

PAVEMENTS AND POWER: SPATIAL ASPECTS OF COLONIAL PIETERMARITZBURG

by Christopher Merrett

AN often-neglected facet of colonialism is geography. Control of space was crucial to maintenance of the distinction between rulers and the ruled, and extended as far as the naming of physical features. ‘Whatever settlers may say – and they generally have a lot to say – the primary motive for elimination is not race (or religion, ethnicity, grade of civilization, etc.) but access to territory. Territoriality is settler colonialism’s specific, irreducible element’, wrote Patrick Wolfe.¹ Marina Warner made the observation about West Indian cricket that applies equally well to South Africa: ‘the lime demarcation lines in the turf that divided Englishmen from foreigners and natives could be rubbed out in the climate of the islands all too easily by passing feet.’² In South Africa, whites were adamant that no such erasure should occur.

The heated debate that took place in Pietermaritzburg in 1904 and 1905 over

the use of pavements is an interesting example of the dynamics of race and space in colonial society. As the local paper put it, ‘The majority of persons are agreed in condemning the practice of allowing natives and coloured persons generally to walk on the pavements of the City.’ It went on to describe the ‘impertinent obstruction of superiors’ and the insanitary repercussions of ‘brushing shoulders’ with Africans. There were now enough whites, it was argued, to ban blacks from the pavements.³ By-law 2 gave the borough necessary powers, but enforcement required prosecution and a sympathetic magistrate. A Natal government delegation to the secretary for native affairs expressed a need to regulate foot traffic ‘as to effectively prevent ladies and white men being impertinently jostled by offensive blacks’.⁴

Background

This eruption of white indignation and self-importance in 1904–1905 may be regarded as another incident in a long-running series of moral panics to which Natal as a whole, in spite of the sarcasm of the Durban press in the Pietermaritzburg pavement case, was prone. Supposed race based on nineteenth-century scientific theory was clearly the main factor, but so too was an insufferable attitude of assumed British superiority. This was, however, disguised in various ways: defence of the honour of white women, matters of smell and health, and various conveniently mysterious spectres

associated with the dark continent. For example, in December 1886 white men in Durban staged intemperate gatherings, marched in large numbers, staged a riot, and formed a Vigilance Committee in response to reports that Africans had committed ‘outrages’ on white women. In both Pietermaritzburg and Pinetown, Africans were assaulted; and in the capital a Females Protection Society prevented blacks from using pavements as a precursor of things to come. Meetings, consisting largely of men – 1 600 in Durban and 700 in Pietermaritzburg – called for the registration of Africans in

urban areas, capital punishment for rape, and flogging and branding for indecent assault. Legislation was indeed introduced, yet within six weeks the febrile atmosphere had subsided and the mobs dispersed. The attorney-general confirmed that the December 'outrages' had been minor and that there had been no abnormal activity. The panic had been based on a chimera, an 'imagined pandemic', perception above fact: 'In place of evidence, white settlers relied on rumour and supposition'.⁵

Indeed, 'sexual crimes were not especially prolific' and inter-racial rape rarely exceeded single figures each year. In 1888 and 1889 there was none. Yet John Robinson felt able in the Natal parliament in November 1886 to describe 'social terrorism', words that his colleague Henry Binns condemned as lacking in wisdom.⁶ On a well-worn theme, Robinson called for measures to 'protect the honour of our women, to shield the innocence of our children, and to preserve inviolate from savage lust the domestic sanctity of our homes.'⁷ White space was privileged, specially protected from a supposedly threatening and insalubrious surrounding environment. The necessary reinforcing language, in a colony whose politics were stained by mediocrity, was blatantly racist.⁸

Moral panics reflected psycho-sexual and other white male insecurities through which assumed gender and caste superiority were undermined.⁹ Consciously or subconsciously women were to various degrees male property, subordinates of patriarchy, under the 'despotic authority of husband and father'.¹⁰ Thus 'strong ideals of racial superiority were combined with patriarchal attitudes that recognised the right of men to protect their property in

women', assumed to be pure and chaste; often under the guise of chivalry.¹¹

Natal had been through a similar but more protracted experience in the late 1860s and early 1870s, which Norman Etherington ascribes to fear of loss of control and a panicked state of mind on the part of white patriarchs about apparent phantoms, things unseen: much anxiety derived from very little evidence. Men were the predominant commentators on events for which there was no hard evidence. Cases of common burglary were elevated to charges of attempted rape and taken seriously by the courts: 'the imagined perpetrator was often a stranger [not a servant], indeed was often a phantom not seen clearly enough for identification.'¹² The accompanying inflamed language, fanned by the press – 'shocking', 'outrage', 'dastardly' and 'disgusting' for example – indicated a neurotic obsession with the topic, ironically at a time when the range and level of crime and vice among whites in what amounted to frontier society was escalating. These seem to have been the classic signs of moral panic and fear of general change at a time of reconciling the irreconcilable. Africans were expedient demons, wanted and feared in equal measure in urban areas.¹³

Such white panics have been interpreted in various ways. They generally involved a perceived health or security threat to white settlers and were associated with the proximity of 'uncivilised' people. Generally short-lived, they often resulted in long-term and draconian measures. But there were other less obvious reasons such as economic change and general dissatisfaction with government.

While unemployed Africans were regarded as loafers engaged in

unacceptable activity, when employed they became a primitive and rapacious threat. As Keegan puts it succinctly, whites were challenged by the ‘two faces of “Jim” around whom there existed a dark fantasy world’.¹⁴ The economic utility of Africans in urban areas was perversely at apparent odds with grossly racist spoken and published views about savages of limited intelligence and other unpalatable characteristics; although these were used to justify authoritarianism and exploitation, which made the mission-educated African the most despised of Africans as a threat to white identity and space.¹⁵ Underlying this complex situation was the master-servant relationship.¹⁶ The social order was paramount and when ‘Africans simply were not subservient enough’ reactionary populism was mobilised with mob justice as the ultimate sanction.¹⁷

Pavements

Letter writers highlighted the panic about health, complaining of ‘contagion from unsavoury blacks’ and ‘Indians, who are usually filthier and more objectionable than the natives’; and *Satis Verborem* predictably even threatened extra-legal action. When one correspondent attacked this blatant racism, the editor explained that it was not a matter of race, but of smell and ‘swaggering’. A letter writer called *Britisher* wrote of the ‘malodorous native’.¹⁸ Another objection was to recreational use made of the street: ‘boys practi[sing] their war dance on the pavement to the strains of a mouth organ.’¹⁹ Slightly less rabid opinion argued that blacks needed civilising and drawing into the commercial economy as customers at segregated counters;²⁰ and suggested that their use

of the pavement as pedestrians could be accommodated by drawing a white line down the middle of it.²¹

There was much support for legislation, but nervousness about it in high places as well as opposition from the mayor of Durban.²² On 9 November 1904, black prison warders walking three abreast in Church Street, Pietermaritzburg were ordered off the pavement even though they were obstructing no one. When they refused, they were arrested and charged. Magistrate Moe acquitted them on the grounds that by-law 2 could not be applied arbitrarily and unreasonably (blacks could be ordered into single file if they were obstructing others, for example) and that the constable involved had exceeded his powers.²³

But the magistrate clearly regretted that he had to arrive at this conclusion, advocating a law to prevent ‘outrages on white women.’ Specific legislation was also favoured by the Maritzburg Ratepayers Association, which was suspicious of general police powers.²⁴ When the matter was debated in the local council, Councillor Kershaw argued that it was impossible to banish blacks from pavements and proposed what was described by the local press as a ‘nondescript kind of by-law’. This gave the police liberty to act at their own discretion (by-law 2A) and was adopted in spite of vociferous objections to the general extension of police powers rather than specific regulations.²⁵ The Durban press derided the debate and outcome as a ‘fiasco’ and suggested that the existing situation should have been left alone within existing police powers.²⁶

Why had the pavement issue erupted in 1904? This post-war period saw further moral panics, sustaining a

long tradition in Natal and South Africa as a whole that had profound political and social consequences. These episodes occurred in 1902–1903, 1906–1908 and 1911–1912. The first panic coincided with an upsurge of white prostitution operating across racial lines at the end of the Anglo-Boer War, but had few consequences let alone any foundation in claims of increased cases of sexual assault. Immediately after the Anglo-Boer War white men had been disadvantaged in the labour market as well as frustrated at their inability to replicate Australia or Canada in southern Africa as a result of demographic factors.²⁷ The second was linked with the Bhambatha Rebellion; and the third had no discernible source other than a general sense of growing degeneracy and contamination as a result of an increase in the numbers of poor whites.

In 1912 there were only twelve convictions for black-on-white rape amid numerous acquittals: ‘Almost anything, it seems, could be interpreted as an attempted rape.’ Newspapers reported these supposed cases in formulaic fashion using narratives full of pregnant silences, which connected with the sanitation syndrome that created an air of contagion.²⁸ The ultimate fear was a blurring of racial lines and an increase in miscegenation. All these panics exhibited the familiar mix, to various degrees, of socio-political anxiety and psychological fear.²⁹ Charles van Onselen argues that they embittered South African race relations in the years leading up to World War I at a time when comparable hysteria was first developing in Rhodesia and for a similar reason: ‘simply a product of a racist imagination.’³⁰ In this context

the pavement issue flared briefly and brightly, then faded away.

NOTES

- 1 Patrick Wolfe, ‘Settler colonialism and the elimination of the native’ *Journal of Genocide Research* 8(4) 2006, p. 388.
- 2 Marina Warner, ‘Between the colonist and the creole: family bonds, family boundaries in *Unbecoming Daughters of the Empire* edited by S. Chew and A. Rutherford (Sydney: Dangaroo, 1993), p. 199.
- 3 ‘Preserving the pavements’ *Natal Witness* (NW), 24 August 1904, p. 5.
- 4 ‘For whites only: deputation from Corporation to S.N.A.’ NW, 26 August 1904, p. 5.
- 5 Jeremy C. Martens, ‘Settler homes, manhood and “houseboys”: an analysis of Natal’s rape scare of 1886’ *Journal of Southern African Studies* 28(2) 2002, pp. 379–81; David M. Anderson, ‘Sexual threat and settler society: “black perils” in Kenya, ca.1907–30’ *Journal of Imperial and Commonwealth History* 38(1) 2010, pp. 49, 56; Timothy Keegan, ‘Gender, degeneration and sexual danger: imagining race and class in South Africa ca.1912’ *Journal of Southern African Studies* 27(3) 2001, p. 460.
- 6 Julian Rieker, ‘Race, sex and the law in colonial Natal’ *Journal of Natal and Zulu History* 6 (1983), pp. 83–5. There had, however, been a rape and murder at Camp Drift, Pietermaritzburg on 13 July 1883 – of Mary Ellen Murphy.
- 7 Edgar H. Brookes and Colin de B. Webb, *A History of Natal* (Pietermaritzburg: University of Natal Press, 1965), p. 172.
- 8 *ibid.*, p. 171.
- 9 Rieker, ‘Race, sex and the law in colonial Natal’, p. 95.
- 10 Robert Morrell, ‘Of boys and men: masculinity and gender in southern African studies’ *Journal of Southern African Studies* 24(4) 1998, p. 607, quoting Lawrence Stone.
- 11 Anderson, ‘Sexual threat and settler society’, p. 67; Keegan, ‘Gender, degeneration and sexual danger’, pp. 460, 474.
- 12 Norman Etherington, ‘Natal’s black rape scare of the 1870s’ *Journal of Southern African Studies* 15(1) 1988, pp. 36–8, 40; Keegan, ‘Gender, degeneration and sexual danger’, p. 470.
- 13 Etherington, ‘Natal’s black rape scare of the 1870s’, pp. 40–1, 43–5.
- 14 *ibid.*, pp. 467, 475.
- 15 Charles van Onselen, *New Nineveh: Studies in the Social and Economic History of the*

- Witwatersrand 1886–1914, volume 2* (Johannesburg: Ravan Press, 1982), pp. 39–41; Keegan, ‘Gender, degeneration and sexual danger’, p. 474.
- 16 Rieker, ‘Race, sex and the law in colonial Natal’, pp. 82–3.
 - 17 Anderson, ‘Sexual threat and settler society’, pp. 51, 54, 66, 68.
 - 18 Letters in *NW*, 26 and 27 August 1904, p. 6.
 - 19 J.M.P. ‘The pavement question’ *NW*, 30 August 1904, p. 6.
 - 20 W.A. Goodwin, ‘The footpath question’ *NW*, 5 September 1904, p. 3.
 - 21 Z, ‘The footpaths’ *NW*, 12 September 1904, p. 7.
 - 22 ‘Natives on footpaths: discussed at municipal conference’ *NW*, 23 September 1904, p. 5.
 - 23 ‘Blacks on sidewalks: court case . . .’ *NW*, 14 November 1904, p. 6.
 - 24 ‘M’Burg’s ratepayers’ *NW*, 13 December 1904, p. 6.
 - 25 ‘Natives on footpaths’ *NW*, 7 December 1904, p. 5.
 - 26 ‘Natives on footpaths in Durban papers’ *NW*, 9 December 1904, p. 4. The papers were the *Natal Mercury* and *Natal Advertiser*. Further references to the pavement issue may be found as follows: ‘Town council; natives on footpaths’ *NW*, 11 January 1905, p. 6; ‘Town council: that footpath by-law’ *NW*, 15 February 1905, p. 6; ‘Day by day’ *NW*, 12 April 1905, p. 5. I am greatly indebted to Patricia Merrett for recording these newspaper references while she was researching issues around the memorialisation of the Anglo-Boer War.
 - 27 Keegan, ‘Gender, degeneration and sexual danger’, p. 462.
 - 28 Keegan, ‘Gender, degeneration and sexual danger’, pp. 471–2.
 - 29 Gareth Cornwell, ‘George Webb Hardy’s *The Black Peril* and the social meaning of “black peril” in early twentieth-century South Africa’ *Journal of Southern African Studies* 22(3) 1996, pp. 441–4.
 - 30 Charles van Onselen, *New Nineveh*, p. 45; John Pape, ‘Black and white: the “perils of sex” in colonial Zimbabwe’ *Journal of Southern African Studies* 16(4) 1990, pp. 700–1, 707. In 1907 there was violent uproar in Nairobi after a minor incident of impertinence by rickshaw pullers. It took very little to stir up white male outrage.