

Complex negotiations in local governance: The municipal beer hall debate in East London, 1956 to 1962

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Samevatting

Gedurende die 1930s, het die Stadsraad van Oos-Londen herhaaldelik probeer om die bierbrouery in die swart woonbuurt van Duncan Village te beheer. Telkens het hierdie pogings gefaal, en teen 1947 moes die Stadsraad die verbod op tuisbrouery ophef. In 1956 het die plaaslike amptenare met hernude entoesiasme probeer om 'n munisipale monopolie op bierproduksie te bewerkstellig. In die proses moes hulle 'n skeptiese swart Adviesraad probeer oortuig alvorens hierdie besluit bekragtig kon word. Die Duncan Village Adviesraad het die amptenare se eie paternalistiese argumente gebruik om die besluit teë te staan. Hierdie wedersydse argumente is 'n insiggewende voorbeeld van die onderliggende dinamika van paternalistiese administrasie tydens die 1950s, en gee 'n waardevolle blik op stedelike swart politieke dinamika. Die artikel beskryf hierdie komplekse onderhandelinge oor 'n termyn van sewe jaar tov Raadsbesluite en verslae, sowel as die 1957 SABRA simposium oor alkoholregulering. In 1962 het die bevindinge van 'n Kommissie van Ondersoek uiteindelik gelei het tot hernude munisipale bierproduksie in Oos-Londen. In 'n konteks van ingewikkelde rasseverhoudinge, het dit 25-jaar geneem vir die Oos-Londense stadsvaders om hulle wil as'tware op die swart gemeenskap van Duncan Village af te "dwing".

Introduction

The issue of beer production in African townships in the early part of the 20th Century, has a long history. The first steps to institute municipal beer trading were taken in Natal in 1908, when Pietermaritzburg and Durban

prohibited domestic brewing of beer and created their own monopolies.¹

The Natives (Urban Areas) Act of 1923 introduced three provisions regarding the production and consumption of beer: (1) Liquor other than 'kaffir beer' was not permitted in locations; (2) Domestic brewing could be authorized or refused by the local authority, but domestic brewing for sale was not allowed; and (3) If domestic brewing gave rise to problems, the local authority could obtain permission from the Minister to set up a monopoly for manufacture and sale.²

In the literature on the history of the municipal beer trade in South Africa, the emphasis has always been on the local authorities' financial gain as the main factor in their desire to introduce municipal beer production.³ In terms of the Natives (Urban Areas) Act of 1923, municipalities were required to keep separate Native Revenue Accounts, into which revenue contributed by location residents would be paid. The subsidization of the NRA by white ratepayers was discouraged, thus locking the 'locations' into the straitjacket of existing black poverty. Hence local authorities were always looking for new sources of finance, and the example of cities such as Durban showed what huge profits were possible.

This paper examines the question of beer production and consumption in East London. It will consider the East London Council's experiences in attempting to implement a municipal beer production monopoly during the 1950s and 1960s, and in particular, its mixed moral and self-interested motives in enforcing this policy. It will be argued that Councillors hoped to control beer production, in the hope that it would enforce some moral standards in township conditions, exert some control over African urban residents, as well as finance township improvements.

However, African opposition to these controls had its own type of moral leverage. The black representatives played their cards so well that they caused

1 NG Meyer, "The liquor laws affecting the Bantu", paper delivered at a Symposium entitled *Drankverskaffing en die Bantoe*, April 1957, p. 2.

2 TRH Davenport, "The triumph of Colonel Stallard: The transformation of the Natives (Urban Areas) Act between 1923 and 1937", *South African Historical Journal*, No. 2, November 1970, p. 79.

3 For example, RJ Randall, "Some reflections on the financial policy of certain municipalities towards the natives within their boundaries", *South Africa Journal of Economics*, vol. 7, no. 2, 1939; and more recently, P La Hausse, "The message of the warriors: The ICU, the labouring poor and the making of a popular political culture in Durban, 1925-1930", in P Bonner, I Hofmeyr and D James (eds), *Holding their Ground, Class, Locality and Culture in 19th and 20th Century South Africa*, University of the Witwatersrand, History Workshop, No. 4, 1990.

chronic disagreements in the ranks of the white city fathers. In consequence, the white officials' ultimate victory did not only take a whole decade to achieve, but when it eventually materialized, it was highly circumscribed. The paper shows the multiple relations of power and morality between the white political elite and their African underlings – a complex political situation which defies superficial characterization.

The background to beer brewing in the East London City Council (ELCC)

East London has always been a segregated city. The township, Duncan Village, grew rapidly during the early part of the 20th century, from an estimated 25 000 inhabitants in 1930, to close to 75 000 in 1960 (although no accurate population figures exist).⁴ Population density was extraordinarily high, and the vast majority of residents lived cheek by jowl in closely packed and massively overcrowded tin shanties. (This was in the years before the creation of the new township of Mdantsane in the 1960s).

During the 1950s, East London was governed by a City Council, which was elected by whites only. A Native Affairs Committee (NAC) was a sub-structure of the City Council, and supervised the administration of the African township, Duncan Village. Black residents were represented on a "Native Advisory Board", established in terms of the Natives (Urban Areas) Act of 1923. The Board was elected on the basis of wards in Duncan Village. The City Council retained overriding formal powers. If there were no nominations in a specific ward, the Council had the right to appoint a member of the Board. The Board meetings were chaired by the Chairman of the NAC.⁵

In 1937 the City Council banned domestic beer production in the 'location'. In the place of private beer production, the municipality attempted to take over the production and supply of beer. It was felt that the custom of home brewing might give rise to serious social problems in industrial areas, where a large proportion of the African working population consisted of unattached males.⁶

4 G Minkley, "I shall die married to the beer": Gender, 'family' and space in the East London locations, c. 1923-1952", *Kronos*, No. 23, November 1996, p. 139.

5 Location Regulations, Chapter 2, listed in the East London Public Health and Non-European Affairs Committee, Report and Minute Books, 1956.

6 East London City Council (hereafter ELCC), Town Clerk's report to Native Affairs Committee (hereafter NAC) , 6 November 1956.

The municipal beer hall experience was an unhappy one for the Council, however. It lacked the necessary technology to produce beer at scale, and production remained uneconomical.⁷ The Town Clerk later recalled that the beer hall was very unpopular amongst the township residents. Resistance to municipal beer halls was not new. In 1938, a march by African women to the steps of the East London City Hall objected to municipal plans to brew beer. They argued for the legality of home-brewing. They suggested that the municipal system was “objectionable, degrading, uneconomical and vexatious”, and that the proper place for traditional beer drinking was within the family.⁸

The municipality struggled on with its brewing operation, but in 1947, the municipality abandoned its brewery. Township residents were again permitted to brew their own beer, and permits were issued to householders for the brewing of four gallons at a time.⁹

By 1956, the East London Native Revenue Account (NRA) was operating at an increasing loss. The stage was set for a very contentious policy initiative. The municipal officials returned from the 1956 Institute of Administrators of Non-European Affairs (IANA) annual conference, fired with newfound enthusiasm for municipal beer-brewing.

The Council’s initial arguments: Beer profits and social improvements

The first step towards municipal beer production was taken by the Nationalist mayor, Councillor Robbie de Lange, who maintained that beer halls would provide additional revenue, and reduce illicit trading in liquor.¹⁰ Both the Town Clerk and the Township Manager responded positively. According to the Town Clerk, new facilities were much needed in Duncan Village. The proceeds from a beer hall could be used to remedy this problem:

There is no doubt that although the primary consideration of a municipal monopoly system is not the profit which can be made, a profit is made because

7 IP Ferreira, “Die brou en verskaffing van kafferbier, met spesiale verwysing na moderne tendense” (Paper, South African Bureau for Racial Affairs (SABRA) *Drankverskaffing en die Bantoe* symposium proceedings April 1957), p. 9.

8 *Umlindi We Nyanga*, vol. 5, no. 61, 15 June 1938, quoted in G Minkley, “I shall die married to the beer’ ...”, *Kronos*, No. 23, November 1996, p. 135.

9 ELCC, Town Clerk’s report to NAC, 6 November 1956.

10 ELCC, NAC minutes, 6 November 1956.

of the highly scientific methods of brewing kaffir beer which have enabled local authorities to reduce costs to an absolute minimum.¹¹

De Lange emphasised that municipal beer sales would “not be run as a profit-making undertaking, but merely as an amenity and to ameliorate certain evils”.¹² Revenue would be “used in a humanitarian way, being returned to the native community itself, by way of meeting losses on native housing and by the provision of social and recreational amenities”.

This decision had to be carried out by the Council’s Native Affairs Committee (NAC), the body which, in effect, governed Duncan Village. The NAC agreed that a beer hall monopoly would be in the best interests of the local black residents. Only Councillor Evans recorded his dissent.¹³

The Native Advisory Board’s response – Round one

In terms of the Natives (Urban Areas) Act of 1945, Council had to consult with the Advisory Board about its beer hall plans. The following proposals were put to the Joint Locations Advisory Board (JLAB): that the Council would undertake all the brewing in the location and would also manage the proposed beer halls; that the Council would insist on a monopoly for its beer; and that no sprouted grain could be sold within the municipality.

The Board’s response was a polite but firm rejection. The members made several telling points.¹⁴ First, the supposed tendency of ‘natives’ to disrupt law and order was neatly turned against the municipal beer hall proposal. Mr. Dyani maintained that the previous municipal beer hall had been a source of crime and low morals. Mr. Hoho believed that the beer hall would lead to “riotous behaviour at the instigation of the drunks”. Playing on white anxieties about unrest and resistance, he added that police searches for illicit beer could lead to rioting. Reverend Mashologu added the weight of professional insight to the argument by noting that when the previous beer hall was in operation it had often been difficult to conduct church services nearby.

Second, the Board members argued that traditional cultural differences militated against municipal beer halls. Mr. Dyani said that such beer halls were

11 ELCC, Town Clerk’s report to NAC, 6 November 1956.

12 ELCC, Township Manager’s report to NAC, 6 November 1956.

13 ELCC, NAC minutes, 4 June 1957.

14 ELCC, Joint Locations Advisory Board (JLAB) minutes, 24 June 1957.

contrary to native custom, since different age groups would drink together. Rev. Mashologu added:

We know ourselves, and we know what is not good for us ... the African people [have] not yet come to the stage where they know how far they can go with drinking ... the proposal to establish a beer hall, should be abandoned.

A tussle was emerging between the Board and the Council with each side anxious to delineate the essence of 'native custom'. By accepting the premise of essential cultural difference, the Board turned it into a weapon. In fact, the Board went one step further. Surely, if the black and white cultures are so different, they maintained, it was up to themselves to determine what would be to the benefit of their particular culture group.

Third, the Board indicated that the Council's concern to promote the welfare of the African community would entail the recognition of at least two important rights. These were:

- The right of Africans to trade amongst themselves; and since this principle had explicitly been adopted by the Government, any beer halls in the locations ought to be operated by Africans.
- The right to domestic brewing. Mr. Qongqo, for example, stated that many persons preferred to drink beer in their own homes, instead of in a beer hall.

Finally, the Board was uncomfortable with the proposal that profits should be derived from municipal beer halls. Rev. Mashologu said that the Council should rather spend its money on providing urgently needed facilities, instead of erecting unwanted beer halls.

The Board therefore unanimously resolved that the contemplated beer hall proposal was not in the best interests of the African residents. It was contrary to African custom and tradition; beer halls could never serve as centres for wholesome social recreation, and were in fact breeding grounds of crime; and the residents would lose their right to brew within their own homes.

Dissension on the Council, and the argument for "liberal paternalism"

The Board's hostility to municipal beer halls occasioned some dismay on the Council.¹⁵ In fact, several of the Councillors could see the point of the

¹⁵ ELCC, NAC minutes, 7 October 1957.

Advisory Board. Certain of the councillors recalled that the previous beer hall in East London had been a failure and had not prevented dangerous concoctions from being produced. It was argued that African customs should be respected. A municipal monopoly was an “unwarranted interference in the life and custom of the native population, which would create friction between the two major race groups”.

Other arguments focused on the need to respect existing freedoms. Some Councillors felt that a complete prohibition on domestic brewing was “unfair to those persons who wished to maintain this privilege”; that a plebiscite should be held; and that a beer monopoly “could be construed by the natives as being an oppressive measure - particularly in view of the fact that raids to combat illicit liquor brewing would be likely to be intensified”.¹⁶ These Councillors felt that it was “morally incorrect to enforce upon the native population measures which were not absolutely necessary in their own interests”. For the first time, the Councillors showed some sensitivity to the fact that the African beer producers would be deprived of their income.

These arguments elicited a vigorous defence from the municipal monopoly lobby. The Town Clerk reminded the councillors that enormous advances had been made in the scientific brewing of beer. He also stressed the moral obligations of the city fathers. He had inspected the locations, and “had been most distressed to observe the pathetic lack of social and recreational amenities for the natives”, due to the deficit on the Native Revenue Account. The Township Manager and the City Treasurer confirmed that the huge deficit on the Native Revenue Account was growing year by year, and was having a “very important effect on the City’s finances as a whole”.

The debate prompted Councillor King to compose a memorandum on the subject, aimed directly at persuading the Board to accede to municipal brewing. King maintained that the main priority was the “smashing of the vast, profitable illicit [African-controlled] liquor racket in this country. This [was] a matter first and foremost of law and order and sound government”.¹⁷ As regards ‘sound government’, King emphasised the solidarity of interests between the Councillors and the Board: “We, as persons charged with the responsibility for many thousands of inhabitants of East London, must take a responsible view of this whole problem...” He emphasised the Council’s

¹⁶ ELCC, NAC minutes, 7 October 1957.

¹⁷ ELCC, JLAB minutes, October 1957.

desire to work in partnership with the Advisory Board. He reminded the Board that the Council had the power to enforce a solution to the problem, but said it was reluctant to do so: “We do not want to use force. We would rather have a solution in which you agree with our recommendations ... The sound solution of a social problem is one which has the backing of the majority of reasonable people” – in effect, a plea for consensus amongst black and white residents.

He also reminded the Board that there would be social costs attached to the Council’s reluctance to resort to more forceful measures. This placed a moral obligation on the Board to adopt a morally just solution:

I assure you that the Council is not going to ram a monopoly down your throats, even though by enforcing a monopoly for the purpose the Council would probably be able to spend many thousands of pounds a year from the profits made on the sale of kaffir beer in the provision of all manner of social amenities in Duncan Village.

Councillor King’s seductive and serpentine logic invoked many of the strands of patriarchalism. He postulated a possible consensus between the Councillors and their African subjects, yet reminded his audience of the element of latent coercion which lay at the Council’s disposal. He also recognised Africans’ rights, but, by using emotional blackmail, played on the Board members’ guilt if they forfeited amenities for their community.

To crown it all, he referred to three categories of persons whose need for beer would be met by the Council: “It is for the busy housewife, the lazy housewife and the unmarried male members of the population that the need for a relatively safe form of liquor exists”.

This argument was significant on three counts. First, King presented the Council as the defender of certain underprivileged sectors of the black community. Second, this aspect of his argument would serve as a constant red herring in subsequent debates. Board members had repeatedly to point out that these people already had perfectly adequate existing arrangements to brew their own beer. Third, and most crucially, it was a tacit admission that certain categories of township resident did not live in accord with ‘native custom’. Single men, women working outside the home, and women who had found better things to do than fulfilling customary duties, did not square with the world of cultural traditionalism. Ironically, King’s argument served to undermine officials’ claims about the importance of cultural traditions and

customs in Duncan Village.

King's address then took an unexpected turn. Without the foreknowledge of the municipal officials, he offered the Board a system of parallel municipal and domestic brewing: "We will make it possible for many decent people to choose whether they would prefer to drink kaffir beer or poison, which at present may be the only alternative available to them".

King's proposal for a dual brewing system represented a remarkable synthesis of traditionalism and liberalism. On the one hand, Councillor King cast his proposal in the terms of cultural tradition: "Here in East London, our population is predominantly Xhosa. You are a self-respecting and proud people. You do not like to be unnecessarily interfered with". On the other, it was a tacit recognition of the individual right to choose. The proposal had the effect of intensifying the dissension on the Council between those who supported a dual system and those who favoured a municipal monopoly. The strongest opposition to King came from the Town Clerk and the Township Manager, two officials who believed strongly in enforcing municipal social controls.¹⁸

The Native Advisory Board's response – Round two

The Board's response to the renewed petitioning was a perfectly pitched manoeuvre. To begin with, the Board placated the Council by employing several rhetorical flourishes. Mr. Dyani said that he appreciated the fact that the profits would be used for the benefit of the community. The Council's reluctance to resort to coercion was also noted with appreciation. Councillor King's compromise suggestion that a dual brewing system be introduced meant "that the Council takes note of the views of the people - a commendable approach indeed". The Board also agreed that, "dangerous concoctions sold on the black market cannot be countenanced ... The maintenance of law and order in any community is a requirement with which all present [are] in entire agreement".

Having given due recognition to the framework of patriarchalism within which both the Council and the Board functioned, the Board proceeded to advance several powerful arguments that struck at the heart of the Council's

¹⁸ ELCC, NAC minutes, 11 May 1959.

position. First, the Board challenged the councillors' facile assumption that all homemade beer was poison: "This, we humbly submit, is an exaggeration".

Second, the Board attributed the problem of social evils to a more fundamental cause than the activities of unscrupulous shebeen owners: "Social conditions of a people with limited employment, housing and other facilities are a breeding ground for the brewing and consumption of illicit concoctions."

Third, in the light of this criticism, the principle of providing social amenities by means of beer profits seemed altogether immoral:

The Council thus legalises open drunkenness and all the evils that accrue from it just because the next day the community may benefit in one sphere or another. In other words, rob and kill Tom today in order to cater for Dick's needs tomorrow. We are asked to condone destruction today because there may be construction or rehabilitation tomorrow.

Fourth, the Board rejected the argument that certain categories of township residents, such as 'busy housewives, lazy housewives and unmarried men', needed to have their beer supplied by the municipality. Board members insisted that such people were quite capable of making satisfactory arrangements to attend to their drinking habits. The Board produced the results of a survey of the views of hostel inmates. The survey concluded that municipal beer production "was turned down without any intimidation whatsoever, [since] the evils of past experience [had] left an unclean record in the minds of the people".¹⁹

Finally, the offer of parallel brewing was also rejected, on the grounds that there would be competition between:

...home brewers who have no legal powers in the field of their operation, and ... the City Council which has overriding powers which they can employ either directly or indirectly to whittle away or even eliminate competition. Thus, there is no question of fair dealing and fair competition.

The Board concluded by unanimously rejecting any form of municipal beer brewing.

Subsequently the Board turned to a strategy of procrastination. After a lengthy study tour (paid for by the Council) to other centres where what the Council was contemplating had already been implemented, Board members returned to East London with their views little altered. Procrastination

¹⁹ ELCC, JLAB minutes, 27 October 1958.

was the Board's only weapon but it was a weapon which capitalized on the confused moral and practical concerns of the Councillors. In September 1958, almost two years after the Council initiated the issue, nothing had yet been achieved. The Board offered to write another report on the issue. The matter was postponed once again, despite increasing Council anxieties about financial shortages and the need to provide housing.²⁰ The beer debate clearly showed the extent to which the subordinate party in a context of patriarchal relations can nonetheless exercise considerable moral suasion.

Arguments for coercive intervention

By November 1958, Councillor Sobey had had enough. In a strongly worded memorandum to the NAC, he maintained that the Board's opposition was based on "very weak and specious reasons". He further claimed that the Board was being subjected to "heavy pressure by the well organised shebeen queens and their gangs". The Board was using delaying tactics, he said. Councillor Sobey wanted to overrule the Board's objections:

Considerable opposition to municipal brewing is normal. It is usually accompanied by boycotting. But when the residents realise that good quality beer can be bought... opposition soon falls away. And when they see the amenities and facilities which are provided from beer profits they gladly agree that they were in error in opposing the establishment of the system.

Since Councillor Sobey was the chairman of the Advisory Board, and hence the only Councillor who regularly attended Board meetings, he was an influential gatekeeper in the relationships between the Board, the NAC and the Council. He had the power to interpret Board proceedings for the Council and could thereby effectively discount many of their arguments. The NAC was very impressed with his memorandum, and recommended to Council to apply to the Minister for the exclusive right to manufacture, sell and supply beer in East London.²¹ It was only the Council's anxieties about violent resistance that halted this initiative.

²⁰ ELCC, Town Clerk's report to NAC, 11 September 1958.

²¹ ELCC, NAC minutes, 6 November 1958.

The limits of coercion: The effect of the national political climate

In his enthusiasm for a municipal beer monopoly, Councillor Sobey had written to the Durban Town Clerk for advice, since Durban's success with municipal beer production was renowned throughout South Africa. The response from Durban contained some practical political advice: "If you have a homebrew system, you should at least defer to a more opportune time (if there is one) the proposal to establish a municipal beer hall".²² The Durban Town Clerk's advice should be understood within the context of an increasingly sensitive national political climate. There was a surge in Africanist political opposition during the late 1950s, and a growing militancy amongst African National Congress (ANC) supporters. In September 1959, the ANC called for a Union-wide boycott of beer halls, and demanded home-brewing of beer.²³ African political opposition was evidently a factor to take into account. During 1959, Durban's beer halls served as the focus for popular protest, and the *Daily Dispatch* carried reports of political agitation in Duncan Village.²⁴

Because of this political climate, the Advisory Board gained renewed strength. It complained that the beer question had been broached at a very awkward time. The Board returned to the Council armed with a unanimous motion taken at a public meeting, that Duncan Village residents opposed municipal brewing.²⁵ Several township residents expressed their grievances in the pages of the *Daily Dispatch*. Effectively, a stalemate had been reached.

The Advisory Board's stance also found support within the white community. An intense debate raged in the *Daily Dispatch*, reflecting an awareness amongst white readers that the wishes of the Advisory Board could not simply be brushed aside. As one writer put it, "Why antagonise [Africans] as their pleasures and leisures are meagre enough already!"²⁶ Readers were especially offended by the idea of subsidising township developments with beer profits. Several correspondents criticised the paternalistic arrogance of councillors who believed they knew best what was in Africans' interests.²⁷

22 ELCC, NAC minutes, 11 May 1959.

23 *Daily Dispatch*, 8 September 1959.

24 For example, *Daily Dispatch*, 27 July 1959.

25 ELCC, JLAB minutes, 21 November 1960.

26 *Daily Dispatch*, 14 April 1959.

27 For example, *Daily Dispatch*, 16 April 1959; 30 April 1959 (Editorial); 13 May 1959; 27 May 1959; 29 May 1959; 30 June 1959; 15 July 1959; 11 November 1959.

Subsequently, at a meeting of East London ratepayers, the beer brewery was struck from the Council's proposed loan schedule. In the face of this popular pressure, the East London City Council decided to defer the issue for six months. The Durban disturbances figured explicitly in the Council's decision.²⁸ As Gary Minkley noted, this vacillation characterised the East London City Council's dealings with Duncan Village. It was "an unsure and ideologically incoherent local state".²⁹

From beer to liquor

The beer issue was finally resolved, not because of any clarity being reached on the moral questions involved, but due to the problem being overtaken by events which completely redefined it. A combination of circumstances had the effect of subsuming the beer issue under the more abstract notion of individual rights. By the late 1950s, there were widespread debates about Africans' right to consume 'European' liquor. Certain interest groups promoted the argument that all individuals should enjoy certain rights with their corresponding obligations.

Certain quarters of opinion had always opposed the sale of any form of liquor whatsoever to Africans. This was on the grounds of opposition to the consumption of alcohol in general. For these people, images of crime, delinquency, prostitution and disorder were the inevitable concomitant of African liquor consumption. At the April 1957 SABRA symposium, *Drankverskaffing en die Bantoe*, the South African Temperance Union expressed its concern about the "fighting, brawling, bodily injuries [and] murder" which were prevalent before liquor controls were instituted on the Witwatersrand. A Pretoria municipal official placed the matter in the context of rapid industrialisation, unprecedented influx of black people into the cities, unhygienic housing conditions, unemployment, insecure families, and the disintegration of social ties. In such a context of instability, liquor abuse had tragic human consequences: "*Geen prys is te hoog vir al die ellende, verdriet, verwaarloosde wesens and al die wrange ontregte wat drankmisbruik oplewer nie*". These sentiments were not only expressed by whites; there was also an African movement called the Independent Order of the True Templars in the 1930s, which encouraged their followers to become teetotalers. Sol Plaatje, one of the

²⁸ *Daily Dispatch*, 29 July 1959.

²⁹ G Minkley, "I shall die married to the beer' ...", *Kronos*, No. 23, November 1996, p. 137.

founders of the ANC, was a member of this movement.³⁰

By the 1950s, the system of 'European' liquor control in South Africa was particularistic, eccentric and inchoate. The general principle that no Africans should be allowed access to hard liquor was in practice qualified by numerous special provisions. In the Cape Province, for example:

No Native, Kafir, Fingo, Basuto, Hottentot, Bushman or the like, who holds a certificate from the Educational Department as an elementary teacher, or ... who has reached the fourth standard of instruction ..., or who is an undergraduate of the University of the Cape of Good Hope, or who is a Minister of the Gospel duly admitted as such into any Christian Church...

would be subject to the laws of prohibition.³¹

As a delegate to the 1957 South African Bureau for Racial Affairs (SABRA) symposium on "Liquor Provision and the Bantu" declared: "One is struck by the lack of uniformity throughout the provinces, which must militate against the successful enforcement of the law by the administrators and those administered".³²

At the heart of the debate was the question regarding the contemporary status of the 'Native'. Were Africans ready yet for modern liberties and controls? Were some more ready for the identities of modernity than others? Or were Africans as a general category still to be controlled with the heavy-handed methods of absolute prohibition?

Three strands of opinion on the matter may be distinguished. At one extreme, the South African Temperance Alliance advocated the total prohibition of traditional beer as well as 'European' liquor as far as black people were concerned. The Alliance rejected the argument that "good class and well educated Bantu" should have the right to consume European liquors. They feared that this would lead to a growing demand on the part of increasing numbers of Africans. And this in turn would lead to the "destruction of a race", similar to the fate of the Maoris in New Zealand.³³

30 P La Hausse, *Brewers, beerhalls and boycotts...*, p. 20.

31 Act 39, 1887, Cape of Good Hope.

32 NG Meyer, "The liquor laws" (Paper, South African Bureau for Racial Affairs (SABRA) on "Drankverskaffing en die Bantoe simposium voordragte", April 1957, pp. 7-8.

33 SP Freeland, "Views of the South African Temperance Alliance" (Paper, SABRA symposium, April 1957), "Drankverskaffing...", pp. 13-19.

According to this view, the problem of domestic beer production was part of a bigger issue, viz. a general collapse in social morals due to alcohol consumption. This objection was therefore not specific to *Africans* drinking but to society at large. In this regard, the Temperance Association's approach had an important levelling effect. *All* people, they believed, were tempted to seek relief from social pressures by means of alcohol dependence.

This universalistic advocacy of liquor controls was shared by a number of clergymen. The United East London Ministers' Fraternal had maintained that there were no adequate grounds for racial discrimination on the matter of liquor control: "What right have we to say that what is wrong for the non-European is right for the European..."³⁴. Similarly, a member of the Dutch Reformed Church's Synodal Commission for Public Morals pressed for stronger controls for all imbibers, regardless of "class and race".³⁵

But a second viewpoint argued that black people required special protection:

In the interests of the whole community it is imperative that we realise that the Bantu people of this land, in common with other races recently emerged from a primitive way of life, are our responsibility as bearers of Christian civilisation. In this sense we *are* our brother's keeper.³⁶

A third strand of opinion was more explicitly liberal, and maintained that Africans and whites had equal rights to consume alcohol. By the 1960s, the argument for liberalising the supply of alcohol to Africans began to be heard in governmental circles. Proposals were made for the lifting of prohibitions altogether, in order to undercut the extensive illegal liquor trafficking networks. This was the position was generally adopted by those officials who had to deal with the practical difficulties of liquor control. Mr. Meyer of Kimberley pointed out that "history has shown that prohibition has always been a failure regarding liquor".³⁷ A policeman said of prohibition that it was costly, and ultimately futile, to implement, and simply had the effect of creating a sense of hostility towards the police.³⁸

This position was usually associated with claims that the African population had already advanced some way towards European civilisation. According to

34 ELCC, General Purposes Committee minutes, 18 January 1951.

35 Ds de Beer, "*Gesigspunt*" (Paper, SABRA symposium, April 1957), "Drankverskaffing...", p. 58.

36 SP Freeland, "Views" (Paper, SABRA symposium, 1957), p. 45. Emphasis added.

37 NG Meyer, "The liquor laws" (Paper, SABRA symposium, 1957), p. 8.

38 HJ du Plooy, "*Gesigspunte van die Polisie*" (Paper, SABRA, symposium, April 1957), "Drankverskaffing...", pp. 71-74.

Mr. Kingsley of Pretoria, the level of development of Africans in South Africa was higher than those in the rest of the continent; hence total prohibition was not appropriate.³⁹

Situated between these views were a number of intermediary positions. Most township officials and City Councillors fell in this middle category. Many of them still wished to control the supply of 'European liquor' to Africans. This position was bolstered by a Government Commission appointed to investigate the provision of liquor to Africans.⁴⁰ The Commission defined the problem under review as one of lawlessness and social degeneration. Alcoholism amongst Africans was seen as the consequence of archaic and inappropriate liquor laws. Drunkenness should be punished, not the illegal possession of liquor. Outmoded legislation prohibiting liquor sales to Africans had also resulted in a bootlegging problem of such proportions that the police were powerless to cope with it.

Furthermore, the Commission warned, the problem had political repercussions, since prohibition "has led to an almost country-wide rebellious reaction on the part of the Natives". The existing legislation was inappropriate because African society was modernising:

Where the Native lives in close contact with the White man, as is the case in all White areas, he is involuntarily assimilating much of the everyday aspects of Western civilisation as his own.. It is wishful thinking therefore, to believe that he can be protected from the evils of civilisation, such as the abuse of liquor. A much better approach for the White would be to develop a better drinking pattern for himself ... which the Native will accept as his own, just as he has accepted our manner of dress...⁴¹

For these officials, a modernising society rendered inherited moral categories and old forms of social control inadequate. Modern forms of social organisation were needed, and this, in its turn, involved new kinds of social categories, ones that were more universalistic and less ascriptive in character. The question of consumption of 'white man's liquor' was now detached from the notion of 'native custom'. This constituted the recognition of the applicability of the right to choose one's own lifestyle. In this respect, therefore, it was a liberal position.

39 SF Kingsley, (Paper, SABRA symposium, April 1957), "Drankverskaffing...", p. 24.

40 "Report of the Commission of Enquiry into the general distribution and selling prices of intoxicating liquor in its application to the supply of liquor to Africans", as quoted in ELCC, Town Clerk's report to NAC, 2 February 1961.

41 "Report of the Commission of Enquiry", par. 50.

Yet the Commission evidently had difficulties in contemplating the wholesale application of liberal principles to the African population. The Commission's Report maintained an uneasy compromise between paternalism and liberalism as the governing principles of ethical life. Hence certain important qualifications were introduced. For example, only the consumption of "harmless beverages", such as light wines and beer, should be allowed for Africans.⁴²

Another qualification, which had some political significance for East London, was that the revenue from liquor sales should be ploughed back "for the improvement of general conditions for Non-Whites".⁴³ This might suggest that the Commission still felt morally uneasy about allowing Africans to consume liquor. Any possible abuses which might occur should be offset by the moral obligation to use profits for virtuous purposes. Interestingly, such a provision was not deemed appropriate for to the white population.

The Commission wanted to distinguish between different categories of Africans. It argued that liquor should be supplied to Africans for purposes of home-consumption in accordance with a permit system. The Commission proposed that any "adult male Native" who had committed no liquor offence or serious crime in the preceding year; who had a permanent residential address; and had who fixed employment, would be entitled to a permit to purchase a certain amount of liquor for home consumption. The permit should be subject to periodic review. The more "civilised or educated or professional Native should be entitled to greater quantities". This was an extraordinarily impractical suggestion, but it illustrates the Commission's incipient recognition that some Africans, at least, were becoming part of modern society.

A further recommendation contained in the Commission's report, was that such beverages as were considered to be sufficiently 'harmless', should only be supplied to Africans for consumption on public premises. Ultimately, the report stated, Africans should be encouraged to build hotels, for which they could then get a licence to supply wine and beer.⁴⁴ In the meantime, beer halls should be built, and therefore *all* local authorities should consider introducing municipal brewing. At sanctioned venues, disciplined conduct could be ensured: "Meetings at Native beer halls should not be allowed, and

⁴² "Report of the Commission of Enquiry", par. 60.

⁴³ "Report of the Commission of Enquiry", par. 64.

⁴⁴ "Report of the Commission of Enquiry", par. 62.

riotous behaviour should be severely suppressed ... Weapons of any description should be prohibited where liquor is consumed...”⁴⁵

In addition to these measures, the Commission wanted to outlaw the uncontrolled domestic brewing of all forms of “concoctions”. A modern society is one characterised by principles of hygiene, order, uniformity and predictability - and such characteristics left little scope for the uncertain hazards of domestic brewing.⁴⁶ This, effectively, legitimised municipal beer monopolies from a perspective of order and modernity.

As a consequence of the Commission’s report, the Liquor Act Amendment Act of 1961 was passed. Black people could now legally buy and drink so-called “European liquor”. This law had the practical effect of relieving the hard-pressed police to focus their attention on more pressing issues, such as influx control. The authorities hoped that the new law would force the shebeens out of business by providing better drink at cheaper prices. But, it has been argued, the new law also benefited wine farmers, because a whole new market was opened up to wine and spirits.

This was followed by the Bantu Beer Act of 1962, which imposed a universal system of beer production, under the control of the new Bantu Administration Boards. According to this law, two-thirds of the profits of beer halls were to be used for housing schemes, and the rest was spent on welfare. Sophisticated new sorghum beer breweries were built, and the sorghum beer industry boomed.⁴⁷ Until the upheavals of 1976, the political atmosphere in the townships was subdued, and the beer issue no longer stirred populist passions. But in 1976, beerhalls were of the first targets for destruction by the militant youth.

For the officials of the East London Municipality, the Commission’s report and the Bantu Beer Act of 1962 was an unexpected boost. The Commission’s liberal assumptions promoted the principle of African liquor consumption; while its paternalistic assumptions justified municipal beer monopolies and the use of beer profits as revenue for township administration. The East London City Council decided to investigate and select suitable sites for the sale of liquor in Duncan Village.⁴⁸ Soon after, the Council resolved to apply to the Minister of Justice for authority to sell wines.⁴⁹

45 “Report of the Commission of Enquiry”, par. 68.

46 “Report of the Commission of Enquiry”, par. 76.

47 P La Hausse, *Brewers, beerhalls and boycotts ...*, p. 64.

48 ELCC, NAC minutes, 4 October 1961.

49 ELCC, Council minutes, 20 October 1962.

The introduction of municipal beer brewing in East London

With its enthusiasm rekindled, and despite the ongoing public protests of 1961, the Native Affairs Committee gathered up its resolve for a final attempt to get municipal brewing off the ground. Its efforts were augmented by research the officials had undertaken while the Advisory Board was procrastinating. Councillor Sobey and the Township Manager, Mr. Venter, had visited the Germiston Municipal Brewery, where they were shown around by a long-standing champion of municipal brewing, Mr. Buitendag. Mr. Buitendag had produced a specialist report for the East London Council, strongly recommending a municipal monopoly.⁵⁰ In March 1961, the Town Council sent two officials to the Transvaal to visit the plants of Jabula Foods (Pty) Ltd, to inspect their method of producing beer. They also visited the CSIR's Kaffir Beer Section, and found that African consumers in Springs and Odendaalsrus "were unanimous in their praise of Jabula beer".⁵¹ While the Councillors had to fend off increasing political opposition, the municipal officials were quietly preparing the ground for action. In the long term, it was these measures that proved more effective than coercion.

But the Council's programme of action did not survive popular opposition altogether unmodified. Instead of a municipal monopoly, the Council decided to settle for a dual brewing system.⁵² This was announced to the Advisory Board on 4 January 1962. Seeing as the Advisory Board now consisted solely of Council appointees (the previous Board had resigned *en masse* the year before), it unsurprisingly endorsed the Council's decision, unanimously.

Beer production began on 5 March 1962, almost six years after the idea was first mooted by the Council. Councillor Addleson officiated at the opening of the new beer hall, and Jabula Foods distributed a hundred gallons of beer free to all residents who attended the opening. Despite an initial boycott, municipal beer was soon selling well.⁵³ Sales increased steadily for the rest of the decade.⁵⁴

In 1963, the Council announced that beer profits would be used for the Mayor's School Feeding Scheme, a kwashiorkor project, and the construction

50 ELCC, Council minutes, 29 September 1960.

51 ELCC, Officials' report to NAC, April 1961.

52 *Daily Dispatch*, 12 April 1961.

53 ELCC, JLAB minutes, 26 March 1962.

54 See, for example, ELCC, Mayor's Minute for 1971, p. 37.

of sports fields.⁵⁵ The Council's paternalist moral impulses had borne fruit. The Council had come to terms with the idea that these worthy projects were, in effect, financed from the pockets of the desperately poor Duncan Village community, by means of liquor profits. While the idea of liquor consumption by Africans was legitimized, and the quality of beer had probably been improved, Africans were still treated vastly differently from white citizens. This showed the growing significance of *apartheid* social control, as well as the limits of the liberal spirit during the 1960s.

Conclusion

The infrastructural improvements in Duncan Village which were financed from beer revenues, poignantly illustrate the moral dilemmas involved in debates about the production and financing of beer. The beer question cannot be reduced to a straightforward conflict of interests, even though the various protagonists certainly had interests which they wanted to promote. It was also a product of the city fathers' sense of impending social disintegration in the cities. While this anxiety was shared by all parties to the debate, different moral paradigms posited the problem of social order in different ways. These divergent interests only made sense within moral frameworks of meaning. According to each participant's perspective, certain moral claims made intuitive sense.

This analysis has served to illustrate two further themes. The first is a point about the nature of moral argument in concrete social contexts. Political morality is a matter of individual deliberation, choice and responsibility. There are seldom clear-cut boundaries between differing intuitions of right and wrong. Within complex social situations, individuals (or groups of individuals) may constitute their moral outlooks in a myriad of ways.

As a consequence, political actors sometimes found themselves unexpectedly sharing the same platforms. On occasion, people with profoundly different moral assumptions advocated the same practical policies; on other occasions, people who largely shared the same moral paradigm, found themselves at loggerheads about practical details. Individuals may also change their views over time, especially in the light of new moral and practical arguments.

55 ELCC, JLAB minutes, 4 February 1963.

During the 1950s, cities such as East London were experiencing the birth-pains of a modern social order. This entailed the transition from pre-modern, paternalistic systems of social control to some more modern universalistic ideas. The beer issue provides a snapshot of a society in transition, one in which people were groping towards new principles to order social life.

In the course of this process of change, the ambiguities inherent in paternalism increasingly bedevilled coherent social reform. Political leaders had to tailor effective responses to the travails of modernity in many different ways. The process of modernisation was, with increasing intensity, posing the question: “What form of political morality would be most suitable for a modern society in South Africa?”

Paternalism, in its various guises, informed moral perspectives right up until the 1980s. But from the 1960s, it was built on a renewed focus on African tribal identities, in the form of Verwoerdian social engineering. Paternalism became increasingly coercive, and it eclipsed the glimmerings of universalist and liberal reasoning which characterised some of the social reformers of the 1950s.