THE SOUTH AFRICAN STATE AND THE OUKASIE REMOVAL[1]

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Analysis of the contemporary South African state represents a difficult and important challenge. The state often operates in a contradictory, ambiguous and seemingly illogical fashion and as Greenberg (1988:xviii) has said it is no longer possible to present the state 'as an instrumentality, unproblematically shaped by dominant class actors, unitary and coherent and repressive and effective in practice'. The state's actions in Oukasie are no exception to this general pattern and its policies as regards Oukasie are thus not easy to unravel. This paper is a preliminary attempt to examine some of the workings of the state through the prism of the Oukasie removal. I hope to illustrate that the struggle around the endeavours to remove the Oukasie community reveals a good deal about the nature of the South African state.

A BRIEF CONTEXTUALISATION

This contextualisation gives a broad sweep of the history of the area and the Oukasie anti-removal struggle. As a result some of the nuances and much of the detail have been left out. Some aspects are expanded on in the course of the paper.

Oukasie, two kilometres long and 300 metres wide, is situated next to the small town of Brits, 90 kilometres north-west of Johannesburg. It was established in the early 1930s. In December 1985 the population was anything between 9000 and 13 000. At present it is about 70 000. It is approximately two kilometres from the town centre and four kilometres from the sizeable industrial area. The nearest white-owned house is approximately 150 metres from the Oukasie border.

At its inception and right through to the 1960s most Oukasie residents were employed in menial jobs in the service sector, as domestics, or on white owned farms in the area. The town changed dramatically in the late-1960s after the state declared Brits a decentralisation point. The generous incentives offered to capital (an abundance of cheap labour and sizeable tax reductions) resulted in numerous factories locating or

relocating in Brits. The white and black population of Oukasie increased substantially. In the mid-1970s it was decided to develop a new white suburb, Elandsrand, alongside Oukasie. It has been alleged that prospective Elandsrand residents were given a guarantee by the local town council that Oukasie would be moved.

The pressures to move Oukasie had started in the 1960s. In 1970 about 400 families were moved ten kilometres north-east to a place called Mothahlung. The plan to remove the rest of the township was then dropped. It would appear that the state ran out of money.

Coinciding with the development of Elandsrand in the mid-1970s the plan to remove Oukasie was rekindled and in 1979 central government gave the project its full support. All the residents were to be moved to a town called Lethlabile, 24 kilometres north of Oukasie, on the border of Bophuthatswana. By December 1985 Lethlabile was ready for occupation.

On 7 December 1985 a meeting was called by the local community councillors to inform residents that they would all have to move to Lethlabile. The next day a committee called the Brits Action Committee was elected at a mass meeting called by the residents. The mandate of the committee was to fight the proposed removal. Initially the committee had little success and in the first six months after the announcement about a third of the approximately 12 000 residents left for Lethlabile.

Residents moved for a variety of reasons: The primary reason was the perception amongst many residents that they could improve their quality of life by moving to Lethlabile. Lethlabile has been provided with water-borne sewerage, taps to each plot, proper drainage, graded roads, electricity (if you desire it) and large plots. In sharp contrast Oukasie residents are still dependent on a bucket system, 50 outside taps, there is no electricity, and the roads and drainage are abysmal. With the state's freeze on expansion, no additional land has been allocated and no new government houses have been built since the township's inception. This has also resulted in many residents living in very congested conditions. The state's deliberate neglect of Oukasie was perhaps the primary reason why many residents decided to move. The lure of the superior facilities at Lethlabile plus the various other pressures that pushed residents to leave are examined below.

Despite the range of pressures, by about August 1986 the movement to Lethlabile had slowed considerably. Most of the people who had wanted to move, had moved. The community organisations and the trade unions had helped to show residents that moving to Lethlabile was not an inevitable option - that the community was under no legal obligation to move and was entitled to and could resist the array of state pressures.

By the beginning of 1988 movement out of Oukasie had stopped completely. It had become apparent that the state's endeavours to persuade residents to move 'voluntarily' had failed.

STATE POLICY AND THE OUKASIE REMOVAL

State policy as regards the Oukasie removal captures the essence of the state and reveals the constraints within and the contradictory manner in which it operates. It also represents a fascinating picture of the severe limitations of the state's endeavours to expand its hegemony.

The state's policy as regards Oukasie has followed various paths. One consistent component, however, has been its determination not to lose control of the process and its resultant determination not to reverse its initial decision to remove Oukasie. It is with this component that I want to begin.

The shifts in state policy in the late 1970s and in the 1980s, primarily in response to the political and economic crisis of the period, have indicated that the state can display some flexibility. It can shift from established policy within limited parameters, if it thinks it is in control of the shift. This is illustrated in the acceptance by the state of the need to drop the pass laws and to recognise the independent trade union movement. What the Oukasie struggle reveals very patently, however, is that once the state has decided on a course of action it finds it remarkably difficult to significantly alter its course. It may alter the means of reaching the goal but not the actual goal itself. It has a deep reluctance to lose control of a process it has initiated. Despite a range of representations, and a very clear indication by the residents that they are not prepared to move voluntarily, the state continues to insist that the residents must move.

This fear to lose control of a process it has set in motion, its resultant inflexibility and refusal to respect the demands of the opposition can certainly be seen in various other contexts. Thus in the face of massive opposition the state went ahead with the Tricameral Parliament. It still appears intent on granting 'independence' to KwaNdebele and is reluctant to abide by a recent Appeal Court judgement that declared the incorporation of Moutse into KwaNdebele illegal. Even in the realm of influx control its flexibility has been limited. It is now using availability of accommodation as a means of restricting the influx to the cities. The new anti-squatting legislation will greatly facilitate the state's ability to evict households who cannot find state-sanctioned accommodation. Of course its most profound inflexibility is around the question of extending the franchise to all South Africans. It realises that the possibility of maintaining control if this occurs will be minimal.

Giner and Sevilla's (1980:200) analysis of modern dictatorships is a useful starting point to begin understanding this important characteristic of the

South African state. They conclude that contemporary dictatorships, which they call 'modern despotic states', go through two phases. In the first phase, what I want to call the reactionary despotic phase, these states,

> by and large, can be described as non-pluralist political systems which emerge from the historical crisis created by capitalist expansion and industrialisation in more or less backward societies: they are 'solutions' to those crises imposed by force, which do not allow for the establishment of a negotiated and ongoing equilibrium of political forces within the state. Once established these regimes claim to be the only viable and legitimate representative form of government and proceed to eliminate any movement or ideology which locates itself outside the ideological sphere within which they exist or which may challenge the class and corporate privileges which they serve.

This description, to a large extent, captures the pre-PW Botha South African state. However, the South African state has never been a complete despotic state. It has always had a limited bourgeois democratic state component. It has allowed a white parliament with competing parties to operate. It made an avid attempt to extend its hegemony throughout the white populace. On the other hand the black masses were denied the most basic human rights, black opposition was relentlessly smashed and the attempt by the state to extend its hegemony to the black populace was very limited. (see Morris and Padayachee, 1988:2-3)

Following Giner and Sevilla's analysis the contemporary South African state can be viewed as a state that is endeavouring to enter the second phase of modern despotism. For the purposes of this paper this phase is to be called the modern despotic phase.

> Given the specific imperatives of the political culture of our age all modern despotic regimes must - in contrast with those of the past - try to represent certain wishes and aspirations present in the wider society. They cannot for long limit themselves to only defending the interests of the classes and groups which they serve. Thus, they must all have an explicit programme of social reforms, industrialisation, education, and improvements in the service and economic infrastructure. In other words, purely reactionary and obstructionist regimes are only partially possible now, for all modern despotic solutions must attempt to carry out some sort of partial (or even relatively far reaching) 'revolution from above' even if it remains extremely circumscribed and is haltingly carried out, that is

even if it never becomes a proper substantial reform, let
alone a genuine revolution (Giner and Sevilla, 1980:200).

In the case of the South African state it could be argued that the process
of reform in the late 1970s and 1980s heralded a shift from a primarily
reactionary despotic state which unashamedly limited itself 'to only
defending the interests of the classes and groups which they serve(d)' to a
modern despotism. The essence of this shift is captured by a *Financial Mail*
article explaining why the magazine named PW Botha man of the year in
1979. They found in Botha

a driving resolve to move away from the narrow sectarian
approach which had characterised the regime of other
National Party Prime Ministers (in Saul and Gelb, 1986:56).

State policy formulators have become aware that if racial capitalism is to
survive the state has to extend some of the benefits of the system to classes
and groups that they had hardly endeavoured to incorporate previously. A
major problem is that the degree to which the state can shift is necessarily
limited.

Materialist analyses have explained this limited movement by referring to
the balance of class forces and material conditions operating. For example
Morris and Padayachee (1988) forcefully argue that the state after its
initial shift away 'from classic Verwoerdian apartheid' was forced to
temporarily 'abandon the democratisation elements in its reform
programme' and to initiate 'a series of repressive interventions to restore
stability'. The partial abandonment of the reform programme was due
primarily to the fiscal crisis that plagued the state from 1979 to 1983/84 and
the insurrectionist tactics of the popular classes.

Morris and Padayachee's analysis of the state in this period is extremely
useful and I would certainly support the thrust of their arguments.
However, a significant lacuna in their study is their failure adequately to
theorize the state. They fall into what Greenberg sees as a common failing
of materialist analyses: they 'theorize about "demands" on the state and
policy "outputs", but leave the state itself opaque'. As a result their
explanation of the contradictory, ambivalent and at times semi-paralysed
nature of the state during this period is not satisfactory. They do not
adequately explain the persistence of aspects of the pre-Botha era in the
contemporary period.

I would argue that in order to capture the complexity of the state we have
to move away from a socio-economic reductionism. This paper is a
preliminary endeavour to do so.

The concept of mentality as developed by French social historians, most
notably Duby and Mandrou, is extremely useful in this regard. The concept
developed when it became clear 'that when dealing with more complex
representations, it becomes increasingly difficult to give proper

explanations of, or even engage with, a number of phenomena' (Vovelle, 1983:5).

Vovelle (1983:5 and 6) expands on Mandrou's definition of mentality - 'visions of the world' - and states that mentalities besides covering culture or conscious thought also refers to 'a history of attitudes, behaviour and unconscious collective representations'. Thus the concept of mentality is larger than that of ideology in that 'there is in human behaviour... a part which escapes ideology - existing beneath or beside it...' (Vovelle, 1983:4).

He goes on to say:

> it (mentality) embraces what is not formulated, what remains apparently insignificant as well as what remains deeply buried at the level of unconscious motivations (Vovelle, 1983:8).

Vovelle (1983:8) argues that 'mentalities direct us towards recollections, memories and forms which endure: in short, towards what it has become commonplace to define as "the force of inertia of mental structures"...'

He suggests that to give the concept of mentality a materialist base and

> perhaps a way to reconcile 'ideology' and 'mentality' - would (be to) see in a whole range of features of mentalities the translation of a deeper level of ideology, the traces, as it were, of fragmented ideologies. That is what remains of ideological expressions, once embedded in specific historical context, when they become at variance or lose contact with reality to become free-floating, almost hollow structures, purely formal in character.

Vovelle (1983:4) refers to a recent study which

> sets out on Marxist lines to reconstruct, in its full complexity, the parlementaire aristocracy of Aix in the eighteenth century. But despite gathering together with great flair all the pieces in the case, it comes unstuck over obstacles which it can neither dismiss or take on board: namely the persistence in the eighteenth century of Jansenism among these magistrates.

He then asks the crucial question: can this persistence 'simply be a survival, a form without substance'?

He concludes by stating that:

> The history of mentalities is, then, the study of the mediations and dialectical relationship between the objective conditions of the life of men and the way they perceive them (1983:11).

The concept of mentality is very pertinent in the South African context. For decades state officials and policy formulators operated in a primarily reactionary despotic regime which 'claimed to be the only viable and

legitimate form of government' and smashed any opposition which challenged it. The state operated in a patently racist and anti-black working class fashion. They had enormous power and *control* over almost every aspect of the lives of the popular black classes. During this period there is no doubt that this ideology and the practices linked to it became so embedded that sizeable aspects thereof became 'deeply buried at the level of unconscious motivations' and would endure no matter what the material conditions were. Is it possible that these same state officials are able to make a shift without bringing a great deal of the old ideology and practices into the new? I would argue that although some policy formulators and officials have made considerable strides in moving away from the ideology associated with a reactionary despotic state, most have not. Whatever the material conditions, this situation will continue to seriously restrict the shifts the state can make.

Greenberg's important work, although generally drawing too great a distinction between lower and senior state officials, tends to confirm this thesis. Thus he notes that

> to reconstruct the state, even ideologically, is to reconstruct
> the role of officialdom whose lives and identities are caught
> up in the traditional racial and state presence (Greenberg,
> 1987:144).

Although the fiscal crisis of the early 1980s and the intense resistance by the popular classes severely constrained the reform programme it is evident that there was another significant stumbling block. This stumbling block can be located in the history of the inner workings of the state - what can be called the mentality of state officialdom. This mentality significantly shapes the state apparatuses and limits the state's ability to imaginatively, consistently and flexibly respond to the material circumstances at hand. Thus in the Oukasie context I would argue that the inability of the state to reverse its decision to remove the residents is due not only to the material conditions operating, the primary one being the rise of the ultra-right, but is also due to the mentality of a major portion of state officialdom. This mentality, developed during the decades of a reactionary despotic state, makes it exceptionally difficult for the state to make a clean break with the reactionary despotic mode of operating. Thus in a context of sustained opposition from the residents, foreign governments, sections of capital, the trade union movement and the media the state is unwilling to lose control of the process and rescind its initial decision to remove Oukasie.

Within state officialdom there are certainly variations in the extent to which state policy formulators have moved away from the ideology of the past and this has contributed significantly to the ferment within the state as it endeavours to become a modern despot. In this regard Greenberg's work is again pertinent. He concludes:

> Support for this reconstruction is by no means general
> within the state. Officials at all levels and politicians of
> diverse positions have clung tenaciously to the traditional
> presumptions about the state ... Amidst the division and
> acrimony, growth of state repressive practices has sputtered
> and slowed, but so, too, have the much heralded legislative
> and administrative reforms. The attempt to reconstruct the
> labour framework has only exacerbated the problem of
> incoherence. The South African state seems divided, (and)
> irresolute... (1987:87)

The state is a prisoner of its own history. As Morris and Padayachee
(1988:1) state, but do not develop, 'any particular policy propagated
emerges from a particular historical context. Hence it is almost necessarily
articulated in ideological language derived, partially or wholly, from the
historical past it has emanated from'.

The contemporary South African state can be characterised as a
compendium of the old despotism and the modern despotism. The
emergence of the military and the State Security Council as the locus of
state policy formulation means we now have a situation where a few
individuals, most of whom have been in the National Party for decades,
and have been part of apparatuses that have historically operated in a
reactionary fashion, are the sole formulators of a great deal of policy. The
question is: how do they reach policy decisions? A crucial element in this
decision-making process, and one that is generally ignored in analyses of
the South African state, is that when these few individuals sit down to
formulate policy they bring into that meeting a mentality which shapes
their policy formulation. They may believe in the need for reform but the
legacy of past eras will weigh so heavily that their policy options will
necessarily be limited. Generally, they will not be able to formulate
creative, imaginative policy that clearly and irrevocably breaks with the
Verwoerdian mode of the state ultimately having absolute control and this
control always being ultimately in white hands.

As mentioned, the degree to which the ideology shaped during decades
of reactionary despotism has been discarded by policy formulators will
vary significantly. These variations will contribute to the division between
and within apparatuses and ultimately to the contradictory and ambiguous
nature of the contemporary South African state.

REMOVALS AND THE LANGUAGE OF MODERN
DESPOTISM

A shift to a modern despotic regime requires a shift in the language used.
Policies have to be presented in a way which indicates that the state has the

interests of the popular classes at heart. During the reactionary despotic era the state attempted to legitimate its policies primarily on the basis of ethnic and racial differences and incompatibility (see Dubow, 1987).

The realm of forced removals was no exception. In the 1950s, 1960s and 1970s there was little or no attempt to obscure the fact that a primary reason for removals was to consolidate the bantustans, remove all 'blacks spots' and ultimately to move the black population as far as possible from the 'white' areas. The language used in the debates around the Group Areas bill are very clear examples of this unbridled racism. In 1950 the Minister of Lands gave an especially dramatic and racist justification for the Group Areas Act:

> If people work mixed up together and sit alongside each other, if they live... in houses alongside each other, the colour sense of the Europeans must necessarily become dulled and if the white nation does not preserve its colour sense nothing on earth can prevent our nation from bastardising... To prevent these clashes and to prevent bastardisation in South Africa apartheid is essential in every sphere. But particularly is it essential as regards the residential areas (*Hansard*, col 8791, May 1950).

The removal of Sophiatown was partially justified on the basis that it was a slum clearance. However, the racist motivation was not kept very obscured. Verwoerd openly stated that the removal was 'in the interests of the European community of Johannesburg' (extract from a speech to the Senate, 21 July 1953).

In line with the move to a modern despotic state the legitimating language of the state has changed and as Posel (1987:420) has shown there is now 'a new language of legitimation'. She identifies 'three related themes which feature prominently in the state's new legitimatory discourse: technocratic rationality, "total strategy", and "free enterprise"'.

In the area of forced removals the key linguistic shift has been the stress on purely 'technocratic rationality' to legitimate removals. No longer are removals legitimated on the basis of the need to entrench apartheid. Thus in the context of Oukasie the central state has never legitimated the move by referring to the closeness of the township to the neighbouring white suburb. This is recognised by most Oukasie and Brits residents as the key reason for the removal. Instead there is an avid attempt by the state to present the move as an altruistic act that has become necessary on purely technical grounds. Thus, Chris Heunis, the Minister responsible for township removals, has repeatedly stated that the reasons for the removal are 'because of hygienic conditions and the astronomic costs involved in

upgrading the township' (*Business Day*, 17.10.86). Not one senior government official has admitted or even implied that the reason for the removal is because the township is too close to the neighbouring white suburb.

Interestingly the local state, the primary initial motivator of the move, was far more honest in its use of language and endeavours to legitimate the removal. In the early stages the local state made no attempt to obscure its reasons for wanting Oukasie moved. In every annual report of the mayor of Brits there is a section headed 'Bantoes' or 'Swartmense'. Under this section, starting in 1975/76 and ending in 1982/83, the mayor writes that

> Die raad het gedurende die jaar sy pogings volgehou om die Brits Swartwoongebied wat 'n belemmering inhou vir die ontwikkeling van Blanke woongebiede, verskuif te kry. (The council has during the year continued in its efforts to have the Brits black residential area, that is a stumbling block for the development of their white residential areas, removed) (Annual report of the Mayor of Brits, 1981/82: 9-10. *My translation*)

The racist motivation is stark. It would appear to indicate that generally local officials will be far more reluctant and slower to take on the language of the modern despotic state. Greenberg (1988:163 and 164) reaches a similar conclusion in his research.

Referring to officials working in Administration Board offices he states that

> In their isolation from the mainstream of the ideological discourse, officials at this level have remained reasonably indifferent to the broader legitimation problem... They seem little concerned with changing the racial character of state institutions.

REMOVALS AND THE METHODS OF MODERN DESPOTISM

In the period of reactionary despotism there is far less compunction on the part of state to move a community forcibly. Removals in this period were often conducted in the most intensely repressive fashion. For example, Sophiatown was invaded by about 2000 policemen on the first day of the removal (see Lodge, 1983:108).

The endeavour to shift to being a modern despotic state means that the state finds it exceptionally difficult to surround Oukasie, demolish the township and forcibly remove the residents. The current conjuncture forces it to adopt a more subtle method. This approach involves persuading residents to move so that ultimately the move can be portrayed as a 'voluntary' one. It also means a display of the most remarkable verbal

gymnastics as the state keeps on insisting that the residents will not be forced to move but nevertheless must all go to Lethlabile. One of Mr Heunis's more recent endeavours to state this position was so contorted that many MPs and members of the press interpreted his answer to a Parliamentary question on the issue to mean that Oukasie had been reprieved. Almost immediately he issued a statement rebutting this impression. It makes fascinating reading and in a way captures the dilemma and semi-paralysis of the contemporary South African state and its policy formulators:

> Certain newspapers had misinterpreted his answer in Parliament to the effect that the people of Oukasie would not be resettled against their will.
> He had replied to the question clearly by saying that only those people who, of their own free will, had asked to be resettled would be moved to Lethlabile.
> He thus merely confirmed that a forced resettlement of the inhabitants of Oukasie would not occur.
> It did not mean that the decision of the Government in respect of the deproclamation had changed in any way.
> Certain newspapers have, however, interpreted this as if the decision of the Government in respect of Oukasie was now in question. This was not the case. He confirmed that the Government's decision in respect of Oukasie remained in force and that the inhabitants must be resettled in Lethlabile because Oukasie is not, among other things, economically viable for upgrading and further expansion in the long term.
> Mr Heunis added that a more attractive incentive would now be negotiated with the remaining inhabitants of Oukasie to resettle themselves. (*The Star*, 31 03.88)

Clearly the state cannot reverse its initial decision, nor can it implement it.

The mode of persuasion in Oukasie has varied. The one approach has been to entice residents to move to Lethlabile by spending a sizeable amount on infrastructure and thereby providing superior facilities to those available at Oukasie. By June 1987 R20.2-m had been expended on the building of Lethlabile (*Hansard*, 29 July 1987, col 429).

As the Minister responsible for the development of Lethlabile succinctly stated:

> It is government policy to make the development in Lethlabile as attractive as possible for the purpose of persuading the population of Oukasie to move as quickly as possible - by the attractiveness of the alternative - to settle in Lethlabile (*Hansard*, 15 April 1988, col 5983).

Another inducement, and in line with the state's emphasis on free enterprise and the need to spread its supposed benefits, was the availability of stands in Lethlabile for purchase at very reasonable rates. This certainly represents a major shift from the policy adopted when Sophiatown was moved when property rights were not on agenda. This position was clearly expressed by F Mentz, the National Party MP for Westdene.

> It is no use arguing about this now. We have decided once and for all that we will not grant proprietary rights to any of the natives who will be removed in any of those locations falling within a European area in Johannesburg. We are not going to create a second Sophiatown there; ...Apart from that, ...this government is going to carry out its policy of apartheid. And where does apartheid come in if you are going to carry out going to grant proprietary rights to Natives in a location laid out in a European area, to a Native who lives there as a labourer in a European area? (*Hansard*, 30 July 1953).

The state had initially intended that Lethlabile be incorporated into Bophuthatswana. However, with the move away from reactionary despotism it was able to think more strategically and decided to drop this plan:

> At the end of 1985 or at the beginning of 1986 the hon. the Minister of Constitutional Development and Planning held a long meeting with Pres. Mangope and some of his Ministers to convince him of the necessity in the light of the circumstances related to the settlement of the inhabitants of Oukasie in Lethlabile, that Lethlabile should no longer remain part of Bophuthatswana (*Hansard*, 15 April 1988, col 5982).

The state realised that residents would be far less inclined to move to Lethlabile if the latter was destined to be incorporated into Bophuthatswana. Furthermore, Mangope 'had fundamental objections against land rights having to be granted to non-Tswanas in that area...' (*Hansard*, 15 April 1988, col 5979).

While the state was intent on making Lethlabile as attractive as possible they were also intent on neglecting Oukasie. As indicated earlier, services are very inadequate and the infrastructure is poorly maintained. The decline of the township was compounded by the freeze on all renovation, and on the allocation of houses and sites. No more land was made available, so making the area unnecessarily congested.

When it became clear to the state that despite its endeavours to make the resettlement area far more attractive, movement out of Oukasie was coming to an end, it disestablished Oukasie. This meant that the area that

had been set aside for black residential use was no longer. Technically residents were now squatters in their own township. It would seem that this tactic was designed to evoke panic amongst the residents and to illustrate to them that there was no future in Oukasie and that they might as well move.

All of the above methods are indirect pressures and within the bounds of legality. None of them involve overt coercion. In line with a move towards a modern despotic state residents are supposedly free to choose whether to move or remain.

The other methods used, however, show that when the modern despotic state cannot achieve its aims through persuasion it does not hesitate to use more coercive methods. The contemporary methods of persuasion can still be very rough and crude. More than 30 members of the community have been detained since the start of the state of emergency, some more than once. Furthermore, vigilante groupings have at various times caused chaos in the township. Residents allege that the vigilantes were working hand in hand with the police in an attempt to create a climate of fear and demoralisation in the township so that people would move 'voluntarily'. In one vigilante attack a very sophisticated home-made bomb was thrown into the house of David Moedemong, a MAWU organiser. His wife, Joyce, was killed in the attack.

An important aspect of the vigilante strategy is that it leaves the state untainted. Brutal methods can be used as long as they cannot be pinned on the state. The latter cannot afford to be overtly involved as this would severely undermine its claim to be reformist.

The smashing of the Mogopa community in February 1984, the ransacking of Crossroads in 1986 (significantly through proxies) (Greenberg, 1988:201), and the removal of Langa in 1987 confirm that the state makes use of methods normally associated with a reactionary despotic regime when it feels it is losing control of a situation. In all these cases the state was caught in a situation which they felt they had to resolve, but could only do so through intensely repressive methods. The shift towards modern despotism does not mean that the methods necessarily become less repressive. What it does mean is that there is a far more sustained and concerted attempt not to resort to crude, violent methods (see TRAC, 1988). These latter methods are certainly not thrown into the dustbin of history.

THE STATE, THE LAW AND THE OUKASIE REMOVAL

The struggle around Oukasie has had a sizeable legal component. Generally, the legal work of the lawyer representing a community is different to mainstream legal work. There is not much court work and

his/her role usually revolves around acting as the intermediary between the community and the state. Once a community is legally represented the state generally treats the threatened community with far more respect. They are reluctant to do anything that is outside the bounds of legality. The mentality of state officials makes it exceptionally difficult for them to negotiate directly with community leaders who are not part of state designed structures and over whom they have little control.

As Greenberg's work indicates lower officials are generally less concerned to extend the hegemony of the state and will thus not be as careful as senior officials in their dealings with a community's lawyer. In the case of the Oukasie scenario this was patently illustrated when the township superintendent, after reading a letter from the community's lawyer requesting that he allocate a vacant site or house to the bearer of the letter, told the resident concerned 'se vir jou prokureur hy moet hierdie brief vat en dit in sy gat steek' (tell your lawyer that he must take this letter and stick it up his arse).

This exchange lead to the one and only court case revolving around the Oukasie struggle. In April 1986 there was a successful Supreme Court application to force the local authority to give a vacant house to the applicant, Moshe Mahlaela. This case opened the way for a stream of requests from Oukasie residents for vacant sites and houses. The authorities were now legally obliged to accede to these requests. Prior to the court case all requests of this nature had been refused.

The way the state responded to the decision is an interesting example of how the contemporary state deals with the outcome of a court case that obstructs its aims. It did not take decision lying down and on the 17 October 1986 it disestablished Oukasie. This meant that the township superintendent was no longer obliged to issue site and housing permits.

The result of the court case and the state's response to it are illuminating. Firstly, it illustrates that it is wrong to take an instrumentalist view of the law. This becomes especially pertinent during a period of a shift towards a modern despotism when the state endeavours, generally in a very contradictory manner, to extend legal rights in some realms. As Davis (1988:85) has argued '...the rule of law and civil liberties cannot be dismissed as 'bourgeois illusions' created by the state merely to co-opt and emasculate the masses'. The law can be used to strengthen the working class and oppressed communities.

The Oukasie example, however, also indicates the limits of legalism. The state, being a despotic one, is not necessarily prepared to accept defeat by the courts. Even in the present period, if it has decided on a course of action a court decision that goes against it and which affects its ability to control the process, will generally be challenged. Albeit reluctantly, it will simply pass a new law or use an existing one to once more alter the balance

of power. This has been clearly shown by the state's response to the successful court challenges against the emergency regulations. In the Oukasie context it simply disestablished the township and thereby nullified the judgement.

However, we cannot discount the value of a legal victory. In the present context the state does not like undermining the courts. Thus a victory at the courts will make the state treat the victorious lawyer and the community he/she represents with more respect. There is now a greater chance that the state may even abide by the court's decision as generally the contemporary state will endeavour to ensure that it operates in a legal fashion. Litigation, the attendant publicity and counter-measures are not something a state aspiring to be seen as reformist relishes. As regards forced removals,in the age of a shift towards modern despotism there is little doubt that legal representation and the possibility of court action offers communities a bit more protection than it did in the period when Sophiatown, Pageview and 'black spots' like Kwapitela and Klipplaatdrift were moved.

CLASS, RACE, THE STATE AND THE OUKASIE REMOVAL

In Brits the way the state has responded to the demands of the black and white residents captures the shift in the nature of the South African state but at the same time highlights the limitations of this shift. The majority of the white farmers, petit bourgeoisie and workers in the area are adamant that Oukasie must go. The reasons that white residents give for wanting Oukasie moved are generally couched in language very reminiscent of the Verwoerdian era and very distinct from that of state officials. This is gloriously captured in this extract from an interview done with a white resident in the suburb neighbouring Oukasie, Elandsrand:

> I don't want them to live next to me. I am quite frank about it. I don't want them to live right next to me because we differ too much as far as our culture and religion, etc, is concerned. Some of them even belong to the same religion. They call themselves Christians. I call myself a Christian but I think I am only being fair in saying lets keep them apart, lets keep ourselves apart to the extent that we can leave in peace (extract from an interview conducted for a BBC production, 'On the Frontier').

The state is in a difficult position. By casting itself as reformist it is difficult for it to comprehensively satisfy the demands of the above gentleman and his colleagues. Acceding to his demand completely or speedily would mean jettisoning the possible support of other groupings - the black popular classes in the area and elsewhere, some foreign

governments, and those members of the bourgeoisie intent on the state becoming a fully fledged modern despot. Thus the state is treading carefully - as illustrated, it is limiting the amount of coercion used and is trying to keep the white residents satisfied by indicating that it is certainly does not intend to give in to the demands of the opposition.

The desires of the white petit bourgeois and working class were clearly perceived by the National Party MP elected in 1977, Dr Jan Grobler. He made the removal of Oukasie one of his main concerns. When it became official that Oukasie was to be moved the local newspaper reported that it was a 'persoonlike triomf vir die plaaslike LV dr Jan Grobler' (a personal triumph for local MP Dr Grobler) and that 'hy is verheug oor die vrug op jare se harde werk' (he is delighted with the fruit of years of hard work) (*Brits Pos*, 04.03 83) The City Council minutes indicate that he was in constant contact with the local City Council and Cabinet Ministers on the issue.

The question is what motivated Grobler? The rise of the ultra-right and the distinct possibility of him losing his seat in the next election certainly played a great part. However, his own mentality also played a major role. The one meeting the Brits Action Committee had with Grobler indicated that the ideology developed during the decades of the apartheid era is deeply embedded and not easily discarded. His manner was authoritarian, he refused to listen to what the committee had to say and despite all protests kept on pushing the non-negotiable - that residents must move to Lethlabile.

A less clear-cut supporter of the Oukasie removal has been the bourgeoisie. The employer federations, the Federated Chamber of Industries (FCI) and the Steel and Engineering Industries Federation of South Africa (SEIFSA) became involved in the Oukasie issue after being invited to by the Brits Action Committee and MAWU and NAAWU, the main unions operating in the area. Both employer federations responded enthusiastically to the invitation. This keenness was born out of a genuine desire on the part of some key members in the federations concerned to help the community fight the removal and, secondly, from a desire to illustrate to the organised working class and to capital in general that elements within capital were determined to make a stand against those aspects of the reactionary despotic state that still prevailed. The political and economic crisis had pushed capital to distance itself from those aspects of state policy that did not accord with a modern despot. Forced removals was certainly one of these aspects and the federations concerned made a strong representation to the state to reverse its decision to remove Oukasie. They also promised to help in the upgrading of Oukasie if they were given the opportunity by the state.

Another important aspect that emerged from the negotiations with the employer federations and the local capitalists and managements of the several sizeable enterprises in the area is the gap between the federations and the latter two groupings. As stated, the employer federations were clearly prepared to take up the issue. Local capital and management, however, have been far more cautious and their involvement has never gone beyond attending meetings. After a while most dropped any pretense of support and stopped coming to meetings.

These differing positions are explicable. Firstly, there is little doubt that the allegations by union organisers and shop stewards that some local managements and industrialists have actively collaborated with the state on the removal are correct. The removal of Oukasie is seen as a way of undermining the strong union presence in the Brits industrial area. Although workers are drawn from numerous areas, Oukasie is seen as the centre of the worker movement. The Roman Catholic hall adjoining Oukasie is an extremely convenient meeting point and is used by all the unions for their bigger meetings. This allegation is given further credence by the many companies who as Heunis stated 'had indicated their willingness to help provide housing for employees there (Lethlabile)' (*The Citizen*, 17.10.86).

A second reason for the failure of local firms to take any active stand against the removal is that it is far easier for employer *federations* to take a stand. Geographically they are removed from the fray and have nothing to lose as a result. On the other hand if local capital and management came out against the removal they would have to face the wrath of the local authority and the white component of their labour force. It can be safely assumed that the overwhelming majority of white employees in the Brits factories favour the removal. In the last election the Conservative Party obtained a majority of almost 2000.

Furthermore, there is little doubt that ideologically local capital and management are no different to the mass of whites living in Brits and would thus, in contrast to the upper echelons of the federations, also support the move.

Finally, it is far easier for federations to make representation to the state as no individual capitalist or enterprise is exposed. However, individual capitals view approaching the state with a great deal of trepidation. They realise that the state is capable of responding in a very hostile fashion if it feels its control is being unduly tampered with (as in the case of Chris Ball).

The class location of Oukasie residents played a major role in determining how individual households responded to the state's pressures to move. It would appear that when state officials first conceived of the plan to move Oukasie they were confident that the vast majority of

residents would move voluntarily. There was never any indication that this
may not occur. This poor judgement was probably due to a combination of
their own ideology and their almost total reliance on the community
councillors for guidance as to the feelings of the community. The ideology
of these officials resulted in them viewing the community councillors as the
representative voice of the community.

This notion was succinctly captured in the local Brits newspaper:

> It is a known fact that the local Community Council of Brits
> Black Township has been very positive about the
> resettlement of Black people from the old Black Town, next
> to Brits, to Lethlabile, a modern town with modern facilities.
> In a letter to Dr Grobler the Community Council requested
> that the resettlement program be implemented immediately
> since this was the wish of the majority of the inhabitants of
> the Old Township (*Brits Pos*, 29.11.85).

Dr Gerrit Viljoen quoted Mr Heunis as saying that

> the inhabitants of Oukasie had for a considerable time been
> *resettling voluntarily in Lethlabile and that various*
> community leaders were already there (*Hansard*, 15 April
> 1988, col 5985).

The state's reliance on the community councillors and its failure to
adequately consult the residents is another instance of the severe
limitations of its project to extend its hegemony. The mentality of the
officials involved did not allow them to consider that the authority imposed
by the state could possibly be unrepresentative and that they should thus
adequately consult with the residents. Their view of democracy is severely
limited. The state must be in control of the process.

Removals have a differential material effect on social classes. The petit
bourgeois class location of the community councillors made them very
keen supporters of the move. They were aware that a move to Lethlabile
offered them sizeable opportunities for expanded accumulation. Most of
them are traders and taxi owners. Relocation of the community 20
kilometres further from Brits would result in a greater proportion of goods
being purchased in the township rather than in Brits. Also as the planned
population in Lethlabile was to be a lot bigger their potential market was a
lot bigger. The greater distance between Lethlabile and the industrial area
meant far higher taxi fares and thus increased revenue. In June 1988 the
taxi fare from Oukasie to the industrial area was 70 cents one way. From
Lethlabile to the industrial area it was R1.40.

Most members of the petit bourgeoisie moved. They moved for the
reasons just cited and because the state had ensured that Lethlabile
offered the possibility of improving a family's standard of living. This is not
the case in Oukasie. Deliberate state neglect has ensured that even if you

have the resources you cannot have access to electricity, you remain dependent on the very unpleasant and unhealthy bucket system and the congestion makes it very difficult to expand your accommodation.

It has also been alleged that those members of the petit bourgeoisie who were reluctant to move and were in the employ of the state, were severely pressurised. It has been alleged that they were told that their promotion possibilities would be severely affected if they did not relocate.

Some members of the more affluent section of the working class also moved because they felt that Lethlabile offered them the possibility of improving their lot. However, most workers refused to move. Their reasons vary but a common theme is their view of Oukasie as an organic community which they identify with and know intimately. This feature makes it a tolerable place to live despite the infrastructural inadequacies. One resident expressed this feeling in the following way:

> I would say I like staying in Oukasie because I was born in Oukasie, I grew up in Oukasie, I schooled in Oukasie and I've come to like the place you know, I've come to identify the place with myself and to like the place like I like myself, and the other thing is that Oukasie is different, unlike bigger townships there are good relationships and a very strong social structure which has been built and which has not been tarnished too much by capitalism itself and I'd say that's the reason.

Another section of the Oukasie population that was induced to move by the state were those unemployed workers who owned brick homes. Many moved to Lethlabile because they were offered the incentive of an immediate and significant cash injection, on average about R5 000, as compensation for their brick homes. This sizeable cash injection was difficult for an unemployed resident to refuse. Some had been out of work for as long as 4 years. In the 1980s the Brits area was severely hit by numerous factory closures. Retrenched workers have little chance of finding permanent employment.

Most unemployed workers in Oukasie, however, live in corrugated iron shacks and the state does not pay compensation when a corrugated iron house is destroyed. Unemployed residents perceive that a move to Lethlabile would increase their hardship. The social networks that they have established and which are very important in their struggle to survive would be destroyed and they would be 24 kilometres further away from the area of employment. The possibility of them finding even casual employment would be severely reduced.

Ultimately, approximately two thirds of the residents, the vast majority being workers, employed or unemployed, refused to move and are very adamant that they will not move. The mentality of state officials makes it

difficult for them to admit that the resistance to their plans is profound. However, Heunis has acknowledged that there is a problem and as such has said that further incentives will be offered to Oukasie residents to entice them to move. As yet the nature of these incentives have not been spelt out. Whatever these incentives are it seems unlikely that they will be substantial enough for residents to accept them.

The resistance illustrates the limitations of the state's incorporationist policy. The organised section of the black working class has possibly moved too far politically for the modern despotic state to succeed, especially one which is still brimming with officials and policy formulators imbued with the past and intent on maintaining white domination. It is a case of too little, too late. The way the residents perceive the state is captured in the following section of an interview conducted with a shop steward residing in Oukasie. When asked why he thinks the government wants to move Oukasie he responded:

> the reasons I can come up with why the government would like to move Oukasie is that firstly, since the 1976 uprisings, whites, you know are very reluctant, ...sitting next to... black people and in (the) Oukasie (context) whites are actually neigbours of black people and I think we should understand it in that context ... this new white suburb which is next to Oukasie started in the 70's and Oukasie has been there, you know, for more than 50 years - I'd say - so they feel uncomfortable, you know, with blacks next to them and the other reason is that... a lot of white people are now getting too... much conservative and you know what that... means they... if possible they would like to have, you know, all the blacks staying alone in their own republics somewhere else even if it can be in the sea probably - so that is the other reason also. Another reason again - is.. the bosses are not happy about the development of the trade union in the area of Brits and they would be happy if they can cripple it by... moving Oukasie away, far away from town where people cannot easily go and attend meetings. And the other is I'd say a political reason which has been, I mean, long in government circles that... it was explained that if Nationalist party policy is explained to its fullest than there won't be any black South African and if you can just have a look at where the new township is you will understand that because the township is just on the border of this so-called republic of Bophuthatswana and it's one of the areas which we think is going to be incorporated into this homeland because it has been done with a lot of areas.

Although it is of course problematic to generalise from one worker's analysis, his response probably does reveal how state policy is viewed by the black working class in the area. Firstly, although he vaguely refers to the influence of the ultra-right, his response does not give any acknowledgement to the notion that the state is moving away from crude apartheid ideology. He does not draw a distinction between the ultra-right and the state. He sees the removal as totally racist in its inspiration and fitting into the grand apartheid scheme. The technicist explanations and justifications given by the state are not even referred to. A related point is that state intentions are not believed. Thus even though the interviewee knows that the state has publicly declared that Lethlabile will not be incorporated he does not believe that the state has given up on this idea.

His response reveals the limitations of the contemporary South African state. The state will have to do far more to convince him and, in all probability, his working class colleagues that the present day state is different, is supposedly working in his and their favour and thus deserves support. This is not only due to the limitations of the changes in state policy but is also due to the way that the spaces that have been created, have been well used by the working class. As Morris and Padayachee (1988:5) have argued

> the extension of trade union rights... instead of allowing for
> the cooperative co-option of the... working class... provided
> a vehicle of political protest; instead of facilitating the
> de-politicisation of industrial relations, they fostered the
> radical and overt politicisation of working class economic
> struggles.

This coalesced with a context within which for centuries blacks have been deprived of the most fundamental human rights. The state's shift to modern despotism has had to endeavour to deal with this historical legacy both on a structural and personal level. This historical legacy continues to be overwhelming for the state and its officials.

The scepticism with which the state's policies in Oukasie are viewed is illustrated in the response of the interviewee quoted previously to a question concerning the future of the struggle in Oukasie:

> Well, I cannot predict the future at this stage... it looks like
> there is a shift of thinking and position in government circles
> in that they are starting... to recognise that some areas
> should not move which I think... is very good... we may
> predict a better future but you know we cannot go to that
> extent because you know this government is the most...
> untrustworthy I have ever seen, well I don't know if there are
> trustworthy governments, (but) this one is the most
> untrustworthy and it is unpredictable.

It would appear that in order for the state to succeed in its endeavour to extend its hegemony it will have to go well beyond the level of modern despotism. At the moment it is probably safe to say that the South African state is not capable of this shift. Its most recent strategy as regards the Oukasie removal certainly validates this conclusion.

PRESENT AND FUTURE STATE POLICY AS REGARDS OUKASIE

On 26 April 1988 the state declared Oukasie an emergency camp. This declaration necessitated the issuing of a special Government Gazette, in which there appeared approximately ten pages of regulations, some very draconian, specifically applying to Oukasie residents. For example, from 1 August 1988 service charges are to be increased from R22 to R37.50 a month, no non-residents are to be allowed into Oukasie; building and renovation can only be done with the permission of the superintendent and he can cancel a resident's permit if he or she has transgressed any of a myriad of regulations. The resident concerned will then have four weeks to leave the area. It would appear that the state is hoping to provoke a mass, 'voluntary' exodus by attempting to intensify the embattled atmosphere.

This latest state manoeuvre is in keeping with the preceding analysis. The state has responded to the material conditions prevailing, ie the refusal of Oukasie residents to move and, on the other hand the incessant calls by various right wing groupings that action be taken. This latest action indicates to these latter groupings that the state is still serious about moving Oukasie. On the other hand it is in line with the state's move towards modern despotism in that it is still very reluctant to comprehensively satisfy the demands of the right wing groupings. Thus, it is not bringing in the bulldozers and the army. Instead, it is applying more sophisticated methods in its quest to ensure that residents move 'voluntarily' and that the black masses are not too alienated by the action taken. The mentality of state policy formulators does not allow them to drop the initial plan to move the residents. They cannot make that jump as it would be an admission that they are losing control of the process.

State officials refuse to admit that the major aim of the emergency camp regulations is to intensify the pressure on residents so that they move voluntarily. It continues to insist that the removal will not be forced. In terms of language the emergency camp regulations are presented as an altruistic act, primarily to control congestion (*Business Day*, 27.04.88).

For the moment the stalemate in Oukasie remains. The residents are refusing to move, the state is not prepared to forcibly remove the residents but at the same time is not prepared to rescind its decision that Oukasie must be moved. This stalemate could persist for years.

The fancy footwork, but in essence the paralysis,that presently characterises state policy as regards Oukasie, reflects state policy in many other realms. The state and its officials are finding it difficult to break out of their own history. This struggle is, of course, compounded by material conditions prevailing. However, whatever the material conditions, to expect a clean break between the ideology and ways of the reactionary despotic state and the modern despotic state on both a structural and personal level is to ignore the immense burden of history .

NOTE
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