

No Will to Know: The Rise and Fall of African Civil Registration in Twentieth-Century South Africa

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THIS CHAPTER FOLLOWS THE DEVELOPMENT and dismantling of civil registration for rural black people in South Africa in the first half of the twentieth century. The story is intriguing and important in several ways. The South African state was not poor, and, unlike its northern neighbours, it was not bereft of administrative capacity. Perhaps the best indicator of this wealth and bureaucratic capacity was the extension after 1944 of means-tested old-age pensions to black South Africans. By 1950 the state was spending over a million pounds a year on 200,000 African pensioners (Rycroft n.d.; Sagner 2000, 540). Dozens of different registration systems were also developed by the state during this period. To name only the largest of these: by the 1930s the Native Affairs Department (NAD) had in place a centralized system of tax registration that, in theory, recorded a name, identity number, and address for every African man in the country over the age of 18 (F. R. for Secretary for Native Affairs 1949). More provocative is the fact that the system of civil registration was actually working well in the Eastern Cape and in Natal in the early years of the twentieth century. It was deliberately foreclosed and then abruptly abandoned in 1922. But perhaps the most intriguing problem derives from that fact that historians of the South African state, and society, have characterized it as knowledge-driven. Why, then, did it choose not to gather the most basic kind of administrative information?

Uncertainty about population in Africa

Profound and intractable disagreements about the size, distribution and identity of national populations are endemic across the African continent (Adepoju 1981; Kwankye 1999). In South Africa the debate has centred around two issues that are critical to the prospects of the new democratic state: the first concerns the size, character and cost of the immigrant population, and the second deals with the

demographic effects of the AIDS epidemic. In 2009, a half-century after the introduction of universal old-age pensions, nearly a decade after the introduction of a welfare system that delivers social grants to more than a quarter of the population, and after uncounted billions had been spent on epidemiology in South Africa, the different arms of the state disagreed publicly and vociferously about the reliability of the figures for mortality being used as the basis of state policies on HIV. This official squabble over mortality statistics prompted Rian Malan, a famously ill-tempered writer, to berate South African health scientists for not interrogating the 30 per cent increase in national mortality claimed by the Department of Home Affairs in 2008, which, if true, suggested that ‘the Aids equivalent of an atom bomb has detonated among our people’ (Mbanjwa 2009).

This uncertainty about population in Africa is a product of the faulty, indeed often non-existent, institutions of civil registration – the bureaucratic recording of individual births, marriages and deaths – that characterize states across the continent. ‘In the African colony,’ Cooper has observed, ‘the state could not track the individual body or understand the dynamics of the social body’ (Cooper 1996, 335; Kwankye 1999). Different forms of parish birth registration were common in many of the Christian areas on the continent (Doyle 2008; Zeitlyn 2005; Malherbe 2005, 2006, 2007), but, outside of Uganda (see Chapter 10), these have never formed part of an integrated national system of birth reporting. On the face of it, the absence of civil registration seems simply to reflect the incapacity of the twenty-first-century African state – in Ghana and Nigeria, for example, recent efforts to build civil registration systems have collapsed as administrative tenacity and the funds for temporary registrars both dwindled a year in to the projects. Yet the causality might actually run in the other direction. The failure of the colonial (and the pre-colonial) state to deliver systems of civil registration may provide a better account of the development of what Freund and Cooper have called the gatekeeper state than the economic explanations that have been offered to date. (See Chapter 15 for a very similar account of the collapse of the *état-civil* in Francophone Africa. On the gatekeeper state see Freund 1998; Cooper 1996, 465; 2002.)

The histories of these failures in Africa are important because civil registration, combined with some, even very austere, measure of social security, may be a prerequisite for the kinds of economic growth that we associate with the development of modern capitalism. Drawing out the implications of the national system of birth, death and marriage registration imposed by Henry VIII’s Vicar-General in 1538, Szreter has suggested that ‘a detailed continuous inventory of identities’ may be a crucial part of the explanation for the puzzling manner in which the agricultural economy of England began to overhaul both the Netherlands and China from c. 1660 onwards (Szreter 2007, 72). Whether this strictly individualized welfarism should be viewed as a political quid pro quo in the long, cultural ascendancy of property rights that Corrigan and Sayer (1985) have described, or whether it was a special variant of the new sciences of population-obsessed government that

1 Foucault, and others, have tracked in the development of sixteenth-century European
2 political institutions, the significance of this nexus of civil registration and welfare
3 seems clear (Foucault 1991; Groebner 2007). Civil registration systems should be
4 included in the shortlist of institutions that Acemoglu, Johnson and Robinson have
5 suggested were the determinants of long-term economic growth (Acemoglu *et al.*
6 2001; this extremely influential study of sixty-four former colonies found that
7 ‘differences in institutions [land-holding, courts, parliamentary representation,
8 bureaucracy] account for three-quarters of the differences in 1995 per-capita
9 incomes’; see Feinstein 2005, 98).

10 The beneficial result of the recording of personal names has been obscured by
11 the fact that, aside from private property and welfare (which even in the English
12 case were famously bad-tempered between 1834 and 1948), identity registration
13 was typically an instrument of nasty exactions – of taxes, rents, conscription and
14 confession. Over most of the continent Africans were subjected to these demands
15 under colonialism through the institutions of indirect rule. Demands for taxes or
16 labour in many parts of Africa fell uniformly across all families, without regard to
17 their capacity to support them (Iliffe 1988, 154). In South Africa taxes were levied
18 differentially in the nineteenth century on the number of huts in each household
19 within a chief’s jurisdiction. But in the early part of the twentieth century, as wage
20 labour replaced peasant farming as the main source of tax revenue, the burden of
21 tax fell predominantly on the movement of adult men. One result was that, aside
22 from special cases like the MaSarwa in Botswana, the poor were not easily identi-
23 fiable, individually or as a group. Another, much more significant, consequence
24 was that the mortality and morbidity of women and children became admini-
25 stratively invisible.

26 By the start of the twentieth century the blunt and blind administrative instrument
27 of communal land tenure controlled by chiefs or headmen had become for colonial
28 officials, and for many Africans, the preferred mechanism for a welfare net
29 (Ntsebeza 2006, 74–75; Sagner 2000, 560). The conventional explanation that
30 historians have offered for the prevalence of this system of ‘hegemony on a shoe-
31 string’ has been the systematic parsimony of the colonial state (Berry 1992). A
32 reluctance to spend money on Africans in the countryside certainly contributed to
33 the decline of civil registration, but there were other, more important, intellectual
34 motivations. In this essay I want to show that the key administrative inadequacy
35 of indirect rule in South Africa followed from the contested and constrained
36 character of progressive ideas about the state in the decades after 1910. In short, a
37 profound disagreement between those who sought to use scientific forms of policing
38 – and particularly fingerprinting directed at adults – confronted the advocates of
39 scientific public health informed by voluntary reporting. The primary result of this
40 conflict was administrative inertia.

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A modernist state?

There is an anomaly at work in this history, prompted by the dominant theoretical accounts of the South African state. Most of the important scholars of apartheid have stressed the way in which the bloated bureaucracy presented the work of government as intrinsically scientific. Posel in particular has drawn attention to the demented statistical obsessions of the Department of Bantu Administration in the 1960s (Posel 2000; Giliomee 2003 stresses Verwoerd's doctrinaire scientific personality in the developments of the late 1950s and early 1960s; on the place of science in the new bureaucracy, see also Evans 1997). It is true that in 1952, under Verwoerd's tenure, civil registration for Africans was restored and reinvigorated, but it was coercively arranged, intensely patriarchal, and funded much more stingily than the earlier system. This new effort was dramatically less successful than the early twentieth-century project; it was rapidly bogged down by the resistance and chaos generated by the social engineering effort in the late 1950s, and undone completely by the decision to impose independence on the bantustans in the 1960s (Secretary for Native Affairs 1955).

It would also be a mistake to draw too sharp a line between the scientific government of the apartheid state and the *ad hoc* paternalism of the segregationist period. By the 1920s the most important arguments in favour of racial segregation in South Africa were all framed in concert with transatlantic social science (Rich 1990). South African science, as Dubow has shown, reached its apogee under Smuts's patronage between 1929 and 1945, with the appointment to key positions of internationally respected scholars like Malherbe, van der Bijl and Schonland (Dubow 2006, 210–241). Similarly, the enumerative preoccupations, and capacity, of the South African state date from decades before apartheid, indeed from before the establishment of the Office of the Census and Statistics, in 1917 – something that was nicely demonstrated by the comprehensive time series published in *Union Statistics for 50 Years* in 1960 (South Africa 1960).

There is undeniably a close connection between the technologies of segregation and the broader project of bureaucratic rationality in the twentieth century. It is easy to see (as the film *District 9* shows) why historians might see South African society as an especially horrible instance of the iron cage of modernity (Weber 1905, 181). But I think that the power of this argument may have led us to misunderstand some key features of the colonial state. Under the influence of Weber's work on the remorseless development of bureaucratic rationality and Foucault's study of the sciences of government, scholars of this region have argued that the state had 'an insatiable appetite for information about the population it managed' (Crais 2002, 9). Scott's argument about the simplifications and categorizations that inhere in the operations of legibility – of the details that are lost in order to produce standardized ways of comprehending societies – has been particularly important here. Crais's study of the politics of the colonial state in the

1 Eastern Cape provides a very direct statement of this argument. 'A will to know,'
2 he suggests, 'to identify, to categorize Africa according to the precepts of Western
3 rationality formed an ineluctable part of both the politics and the practice of
4 conquest' (Crais 2002, 96).

5 I am sceptical about this idea for many reasons, not the least of which is that
6 bureaucratic rationality, and a more general popular enthusiasm for the 'will to
7 know', are less than self-evident in contemporary South Africa. The politics of
8 legibility has much deeper, and more influential, historical roots in Europe and Asia
9 than Foucault allows in his writings on the growth of the disciplines after the
10 Enlightenment (see Editors' Introduction to this volume). As Groebner's recent
11 work shows, the documentary surveillance of the church and the municipalities in
12 Europe was intense and ubiquitous, especially from the sixteenth century, but dating
13 back almost the entire millennium to the book of the damned in the second half of
14 the thirteenth century (Groebner 2007, 70). There is also a telling contrast between
15 the long-term forms of state power that have developed in Africa and the 'book-
16 based omniscience' of the mandarin bureaucracies (Woodside 2006, 82). And this
17 tradition of textual administration has important echoes in the present. Consider
18 the 1987 recommendation by Hu Yaobang, the Communist Party Secretary General,
19 that cadres prepare themselves for government by reading books amounting to
20 200 million words, an accomplishment which the president of the Chinese academy
21 of sciences assured worried youth, 'could actually be done in twenty years'
22 (Woodside 2006, 81). In Egypt and in India the English colonial state in the
23 nineteenth century batted on to already existing written systems of land and
24 identity registration, for revenues and recruitment, while simultaneously com-
25 plaining bitterly of the inadequacies and corruption of indigenous systems of
26 government (see Chapter 11; Fahmy 1997; and, on registration particularly, Chapter
27 13; Milner 1894; Cohn 1997; Bayly 1999). In southern Africa there was no similar
28 administrative bounty, and the colonial state sought, famously, to mobilize other
29 forms of local authority in the defence of its power. This regional history of the
30 colonial state suggests that, as Stoler has recently shown, an overarching imperial
31 'homage to reason was neither pervasive nor persuasive' (Stoler 2008, 58).

32 The failure of civil registration in South Africa followed from a particular
33 political arrangement. Administrative concern for the registration of births and
34 deaths was, as Foucault might expect, repeatedly fostered by the advocates of a
35 system of public health, from 1900 through to the end of the 1940s. These
36 progressive reformers were opposed, especially in Natal, by full-blooded opponents
37 of bureaucratic intervention – key amongst them the wealthiest owners of the sugar
38 plantations who also controlled the government after 1893. Later civil registration
39 was also opposed by some of the state-appointed chiefs, and by the most pessimistic
40 liberal magistrates defending personalized government.

41 But the weakness of the system of birth registration in South Africa stemmed
42 from the fact that it faced a competing scheme for identity registration. From the

early years of the twentieth century another group of progressive administrators – advocates of control from the mining industry, the police and the Pass Offices of the NAD – proposed compulsory universal fingerprinting of all African men as an alternative to universal civil registration. This obsession with fingerprinting as an instrument of central government control is one of the distinguishing features of the modern South African state. Its public history began in earnest when Mohandas K. Gandhi fought Lionel Curtis and Jan Smuts’s efforts to register the Indian population of the Transvaal (Breckenridge 2011). In the generation after Smuts’s struggle with Gandhi the advocates of universal biometric registration faced determined liberal scepticism in the state, and it was only in the 1940s, under apartheid, that the state enforced the early twentieth-century plans for compulsory fingerprint registration (Breckenridge 2005a, 2005b, 2008, 2011). But, as this chapter shows, in the same inter-war period the advocates of biometric registration succeeded in maligning the value of the information that was produced by delegated civil registration, and they provided the rationale for the system’s dissolution. It was this unwieldy conflict between the policing and the public health branches of progressive government, combined with the absence of meaningful political representation, that, in the end, meant that the state consciously chose not to gather the most basic information about its African subjects.

A progressive deviation

The gathering of birth and death information from black people in South Africa began falteringly in Natal in the last years of the nineteenth century. Much earlier, in 1858, the colonial legislative council had proposed a census and registration of the African population, as part of the effort to coerce labour from Shepstone’s tribal reserves. That proposal was rejected by the Lieutenant Governor as ‘unnecessary interference’.¹ A new registration law was passed in 1896, aimed at the *Amakholwa* – the thousands of Africans married according to Christian rites and thus lying between the 5,000 in Natal who were legally exempted from the operations of customary law and the 350,000 who lived under chiefly government. Possession of an official Letter of Exemption essentially conferred on Africans some of the key rights of British citizenship. It entitled women to register (and bequeath) freehold property, and to access British courts; for men it allowed the vote. But the law demanded that an application for exemption could only be made by Africans who had passed through all of the requirements of mission life (monogamy, literacy, good character) and it was always fiercely policed in Natal. Importantly, children

¹ In 1869 the colony required that every African marriage had to be registered (and recorded centrally) at a cost to the applicants of £5. There is little evidence that the scheme ever worked in practice (Kline 1988, 58; Etherington 1989, 174; Lambert 1995, 46).

1 inherited their parents' status only if they were born prior to the issuing of the Letter
2 of Exemption (Brookes 1924, 197–198). It was for his reason that the 1896 Act
3 required Christian parents to register the birth, and death, of their children within
4 thirty days, or face a £5 penalty. The Act specifically placed the burden of the
5 registration – of both birth and death – on the parent, which suggests that it was
6 concerned solely to limit the population that might claim exemption from customary
7 law (Secretary for Native Affairs 1898). This measure also allowed the members
8 of the new Responsible Government, who had previously been critics of the imperial
9 government's adoption of Theophilus Shepstone's system of benign neglect, to
10 do something, without actually stirring up change or, critically, incurring any
11 expense.

12 Between 1846 and 1877 Shepstone had been almost solely responsible for the
13 government of the African population of Natal, developing an *ad hoc* paternalism
14 that had powerful effects on the form of the African colonial state. During this
15 period he moulded a distinctive form of administration which relied on appointed
16 chiefs as the agents of an undocumented system of government, and a crudely
17 effective hut tax as the main source of colonial revenues. In return Shepstone
18 worked hard, and effectively, to resist the settlers' claims to African land and labour.
19 Under his system, the chiefs were supervised by a handful of appointed magistrates,
20 each responsible for very large districts, several chiefs and thousands of homesteads.
21 The title magistrate may be misleading. In the nineteenth century the individuals
22 who were appointed as Native magistrates rarely had anything resembling legal
23 training. In the following century the posts were typically filled, in Natal as in the
24 rest of South Africa, by individuals who had distinguished themselves as officials
25 in the NAD – in both centuries a mission background was much more important
26 than legal experience (Dubow 1989, 99–101). The magistrate's work consisted,
27 very largely, of gentle supervision of the chiefs in whose hands the daily routine
28 of government rested unmolested. Shepstone's system of 'native agency' became
29 synonymous, especially after 1900, with resisting cultural and economic change.
30 (It was Welsh who first argued that it was Shepstone's method of indirect rule –
31 which he extended to the Transvaal after 1877 – that provided the administrative
32 and intellectual seedbed of apartheid, and, more recently, Mamdani who suggested
33 that it provided the basis of colonial rule across the continent (Etherington 1989;
34 Welsh 1971; Delius 1983; Mamdani 1996).)

35 By the turn of the century almost all of the local settler leaders had become
36 enthusiasts for the doctrine (now habitually attributed to Shepstone) that the state
37 should interfere as little as possible with African society (Welsh 1971, 229–231;
38 Brookes 1924, in contrast, sees the Shepstone system as a model of energetic
39 segregationism). The prime minister, Sir Hercules Robinson, a fierce critic of post-
40 Shepstonian 'drift' before 1893, discovered the special virtues of ignorance after
41 he took responsibility for government. The colony, he explained in the legislature,
42 'is to be congratulated that there is so little occasion to give information regarding

native affairs, because it shows that the Native population is generally contented and that they give the Government very little reason for consideration or reflection' (Welsh 1971, 229).

Natal's enthusiasm for administrative drift lapsed momentarily during Milner's progressive remaking of the Boer Republics. In a flurry of legislative energy the colony passed a string of new capitation laws aimed at tightening the colonial state's grip on its individual African and Indian subjects. First amongst these was a new Pass Law, Act 49 of 1901 for the 'Identification of Native Servants', which adopted the passport, name registration and labour distribution elements from a very important pass law drafted by Jan Smuts in the Transvaal in 1899, but without the revenues that were raised there from employers. Following in the same vein as the earlier law that required converts to register births, in 1903 the colony extended the requirement that contract-expired indentured Indian migrants pay an annual £3 tax, to include their teenage children. Two years later, as the colony struggled to replace the custom revenues lost in the recession that followed the withdrawal of British troops, the Treasury pushed for a change in the organization of the taxes levied on Africans, moving from Shepstone's carefully designed hut assessment to a poll tax levied on all adult men in the colony, black and white. Although the new law exempted homestead heads who were already paying the hut tax, it struck at the heart of the old homestead political economy and pushed some of the Natal chiefs into rebellion (Marks 1970, 131–143; Guy 2005, 23–24; Lambert 1995, 167; Carton 2000, 118; Duminy 1989).

Hidden beneath these taxes was a capitation law of a different kind. In 1901, Natal passed a Public Health Act that required, amongst other progressive measures, the appointment of a colonial Health Officer and the establishment of the infrastructure of a basic health service. As Marcia Wright has shown, this fledgling health system was designed by a member of the Indian Medical Service who was brought to Natal in 1899 to act as Special Plague Adviser, bringing with him the experience of the IMS's effort to impose compulsory birth registration in the 1890s (see Chapter 11; and Wright 2007; the Durban municipality had, for decades, tried, without much success, to use sanitation laws against Indian landowners; Swanson (1983) called this the 'sanitation syndrome'). From the outset this service faced fierce and determined opposition from the leading figures of the settler government. Chief amongst these was Sir Liege Hulett, one of the most important planters, who, as Wright observes, 'growled that the Health Department was too expensive, not worth its cost'. It was Hulett – an outstanding Methodist, liberal patron of John Dube, and founder of Kearsney College – who led the ongoing effort to limit the costs and retrench the services that were planned in 1901 (Wright 2007, 161).

The first goal of the newly appointed Health Officer was to extend the comprehensive system of birth and death registration that was maintained for the indentured migrants to the wider population of Africans and Indians. 'The basis of all work for the improvement of the Public Health is Vital Statistics', he

1 explained, and ‘without strictness of registration no reliable statistics can be
2 obtained’ (Wright 2007, 159). This effort to establish a unitary system of civil
3 registration in Natal failed in the face of determined opposition from the planters
4 and from local doctors, but the fleeting enthusiasm for a public health system had
5 one significant legislative effect: Act 25 of 1902 required the registration of all
6 African births and deaths in the old colony of Natal, excluding the territory of
7 Zululand.

8 The scheme for civil registration in Natal had some typically Shepstonian
9 features. Under the law, responsibility for the notification of births and deaths fell
10 on the male ‘kraal head’. He was required, within three days, to report the event
11 to the district Official Witness. These unsalaried positions had been created under
12 the Natal Native Code of 1891 to sanction customary marriages, and they were
13 rewarded through an increased allowance for *ukulobola*. The Official Witness was
14 required to report all such events to the local magistrate within thirty days. For
15 every recorded event – births and deaths – Official Witnesses were paid one shilling
16 by the magistrate. This was a substantial fee at the time, amounting to the better
17 part of a day’s wage, and clearly the reason for the scheme’s relatively rapid
18 introduction. The legislation specifically prohibited the registration of stillbirths,
19 but required that, ‘in the case of children dying shortly after birth, both the birth
20 and death must be registered’. Parents were permitted to report the names of children
21 who died unnamed at a subsequent date, ‘for insertion in to the register and the
22 completion of the record’ (Magistrate, Kranskop 1902; on the role of the Official
23 Witnesses, see McClendon 1995). The new system did not cover all Africans.
24 Couples married under Christian marriage rites remained outside of this system,
25 and, along with the exempted, their births and deaths were incorporated in the
26 register maintained by the colonial (and later provincial) registrar.

27 The convulsive expansion of administrative interventions, taxes, and registration,
28 combined with the collapse of the war boom, the enduring effects of the Rinderpest
29 epidemic of 1897, and a dramatic increase in population, made life very difficult
30 for Africans in Natal. Discontent culminated, in the last days of the summer of 1906,
31 in widespread protests and refusal to pay the new poll tax, and isolated acts of
32 violence and ritual killing. After the rebellion had been brutally suppressed by
33 colonial irregulars who took the opportunity to show off the skills in scorched-
34 earth warfare they had learned against the Boers, the colony launched a grand
35 commission, in July 1907, to consider the grievances of its African subjects (Guy
36 2005; Brookes 1924, 77). The committee, which included Native experts like Hulett,
37 Maurice Evans and James Stuart, heard evidence from over 5,000 African witnesses;
38 the report of these sittings is eloquent testimony to the discontent and distress of
39 the household patriarchs, and their chiefs, in the face of the unworkable combination
40 of the newly rationalizing state and Shepstone’s reliance on ‘Native agency’.

41 The senior men who came to address the commission protested bitterly about
42 the new instruments of tax and surveillance; they worried about the moral effects

of young men paying their own tax (and retaining their own tax receipts), complained about the increase in the hut tax to 14 shillings, of the dog tax and the stringent methods being used to control the movement and dipping of African-owned cattle. They fumed about the ways in which the old Shepstonian order was being deformed by white officials' expectations that they all be treated as chiefs, about the collapse of the careful practice of consultations and the ongoing decline in the prestige of the chiefs. And they protested at a host of new dangers: lawyers' fees, sex between whites and blacks, inadequate wages, the fencing off of private lands, and usurious money-lending.

Amidst this litany of protest the vital registration requirement was an insignificant source of grievance, but four men, amongst the hundreds who gave testimony and the thousands who attended the hearings, grumbled about the new law. The first to introduce the issue was Nduku from the Klip River Division in northern Natal. He complained that he had recently 'experienced much trouble in regard to the registration of births and death' and that he 'was punished if he did not register his child within the proper time'. He particularly objected to the requirement to provide a name hastily (Natal. Native Affairs Commission 1907, 736). Mzungulu, from Krantzkop, also complained of the requirement to name the child 'forthwith', and he asked, 'Why should a man for not reporting a death, be suspected of having committed a criminal offence?' (Natal. Native Affairs Commission 1907, 856). Faku, an iNkhosi from Ixopo, observed amidst a list of wider complaints that he was 'surprised' by the registration requirement (Natal. Native Affairs Commission 1907, 782). This small stream of evidence was hardly damning, but one witness, chief Sibewu of the Lower Umzimkulu Division, near Port Shepstone, made a much stronger point. His only comment was on civil registration, which he said was unnecessary, and he warned the committee that the people worried 'what the intention of the Government was when the children grow up' and that 'they felt it would get hold of them, and send them off to some other place' (Natal. Native Affairs Commission 1907, 808).

The report that was produced from the 1907 commission generally addressed the spirit and not the letter of the new laws regulating rural African families. It argued, for example, for more respectful treatment of homestead heads by the magistrates and their police, and for a more paternalistic approach to the attestation of the promissory notes that were the source of entangling debts. But, providing a classic example of the ways in which the segregationists sought out the idiom of African reaction as the justification of their own plans, the only specific legislative recommendation made by the committee was for the repeal of Act 25 of 1902, 'having regard to Native feeling thereon, the incompleteness of records, the exclusion of Zululand from its operation, and the cost of such registration' (Brookes 1924, 85). The legal requirement for civil registration was not withdrawn in 1907, but the commission's recommendation that it be abandoned hung like a Damoclean sword over the scheme for the remainder of its life.

Advance or retreat

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3 Immediately after the formation of the Union in 1910 the new central government
4 in Pretoria began to consider the question of how to move forward on the project of
5 civil registration for Africans (Colonial Secretary 1910, 1911). In the Cape, com-
6 pulsory civil registration had been introduced in the Transkeian Territories in 1899,
7 but without the two critical elements that made the Natal scheme work: payment for
8 local registrars and punishment for delinquents. In 1911 the national Department of
9 the Interior (DOI) complained about the desultory character of the data from the
10 Transkei. The annual number of registrations, which at no time represented anything
11 like the actual number of births and deaths, had declined steadily, reaching a nadir
12 of 4,000 in 1910. Smuts's officials in Pretoria worried – with their hands already busy
13 with a registration struggle with Gandhi (Breckenridge 2011) – that the attitude of
14 parents in the Transkei was 'either utterly apathetic or one of passive resistance'. And
15 they wanted the issue laid before the Bunga so that 'the free discussion in all its
16 bearings might result in the enlistment of the active cooperation of the Native
17 Members of the Council' (Acting Under-Secretary for the Interior 1911). There was,
18 at this stage, no question of abandoning the scheme. Instead, Stanford, the Chief
19 Magistrate, announced the start of prosecutions for failing to register births and deaths
20 (S. H. Stanford, Chief Magistrate, Transkeian Territories 1911).

21 The problem in the Cape was that registration, and prosecutions, were both the
22 responsibility of poorly paid headmen, or *Izibonda* (for the special place of the
23 headman, magistrate and the Bunga in the Transkei, see Beinart and Bundy 1987).
24 'The person to whom Government looks to see that the law is observed', Brownlee
25 commented after prosecutions had begun, 'is the same person who is criminally
26 liable for its observance and if he fails in his duty it can only be by accident that
27 his omission in individual cases is discovered.' After the complaints from the DOI
28 in 1911, the Transkei magistrates began to look for alternative ways of handling
29 registration, and, after some debate, resolved that the most promising candidates
30 for the position of local registrar were the teachers in government-funded schools.
31 They then turned to Smuts's old department for the funds that would be required
32 to reward teachers for taking on the processing of birth and registration forms –
33 the suggested rate of payment had now fallen dramatically to between three and
34 sixpence per event. In what must count as one of the world's finest examples of
35 the old adage, penny wise and pound foolish, the DOI refused to accept
36 responsibility for the £800 budget that would be required to make civil registration
37 work in the Transkei, arguing that the matter was being held in 'abeyance until a
38 uniform law is passed when all parts of the Union can be dealt with on the same
39 basis' (Secretary for Interior 1913).

40 Accustomed as they were to administering a state without access to the funds
41 they raised in taxes, the Cape magistrates changed their strategy, abandoning the
42 idea that registrars should be paid for their work, and arguing instead for a change

in the law in order to teach the moral lessons of registration. They argued, after 1913, that the regulations should be changed to place the burden of registration on to ‘the owner [of the household where the vital event occurred] or person in charge for the time being’. This formulation, unlike the Natal system and the later requirements of civil registration under apartheid, left open the possibility that women would be legally responsible for the registration of their own children or grandchildren. Under this arrangement, headmen would be confined to their familiar role as policemen, ensuring that heads of households did their duty.

The idea was submitted to the provincial registrar for comment, and he produced an assessment of civil registration in the Transkei that was, in the long run, to have very powerful effects. He mocked the magistrates’ request for relief for the overburdened and underpaid headmen, as ‘with very few exceptions, the Headmen have not allowed the duty to weigh heavily upon them’. Working through the most conservative and undeveloped territories of Pondoland he pointed out that huge districts, like Bizana and Flagstaff, had not managed to register a single birth or death in the course of the previous year. Where registration was taking place in a more regular fashion it was typically ‘made by relatives and friends and not by the Headmen’. Yet he held out very little hope that anyone else would be able to do the job any better. The headman, he pointed out, ‘is constantly in touch with the Magistrate and has periodically to present himself at the Magistrate’s office to draw his pay’, whereas the ordinary head of household had hardly any contact with white officials. The registrar was also utterly sceptical about the magistrates’ optimistic view that unpaid storekeepers would ‘assist the natives, their customers, by completing information forms for them’. But he was mildly enthusiastic about the broader project of presenting a moral lesson. As the new arrangement, placing legal responsibility on the homestead head, ‘would at least serve the useful purpose of introducing to the Natives the idea of individual responsibility for reporting births and deaths, which it is intended to enforce later, I think the experiment should be tried’. The Cape law was duly altered in September 1914, but no additional funding was allocated to registration, and the dismissive assessment of the quality of the data was what remained in the record.

A similar problem shaped the development of the system in Natal. Here the problem was not the infrequency or irregularity of returns (a problem that was manifestly solved by the one shilling payment to Official Witnesses), it was the fact that the entire territory north of the Thukela river was not covered by the scheme. After 1902 the old kingdom of Zululand had been reduced to a rump, covering less than half of its original territory, which was similar in extent to the colony of Natal. With much of its population living on land now purchased by whites, it was still home to about 200,000 people – approximately a third of the African population in the old colony (MacKinnon 1999, 101; Lambert 1989, 386). It was the exclusion of this recently annexed population that now threatened the workings of civil registration in Natal.

1 When Edward Dower, the former Cape Secretary of Native Affairs, began to
2 act as the head of the new national Department of Native Affairs, he asked Arthur
3 Shepstone – Theophilus’s son and the Chief Native Commissioner of Natal – for
4 advice about civil registration. Shepstone provided an enthusiastic assessment of
5 the Natal system, concluding that, aside from problems of communication in the
6 far northern districts of Ubombo, Ingwavuma and Hlabisa, he could ‘see no reason
7 why the births and deaths of all Natives should not be registered in Zululand; all
8 that is required is that Act No 25 of 1902 be extended to that Territory and provisions
9 made for the appointment of Official Witnesses’ (Arthur Shepstone (Actg. Under
10 Secretary for Native Affairs, Province of Natal) 1911). Much hinged on the mild
11 word ‘provisions’, but Shepstone’s suggestion was denied by an even more banal
12 impediment. When Dower mentioned the idea of extending civil registration into
13 Zululand to the DOI he received a sharp rebuke from Smuts, reminding him that
14 the NAD was not responsible for ‘vital statistics in the Union’ and demanding that
15 ‘any correspondence on the subject’ should be transferred to his department. Having
16 established which department owned this process, the Secretary for the Interior
17 added that nothing was going to be done for the foreseeable future (Arthur
18 Shepstone (Actg. Under Secretary for Native Affairs, Province of Natal) 1911;
19 Acting Secretary for Interior 1911; Edward Dower, [Acting?] Secretary for Native
20 Affairs 1911; Secretary for Interior, Pretoria 1913). In his report on the matter,
21 Dower consoled his minister by reminding him that the 1907 commission had
22 recommended that civil registration should be abandoned in Natal.

23 The most deadly blow to the system of civil registration in Natal was not
24 administered by the Transvaaler Smuts, nor by one of the Cape magistrates; it came
25 from within the provincial bureaucracy. W. J. Clarke was the Chief Commissioner
26 of Police in Natal from the end of the nineteenth century. He was an ardent
27 administrative progressive, and dogged champion of a plan for universal fingerprint
28 registration (W. J. Clarke, Chief Commissioner, Natal Police 1907; Pinto-Leite
29 1907). In February 1913 he wrote to his national superior condemning the quality
30 of the registration data being gathered in Natal. Clarke cited two cases of fraud in
31 the Weenen district where Official Witnesses had been convicted of falsely
32 recording births and deaths; in one of them ‘as many as 60 or 70 false entries’ had
33 been recorded. ‘It seems to me the system is open to fraud’, he reported, ‘and that
34 the returns, as published, are very unreliable’ (W. J. Clarke, Chief Commissioner,
35 Natal Police 1913). Much later, after the system had been abandoned, the Natal
36 magistrates would protest the injustice of Clarke’s accusations, but his charges were
37 received by R. H. Addison, one of the Zululand magistrates who had no experience
38 or sympathy for the workings of the Official Witnesses. Addison all but admitted
39 that fraud was rife, proposed that heads of households should travel with the
40 Witnesses to confirm registrations, and then reminded the permanent secretary that
41 the 1907 commission had, in any case, suggested that the whole scheme should be
42 abandoned (R. H. Addison, Acting Chief Native Commissioner, Natal 1913). But

even this unfriendly assessment was not sufficient to end registration; for a decade the Natal scheme carried on.

Retrenchment

The early 1920s were difficult times in South Africa, as all over the world, with the economy battered by inflation, fiscal retrenchment and working-class protests. It was amidst the very grim fiscal and political atmosphere of 1922 that the NAD found itself the target of an efficiency evaluation by the independent committee of the Public Service Commission. The Public Service Commission took a scalpel to the administrative establishment that had been built up in the NAD after 1900, gutting, in particular, the regulators in the Johannesburg Government Native Labour Bureau and making the case that the whole of the department should be run along the lines of the skeletal administration in the rural districts of the Transvaal and Zululand (Dubow 1989, 81–87; Dubow 1986 shows that this downsizing was not permanent, and by 1928, under the rich diet produced by the 1927 Native Administration Act, the NAD was back to its earlier weight. Falwasser, H. G., Acting Director of Native Labour 1926).

By October 1922 a special cabinet-level audit – appropriately named after the Geddes Axe Committee that had slashed government spending in Britain – had discovered the £2,000 that was being used to pay Official Witnesses in Natal. The new Chief Native Commissioner in Natal, C. A. Wheelwright, had himself come from the remote and backward Zoutpansberg district, and he looked askance at the civil registration scheme. When Wheelwright asked the Natal magistrates for their views on the abolition of the payments for Official Witnesses none of them agreed that it would be a good idea. All but one reported that it would be ‘a source of great hardship’ and mean the end of the system of civil registration (Chief Native Commissioner, Pietermaritzburg 1922). It was Wheelwright who argued, on the basis of Clarke’s 1913 police report, that the system was ‘unreliable and not worth the expense involved’ and, worse, that it encouraged fraud by offering a ‘pecuniary inducement’ (Secretary for Native Affairs, Pretoria 1922). Within weeks the payments had been suspended and the registration of African births and deaths immediately collapsed in Natal. The following year a new Births and Deaths Registration Act was published. The new Act, No. 17 of 1923, made registration of ‘births, still-births and deaths of natives’ compulsory only in urban areas, and left open the possibility that the DOI might declare registration compulsory in a specific rural district by regulation.

The public health challenge

Over the next two decades the advocates of a state-supported public health system lobbied continuously for the restoration of registration in the countryside. These efforts peaked in the early 1930s when Natal and Zululand faced an unusually severe malaria epidemic. An official effort to re-introduce registration by Official Witnesses was announced in July 1932, exactly a year after the International Conference on African Children that had been convened in Geneva by Eglantine Jebb's Save the Children International Union (see Chapter 17). The South African participation in the Geneva conference had been conspicuous, with three leading figures of the liberal establishment playing important parts: Alice Duncan, wife of the Governor-General, J. D. Rheinallt-Jones, the founder of the recently established Race Relations Institute, and Henri Junod, a Swiss missionary and author of one of the first great South African ethnographic monographs (Rich 1984, 22–32; Junod 1962). Junod's study covered the most remote areas of Zululand, but the links between the Geneva conference and the effort to restore vital registration were indirect at best. In Johannesburg the social reformers, and officials, like Rheinallt-Jones and Duncan, were much more concerned with regulating informal marriages than with the scientific benefits of birth and death registration (Britten 1930; Phillips 1938, 96–97; Posel 1995, 228–231). Yet the malaria epidemic drew the attention of important metropolitan researchers, including Professor N. H. Swellengrebel from the League of Nations, and the discontent about colonial registration that Marshall (in Chapter 17) traces in that organization may thus have found its way to Natal (MacKinnon 2001, 84).

The champions of registration during this period were two local officials: Dr George Park Ross, at the time district health officer in the national Department of Health, and Harry Lugg, then the Native Magistrate for Verulam, a picturesque sugar milling town on the Natal north coast that was surrounded by malarial cane fields and impoverished native reserves. Both men had long experience of the skeletal government of indirect rule, an interest in the use of Shepstonian 'native agency' as a remedy, and, importantly, they would go on to take up the most senior provincial posts in their respective departments. Their combined efforts to restore the payment to Official Witnesses began in June 1932, when Lugg appealed to the permanent secretary of the NAD to restore the old system of registration, without which the severity of the malaria epidemic 'will never be known'. After reminding the permanent secretary that 'the last census did not include the enumeration of Natives' he urged the department to invoke the terms of the 1923 Act to require the 'registration of births and deaths of all natives' (Harry Lugg, Native Commissioner, Verulam 1932).

A month later the most senior officials of the NAD and the newly formed Department of Health met in Durban to discuss a combined response to the malaria crisis. The main resolution of this meeting, reflecting the groundwork that Lugg

and Park Ross had already completed, was that ‘registration of births and deaths in Native Reserves should take place’ (E. H. Cluver, Asst Health Officer 1932). While there were some signs of opposition, the principle, as the minutes show, was ‘generally conceded’ and the NAD accepted responsibility for the reintroduction of registration. Predictably, however, nothing happened. A month later, as the epidemic gathered steam, Park Ross wrote angrily to his departmental boss that ‘nearly every District in Natal is now affected with malaria, and until reliable information in the shape of an official registration of deaths is provided, it is impossible to deal effectively with outbreaks of the disease’. As the NAD magistrates attempted to estimate the number of deaths in the countryside from the epidemic, Park Ross railed against a policy that effectively made the large-scale deaths of black people in the countryside officially invisible. ‘We have here an official disease,’ he protested, ‘which, according to the returns has wiped out one-tenth of our population, and it apparently is to go unregistered’ (Chief Native Commissioner, Pietermaritzburg 1932).

Faced with the inertia of the NAD, the Health Secretary tried to goad his peers at the Interior to remedy their glaring statistical shortcomings. This scientific reprimand pushed the Secretary of the Interior, after a delay of several months, to express his opposition to African registration directly. The registration of ‘native births and deaths proved very unsatisfactory, both in Natal and in the Transkeian territories’, he claimed, because ‘Headmen appeared to have little interest in the duty’. The resulting registration of Africans was of ‘small economic value’, and the wisest policy (as far as the Department of the Interior was concerned) was to suspend registration in the countryside until some future when ‘the native may be sufficiently advanced in the scale of civilization to realize the advantages of registration’. The NAD, he concluded, was welcome to come up with a scheme for implementing registration, but it would not be acceptable to the statisticians (and accountants) at the Interior unless it could be ‘conclusively shewn that such a scheme would be of economic value and of real interest from a health point of view’ (de Wet, Secretary for Interior, Pretoria 1933).

This cold rejection of the social value of African registration enraged Park Ross. He reminded his permanent secretary that ‘an effective system of registering increase and deaths of cattle is in force in Native areas’ and asked why it was ‘impossible to evolve a similar system for human beings’. Park Ross acknowledged that there would be errors in the information provided by a system of registration in the Native Reserves, but, contradicting the bleak view that the statistics of African births and deaths would be economically worthless, he insisted that the returns would be ‘of the utmost value’ because they would help to protect the public health and ‘save numbers of lives’ (Senior Assistant Health Officer 1933). Park Ross promised to turn back to the NAD to try to get registration restarted. But the opposition of the Department of the Interior was sufficient to encourage J. M. Young, the Chief Native Commissioner (CNC) in Natal, to reject the idea. He declared

1 that registration was worthless unless it could be implemented nationally, that the
2 terrain and absence of roads in the reserves would make registration just another
3 petty and unfulfillable burden, and that Africans generally, and chiefs and Official
4 Witnesses in particular, were 'generally imbued with the same spirit of conservatism
5 and distrust' that would undermine public participation. Shortly after Young had
6 issued this rejection, he retired and was replaced as CNC by Harry Lugg.

7 Almost immediately Lugg tried to reopen the discussion about a special NAD
8 registration effort. Drawing on his own long years as a magistrate he insisted that
9 the claims that had been framed by the police and the officials at the DOI about
10 widespread fraud were false. 'I have had considerable experience, extending over
11 a period of twenty-one years, with the working of the Natal Act', he declared, and
12 'found no difficulty whatever in enforcing its provisions'. Against the official
13 consensus that the individuals charged with responsibility for registration had
14 generally neglected the work, he insisted that 'Native Official Witnesses carried
15 out their duties faithfully and well.' And he contradicted the claim – circulating
16 since the 1907 Native Affairs Commission – that Africans were generally suspicious
17 of registration. 'The Natives regard the formal registration of a birth', he explained,
18 'as conferring added status to a child.' Finally, Lugg reminded his superior that
19 the abolition of registration in 1923 was 'universally regretted by the Magistrates
20 of this Province, for it left them with no means – except the Native Census (when
21 held) – of ascertaining the increase of our Native population'. He now proposed a
22 simpler and cheaper version of the original scheme, shifting responsibility for the
23 one shilling payment for the registration of a birth on to the parents, but leaving
24 the state responsibility for the fee for deaths. But Lugg's experience of the workings
25 of the original system, and his insistence on its utility, could not soften his superior's
26 concern about the financial difficulties the department faced in 1933 (Harry Lugg,
27 Chief Native Commissioner, Natal 1933).

28 Park Ross and Lugg did not give up. They persisted throughout the 1930s in the
29 effort to bring registration back to life. They were both very senior officials in their
30 respective departments. But they faced entrenched inertia, skilled bureaucratic
31 evasion and, most importantly, the unfounded but implacable view that African
32 registrars would commit fraud to secure the payments for registration. By the middle
33 of that decade, as the South African fiscal crisis dissolved away under the benign
34 influence of an inflated gold price, the most senior figures in the NAD were using
35 this argument – derived solely from Clarke's 1913 report in the official record – to
36 overturn Park Ross's claims about the public health value of registration. Here they
37 invoked Clarke's claim that registration events would be invented for gain which
38 would mean that 'our vital statistics, about which the doctors are making such a fuss,
39 will all go wrong' (D. L. Smit, Secretary for Native Affairs, Cape Town 1935).

40 As this last comment suggests, the effort to restore registration in South Africa
41 was not the isolated obsession of Lugg and Park Ross. Throughout this period
42 groups of doctors kept pushing for compulsory vital registration in the countryside.

In their efforts to rationalize the missing data, the leading officials in both the NAD and the Interior presented explanations that would have amused Franz Kafka. In 1942, for example, while the Allied armies were still on the defensive around the world, the hearings of the Beveridge Commission in Britain prompted the South African government to plan seriously for a national health service that would include the African population in the countryside (Marks 1997, 452–455). The division of the South African Medical Association (SAMA) for the Transkei, based as they were in the middle of the largest Native Reserve, made a public call for the restoration of civil registration to strengthen the political case for a nationalized health service. They wrote to the Secretary of Native Affairs, reminding him that their organization was ‘wholeheartedly in favour of a State Medical Service for Natives’ and asking the NAD to implement civil registration. Here again the doctors drew out the embarrassing comparison between the state’s expectations for livestock and the requirements for people: ‘if it is found necessary to register the Births and Deaths of cattle, it would appear that the registration of the Births and Deaths of the people should be even more necessary’. They cited the data from a single hospital in the Transkei to show the horrible effects of tuberculosis in the countryside – over 20 per cent of total deaths were derived from this single cause. ‘Reliable statistics’, they argued in a statement that echoes through to the recent HIV crisis, ‘would make the need for a [national health] service abundantly clear’ (Arnold H. Tonkin, Hon. Sec., South African Medical Association, Border Branch, Transkei Division 1942).

The NAD’s response to this request highlights the ignominious deferment that had by this time become habitual in the department’s responses to this question. ‘What would be the use of statistics when the causes of death are inaccurate?’ The official responsible for registration replied that, ‘the state med[ical] service must come first, so that all Natives can have med[ical] attention. After that we can get accurate statistics’ (see marginalia on Arnold H. Tonkin, Hon. Sec., South African Medical Association, Border Branch, Transkei Division 1942). The champion of the South African national health service, Henry Gluckman, was appointed Secretary of Health in 1945, but that was not enough to deliver his proposals. After 1943, as the Allies’ global position improved, the bureaucracy’s enthusiasm for social interventions declined rapidly, replaced by an increasingly feverish anti-communism and a determination to use force to stifle dissent among the black population (Moodie 1988). In the debates that followed, the extent and effects of disease in the countryside remained largely invisible, a statistical situation that has only begun to change very recently (Coovadia *et al.* 2009).

In the years immediately after the Second World War, organizations like SAMA, the National Child Welfare Association, the Anti-Tuberculosis Association and the African representatives in the Ciskeian General Council placed almost continuous pressure on the state to act (Secretary for Native Affairs 1947). In 1946 the NAD, ‘being pressed on all sides to secure the introduction of a system of registration at

1 the earliest possible date', attempted, again without any success, to persuade the
2 Department of the Interior to take up the task (Mears, Secretary for Native Affairs
3 1946). Over the next few years they began to plan, fitfully, for a return to the system
4 of Official Witnesses that had been working before 1922. Finding resources for
5 registration remained a problem, even as the pensions for Africans were being
6 paid out. In the new registration plan the fee to be paid to African registrars had
7 been whittled down to three pence – in real terms a tiny fraction of the one-shilling
8 payment that Official Witnesses had earned half a century earlier. The total that
9 the NAD planned to spend on national registration – an additional amount of £5,000
10 per annum – was never a very large sum and it was certainly well within the state's
11 reach throughout this period (Smuts 1949). But even these desultory efforts were
12 swept away by the National Party's plans for Native Affairs after 1948. As the
13 department turned to building elaborate and compulsory labour bureaus for African
14 workers in the cities, and then, after 1952, to the even more ambitious and costly
15 system of reference books for all black adults, urban and rural, the prospects of a
16 national project of civil registration dimmed (Hindson 1981, 184–212).

17 By the end of the 1940s, the arguments about the virtues and prospects of civil
18 registration had come full circle. Almost half a century earlier W. J. Clarke had
19 suggested that registration, in the absence of fingerprinting, was 'open to fraud'
20 and unreliable. For decades that flimsy (and fiercely contested) characterization of
21 African registrars as frauds had been used as a pretext by those who sought to
22 resist the continuous calls for a reliable system of civil registration. As the apartheid
23 state began to take form, with a very large and renewed interest in fingerprinting
24 as a remedy to the limits of the official documents of identification (Breckenridge
25 2005a), the most senior officials in the NAD, including those who had earlier been
26 part of the Lugg–Park Ross campaign to restore registration, began to argue that
27 only biometric registration could reliably establish the identity of Africans in the
28 countryside. 'In view of the vast illiterate population, many of whom have no
29 address or fixed abode, the Department is of opinion that the only practicable means
30 of registration', Frank Rodseth, the departmental Under-Secretary, wrote, 'is by a
31 system of finger prints' (F. R. for Secretary for Native Affairs 1949).

32 33 34 Conclusions 35

36 On the face of it the story of the failure of civil registration in South Africa is a
37 familiar one of colonial state-building on the cheap (Rodney 1982, 200–230; Cooper
38 1996, 465–466, 2002, 5–6; Young 1994, 120; Berry 1992). The officials charged
39 with making registration work simply lacked the funds to do it. It is certainly the
40 case that the Native Affairs Department – without a constituency that was
41 represented in parliament and often despised by the most influential African leaders
42 – was always on the defensive about its budgets. Yet the amounts involved in

building a large system of registration were actually very small. Even more importantly the advocates for registration typically came up with innovative ways to make registration pay for itself, and they often preferred to use existing instruments of indirect rule (such as headmen and dipping inspectors) to achieve it. Neither argument succeeded in overcoming the scepticism or vacillation of the bureaucracy. This history suggests that the South African state had the resources and the ambition to expand from its position as gatekeeper; the fact that it did not do so was – as many critics observed as it was happening – a product of its very limited ability to gather information about people in the countryside. In this sense the South African gatekeeper state – concerned to police and administer Africans only when they were in the cities – was a result, and not the cause, of the failure of universal registration. Nor was this lack of interest in the details of the lives of rural black people pre-ordained by the system of indirect rule; the reverse might easily have been true.

This brings me to the second straightforward explanation for the failure of registration: racism and racist views. Some of this is certainly correct. It was clearly the case that racist contempt informed the idea that all African registrars would act as frauds. The persistent failure of any real urgency on the part of the officials (especially at the DOI) charged with making government work in the tribal areas clearly followed from the absence of any meaningful sympathy with the black people who lived there. In this respect registration in South Africa follows a pattern of racialized government that is familiar elsewhere in Africa and in the United States (see Chapters 15 and 17; Skocpol 1992, 533; Shapiro 1950, 98–99). Nor can there be much doubt that the absence of reliable statistics on the appalling health conditions amongst black people in the countryside helped to strengthen the policy of official neglect. But racism cannot sufficiently account for the complete and prolonged failure of civil registration, not least because the most successful period of registration coincided with the era of the fiercest white supremacy (see especially Cell 1982; Lake and Reynolds 2008).

A more convincing explanation emerges from the forms of legal and political representation in South Africa (and elsewhere on the continent). Repeatedly a well-worked-out scientific argument about the costs and benefits of civil registration was allowed to die in the disagreements between departments, or amidst the more urgent fiscal demands of the Depression or the Second World War. It was the absence of a political constituency arguing for registration that allowed this inertia. Here the contrast with the many different forms of registration described by the others in this volume is striking, because both elites and the poor – who, in other contexts, sought registration for many different ends – were silenced by the workings of customary law. Indirect rule in rural South Africa, as in most of Africa, placed administrative processes in the hands of chiefs who were charged to substitute for a developing public sphere and political economy of literacy that was occurring in the towns (see Ntsebeza 2006 for an excellent account of how this worked in South

1 Africa). Customary law ensured that the legal arrangements for property typically
2 avoided registration in the countryside (Berry 1993). Even more importantly, literate
3 religious elites, which played very important roles in Europe, the Americas, China
4 and Japan, were denied authority over people and property (as Doyle notes in
5 Chapter 10). In the absence of either a popular or an elite constituency advocating
6 for registration it was always an easy option for the bureaucracy to delay.

7 But there is another intriguing irony at work in this story. From the early 1950s
8 the South African state undertook a massive project of fingerprint registration. It
9 was chaotic and expensive and famously resisted by individuals and organizations.
10 Yet, by the time of the establishment of full democracy and the beginnings of a
11 universal system of social benefits, the entire adult population of South Africa had
12 been registered biometrically (Breckenridge 2005a, 2005b; Edwards and Hecht
13 2010). And it was this centralized biometric population register which made
14 possible the rapid and very wide delivery of the cash payments for child support
15 that Lund and Ferguson describe below (Chapters 18 and 19). And it is this
16 extremely efficient and highly scalable technology which underpins the current
17 interest in a global system of cash grants for the poor (Hanlon *et al.* 2010, 38–39;
18 Hanlon 2004, 199). It is especially paradoxical, in light of the fraught administrative
19 history of South Africa, that the possibility for the worldwide unconditional social
20 assistance regime that Ferguson describes in the concluding chapter of this volume
21 has emerged from the South African state's preoccupation with fingerprinting as
22 an alternative to local civil registration.
23
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