure that the individual migrant’s “engagement is voluntary, that faith is kept with him, and that proper provisions are made for his health and comfort.” It was Lagden who began the protracted struggle to reform the shocking disease environment on the mines by publishing the mortality statistics his department had begun to collect.<sup>64</sup> Nevertheless, in meeting the minimum criteria of colonial paternalism, he sought always to craft his administration and its policies around the particular requirements and plans of the mine lords.

Lagden’s diaries report that he held “long private conversations” with the President of the Chamber of Mines and the Manager of the Witwatersrand Native Labour Association “especially on Sundays” before key meetings of the Chamber of Mines or his own consultations with Milner, in order that “differences could be sorted out and common approaches decided on.”<sup>65</sup> Lagden routinely gave the mine lords the opportunity to comment upon, and revise, not only his public recommendations, but his own confidential memoranda to the Crown Colony Executive. And in his meetings with Africans in the countryside he missed no opportunity to belabour the point that “the cry of the hour is work” for the gold mines.<sup>66</sup> If ever there was a state bureaucracy designed in the service of capital it was the Native Affairs Department in the Transvaal.

The Department that Lagden built in the Transvaal was an administrative mirror of Kitchener’s blockhouse network—a set of rings in expanding orbit around the Witwatersrand. Five isolated Native Commissioners were responsible for the largest areas. In these enormous territories they were charged with the establishment of an ad-hoc system for the administration of justice, and the development of the ethnography that the new state would need to control African peasants on the land. Beneath them, four or five Sub-Commissioners were appointed to oversee the nitty-gritty of colonial overrule: registration of marriages, collection of taxes, issuing of passes, and the formal attestation of the recruiters’ labour contracts.

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<sup>63</sup> Fitzpatrick to Beit, 12 April 1902, *Fitzpatrick: Selected papers*, 312.

<sup>64</sup> Alan H Jeeves. *Migrant Labour in South Africa’s Mining Economy: The Struggle for the Gold Mines’ Labour 1890-1920*. (Johannesburg: Witwatersrand University Press, 1985) 51-2. See also British Parliamentary Papers. Transvaal. Correspondence relating to conditions of native labour employed in Transvaal Mines. Presented to both Houses of Parliament by Command of His Majesty, May 1904, Cd 2025, Milner to Lyttelton, Enclosures 2 - 7, 9 April 1904.

<sup>65</sup> Burton “Lagden” 274.

<sup>66</sup> Lagden to the Rustenburg Pitso, reported in *Koranta ea Becoana*, 9 September 1903, cited in Burton “Sir Godfrey Lagden” 342.



But the actual agents of the new documentary government, as Lagden explained, were the two hundred, poorly paid, Native policemen attached to the offices of the Native Commissioners:

Their duties are, amongst other things, to act as the eyes and ears of Government and gather information regarding the natives, which it is essential for Government to know; to visit all kraals, examine tax receipts, and trace defaulters who do not hold receipts on paper of the right description, each year having a different colour; to co-operate with the South African Constabulary in the execution of police duty; execute warrants, serve subpoenas, escort prisoners, and carry despatches; to ascertain if guns are acquired and concealed; to circulate to the native people orders and instructions.<sup>67</sup>

From the outset the South African state was dependent on poorly paid African auxiliaries for all the most important functions of daily government in the countryside. As the years progressed, the Milner regime in the countryside came to rely increasingly on customary authorities to handle the daily demands of government. The flimsy legal basis of this reinforcement of African chiefly authority was traced back to the old Republican Law 4 of 1885, passed shortly after Shepstone's brief tenure as Transvaal administrator. Like Shepstone's system, the Transvaal law made no provision for the codification of customary law, the specification of the authority of the chiefs, or the rights of their presumed subjects. Faced with criticism of this abdication of colonial authority in the countryside at the end of the Milner era, Lagden presented the standard defense of indirect rule. "We look to the chiefs to maintain order, to assist in the collection of taxes and in the repression of crime, and we must support them in so doing," he argued. "If they are deprived of their power and position, or are not supported in the reasonable exercise of power, it will become necessary for Government to employ costly and extensive machinery in their place."<sup>68</sup> But it is a mistake to view this reliance on indirect rule in the countryside as the defining feature of the South African state. The real machinery of government, the basis of its power and the effects of its rule were made in the cities, and particularly on the forty-mile crescent of the Witwatersrand gold mining district.

In the gold mining heart of the Transvaal the Native Affairs Department exercised direct and intimate control. The urban landscape was carefully divided into demarcated Labour Districts that coincided with the major towns of the Witwatersrand. Within each of these districts the Department built a Pass Office to enforce the complex rules and maintain the registers of a new Pass Law. By the end of 1903 the Pass Commissioner, Sydney Pritchard, was supervising Pass Offices in each in the mining towns of Boksburg, Germiston, Krugersdorp, Roodepoort, Heidelberg, Vereeniging, and Klerksdorp and four in the city of Johannesburg itself. The Native Affairs Department opened its own Finger Impression Record Division in the offices of the Chief Pass Office in the city centre and began to expand fingerprinting to the other pass offices in the course of the following year.

The cutting edge of Lagden's new department was provided by the compounds built adjacent to the Pass Offices. The first of these were built in Johannesburg, Krugersdorp and Boksburg. After 1908 a new Government Compound at Driehoek in Germiston was responsible for the processing of almost all migrants who arrived on the Rand. (A similar compound was constructed in Witbank to receive migrants from Mozambique headed for work on the eastern Transvaal coalfields.) By this time compounds had been constructed at fifteen Pass Offices in the Transvaal.<sup>69</sup> It was inside these enclosed rectangular courtyards that officials performed the key coercive and ideological functions of the Department.

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<sup>67</sup> Annual Report by the Commissioner for Native Affairs for the Year ended 30<sup>th</sup> June, 1903. Enclosure in No. 13. BPP Cd 2025. Transvaal. Correspondence relating to Conditions of Native Labour employed in Transvaal mines. Keith Shear. "Constituting a State in South Africa: The Dialectics of Policing, 1900-1939." PhD Thesis, Northwestern University, 1998, 239.

<sup>68</sup> Transvaal Native Affairs Department Annual Report, 30 June 1906, 3.

<sup>69</sup> Transvaal Native Affairs Department Annual Report, 31 May 1910, 141.

When workers arrived by train from their distant homes in Mozambique, Lesotho or the Eastern Cape they were shepherded here first. Before 1908 migrants were met on the mines by a Mine Inspector, or sent to a Pass Office nearby, but after that date they were all sent directly to the Compound at Driehoek. Here a "senior official" would ask each worker, usually in translation, whether he consented to the terms of the contract. There was more to this "perfunctory attestation" than a humanitarian preoccupation with individual consent.<sup>70</sup> In the summary judicial hearings that often resulted from any worker's attempt to change the terms of his work on the mines, it was the presence of the official's signature on the contract that was taken as the legal indication of the worker's acceptance of the terms of the contract.

These Pass Office compounds, in a pattern that lasted until the abolition of influx controls in 1986, also served as holding cells for tens of thousands of migrants. Any worker who claimed to have lost his pass was detained in the pass office compound for six days, while his name, numbers and fingerprints were circulated to adjacent mines. Workers who had completed prison terms—usually for violation of the new pass and liquor regulations imposed by the Milner administration—were returned directly to the local Pass Office compound where their records were updated, and they were returned to their original employers to complete the term of the contract. By the end of the decade the numbers of workers held in these compounds were very large. In a single year the three major compounds in Johannesburg, Boksburg and Roodepoort detained 50,000 ex-prisoners and pass applicants for short periods, while over 20,000 men spent a week in the special Wemmer identification compound that was designed to weed out deserters from the ranks of work seekers on the Rand.<sup>71</sup>

The NAD compounds on the Witwatersrand also served as nodes in the widening network of recruitment stations that the Witwatersrand Native Labour Association, and its competitors, built across the subcontinent. Recruiters were charged a shilling per day for the food and lodging of tens of thousands of workers moving to the Witwatersrand. Between 1907 and 1920 the main Government Native Labour Bureau compound at Driehoek in Germiston was the central point in this network, and the focus of some of the most important, and degrading, rituals of recruitment. All workers from the Cape, Basutoland and the Free State moved through this compound where they were paraded before a government medical officer, and subjected to compulsory delousing. After 1920, the Native Affairs Department handed over these functions to the WNLA monopsony, leaving just a Pass Office and its staff in the Driehoek compound.<sup>72</sup>

In the main mining districts around the city, eight Mine Inspectors were charged with policing what Milner had called the "health and comfort" of the migrant labour force. In practice this meant on-site inspections of the compound facilities of each mine, and a much protracted effort to impose a set of basic health standards. These inspectors were also responsible for ensuring the integrity of the employment registers and passports held by each mine, and keeping track on disease prevalence. But more than either of these functions, the Inspectors were responsible for the administration of a perfunctory system of "on the spot" labour courts to enforce the basic terms of labour contracts, or disputes between workers.<sup>73</sup> In practice during the Milner period these hearings worked to force migrants to complete the terms of service stipulated on their contracts. In the early years they worked diligently to protect the mines and their white officials, and systematically neglected the evidence of widespread abuse. As Jeeves observed, these "protectors of natives" investigated only a few dozen wage and assault complaints in their first year of work, while "well over 3,000 Africans were disciplined for breach of contract and for

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<sup>70</sup> H. Tennent cited in Moroney, "Industrial Conflict" 88.

<sup>71</sup> Transvaal Native Affairs Department, Annual Report, 31 May 1910.

<sup>72</sup> TAD GNLB 334, 191/21/7, Director of Native Labour to Secretary for Native Affairs, Pretoria, 1922/01/01

<sup>73</sup> Memorandum. Enclosure 1 in No 12. BPP Cd 2025. Transvaal. Correspondence relating to Conditions of Native Labour employed in Transvaal mines.

other statutory offences against their employers.”<sup>74</sup> And the odds on acquittal in one of these hearings were very slim. Of the 900 cases heard by the inspectors in their first year, just seven resulted in the discharge of the accused.<sup>75</sup> By the end of June 1904 the farcical separation of the “protectors of the natives” from the wider bureaucracy of the Pass system had been abandoned when the Controller of Passports was placed in overall control of both the inspectors and the pass officers. It was only after the Milner period, and after the intervention of those preoccupied by the recruitment of South African workers, that the offices of the Mine inspectors were specifically divided: the coercive functions falling to a group of judicial officers, and a new group of Protectors charged with the “general welfare and comfort of the natives.”<sup>76</sup>

Beyond the boundaries of the mine properties, in the cluttered streets and slums between the Pass Offices, the power of the Native Affairs Department was exercised by a special police force. Immediately after Lagden established the legal basis of the NAD he appointed six African policemen to “patrol the town and arrest all natives contravening the [pass] regulations.”<sup>77</sup> Within four years this force had grown tenfold, and expanded to include a special group of six African detectives, who were responsible for investigating the many crimes committed against the pass laws. And a year later, Henry Taberer, in his new position as the Director of Native Labour, set up a plain-clothed Native Intelligence Department whose functions included “not only the arrest of natives suspected of desertion but the detection of the various means employed by Europeans and natives in facilitating desertion.”<sup>78</sup> This small group of African policemen were constitutionally independent of the South African Constabulary, the Transvaal Town Police and their successors under Union, the South African Police.<sup>79</sup>

In South Africa, after Milner, Native Affairs was primarily an urban, labour recruitment business. From the first year of the Reconstruction administration, the bureaucratic centre of gravity of the Native Affairs Department was located firmly on the Witwatersrand. By 1906, the NAD had a total complement of some 240 officials, of which 170 worked in the labour districts of the Witwatersrand Pass Commissioner. After the establishment of the Government Native Labour Bureau in 1907, and the trimming of rural commissioners, this urban bias intensified. By Union, three-quarters of the NAD staff in the Transvaal worked under the control of the Director of Native Labour. Half of these officials were clerks, and most of the remainder were policemen.<sup>80</sup> And these numerical ratios do not tell the entire story. For the Milner government imposed an integrated labour registration system on the Witwatersrand that, in only a few years, transformed the work of the rural administrators in the Transvaal and in the Cape-magistrates, tax-collectors, labour registrars--to the mobilization of the mines’ labour force.

## Lagden’s Archival Discipline

In the first six months of the Transvaal Crown Colony Godfrey Lagden, with some help from the Attorney-General Richard Solomon, composed the general “Pass Law” of 20<sup>th</sup> century South Africa. For the year before the signing of the Treaty of Vereeniging in May 1902 the Milner

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<sup>74</sup> Jeeves *Migrant Labour* 50.

<sup>75</sup> CD 1551. Report by the Chief Inspector, S M Pritchard, February 27, 1903.

<sup>76</sup> Transvaal Native Affairs Department Report, May 31, 1910.

<sup>77</sup> CD 1551 British Parliamentary Papers. South Africa. Papers relating to the progress of administration in the Transvaal and the Orange River Colony, April 1903. Report by the Chief Inspector, February 27, 1903, 189.

<sup>78</sup> Transvaal Native Affairs Department Annual Report, 30 June 1908. Extracts from memorandum by the Director, Government Native Labour Bureau, 13 January 1908, 24.

<sup>79</sup> Shear “Constituting a State” 239-253.

<sup>80</sup> Transvaal Native Affairs Department, Annual Report, June 30, 1906. Transvaal Native Affairs Department, Annual Report, 31 May 1910, 5.

administration governed the Witwatersrand without anything like local political opposition, and for another full year after the making of the peace and Kitchener's departure for India, the Crown Colony government made law and built administration without the rancorous politics that developed later. Proclamation No 37, issued in December 1901, prepared the foundations of the modern South African state. The clauses of this proclamation were faithfully reproduced in the Native Labour Regulation Act that set the basis for the pass system in the Union. And, in the first decades of Union, when government officials referred to the "Pass Law," they had in mind Lagden's proclamation. (In most accounts of South Africa's influx control system the 1911 Native Labour Regulation Act, passed immediately after Union, has pride of place, but the key elements of the pass law were already well-entrenched by that time.)<sup>81</sup>

Lagden's proclamation was enclosed with Milner's essay response to the Quaker's loud public warnings about the future of native administration in the Transvaal. It was prepared as a comprehensive policy for the new state, and carefully worded to avoid the implication that a new regime of "involuntary servitude" was being developed on the Witwatersrand. On the contrary, the new policy implied, Africans in the Transvaal were to be governed using the standard tools of European administration, in particular, the documentary passport.<sup>82</sup> Under the new system, Lagden explained, the "coloured labourer is held to be a responsible person" and, as such, "is the custodian of a Passport designed to carry him from his home to the gold fields and back again." Requiring Africans to carry passports also implied that they were foreigners in their own country. But the new passport, and the air of respectability it offered to the pass law, was not the real innovation of Lagden's system. His policy broke with the old nineteenth of pass system, because now the documents controlling the movements of African workers were to be retained indefinitely, the new documents were to be inserted into Foucault's "meticulous archive." "By this system," Lagden pronounced with an unmistakably Benthamite enthusiasm, "it is purposed to record on the Passport and in the Registry the whole of a man's service his movements and character, and so to control his career as to check the vicious habit of desertion formerly prevailing."<sup>83</sup>

The registry was the key to Lagden's new pass system, but it was not the registry itself that was innovative about this policy. Service registries, where the colonial bourgeoisie applied for suitable servants from Europe, had, as van Onselen observed, "long been a feature of places like Durban, Cape Town and Port Elizabeth."<sup>84</sup> Indeed, Sir George Grey had attempted, and failed, to impose a very similar system of labour controls on African migrants and colonial farmers in the eastern Cape in the 1850s. What distinguished Lagden's plan from these earlier efforts to use the registry to regulate workers in southern Africa was the scope of its application, and the financial and bureaucratic resources Milner was prepared to marshal behind it. Lagden placed the

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<sup>81</sup> Michael Savage. "The Imposition of Pass Laws on the African Population in South Africa, 1916-1984." *African Affairs* (85:339) April 1986, 181-205. Doug Hindson *Pass Controls and the Urban African Proletariat*. (Johannesburg: Ravan Press, 1987) 24-5. Frederick A Johnstone *Class, Race and Gold: A study of class relations and racial discrimination in South Africa*. (London: Routledge & Kegan Paul, 1976) 35-7.

<sup>82</sup> Passports have a richly ambiguous history in the 19<sup>th</sup> century, being, on the one hand, testimonials of respectability, and, on the other, tools of surveillance over the movements of interlopers. Lagden was also suggesting the imposition of passport controls in South Africa at precisely the moment that they were declining in power in *laissez faire* Europe. Of course, the First World War, and the explosion of travel and movement that followed, restored the authority of the national passport after 1914. See John Torpey "The Great War and the Birth of the Modern Passport System" in *Documenting Individual Identity*

<sup>83</sup> British Parliamentary Papers. Transvaal. "Papers relating to legislation affecting Natives in the Transvaal." Cd 902, 1902, Enclosure in No 19, Memorandum by Sir Godfrey Lagden, 29 November 1901.

<sup>84</sup> Charles van Onselen. *Studies in the Social and Economic History of the Witwatersrand, 1886-1914: Volume 2 New Nineveh*. (Johannesburg: Ravan Press, 1982) 4 – 5.

combined resources of his new Department—with its police, clerical staff, fingerprint division, and compounds—and the recruiting apparatus of all the different mining houses, behind the building of a system of labour controls that sought to bind workers to the filing procedures of the twelve different pass offices in the Transvaal. One of the most remarkable features of this new system was that it not only paid for itself, it earned huge revenues for the new state. As early as 1902, the Pass Offices alone were taking in nearly £200,000 a year in receipts and taxes for the Transvaal government, by 1910 the receipts from passes alone reached £300,000. Throughout these years the entire Native Affairs establishment cost the state approximately £100,000.<sup>85</sup>

Lagden's scheme turned on the issuing of an Identification Labour Passport (ILP) to all the African men who arrived on the Witwatersrand seeking work. This document, like Verwoerd's Reference Book (and the current HANIS identity card) was designed to bind the individual worker's life history to the documentary data collected by the state. It was the first of a series of similar efforts to make a "book of life" the foundation of the state's control of its African subjects. The Labour Passport was issued to workers on application at one of the Pass Offices of the labour districts of the Witwatersrand. It contained a "complete record by which the holder may be identified and his movements traced" and served as "*prima facie* evidence of the facts therein recorded" in any court of law in the new colony.<sup>86</sup> The pretence that the passport was a marker of civility did not last very long. By June 1903 the officials in the Pass Offices had given up on the idea that African workers ought to be the custodians of their own passports. From that date the passports were given over to the care of the employers, an "improved form of register" was adopted and all the 120,000 registered male workers on the Witwatersrand were issued with new passports. The movement controls in the labour districts were adjusted to require workers to bear a monthly pass document issued at the Pass Offices. Again what is particularly striking about Lagden's system is the very large numbers of men who were subjected to these bureaucratic controls. Towards the end of the first decade of the century the pass offices on the Witwatersrand were issuing 300,000 of these labour passports every year.<sup>87</sup>

Serial No.	Form 1 L.	Serial No.	Form 1 L.	IN CASE OF RENEWAL OR EXCHANGE OF EMPLOYER.					
	COUNTERFOIL	IDENTIFICATION LABOUR PASSPORT.							
1	Registered Number.....	1	Reg. No..... Dist.....	Employer's Name and Address.	Period of Service.		Rate of Pay.	Date of Discharge.	Employer's Signature
2	Name (Native).....	2	Name (Native).....		From	To			
3	Name known by.....	3	Name known by.....						
4	Father's Native Name.....	4	Father's Native Name.....						
5	Tribe or Nationality.....	5	Tribe or Nationality.....						
6	Place of Residence.....	6	Place of Residence.....						
7	Travelling to.....	7	Travelling to.....						
8	In Charge of.....	8	In Charge of.....						
9	Employer's Name.....	9	Employer's Name.....						
10	Address.....	10	Address.....						
11	Period of Service.....	11	Period of Service.....						
12	Rate of Pay.....	12	Rate of Pay.....						
13	Date of Discharge.....	13	Date of Discharge.....						
14	Employer's Signature on Discharge.....	14	Employer's Signature on Discharge.....						
	Thumb Mark on Back.		Pass Officer at.....	Transferred (To be filled in at Pass Office.)		Endorsed for Return Home			
			* For use at Registry Office. For Character see back.	To.....	Date.....	Transfer Stamp.	at on.....		
			1. Immediately on engaging a Native the Employer must have his name and address registered at the Passport Office. 2. Period of service must be filled in. 3. Employer must sign discharge. 4. It is not lawful to engage a Native who has been longer than 6 days out of work.	Pass Officer.....	Date.....		Transfer Stamp.	Return Stamp.	
				Pass Officer.....	Date.....				

Figure 2 Front Side of the Identification Labour Passport

<sup>85</sup> Transvaal. Native Affairs Department Annual Report, 31 May 1910.

<sup>86</sup> British Parliamentary Papers. Transvaal. "Papers relating to legislation affecting Natives in the Transvaal." Cd 902, 1902, Enclosure in No 19, Memorandum by Sir Godfrey Lagden, 29 November 1901, 32.

<sup>87</sup> BPP Transvaal Cd 2401 Further Correspondence relating to Labour in the Transvaal Mines (In continuation of [Cd 2183]). Presented to both Houses of Parliament by Command of His Majesty, April 1905., Pass Commissioner, Johannesburg, to Commissioner for Native Affairs, Transvaal, 1904/08/01. Transvaal Native Affairs Department Annual Report 30 June 1908.

The Passport made special allowance for the different names that workers used on the mines, but in practice officials did not use them. Like the running number that registry officials in the bureaucracy attached to incoming correspondence, individual workers were labelled by the serial numbers on the passes and contracts binding them to the Witwatersrand. It was in this manner that the state addressed, and identified, African subjects: "a native named 'July' Co. No. Y4854 Passport No. 536223".<sup>88</sup> This numerical registration seemed to offer the same precision as geographical triangulation, all the more so since, the officials believed, Africans had no grasp of the subtleties of numerical values. "Any native who has been convicted of a serious offence, such as rape," the Director of Native Labour explained to the parliamentary committee that drafted the 1911 Native Labour Regulation Act, "passes, as I have said, through the Criminal Record Branch of our Department [where his] old passport is taken from him and he is given a new one bearing a 'criminal' number, which is known to the officers of the Department only." The Director did not mention to his parliamentary audience that this "great protection to the public" hinged on the unlikely chance that workers had no suspicions of the new passport. There was, as the Witwatersrand Native Labour Association repeatedly complained, little to prevent an individual worker from discarding his passport and presenting himself at the Pass Office in Pretoria as a work seeker fresh from the countryside.<sup>89</sup>

REVENUE STAMPS.			
Monthly Stamp.	Employer's Signature.	Monthly Stamp.	Employer's Signature.
1.....		1.....	
2.....		2.....	
3.....		3.....	
4.....		4.....	
5.....		5.....	
6.....		6.....	

These Revenue Stamps must be cancelled by a Pass Official.

FORM 1 L.

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IDENTIFICATION LABOUR  
PASSPORT.

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CHARACTER GIVEN BY	Date.
	Character.
Employer's Signature.	1.....
	2.....
	3.....
	4.....
	5.....
	6.....

THUMB MARK. THUMB MARK.

**Figure 3 Back side of the ILP**

In other respects the Passport was designed to bolster the already formidable powers of employers on the Witwatersrand. In order to secure permission to look for work once they had completed a contract, workers needed to secure their current employer's written acknowledgement of the end of the contract. The back side of the passport contained a special table labelled "Character given by" for this signature. These "endorsements of character" gave vengeful employers wonderful opportunity to ruin the work prospects of their employees—and they were widely used for this purpose.<sup>90</sup> In this, as in almost every other respect, Lagden designed a system of labour controls that placed long-term workers at a terrible disadvantage and greatly increased the likelihood that those with no investment in the industrial order of the

<sup>88</sup> TAD GNLB 111, 1376/13 Treatment of Natives--Crown Mines, 1913-4, Cooke, H S (Asst DNL) & Whitehead, E K (Act. Chief Pass Off) to Director of Native Labour, "Report of the Committee of Enquiry Appointed to Investigate the Alleged Grievances of Native Labourers on the Crown Mine: Third Sitting, Held at the Crown Mines in the Compound of the Langlaagte Deep Section", 24 June, 1913.

<sup>89</sup> TAD SNA 352, 315 "Passes, Pretoria, F.Prints", Secretary for Native Affairs to Acting Secretary WNLA, 1907/01/25

<sup>90</sup> TAD GNLB 238, 39/16 Complaints by Natives re Character endorsements on Passports, 1916-8

Witwatersrand would simply deceive the state. The workers most vulnerable to this kind of abuse were those who sought to use their work experience on the Rand to gain access to better jobs. For the rest, it was a comparatively simple matter to apply for a new travelling pass, discarding the so-called "passport" somewhere along the way.

The Passport was the innovative half of the documentary regime that Lagden introduced. For the rest he relied on the much older pass controls that evolved in the second half of the 19<sup>th</sup> century. To move across the land, Africans needed a pass. For men who were moving to the Witwatersrand—or even to an adjacent district—in search of work this meant a visit to the offices of the local sub-commissioner where an "Official Travelling Pass" could be purchased for the sum of one shilling. For workers or tenants on the farms of the Transvaal the stakes were higher. They needed to secure written consent in the form of a permit or a note from the farm owner before they could even travel to the offices of the sub-commissioner. After 1903, workers registered to employers in the labour districts were required to secure their employer's signature before they could apply for the Monthly pass that would allow them to move inside the Witwatersrand labour districts. Many mine workers shunned the Monthly Pass, but they expected compound officials to issue "Special passes"—notes granting the bearer the right to travel to a particular place for a specific purpose—as a matter of course.<sup>91</sup> Nonetheless, towards the end of the decade the Witwatersrand Pass Offices issued over 2 million Monthly Passes and 225,000 Travelling Passes every year.<sup>92</sup> Here was a world in which the "power of writing" dominated the lives of male workers to an unprecedented degree.

The penalties for non-compliance were similarly sweeping. Without a properly endorsed pass black workers could not travel or purchase a railway ticket. Without a passport they could not take up employment. Policing was also ubiquitous. In language that bore more than a passing resemblance to Marx's "bloody legislation against vagabondage," Lagden empowered any policeman or "any person upon whose property he is found" to arrest any African man without a pass "found wandering abroad" or "traveling otherwise than in a direction indicated in his pass." While there was none of the "branding and ear-clipping" that so enraged Marx, the officials charged with enforcing Lagden's Pass Law were instructed to impose a fine of £5 or one month imprisonment with hard labour for offences against the proclamation. Those found guilty of more sophisticated efforts to defeat the operation of the law, like forgery, conspiracy or impersonation, faced more draconian penalties. For the first year of the British administration, Kitchener retained the old Boer penalty of flogging and imprisonment for these offences, but, at Chamberlain's repeated and determined insistence, the most severe punishment under the Pass Law was limited to a £50 fine and six months imprisonment with hard labour. Workers released from these terms of imprisonment had, of course, to return to the Registry Office where they were restored to the original workplace they had sought to escape.

The heart of Lagden's policy was the project to record "in the Registry the whole of a man's service his movements and character," reflecting the growth in poverty-relief administration of the intensively documented "casework" system that had been developed by the settlement scheme pioneers in the East End of London a generation earlier.<sup>93</sup> Milner had been one of the shining stars of the settlement scheme, and his Transvaal administration sought here to implement a similar solution to break the "vicious habit of desertion formerly prevailing." Workers who were brought to the Rand by recruiters had three days to make their way to one of the Pass Offices to have their passports registered. The Pass Law required the Pass Officer to enter "in a book to be kept by him called the 'Pass Register,'" the details of the passport, the employer's name and the terms of the contract. The law also required the companies to keep an Employer's Register—containing information on the workers employed, new and expired contracts, fatalities

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<sup>91</sup>Moroney, "Industrial Conflict" 42 and 102.

<sup>92</sup> Transvaal Native Affairs Department Annual Report, June 30, 1908 101.

<sup>93</sup> Stedman Jones *Outcast London* 257

and desertions—that had to be sent to the Registry Office every month. One of the primary duties of the Mine Inspectors was to ensure that these registers were properly maintained.

This emphasis on the building of minutely detailed registers that could be cross-referenced between mine employers and the state meant that officials were utterly preoccupied in with the manual work of registration. “The key to effective control of the large number of natives employed in the Labour Districts in the Transvaal,” Pritchard observed in his first annual report as the overall administrator of the Witwatersrand labour districts, “is their accurate initial registration and the preservation of carefully compiled statistical records of their movements.” This meant that “attention to details” was the most important element of native administration on the Rand. Remember the numbers involved here—200,000 passports, 200,000 Travelling Passes, and approximately two million monthly passes were issued by the Pass Offices every year of the Milner era, and these numbers increased dramatically thereafter. Even the money was collected “almost entirely in sums of 1s and 2s, each transaction involving a certain amount of detail work and attention.”<sup>94</sup>

Desertion was the core problem addressed by the web of documentation that developed on the Witwatersrand after 1901, but the discipline of the registry entered into many other areas of the daily lives of African workers, and their families. The most significant of these was a much more efficient, and universally applied, system of tax collection. As was the case with the pass legislation, the difference between the republican and imperial legislation, lay in the field of administration. Tax collection under the Transvaal Republic had been erratic, with powerful Boer landlords taking five percent of the tax revenues they could collect. Much of the actual collection had come in large gift payments from chiefs or headmen to the local representatives of the white state.<sup>95</sup> Under Lagden the NAD maintained the old Transvaal poll tax of £2 per adult male, and an additional hut tax of £2 for each wife's house beyond the first was also introduced. A similar system of audited day books, registers of payment, and counter-foil receipts ensured that the tax burden was systematically and universally applied. “Question the native Taxpayer, “Lagden instructed his tax officials, “as to whether or not he has a wife (or wives) and children and note the information thus obtained on the receipt counterfoil.”<sup>96</sup> The results were impressive. The largest Republican tax yield, £120,000, had been collected the year before the war. By 1904 the Milner regime collected over £400,000.<sup>97</sup>

Recruiters in the Transvaal were quick to take advantage of this new imperative for cash, and they provided those who agreed to sign contracts with advances for both taxation and fines. In order to enforce both the contract and the loan, recruiters retained the tax receipt slip. The anonymous printed forms provided by the state, bolstered by the disciplinary weight of the tax code, enforced both the debt and the labour contract. As the Government Native Labour Director suggested, this system tended to “serious abuse” of the master-servant contract, and by the end of the decade it had been prohibited. Nonetheless, tax receipts—or their absence—continued to serve as one of the primary forces motivating migrant labour, especially after 1909 when the Government Native Labour Bureau allowed migrants to remit taxes directly from their offices.<sup>98</sup>

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<sup>94</sup> BPP Transvaal Cd 1905 2401 Further Correspondence relating to Labour in the Transvaal Mines (In continuation of [Cd 2183]. Presented to both Houses of Parliament by Command of His Majesty, April 1905, Pass Commissioner, Johannesburg, to Commissioner for Native Affairs, Transvaal, 1904/08/01.

<sup>95</sup> Jeremy Krikler. *Revolution from Above, Rebellion from Below*. (Oxford: Clarendon Press, 1993) 140-2.

<sup>96</sup> Krikler *Revolution from Above* 164.

<sup>97</sup> Burton “Sir Godfrey Lagden” 329.

<sup>98</sup> Moroney, “Industrial Conflict” 22.

On the mines an even more intimate control was exercised by the documentation of underground work through the use of printed forms called "tickets". The procedure was succinctly described in the report of the 1913 Native Grievances Inquiry:

Every native is furnished, at the beginning of each period of 30 shifts, with a book of 30 tickets with counterfoils. At the end of each day's work, the miner under whom the native is employed marks upon both ticket and counterfoil the date, the class of work upon which the labourer has been employed during that day and, if the labourer is a hammer boy, the number of inches drilled by him; and signs the ticket and the counterfoil. He then tears out the ticket and puts all tickets so torn into an envelope, which he forwards to the time office. The native retains the book containing the counterfoil.<sup>99</sup>

The wages workers received were determined by counting the number of tickets collected by the "time office". Because a validated work ticket required the "mark" of a white miner, it subjected black workers to the immediate discipline of their supervisors and the overall production requirements of underground management. The use of what the mines called "loafer tickets" to deny payment in the case of insufficient work done, was one of the primary grievances of underground workers before 1913.

Lagden's system made provision for some African and Coloured men to be exempted from the operations of his Pass Law, but even here the documentary character of the system of administration asserted itself. Certificates of Registration granted the holder exemption from the workings of the pass laws. These documents had to be renewed on an annual basis, and they were as likely to be withdrawn as reissued as the Department applied increasingly stringent criteria over the course of the decade. There were always fewer than a thousand bearers of these certificates, and many of these were men of Cape Coloured descent. Letters of Exemption were much more tightly regulated. Based on a Natal precedent that offered exemption to a tiny handful of candidates, the total number with this status at the end of the decade was 254 out of a total population of Africans in the Transvaal of over a million. Even this extraordinary privilege was an ambivalent protection from the documentary regime. As Denoon has observed the bearers of these documents "could only claim exemption by showing the exempting document" in place of their pass.<sup>100</sup>

## Conclusions: The Effects of the Registry State

What then were the enduring effects of Milner's registry state? The most obvious of these were felt by the workers themselves. The numbers of male migrant workers who were imprisoned for violations of the Pass Law grew steadily every year before 1970 (with the short interlude of the Second World War). In the years between 1902 and 1910 the numbers of men imprisoned every year for breaking the Pass Law grew from less than 2,000 to more than 10,000, with social and political consequences inside the prisons and outside of them that van Onselen has eloquently described.<sup>101</sup> In the same period the tools and procedures that Lagden had developed were expanded and intensified. First by a reckless recruiting adventure that saw 60,000 Chinese indentured workers brought to the mines under a set of documentary controls that was even more encompassing than what I have described here.<sup>102</sup> And second under the operation of the Government Native Labour Bureau that Louis Botha and Jan Smuts set up to assist the mines in breaking their addiction to indentured Chinese labour. Henry Taberer, the Director of the Native Labour Bureau specifically focused on the recruitment of Cape workers to

<sup>99</sup>Buckle, *Native Grievances Enquiry* 39, cited in Moroney, "Industrial Conflict" 90.

<sup>100</sup> Welsh 236, Denoon 104.

<sup>101</sup> van Onselen, *The Small Matter of a Horse* 20. Appendix G of Union. Native Labour Regulation Act: 1909

<sup>102</sup> Richardson *Chinese Mine Labour* 29. Transvaal. Foreign Labour Department Annual Reports, 1903-4 and 1905-6.

replace the repatriated Chinese. By the end of 1910 the total number of Cape workers on the gold mines was approaching 100,000, and the operations of the GNLB had expanded into the heart of the Transkei administration. Labour registry offices under the GNLB, charged with many of the same functions that Lagden had assigned to the Witwatersrand Pass Offices, were established in the ten largest towns of the Transkei after 1908.<sup>103</sup> In this way, Lagden's registry shaped the entire state, and the living experience of almost all black South Africans, even before Union.

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<sup>103</sup> Transvaal Native Affairs Department Annual Report, 31 May 1910, 11-12, 18.