

‘HOOLIGANS, SPIVS AND LOAFERS’?: THE POLITICS OF VAGRANCY IN 1960s SOUTHERN RHODESIA*

BY JOCELYN ALEXANDER

University of Oxford

ABSTRACT: In 1960, amidst the most violent period of protest since conquest, the Southern Rhodesian government implemented a new Vagrancy Act alongside a range of repressive legislation. The Act’s origins lay in a particular analysis of the social origins of unrest. It was unprecedented in promising not to exclude and criminalise ‘vagrants’ but to rehabilitate them as productive urban citizens. By presenting the Act as reformist and progressive, the government sought legitimacy for its actions. In fact, the Vagrancy Act was deeply punitive, underlining the tensions between reform and repression in settler social engineering. African leaders and Africans targeted by the Act saw it as a means of humiliating and criminalising those denied a livelihood by the settler political economy. In rejecting the Act, they invoked different models of citizenship to those on offer from the state. The Vagrancy Act ultimately met its demise at the hands of the Rhodesian Front, whose analysis of African protest made no space for the possibilities of reformist social engineering.

KEY WORDS: Zimbabwe, employment, labour, law, urban, welfare.

THE study of vagrancy has long played a central role in histories of labour, of the poor and ‘undesirable’, and of the social origins of law. In the African context, it has illuminated the ways in which colonial states, employers, missionaries, and others have sought to police the city, make good citizens, discipline or emancipate black labour, and define and control social categories deemed a moral menace.¹ My focus is on a particular moment in the long and varied life of vagrancy law in Southern Rhodesia. In 1960, a new Vagrancy Act was passed in the wake of the most extreme urban African violence of the

* Author’s email: jocelyn.alexander@qeh.ox.ac.uk

¹ For a variety of approaches, see A. Burton, *African Underclass: Urbanisation, Crime and Colonial Order in Dar es Salaam* (Oxford, 2005); E. Elbourne, ‘Freedom at issue: vagrancy legislation and the meaning of freedom in Britain and the Cape Colony, 1799 to 1842’, *Slavery and Abolition*, 15:2 (1994), 114–50; R. J. Gordon, ‘Vagrancy, law and “shadow knowledge”: internal pacification 1915–1939’, in P. Hayes, J. Silvester, M. Wallace, and W. Hartmann (eds.), *Namibia under South African Rule: Mobility and Containment 1915–46* (Oxford, 1998), 51–76; J. Martens, ‘Polygamy, sexual danger, and the creation of vagrancy legislation in colonial Natal’, *Journal of Imperial and Commonwealth History*, 31:3 (2003), 24–45; L. White, ‘Vice and vagrants: prostitution, housing and casual labour in Nairobi in the mid-1930s’, in F. Snyder and D. Hay (eds.), *Labour, Law and Crime: An Historical Perspective* (London, 1987), 216–21; J. Willis, ‘Thieves, drunkards and vagrants: defining crime in colonial Mombasa, 1902–32’, in D. M. Anderson and D. Killingray, *Policing the Empire: Government, Authority and Control, 1830–1940* (Manchester, 1991), 219–35; W. Worger, ‘Convict labour, industrialists and the state in the US south and South Africa, 1870–1930’, *Journal of Southern African Studies*, 30:1 (2004), 63–86.

early nationalist era. In this moment of upheaval, the Act's deployment expressed the state's shifting notions of criminality, race, gender, and threats to order, as well as new disciplinary strategies. While the government targeted nationalists with the most repressive security legislation Southern Rhodesia had yet seen, the Vagrancy Act, though undoubtedly punitive, had more complex origins in an analysis of the social roots of unrest. It called for the 'rehabilitation' of 'hooligans, spivs and loafers' into 'useful citizens' of the city. This approach was unprecedented: all previous vagrancy legislation had sought the exclusion of 'undesirables' from the city, not their transformation into productive urban citizens.

If the Act marked an effort to distance the state from punitive responses to poverty and protest, it was entirely unsuccessful. Africans saw the Act not as an enlightened nod to the possibilities of rehabilitation but as a means of humiliating and criminalising those denied a livelihood by their exclusion from both employment and the land. The Act underlined the impossibility of representing settler governance as 'progressive' to an African audience able to draw on models of citizenship rooted in nationalism. The Act's ultimate demise was a result of the political transition brought about by the Rhodesian Front's rise to power in December 1962, and its redefinition of the remedies for unrest in a mould unapologetically devoid of the rhetoric of progress or the ambitions of postwar social engineering.

VAGRANCY AND VAGRANCY LAWS

Vagrancy laws have a lengthy and much debated European history. Framed and reframed so as to confront changing economic circumstances, moral panics, views about work and charity, and fears of criminality, it is difficult to generalise about such laws save to say that they were centrally about the apprehension of those deemed a threat to the social order.²

Colonial states in Africa imported European vagrancy law in the nineteenth and early twentieth centuries. They found much to embrace in the long legal heritage of controlling the movement of 'masterless men' and defending urban areas against the poor, and echoed European applications of the law intended to confront threats to the social or moral order.³ However, the centrality of race and the elaboration of an intensely regulated labour market distinguished colonial practices.⁴ Vagrancy legislation most commonly criminalised the 'idle' black man, for whom the appropriate punishment

² See, for example, J. S. Adler's review of European and American vagrancy law, 'A historical analysis of the law of vagrancy', *Criminology*, 27:2 (1989), 209–29; and the discussion of debates over the origins of vagrancy law in Europe and America in M. Ignatieff, 'State, civil society and total institutions: a critique of recent social histories of punishment', in S. Cohen and A. T. Scull (eds.), *Social Control and the State* (New York, 1983), 75–105.

³ For South Africa generally, see M. Chanock, *The Making of South African Legal Culture, 1902–1936: Fear, Favour and Prejudice* (Cambridge, 2001), ch. 16. For Natal specifically, see Martens, 'Polygamy'.

⁴ As Florence Bernault has argued, colonial legal and carceral strategies generally differed from their European counterparts in relation to race and labour. See F. Bernault, 'The politics of enclosure in colonial and post-colonial Africa', in F. Bernault (ed.), *A History of Prison and Confinement in Africa* (Portsmouth, NH, 2003), 1–54.

was almost always deemed to be forms of forced labour and exclusion from the city.⁵ In settler states, ideas about vagrancy were rapidly tied up with the promulgation of a dense network of pass, trespass, and masters and servants laws. Southern Rhodesia's vagrancy ordinances were imported from the Cape in the late nineteenth century, and were initially intended to aid in the regulation of African urbanisation.⁶ Over time, the right to be in urban areas was tied to the existence of a labour contract and the observance of a host of regulations that required the carrying of identification and passes, and severely restricted – and gendered – movement across time and space.⁷ Infringements led to arrests, fines, and imprisonment, almost invariably with hard labour, for tens of thousands of African 'petty offenders' every year, a price defended as necessary variously for the protection of public morality and private property, the control of labour, the raising of revenue, and the prevention and detection of crime.⁸

Vagrancy law was but one component of Southern Rhodesia's legislative web and its use varied widely. Early vagrancy law, though draconian, had proved controversial and difficult to enforce: magistrates had pointedly refused to convict where they felt penalties were unjust or unduly harsh.⁹ State concern over the moral threat posed by the urban immigration of black women in the 1930s led to a renewed debate over the utility of vagrancy law. In the end, police were instructed to use it to target the specific category of newly arrived young women deemed to be in town for 'immoral purposes' – but once again, as Teresa Barnes has shown, enforcement proved difficult and divisive.¹⁰ In the following decades, a host of new urban regulations were created so as to more strictly enforce 'influx control', alongside efforts to develop black urban areas in a planned and orderly fashion. As elsewhere in colonial Africa, in the post-Second World War years, these initiatives culminated in state efforts to mould urban Africans into a 'stable' class, built on the foundations of formal sector work, the nuclear family, and gendered notions of respectability, in preference to reliance on the labour of single, migrant men.¹¹ Also as elsewhere, such attempts to impose a new

⁵ For example, see Burton, *African Underclass*, ch. 1; Chanock, *The Making*, 68. Such laws were heatedly contested in nineteenth-century South Africa. See Elbourne, 'Freedom at issue'; and T. Keegan, *Colonial South Africa and the Origins of the Racial Order* (London, 1996).

⁶ C. Palley, *The Constitutional History and Law of Southern Rhodesia, 1888–1965, with Special Reference to Imperial Control* (Oxford, 1966), 102.

⁷ For Southern Rhodesia, see T. Barnes, *'We Women Worked So Hard': Gender, Urbanization, and Social Reproduction in Colonial Harare, Zimbabwe, 1930–1956* (Oxford, 1999).

⁸ See the wide-ranging debates on 'petty offenders' in National Archives of Zimbabwe, Harare (NAZ) S235/355, Circulars 1934.

⁹ See correspondence between township authorities, police, and magistrates in NAZ S235/440. Colonial vagrancy laws were rarely implemented to the letter: see Burton, *African Underclass*, ch. 1; Willis, 'Thieves'; and Gordon, 'Vagrancy'.

¹⁰ Barnes, *'We Women'*, 71–80; T. Barnes, 'The fight for control of African women's mobility in colonial Zimbabwe, 1900–1939', *Signs*, 17:3 (1992), 586–608.

¹¹ See B. Raftopoulos and Tsuneo Yoshikuni (eds.), *Sites of Struggle: Essays in Zimbabwe's Urban History* (Harare, 1999). On the central role of ideas about gender in urban struggles in the 1940s and 1950s, see T. Barnes, "So that a labourer could live with his family": overlooked factors in social and economic strife in urban colonial Zimbabwe,

order created new forms of disorder as this model of the 'urban citizen' excluded and criminalised the very many who fell short of the ideal.¹² It was from this context that the 1960 Vagrancy Act would emerge in Rhodesia.

THE CONTEXT OF THE 1960 VAGRANCY ACT

The 1950s in Southern Rhodesia has often been cast as a relatively progressive and prosperous passage, falling between the austerity and turbulence of the war years and the economic contraction, political repression, and rise of the far right Rhodesian Front that marked the end of the decade and early 1960s. The period was shaped by a booming economy, the launch of the Central African Federation (encompassing Southern and Northern Rhodesia and Nyasaland), and the United Federal Party's 'liberal' policy of partnership with its promise of increased opportunity for a black middle-class and a relaxation of racial discrimination.¹³ It encompassed ambitious plans for social engineering that required extensive state intervention in both urban and rural areas. The appearance of prosperity and progress was, however, superficial: Southern Rhodesia was about to enter its most tumultuous period since conquest.

An explosive combination of social and economic pressures came into play in the 1950s. They included high levels of unemployment, drought, the consequences of large-scale evictions of Africans from 'white' farms, and the severe dislocations occasioned by the Rhodesian state's most ambitious piece of social engineering, the Native Land Husbandry Act of 1951.¹⁴ Among other things, the Land Husbandry Act sought to permanently limit the number of Africans eligible for land in those rural areas set aside for African occupation, the so-called reserves. Those excluded from the land and thus a rural livelihood were to be absorbed in the fast-growing formal employment market of the cities. African men were to be proletarians or yeoman farmers, living 'stable', married lives, whether urban or rural. This was expected to yield great economic advantages, as well as moral and political benefits, producing 'stabilized populations based on the complete family unit' which 'offer the soundest prospect both for the social advancement and the political stability of the African future'.¹⁵

By the late 1950s, however, it was no longer possible to pretend that this vision of 'stabilized populations' was plausible. Tens of thousands of young

1945–1952', *Journal of Southern African Studies*, 21:1 (1995), 104–6; T. Barnes, '“Am I a man?”: gender and the pass laws in urban colonial Zimbabwe, 1930–80', *African Studies Review*, 40:1 (1997), 59–81; and T. Scarnecchia, 'Poor women and nationalist politics: alliances and fissures in the formation of a nationalist political movement in Salisbury, Rhodesia, 1950–6', *Journal of African History*, 37:2 (1996), 283–310.

¹² See Burton, *African Underclass*, 10.

¹³ M. O. West, *The Rise of an African Middle Class: Colonial Zimbabwe, 1898–1965* (Bloomington, IN, 2002); B. Raftopoulos, 'Nationalism and labour in Salisbury, 1953–1965', *Journal of Southern African Studies*, 21:1 (1995), 79–93.

¹⁴ J. Alexander, *The Unsettled Land: State-making and the Politics of Land in Zimbabwe, 1893–2003* (Oxford, 2006), ch. 2.

¹⁵ Government of Southern Rhodesia, *What the Native Land Husbandry Act Means to the Rural African and to Southern Rhodesia: A Five Year Plan that will Revolutionise African Agriculture* (Salisbury, 1955), 14.

men found themselves denied agricultural land, unable to find employment, and only precariously lodged in overcrowded African townships and hostels. In the 1959–60 agricultural season, the situation was compounded by severe drought, which drove people into the cities in search of work. A reporter for the newspaper *Bantu Mirror* angrily described the scene in Southern Rhodesia's second city: 'The plight of hundreds of hungry, jobless Africans in and around Bulawayo is simply pathetic, sickening and unnerving. They have roamed to and from the factories and employment exchanges during the past six months in daily despair and frustration.'¹⁶

In this context, the towns were increasingly depicted as besieged by vice and criminality.¹⁷ The police waged a constant battle against 'undesirable' urban Africans.¹⁸ There were 'swoops' on illegal traders, and a 'war' on informal vendors; there were raids on 'loose women', some of whom were charged as vagrants; there were 'round-ups' of tsotsis and 'clean-ups' of thieves; and much hand-wringing over the threat of juvenile crime. Lurid reporting on a spate of knife attacks, on the immoral activities that blossomed in the confines of the drinking dens known as *shebeens*, and on the craze for what were called *Mahobo* parties filled the pages of newspapers, both African and European, and fuelled a by turns apprehensive and outraged public discourse.¹⁹ As Barnes emphasises, this outrage was often gendered: 'women were the villains whose bad behaviour was to blame for the upheavals in African society'.²⁰

This was the backdrop to the worst outbreaks of political violence since conquest. In 1958 and 1959, the Southern Rhodesian African National Congress (ANC) made significant inroads in urban and rural areas. The stage for conflict was set with the declaration of a State of Emergency in February 1959, and legislation was rapidly passed banning the party and allowing preventive detention of nationalists.²¹ The ANC was, however, simply replaced by the National Democratic Party (NDP) in January 1960, and urban and rural protest escalated. In July 1960, the arrest of three prominent NDP leaders in Salisbury sparked massive riots in the African township of Harare almost immediately and in the townships of Bulawayo a few days later. In Bulawayo, the Federal armed forces and Southern Rhodesian police used tear gas and live ammunition to bring order; at least 12 Africans were killed and over 500 arrested.²² Political meetings were subsequently banned, but strikes, riots, stonings, arson, and student unrest continued. A major riot in

¹⁶ *Bantu Mirror* (Salisbury), 4 June 1960, cited in T. Ranger, *Bulawayo Burning: The Social History of a Southern African City, 1893–1960* (Harare, 2010), 219.

¹⁷ See West, *The Rise*, ch. 4, for a discussion of the shifts in African housing and their link to ideas about moral decay and crime in this period.

¹⁸ See NAZ RG3/BRI 41, Southern Rhodesian Departmental Reports, British South Africa Police (BSAP), Annual Reports of the Commissioner, 1956–9.

¹⁹ See especially the vivid reporting in the media aimed at African audiences, notably the often outspoken and independent *Central African Daily News* and the popular magazine *African Parade*. On the media in Rhodesia generally, see E. Windrich, *The Mass Media in the Struggle for Zimbabwe: Censorship and Propaganda Under Rhodesian Front Rule* (Gwelo, Zimbabwe, 1981).

²⁰ Barnes, 'We Women', 132.

²¹ See N. Bhebe, 'The nationalist struggle, 1957–62', in C. Banana (ed.), *Turmoil and Tenacity: Zimbabwe 1890–1990* (Harare, 1989), 68–9.

²² For a detailed analysis of developments in Bulawayo, see Ranger, *Bulawayo*, ch. 7.

Salisbury on 8 October left seven shot dead by the police and over 100 arrested. On 9 October, the Midlands town of Gwelo experienced what were described as its worst riots ever; Bulawayo was host to strikes and student protests the following day.²³

It was in the immediate aftermath of the October confrontations that the Vagrancy Act was passed, alongside two other notorious pieces of legislation that greatly expanded the repressive capacity of the state: the Law and Order (Maintenance) Act and the Emergency Powers Act. The latter two have received extensive analysis—and condemnation—both at the time and subsequently. Sir Robert Tredgold, the chief justice of the Federation and formerly Southern Rhodesia's chief justice, famously resigned over the Law and Order (Maintenance) Act, dubbing Southern Rhodesia a 'police state', and describing the Act as 'savage, evil, mean and dirty'.²⁴ Both Acts, in their multiply amended and extended forms, stood at the centre of successive Rhodesian governments' strategies of political repression through the next two decades.

The Vagrancy Act, by contrast, was short-lived and has attracted little attention, save for brief asides suggesting it was simply part and parcel of a newly repressive regime.²⁵ It *was* that—particularly in the eyes of the police and the African public—but it was more besides. As discussed further below, for leading members of the United Federal Party (UFP), it reflected an analysis of social and political disorder that called for a remedy beyond repression, and which they sought to root in a broader postwar trend towards penal reform that drew on international ideas and sought legitimacy in the face of both nationalist and international critics.²⁶ The centrality of the Act to the UFP's diagnosis of disorder and its remedy was made clear by its rapid passage through parliament. With troops still occupying the townships, the Vagrancy Bill was read in parliament on 19 October. It appeared to have been hastily cobbled together. Omissions and errors forced the Minister himself to offer multiple amendments. Nonetheless, the Bill was passed the following day and became law within 24 hours, apparently a peacetime record.²⁷ Round ups of 'vagrants' by police and a hastily drafted corps of thousands of police reservists, both white and black, began on 22 October.²⁸

The 'vagrants' were to be sent to 'reception centres' pending their appearance in special courts run by magistrates. Subsequently they were to

²³ Bhebe, 'Nationalist struggle', 74–7.

²⁴ R. C. Tredgold, *The Rhodesia That was My Life* (London, 1968), 229–33; Bhebe, 'Nationalist struggle', 81.

²⁵ For example, J. P. Barber, *Rhodesia: The Road to Rebellion* (London, 1967), 55; Bhebe, 'Nationalist struggle', 80.

²⁶ See Bernault, 'The Politics of enclosure', 25–6.

²⁷ 'Vagrancy bill has now been gazetted', *The Chronicle* (Bulawayo), 22 October 1960. On the many amendments and concern over the speed of the Act's passage, see *Southern Rhodesia Legislative Assembly Debates* (SRLAD), vol. 46 (Salisbury, 1960–61), cols 2213–90.

²⁸ 'Police clean African townships as Vagrancy Act comes into effect', *African Daily News* (Salisbury), 22 Oct. 1960. The British South Africa Police, *Annual Report 1960* (Salisbury, 1961), 4 and 26, notes that there were 12,347 European police reservists and 3,168 African reservists in 1960, up from a total number of 4,417 combined European and African reservists the previous year, and praises their role in 1960 in 'arresting vagrants and generally clearing out the undesirable elements' in the townships.

be 'committed' to 're-establishment centres' where they would undergo a programme of rehabilitation. The Act was portrayed as non-racial – it would be applied to all. The centres would, however, be segregated. Black male vagrants were to be sent to one of three reception centres located near Salisbury, Bulawayo, and Gwelo, and from there to a separate re-establishment centre. A combined reception and re-establishment centre for white, Asian, and 'coloured' male vagrants was gazetted at Enslinsdeel, a home for destitute white men. Provision for white women vagrants was made at Ashbourne house in the premises of Bulawayo hospital, though the Act was only briefly applied to a handful of white women. No provision at all was made for black women, despite their having been targeted in recent uses of vagrancy law. The new Act was no longer about the sexual and moral threat posed by single black women; the threat now was that of single black men, unsocialised by marriage and work.²⁹

The problem with implementing this elaborate plan was that virtually none of the necessary infrastructure existed. There followed a chaotic and costly process of construction and recruitment that gave little attention to the goals of rehabilitation. The extraordinary measures undertaken in the days after the Act's passage are vividly illustrated in the breathless account of W. J. J. Welch, manager of Senka township in Gwelo.³⁰ Welch was informed on 20 October that he was to assist in the 'imminent application' of the Vagrancy Act. That night, he was told that detention and reception centres needed to be ready in just three days. The Ministry of Works immediately set about erecting 'detention cages' at the police lines. For the reception centre, Welch identified a disused primary school. From 22 to 24 October convict labour worked extended shifts (as at other centres) to convert the school to its new use. Welch meanwhile recruited staff, engaging Africans 'with some previous knowledge of Police or Military discipline'. No training in prison or welfare work was deemed relevant. Welch signed up an ex-sergeant of the Criminal Investigation Department (CID) and 12 ex-police constables. Elsewhere ex-servicemen dominated recruitment.³¹ Supplies arrived on 23 October, and guards were hurriedly 'kitted out' in uniforms so as 'to distinguish them from the detainees' who duly arrived on 24 October. Welch

²⁹ Precisely when the decision to exclude black women was taken is unclear – they were certainly on the agenda in parliamentary debates, and after the Act's passage black men called for them to be targeted in the press. See SRLAD, vol. 46, col. 2236; 'Vagrancy situation fraught with danger, says Minister', *The Herald* (Salisbury), 20 Oct. 1960; letter to the editor from M. D. Maposa, entitled 'Women are the real vagrants', *African Daily News*, 29 Nov. 1960.

³⁰ See NAZ S3615/7/172, W. J. J. Welch, Town Manager, Senka, Gwelo, to the Director, Department of Social Welfare and Probation, 7 Nov. 1960.

³¹ For an account of the Salisbury reception centre, see 'Films – and bottle tops – for the Salisbury vagrants', *The Chronicle*, 28 Oct. 1960. I draw on the mainstream European newspapers as well as the 'African' press in constructing this account. The main European papers – *The Herald*, *The Chronicle* and their Sunday counterparts – were owned by the South African Argus Press. Argus supported the 'old Establishment' politics of the parties of Huggins, Welensky, and Whitehead and continued to do so after the rise of the Rhodesian Front. It opposed the Front's Unilateral Declaration of Independence but remained 'solidly conservative'. *The Central African Examiner* offered a 'liberal' view. See Windrich, *Mass Media*, 57–61.

completed his team on 25 October with a local farmer who had served in the Indian Army and apparently run a 'rehabilitation school' in India. Though none were as fast as Welch's operation at Gwelo, the two other reception centres for black men also took shape at breakneck speed. In Bulawayo, the only partially completed Ntabazinduna reception centre received its first inmates on 25 October.³² The Salisbury reception centre was built in a week, opening on 28 October.

In this chaotic atmosphere, officials received scant guidance as to how the Act was to be implemented. Regulations covering the management of centres, the establishment of advisory boards, and the enforcement of discipline were not available for over two weeks after the roundups began.³³ In the absence of guidance, officials running reception centres opted for a military ethos, backed by 'a discreetly hidden baton'.³⁴ For their part, the magistrates charged with running the 'special vagrancy courts' faced 'one of the trickiest legal problems in the Territory's history'. When Bulawayo magistrates set up their courts there were only five copies of the Vagrancy Act available, several of which were missing a page. Nowhere did the Act specify how inquiries were to be conducted. Magistrates 'devised a kind of do-it-yourself jurisdiction', as one put it, opting for a modified version of the procedures of a criminal court. Bulawayo's chief magistrate admitted that judges were simply 'using their own discretion'.³⁵ At first magistrates' hearings were held in secret at police camps where the hundreds of men arrested in the first 'swoops' were detained temporarily, but by the end of the first week, courts had been moved to court houses.

Both the special vagrancy courts and the hastily constructed reception centres were overwhelmed in the first weeks of the Act's enforcement when arrests took place at their fastest rate. Hundreds of black men sat behind the wire in police camps and reception centres week after week as the 're-establishment centre' intended for them took shape on a wooded state farm outside Gwelo town. It was named Wha Wha, which means 'beer', a seemingly inauspicious title for an institution devoted to rehabilitating the supposedly 'work-shy'. Wha Wha was run by Social Welfare, a once tiny department devoted to the troubles of poor and delinquent whites that had undergone rapid expansion as its remit was extended to Africans in the postwar period. Brian Dennis Beecroft, a British probation officer recruited in 1949, proudly remembered the ambition and effort that went into Wha Wha, which was equipped with sophisticated machinery and workshops, staffed by industrial instructors, and had a capacity to hold 480 men.³⁶ It would serve as the central institution of vagrant rehabilitation from its inauguration in late November 1960 until it was shut

³² 'City's vagrants moved into partly-built reception centres', *The Chronicle*, 26 Oct. 1960.

³³ 'Vagrants may be made to do work', *The Chronicle*, 5 Nov. 1960.

³⁴ 'Films', *The Chronicle*, 28 Oct. 1960.

³⁵ 'Vagrancy court problem for magistrates', *The Chronicle*, 29 Oct. 1960.

³⁶ NAZ ORAL 242, Brian Dennis Beecroft, interviewed by I. J. Johnstone, Alderholt, England, 18 Nov. 1983.

down at the end of August 1963 by the recently installed Rhodesian Front government.

THE OFFICIAL PURPOSES OF THE VAGRANCY ACT

Why did the Southern Rhodesian government place such great weight on the speedy passage and expensive implementation of the Vagrancy Act? After all, vagrancy legislation already existed, and the Law and Order (Maintenance) Act and Emergency Powers Act provided a veritable arsenal of new powers through which to control political protest. While the Act was certainly part of the broader set of responses to the violent upheavals of 1960, it was cast not as a straightforward tool of repression but as part of a series of measures intended to address what were seen by the UFP and welfare arms of the state as the social roots of political disorder. Other, always woefully inadequate and at times wholly unrealised, measures were intended to improve urban housing and employment conditions.³⁷

For Edgar Whitehead's UFP government, the political upheavals of 1960 were grounded in the evils of urban overcrowding and unemployment, which were together responsible for creating a destabilising population. In this view, nationalists were able to exploit—always in illegitimate ways—both real grievances and these anti-social elements. While nationalist leaders were deserving of the punitive powers of security legislation, the great body of rioters was judged to be in need of a rehabilitative regime.³⁸ In presenting the Vagrancy Act to the legislative assembly, Minister of Labour, Social Welfare and Housing A. E. Abrahamson cast the African townships as essentially a well-ordered social world bounded by the family and work that had been disrupted by a minority of unemployed 'bachelor men', who could simply be removed from the scene. The Vagrancy Act would 'root out' the 'hooligans, spivs and loafers', 'clean out' troublemakers, and 'remove a certain amount of the "dry tinder" that created riots'.³⁹ The minister's analysis of the rioters was not in fact accurate—the main body of rioters were employed and many were married⁴⁰—but it nonetheless stood at the heart of the government's strategy of social reform, based on a vision of a particular set of gender and labour relations which were believed to blunt the appeal of nationalism.⁴¹

³⁷ See Bhebe, 'Nationalist struggle', 68–9; Ranger, *Bulawayo*, 238–40.

³⁸ See the views of Minister A. E. Abrahamson in SRLAD, vol. 46, cols 2303 and 2614; and 'Two Bills give teeth to campaign against hooligans, spivs', *The Chronicle*, 19 Oct. 1960; 'Vagrancy situation is fraught with danger, says Minister', *The Herald*, 20 Oct. 1960; 'Vagrancy Act arrests now almost 700—Abrahamson. No NDP Members are among those held—and MPs applaud', *The Chronicle*, 29 Oct. 1960.

³⁹ SRLAD, vol. 46, cols 2213–21 and 2257; 'Assembly rejects bid to rush through vagrancy bill. European, Coloured loafers to be affected, says Minister', *The Chronicle*, 20 Oct. 1960.

⁴⁰ Evidence of MP Ahrn Palley, SRLAD, vol. 46, col. 2237. Ranger shows that, of those arrested in the aftermath of the rioting in Bulawayo, as many were married as single and most were employed: Ranger, *Bulawayo*, 234–6.

⁴¹ There are of course parallels to these ideas elsewhere. See Luise White's analysis of official views of the relationship between gender relations and Mau Mau in Kenya: L. White 'Separating the men from the boys: constructions of gender, sexuality, and terrorism in central Kenya, 1939–1959', *International Journal of African Historical Studies*, 23:1 (1990), 1–25.

As we have seen, while the Act sought to identify social groups that threatened order, it differed from previous legislation here and in much of colonial Africa in that it did not seek to remove Africans to the confines of the rural reserves. This was in fact not always possible as the Land Husbandry Act had greatly limited the rights of young men to a rural livelihood. Its stated aims (if not its practice, as we shall see) were not to exclude, criminalise, or punish, but rather to rehabilitate through a programme of industrial training and character reform. Those committed under the Act were not to be thought of as criminals at all: they were referred to as ‘subjects’ not the ‘accused’ in court; they were ‘interviewed’ not ‘tried’; they were not sent to prison but to ‘reception’ and ‘re-establishment’ centres. The Act was based on the notion that ‘hooligans, loafers and spivs’, once engaged in productive work, might be ‘re-established’ as citizens of a healthy polity and urban society. For Abrahamson, ‘The object was to try to reclaim human beings’, to ‘make them good and useful citizens.’⁴²

This presentation of the Act as a means of making ‘citizens’ echoed the treatment accorded detained nationalists who were assigned rights and privileges (heavily circumscribed in practice) that distinguished them from criminals. These moves, always more rhetorical than real, were intended to legitimise official responses to nationalist protest in the eyes of government critics, Africans, and an international audience.⁴³ Not everyone was convinced. Africans launched heated attacks as we shall see, but there was also a host of objections from outside Southern Rhodesia and from within government.⁴⁴ Legislative assembly debates revealed the UFP to be acutely attuned to criticism from abroad, and to any suggestion that it was not acting in a ‘modern’ and ‘progressive’ manner in tune with its claims to a liberal mantle. The heated debate over the Act’s genealogy was revealing. Under fire from the ever critical Independent MP Ahrn Palley, a detailed discussion of the historical origins of the Act took place. Minister Abrahamson stressed its recent roots in the British National Assistance Act of 1948; his critics played on the reproduction of much older clauses and language drawn from nineteenth-century British vagrancy law, and twentieth-century colonial legislation, both Southern Rhodesian and Kenyan. A frustrated Abrahamson, desperate to defend his and his government’s reformist intentions, repeatedly claimed the Act was ‘modern’, and tried to make the case that it was, if anything, more progressive than the 1948 British legislation on which it drew. In the face of charges that the Act was a recipe for forced labour that might contravene international conventions or be used to target nationalists, Abrahamson heatedly offered to resign should any such abuses take place.⁴⁵

Abrahamson’s defence was unconvincing. The Act did, as the minister was forced to admit, draw on the language and categories of older Rhodesian and

⁴² See Abrahamson in SRLAD, vol. 46, cols 2253–6, and in ‘Round up of vagrants to start soon’, *The Herald*, 20 Oct. 1960.

⁴³ See J. Alexander, ‘Nationalism and self-government in Rhodesian detention: Gonakudzingwa, 1964–1974’, *Journal of Southern African Studies*, 37:3 (2011), 553.

⁴⁴ The International Labour Organisation launched an investigation, which eventually exonerated the government; there were questions in London from British Labour and Liberal MPs. See ‘Vagrancy – S.R. action is criticised’, *The Chronicle*, 27 Oct. 1960; ‘Labour attacks Vagrancy Act’, *The Herald*, 2 Dec. 1960.

⁴⁵ SRLAD, vol. 46, cols 2294–8, 2300–03 and *passim*.

Kenyan vagrancy law, and it certainly did not offer more enlightened treatment than British legislation.⁴⁶ In addition, as Ahrn Palley repeatedly pointed out, the claim that those consigned to the Vagrancy Act's institutions were not criminals was undermined by the fact that they were subject to harsher penalties for indiscipline than were convicts in prisons. Under the new Act, vagrants were also liable for a lengthy sentence—up to three years—while three months had been the maximum under previous vagrancy legislation. Abrahamson defended the harsh punishments on the grounds that some vagrants might be even more difficult to control than criminals, and the length of sentence as necessary to the process of rehabilitation.⁴⁷ Neither argument offered much comfort to the inmates of vagrancy institutions. Nor was the Act kind to alien Africans to whom the promise of 're-establishment' was not to be offered. Though they had long constituted a large part of Southern Rhodesia's African urban population and work force, they were now cast as an intractable cause of social instability. Abrahamson singled them out as forming the majority of the worst group of 'hooligan bachelor unemployables'.⁴⁸ They would simply be deported *en masse*.

The clearly highly problematic 'progressive' aims of the Act were in addition far from uniformly embraced across the state's institutions, notably in the case of the police. At first, the police saw the enforcement of the Vagrancy Act as a 'weeding exercise' that bore fruit in reducing crime: the unemployed man was first and foremost a potential criminal.⁴⁹ Police also sought to use the Act as a straightforward means of political control. In the aftermath of the banning of the successor party to the NDP in 1962, police in Bulawayo pleaded for a 'reception centre' in which to hold nationalist youth, most of whom they admitted were in no sense vagrants. They simply wanted to use the provisions of the Vagrancy Act, which allowed for 'subjects' to be held for a 28-day period pending investigations, so as to 'sift' those they considered 'undesirables'.⁵⁰ In this, the police sided not with the reformist pretensions of the Social Welfare Department and UFP ministers but with the right wing opposition whose leaders paired the categories of hooligan and terrorist, not hooligan and loafer.⁵¹

THE VAGRANCY ACT IN PRACTICE

Who did the Vagrancy Act actually catch out? Those who appeared in the courts were picked up on the streets in raids or 'swoops' carried out by the police. They in theory included anyone who was 'unable to show that he has employment or visible and sufficient means of subsistence', as well as the more specific categories that had long been the stock in trade of vagrancy

⁴⁶ See Palley, *Constitutional History*, 626, fn 6.

⁴⁷ SRLAD, vol. 46, cols 2223, 2237, and 2287–9.

⁴⁸ See Abrahamson's comments in 'Vagrancy situation is fraught', *The Herald*, 20 Oct. 1960; Bhebe, 'Nationalist struggle', 80.

⁴⁹ 'S. R. emergency measures, Vagrancy Act cut city's crime rate', *The Chronicle*, 17 Nov. 1960.

⁵⁰ NAZ S3330/T1/35/23/2/1, F. E. Barfoot, Deputy Commissioner (Crime and Security), to the Secretary for Law and Order, 17 Oct. 1962. Investigations regarding the establishment of a new reception centre in Bulawayo followed, but came to nothing.

⁵¹ Barber, *Rhodesia*, 208.

laws – beggars, people sleeping in the open, those who played games of chance so as to cheat and deceive.

In practice, ‘vagrants’ were identified in terms familiar from decades of enforcing the array of pass and other laws that governed African access to the cities, and linked that access to labour contracts. By definition, these practices paid little heed to the real economy of formal and informal work, urban and rural links, never mind Africans’ diverse social relations and aspirations. In the first raids in Salisbury, police ‘swoops’ focused on hostels where single male workers were housed. Every adult male was stopped and asked for his papers. Those found wanting were marched to waiting vans and deposited in a wire enclosure at the Harare police station. Hundreds were there by the end of the first day.⁵² In Bulawayo, *The Chronicle* described with some delight the first 6 am ‘swoop’ carried out by police. Patrols were reportedly ‘on the lookout for beggars, wanderers unable to show that they had legitimate jobs or means of subsistence, people sleeping rough and professional gamblers’.⁵³ Similar ‘swoops’ took place across the country, including in the small towns of Gwelo, Que Que, Gatooma, and Fort Victoria. By the end of the first week, nearly 700 men had been arrested; a little over a month later, one thousand more had joined them.⁵⁴

Only a fraction of these men were ‘committed’ as vagrants. Those picked up could not easily be categorised as unemployed, never mind unemployable. Nearly two thirds of the first week’s haul was divided between men who were released when police screenings found that they were in fact employed and foreigners who were ‘voluntarily’ repatriated or deported.⁵⁵ Those ‘subjects’ who did come before magistrates were a diverse group indicative of the gamut of urban lives and livelihoods, as Bulawayo’s court reporter detailed. A minority of ‘about a dozen’ were ‘well-to-do professional gamblers’. These men were ‘well-dressed, self-assured and freely admit their source of earnings. One said he owned a modern car and another said he could not work as he suffered from a sore stomach and sore feet.’⁵⁶ One allegedly well-known gambler was the first charged under the Act to hire a lawyer, a Mr Donald Briers, for his defence. Though the outcome of the case is unreported, Briers led witnesses who attested to the man’s work as a pig dealer and his offer of a job on an African-owned bus service.⁵⁷ A small number of beggars also appeared in the special courts. Two blind men along with, extraordinarily, the small boys who led them around as they begged, were consigned to the Salisbury reception centre and eventually deported.⁵⁸

⁵² ‘Police clean African townships’, *African Daily News*, 22 Oct. 1960.

⁵³ ‘54 arrested as city’s police step up move against “spivs”’, *The Chronicle*, 24 Oct. 1960.

⁵⁴ ‘Vagrancy Act arrests now almost 700 – Abrahamson’, *The Chronicle*, 29 Oct. 1960; Bhebe, ‘Nationalist struggle’, 80.

⁵⁵ After the first week of the Act’s operation, 176 of 695 individuals had been consigned to reception or re-establishment centres; 215 had been ‘voluntarily repatriated’; 43 awaited deportation; and 215 had been released. ‘Vagrancy Act arrests now almost 700 – Abrahamson’, *The Chronicle*, 29 Oct. 1960; Bhebe, ‘Nationalist struggle’, 80.

⁵⁶ ‘Vagrancy courts hear 108 cases’, *The Chronicle*, 27 Oct. 1960.

⁵⁷ ‘“Gambler” defended in vagrant court by city attorney’, *The Chronicle*, 2 Nov. 1960.

⁵⁸ ‘Vagrancy Act arrests now almost 700 – Abrahamson’, *The Chronicle*, 29 Oct. 1960; NAZ S3338/1, Reception and Re-establishment Centres, Southern Rhodesia. Visited by

(The fate of the boys is unrecorded.) Those whose livelihoods relied on the informal economy were vulnerable too, such as in the case of a man with ‘unsatisfactory documents’ who ‘said he made a living to support his family, including several children, by picking up scrap iron and selling it to dealers’.⁵⁹ Six unlucky men were reportedly picked up under the Vagrancy Act on the day of their release from prison. Other men found in the reception centres were described as ‘mentally deranged’.⁶⁰

One category dominated those who trooped through the special courts – the so-called loafer. This category revealed a good deal about young men’s urban lives and the attitude of the state and media to them. *The Chronicle* unsympathetically reported that most of those before the courts

are loafers who have been out of work for at least three months – some up to two years and a few for five to 10 years. Their method of living, they admit to the magistrates, is to sponge on relatives or friends, living as non-paying lodgers in their houses or quarters. Many have been living in the quarters of domestic servants employed in such districts as Hillside, Suburbs and Kumalo [that is, in white Bulawayo].⁶¹

The ‘loafer’ was described in court in something of a generic police narrative as a man who offered excuses but could provide no proof of employment or riches.⁶² For magistrates, clothing was a key marker. Those who protested, as many did, that they were neither out of work (or at least not out of work for long) nor destitute often had their claims rejected on the basis of their attire and the amount of cash on their person. They were routinely described as ‘poorly dressed, shoeless and with only a few coppers in their pockets’.⁶³ One magistrate put great store by his knowledge of township fashions, challenging one man’s story that he was a ‘town boy’ by calling attention to his plimsoll shoes – “‘You should know no town boy would ever wear shoes like that”, he said’.⁶⁴ Reading clothing was not always so successful. *The Chronicle* reported the case of the ‘white-haired madala’ – ‘A pathetic figure in his tattered trousers and threadbare shirt, he appeared just about as destitute as anyone could be.’ Police, however, found the small fortune of £120 in the old man’s pockets, and he admitted that he had the larger fortune of £400 in a post office savings bank account.⁶⁵

It appeared from the court reporting in the mainstream European press and from interviews in the African papers with men held in the reception centres that a large group of those picked up as ‘loafers’ were educated young men who had been unable to find work, or who were in the process of seeking work. Reporting on a trip to the Salisbury reception centre, an *African Daily*

Mr G. C. Senn, Delegate of the International Committee of the Red Cross, n.d. [January 1961].

⁵⁹ ‘Vagrancy courts’, *The Chronicle*, 27 Oct. 1960.

⁶⁰ ‘Former prisoners now inmates of vagrants camp’, *African Daily News*, 8 Dec. 1960.

⁶¹ ‘Vagrancy courts’, *The Chronicle*, 27 Oct. 1960.

⁶² ‘How the inquiries operate’, *The Chronicle*, 26 Oct. 1960.

⁶³ ‘Vagrancy courts’, *The Chronicle*, 27 Oct. 1960.

⁶⁴ ‘Vagrancy court problems for magistrates’, *The Chronicle*, 29 Oct. 1960.

⁶⁵ ‘Secret of the rich madala’, *The Chronicle*, 28 Oct. 1960; ‘A beggar (solvent) is freed’, *The Chronicle*, 3 Nov. 1960.

News reporter wrote that some of the men 'have been to school and speak excellent English. A good number of them are people who have passed standard Six.' One man swore that he had been arrested while in possession of a valid pass-to-see-work.⁶⁶ Such men faced a difficult time finding employment in 1960s Rhodesia. They were unwilling to undertake menial labour, and insufficiently skilled and educated to attain the best jobs. As municipal officials noted, there were vacancies for ditch diggers at one end of the spectrum and for skilled factory workers and those with a university education at the other, 'But our greatest difficulty is placing the semi-skilled and primary school educated men.'⁶⁷ Such men, caught between their social aspirations and the dearth of jobs on offer, found shaking the 'loafer' tag difficult.

A second large category of men picked up as 'loafers' were short-term visitors from the rural areas. As the *African Daily News* reported, 'A good number of the people who have been rounded up had just arrived from the country to spend the weekend with their relatives in town.'⁶⁸ Other reports described men who had been arrested while making urban visits in order to ask for loans from relatives, to make bride price payments, or to undertake a variety of other social arrangements.⁶⁹ Such visits were commonplace, reflecting the strong links between urban and rural areas. October in particular found many farmers in town making preparations for the rainy season: they came in search of better priced implements, agricultural supplies, food where stocks had run low – or to seek short-term work to fund such purchases. As municipal authorities were well aware, the first rains always caused the movement of such men back to the rural areas.⁷⁰ In 1960, however, many found themselves trapped in the vagrancy camps instead, caught out by an official construction of the Rhodesian economy that bore little relation to its realities.

Not everyone was caught. Many men responded to the combination of troops and vagrancy 'swoops' in the African townships by hiding or fleeing the cities altogether. In Salisbury, men fled the townships for the relative calm of the European suburbs.⁷¹ Police called on white housewives to turn in men sheltering with their servants.⁷² In Bulawayo, police explained that many 'vagrants and hooligans' had left the city when troops had first moved in – they had gone into the bush, into hiding, or to their rural homes.⁷³ Municipal authorities reported a dramatic drop in men seeking work.⁷⁴

⁶⁶ 'Former prisoners now inmates', *African Daily News*, 8 Dec. 1960.

⁶⁷ 'Big drop in number of Africans seeking jobs: city official', *The Chronicle*, 27 Dec. 1960.

⁶⁸ 'Police clean African townships', *African Daily News*, 22 Oct. 1960. Also see 'Vagrancy courts', *The Chronicle*, 27 Oct. 1960.

⁶⁹ For example, 'Detention of loafers yields plenty beer', *African Daily News*, 22 Nov. 1960.

⁷⁰ 'Big drop', *The Chronicle*, 27 Dec. 1960.

⁷¹ Letter to editor from 'non-working wife' in Eastlea, *The Herald*, 24 Oct. 1960.

⁷² 'Wives aid hunt for vagrants', *The Chronicle*, 15 Nov. 1960. It was unacceptable for the police to carry out township-style 'swoops' in the white suburbs.

⁷³ See '54 arrested', *The Chronicle*, 24 Oct. 1960; 'S. R. emergency measures', *The Chronicle*, 17 Nov. 1960.

⁷⁴ 'Big drop', *The Chronicle*, 27 Dec. 1960.

While there were isolated expressions of support for the Vagrancy Act from middle-class African leaders,⁷⁵ most responded angrily to the vagrancy ‘swoops’. They rejected entirely the official construction of the reasons for urban joblessness, placing the blame squarely on the state’s failure to ensure economic opportunity and dignity. They focused on the harsh economic climate, and specifically the effects of the Land Husbandry Act in forcing people from the reserves into towns where they could not find jobs. The Southern Rhodesian African Unemployment Association, led by R. S. M. Mpande and representing Southern Rhodesian jobless men, protested on behalf of such ‘lost sons of God who are today called unemployable but who are unemployed’, arguing that the Vagrancy Act had simply added to the ‘pain of the men and the cry of the women and children’. If men were to be deprived of their right to work, the Association argued, they should be given land to plough – that would be ‘far much better’ than ‘humiliating arrests’ and detention.⁷⁶

Such views were echoed by the African newspapers, nationalist leaders, and members of township advisory boards.⁷⁷ S. W. Nkomo of the Ngubojenya Board held the government responsible for denying people both land and jobs: ‘He therefore described the term “loafer” as a misnomer.’ J. Z. Moyo of the NDP ‘made a scathing attack on the Vagrancy Act’. In the absence of more jobs, the Act had created a situation where Africans lived in ‘fear, frustration and uncertainty’, and were regularly ““subjected to humiliation.””⁷⁸ The solution lay not just in the provision of economic opportunity to Africans: it also required political change. A young Robert Mugabe, then rising in the ranks of the NDP, argued that the solution was neither repression nor the Vagrancy Act: ‘it is not soldiers, it is not work camps and definitely not imprisonment, no matter for how long. The solution is sharing political power. So long [as] democracy is not recognised frustration will continue, bringing in its train more and more disturbances’.⁷⁹ This was a demand for citizenship with political rights, something well beyond the ‘useful citizen’ imagined by the UFP.

Three weeks into the Act’s implementation, and under pressure from the African trade unions, Minister Abrahamson agreed to investigate complaints of wrongful detention.⁸⁰ Committees charged with investigating written complaints were only set up in December and had little impact: after two years just 40 appeals had been heard and only 13 of these were successful.⁸¹

⁷⁵ See Ranger, *Bulawayo*, 243.

⁷⁶ ‘Vagrancy Act an embarrassment [sic] to the unemployed’, *African Daily News*, 29 Oct. 1960. The Association protested against both women and alien Africans taking jobs from Southern Rhodesian men. See Ranger, *Bulawayo*, 217.

⁷⁷ For example, see ‘Why have vagrants?’, *African Daily News*, 13 Dec. 1960.

⁷⁸ ‘City Africans hit out at Vagrancy Act’, *Bantu Mirror*, 20 Oct. 1960.

⁷⁹ ‘Mixed views on broadcast: soldiers alone not the solution, they say’, *African Daily News*, 14 Oct. 1960, cited in T. Scarnecchia, ‘“The point of no return”: the October 8, 1960 Harare riots and the establishment of the Law and Order (Maintenance) Act in Southern Rhodesia’, unpublished paper, 2010, 15.

⁸⁰ ‘Vagrancy pleas to be probed’, *The Chronicle*, 8 Nov. 1960. Trade unions continued their attacks on the Act and Abrahamson. See ‘Why have vagrants?’, *African Daily News*, 13 Dec. 1960.

⁸¹ ‘African will help probe vagrancy complaints’, *The Herald*, 6 Dec. 1960; NAZ S3330/1/35/23/T4, B. Beecroft for Director of Social Welfare, Situation Report, Social Welfare Centres at Month Ending 31 October 1962.

One of the few men who appealed and won his case was 23-year-old Lucian ‘Scorpion’ Makoni, but only after he had spent over a month in the Salisbury reception centre, some of it on a spare diet in solitary confinement as punishment for forming a group called the Social Welfare Brotherhood in protest at his imprisonment. He had been arrested in Harare when he came to ask his brother for money to buy parts for a broken plough: “I was straight away taken to the camp. My brother did not know where I was. He thought I had returned home without telling him. On the other hand my mother at home thought I had decided to look for work in town.”⁸²

LIFE IN THE VAGRANCY ACT’S INSTITUTIONS

The reception and re-establishment centres became a site of struggle over the legitimacy and purposes of the Vagrancy Act. The managers of the centres depicted their practices as aimed at rehabilitating vagrants—routinely characterised as not just ‘work shy’ but also lacking identity and community. Inmates protested against what they saw as both the deprivation of their rights and their removal from existing social and productive roles. These incompatible views produced conflict and negotiation that reshaped the regimes of the vagrancy institutions.

From the beginning, the UFP government struggled to convince observers and the ‘vagrants’ themselves that men committed under the Act were en route to a restored citizenship rather than a life of forced labour. In the first days after the establishment of the reception centres, the Department of Social Welfare sought to portray life in them as a pleasing combination of good food and recreation, an impression the mainstream European press readily endorsed. *The Chronicle* carried a piece on the Ntabazinduna centre entitled ‘Easy Life for City Vagrants’. Under a picture of men gathered by the wire, the caption read, ‘some of the 106 inmates take time off from sitting in the sun doing nothing, just thinking’. Surveying the corrugated iron prefabs in which the men slept, the reporter described their conditions as ‘a great advance on my memories of active service’.⁸³ An article on the Salisbury reception centre hit a light-hearted note: ‘Film shows, magazines, draughts, cigarettes, and a supply of bottle tops for playing the African game of tsoro—rather like chess—are among the amenities for Africans’. Minister Abrahamson himself conducted a tour of the facilities, managing to convince church leaders and parliamentary critics that the amenities were at least ‘adequate’.⁸⁴

This happy vision was not, however, shared by the emissaries of the Red Cross, or the inmates themselves. The Red Cross representative G. C. Senn’s description of the Salisbury reception centre had a distinctly grim tone.⁸⁵ He described the division of the centre into three sections, separated by wire netting. Men were allocated among them based on their ‘provenance and

⁸² ‘Ex-vagrant: “I was jailed for forming party at centre”’, *Bantu Mirror*, 4 Feb. 1961.

⁸³ ‘Easy life for city vagrants’, *The Chronicle*, 3 Nov. 1960.

⁸⁴ ‘Films’, *The Chronicle*, 28 Oct. 1960.

⁸⁵ NAZ S3338/1, Reception and Re-establishment Centres, Southern Rhodesia. Visited by Mr G. C. Senn, Delegate of the International Committee of the Red Cross, n.d. [January 1961].

tribes'. Buildings were constructed of corrugated sheet iron on concrete slabs. There were no buildings in which men could spend the day. Staff did not have relevant experience—their experience was of the police and military. Senn noted 'that the tension between the Staff and the inmates of the enclosures was marked, and there did not seem to be the necessary contact between the Superintendent and the inmates'. 'Distrust and arguments' were common and inmates complained bitterly about their rations. Though the newspaper reporting minimised its significance, 'vagrants' had in fact from the start listed a consistent set of complaints to anyone who would listen. They held that they had committed no crime and hence should not be subjected to penal forms of discipline; they expressed deep concern over the fate of their families and property in their absence; and they complained of the denial of access to visitors as well as the poor standard of food and bedding.⁸⁶

The rejection of the vagrant label was made plain in the series of escapes, riots, and protests that wracked the centres. The first of these occurred on 18 November 1960 when 23 'vagrants' held at the Ntabazinduna centre outside Bulawayo made a dramatic escape, stoning guards and then throwing the ground sheets on which they slept over the barbed wire fences in order to make their get away. Rioting and looting followed as men emptied the storerooms and threw goods over the fence to friends. Brian Beecroft went to the scene with superintendent Patrick O'Hare – and a couple of shotguns – to try to calm the situation. Despite the arrival of a contingent of police, Beecroft decided it was wiser not to intervene until the following morning.⁸⁷ Another break out was foiled shortly thereafter – the 'vagrants' were reported to be in an 'ugly mood'.⁸⁸ Beecroft was content to dismiss the troubles as simply the result of an ethnic character flaw: he believed the 'Matabele' to be incorrigibly 'stropy, obstreperous, difficult and aggressive'.⁸⁹ O'Hare, however, speculated that the trouble had been sparked by rumours of the imminent transfer of men to Wha Wha, and the prospect of serving a three-year term there.⁹⁰ The *African Daily News* reported 'significant restlessness and anxiety amongst the men about the transfer'.⁹¹

Some of these men were subsequently sent to the Salisbury reception centre where they protested against their position once again. The riot squad had to be called out, and six men were sent to nearby Salisbury prison and later charged with assault.⁹² At the trial, Superintendent A. H. Bull testified that following complaints about the food, which he had promised to address

⁸⁶ 'Easy life', *The Chronicle*, 3 Nov. 1960; 'Vagrants want to negotiate for release', *African Daily News*, 26 Nov. 1960.

⁸⁷ NAZ ORAL 242, Beecroft. Also see 'Five escapees caught in widespread hunt by police', *The Chronicle*, 21 Nov. 1960.

⁸⁸ 'More vagrants planned escape bid', *The Herald*, 25 Nov. 1960.

⁸⁹ NAZ ORAL 242, Beecroft.

⁹⁰ See 'Five escapees caught', *The Chronicle*, 21 Nov. 1960; 'More vagrants planned escape bid'; *The Herald*, 25 Nov. 1960; and reporting on the court case that ensued in 'Vagrants jailed for escaping', *The Chronicle*, 9 December 1960. Ten men were imprisoned for three months with hard labour; one man received six months with hard labour.

⁹¹ 'Vagrants want to negotiate', *African Daily News*, 26 Nov. 1960.

⁹² See NAZ S3338/1, Reception and Re-establishment Centres, Southern Rhodesia, visited by Mr G. C. Senn, Delegate of the International Committee of the Red Cross, n.d. [January 1961].

but had then neglected, 'The Africans started throwing their plates about and shouting.' Two men struck him. A European guard was attacked with a dustbin lid, and relieved of his baton. African guards who came to his assistance were also attacked.⁹³ Five of the men were convicted of assault and sentenced to varying prison terms, and then a return to the reception centre. On hearing their sentences, they protested so loudly that the magistrate had to be called back into the court. They were enraged not because of the convictions for assault or the prison sentences but because, 'they did not want to return to the centre, because they had homes'.⁹⁴

In practice, the problems – and costs – of implementing the Vagrancy Act led to a reining in of its remit. The numbers arrested under its auspices dwindled after the first month.⁹⁵ In February 1961, the Ntabazinduna reception centre was shut down, rendering the Act virtually unuseable in Bulawayo. Just as arrests were being scaled back, however, the Wha Wha re-establishment centre opened, in late November 1960. *The Herald* carried an almost lyrical account of the centre:

In rags they come, without possessions, without hope. They are the layabouts, the spivs, the hooligans and the loafers, the men without ambition... But in rehabilitation centres set up by the Government the aim is to give them clothes, some skills, some respectability... and above all else a sense of belonging, the idea that they, too, can have a place in the sun if they are prepared to work for it.

Though Wha Wha was still a construction site with barely one dormitory complete, the report promised many more would soon be built, that there would be running water, indoor sanitation, electric light and workshops, and a laundry and dining room. The dormitories would be named after Southern Rhodesian towns so as to give vagrants a sense of identity, to make them feel that they 'belong': 'for many of them', the reporter opined, 'this is the first time they have ever had community ties', a comment far more revealing of the reporter's views on urban Africans than of the status of the inmates themselves.⁹⁶

Mr E. G. L. Nicholls, formerly township superintendent at Senka, Gwelo, assumed overall charge of Wha Wha. He maintained that the centre was more than just a place where the unemployed acquired skills: "it is hoped to give them the will to work and to take their place again in society."⁹⁷ These men were not to be treated as criminals Nicholls maintained, though he emphasised that they were expected to accept 'discipline' and would face heavy penalties if they did not.⁹⁸ A 'knowledge of discipline' gained through service in the police or military was prized among African staff at Wha Wha,

⁹³ 'Vagrants assaulted guards', *The Chronicle*, 30 Dec. 1960.

⁹⁴ 'Vagrants protest at "return to centre" order', *The Herald*, 31 Dec. 1960.

⁹⁵ This did not, however, imply any let up in the practice of 'raiding' and 'rounding up' large numbers of urban Africans under a range of legislation. Police continued to use the Vagrancy Act to arrest people but then simply prosecuted them for tax or pass offences, or for trespass or prostitution. Palley, *Constitutional History*, 144, fn 4. At the same time, of course, security legislation was used to arrest hundreds of people year after year.

⁹⁶ 'Giving hope to the loafers and spivs is the aim of the men who run WhaWha', *The Herald*, 26 Nov. 1960.

⁹⁷ 'Gwelo's WhaWha centre for the unemployed has now been opened', *African Daily News*, 2 Dec. 1960.

⁹⁸ 'Giving hope', *The Herald*, 26 Nov. 1960.

as it was in the reception centres. Brian Beecroft reminisced in glowing terms about the most senior African member of staff, retired CID sergeant Edmond Mwafuruseni: he was 'a man of magnificent bearing and presence', a 'tower of strength' who 'commanded allegiance not only from the often rebellious, disgruntled, aggrieved, undisciplined intake into the camp, but from staff'.⁹⁹

The extent to which Wha Wha's inmates were made to feel like criminals was crucial to the centre's politics. As in the reception centres, inmates insisted repeatedly that they should not be treated as such, that they were men with rights and so were owed their 'freedom'.¹⁰⁰ As the number of men held at Wha Wha expanded, trouble brewed. Some men refused to work and had to be sent away.¹⁰¹ In January 1961, inmates staged a 'revolt'. Six men, the alleged ringleaders, were subsequently charged with 'causing discontent while in lawful detention'. African guards testified that they had broken down the gate to allow others to escape, and that they had thrown stones at them and threatened them with death if they did not hand over the keys.¹⁰² Minister Abrahamson met the men thereafter, and made a number of concessions that were essentially about making Wha Wha less like a prison. Inmates were promised that they would be able to see relatives regularly and that they would be allowed to 'enjoy a cup of beer'.¹⁰³ A system of privileges was introduced under which selected individuals were allowed to leave the centre on weekends, much to the consternation of the inhabitants of Gwelo's African townships who complained that the 'vagrants' had a tendency to 'provoke people in pubs' and 'behave themselves as World War soldiers'.¹⁰⁴

Escapes and disciplinary offences were never eliminated at Wha Wha. There were 134 escapees 'at large' in October 1962, and a separate enclosure had to be built at Wha Wha for 'unruly elements' who refused to accept the regime of work.¹⁰⁵ Nonetheless, the concessions on visits, beer, and excursions seemed to soften resistance, as did the implementation of the full regime of training. The Red Cross representative Senn, who had been so unimpressed by the reception centres, was pleased by the 'beehive of activities' and the physical infrastructure he found at Wha Wha in January 1961. Instructors held classes in well-equipped workshops for carpenters, tailors, painters, sign-writers, builders, shoe-makers, and barbers. There were leisure activities such as boxing and football. Superintendent Nicholls had plans to develop the centre 'on the lines of an "English Public School" and implant by doing so a sense of responsibility and social behaviour into the

⁹⁹ NAZ ORAL 242, Beecroft. Beecroft refers to Edmond Mwafuruseni as Edward Marafushena.

¹⁰⁰ For example, see 'Men at "HwaHwa" want freedom of movement', *African Daily News*, 31 Jan. 1961; 'Training for vagrants', *African Daily News*, 1 Feb. 1961.

¹⁰¹ 'Former prisoners now inmates', *African Daily News*, 8 Dec. 1960.

¹⁰² '6 HwaHwa centre men face charges', *African Daily News*, 4 Feb. 1961.

¹⁰³ 'Vagrants revolt', *African Daily News*, 20 Jan. 1961. Also see NAZ ORAL 242, Beecroft.

¹⁰⁴ 'Vagrants a pain in the neck', *African Daily News*, 20 April 1961.

¹⁰⁵ NAZ S3338/1, Reception and Re-establishment Centres, Southern Rhodesia, visited by Mr G. C. Senn, Delegate of the International Committee of the Red Cross, n.d. [January 1961]; NAZ S3330/1/35/23/T4, B. Beecroft for Director of Social Welfare, Situation Report, Social Welfare Centres at Month Ending 31 October 1962.

inmates'. Senn concluded that Wha Wha could 'become a very beneficial institution for the training of Vagrants'.¹⁰⁶

Even the previously critical African press began to come around. A reporter from the *African Daily News* praised the training, the instructors, and workshops – conditions at Wha Wha 'were not so bad'. The inmates, he wrote somewhat ambiguously, 'seem to be learning to like the idea of being taught how to work'.¹⁰⁷ This report was followed by a lengthy, illustrated feature in the popular African magazine *Parade*. Normally full of gossip and fashion, *Parade* had a sideline in torrid crime reporting. It devoted an extended spread to 'The Unfortunate Men at Hwa Hwa'. The piece seemed undecided. On the one hand, it praised the quality of training at Wha Wha and described the men as a 'happy and contented lot'. On the other, it drew parallels with forced labour on farms in South Africa and on salt mines in Siberia. The *Parade* reporter could not decide if the inmates at Wha Wha were criminals, and he was unsure about the timing of the Act: its implementation during a period of political upheaval 'lends suspicion to the Government's motives'.¹⁰⁸

If the African media was only partly convinced, Brian Beecroft remained a firm believer in the institution of Wha Wha. For him, it was 'an instant success', a 'first class training institute'. The problem in his view lay not with Wha Wha but with the economy. Thus Wha Wha succeeded in producing skilled labourers able to make a valuable contribution to society, but they had no place to go due to rising unemployment.¹⁰⁹ Wha Wha's advisory committee was pushed to make a public appeal to employers in late 1961.¹¹⁰ With time, some – notably local – employers began to come to Wha Wha to recruit. There was, however, a price to pay as Beecroft explained: in order to hire 'these brash, freshly trained... young vagrants' from Wha Wha 'they were firing their less efficient, their madalas, the family men, who had been with them for years. Some employers were even being dishonest and firing their higher paid workers to take on our new fellows who started at the bottom of the salary scales but were proficient at the jobs.' Wha Wha was thus – very ironically – facilitating the replacement of long-term, married workers, precisely the men who were the key to urban stability in the UFP government's analysis, with 'newly trained youth'. Municipal authorities blamed this process for creating disruption and dissatisfaction in the African townships – precisely the opposite effect that Minister Abrahamson had intended.¹¹¹

In the end, however, it was not economic contraction but political change that put paid to the experiment of Wha Wha. With the surprise victory of the Rhodesian Front in the elections of December 1962, the UFP's understanding of the roots of political unrest in social conditions and gender relations was rapidly displaced. Abrahamson was replaced by Ian McLean as Minister of Labour, a shift Beecroft described as 'traumatic' for the reformist

¹⁰⁶ NAZ S3338/1, Reception and Re-establishment Centres, Southern Rhodesia, visited by Mr G. C. Senn, Delegate of the International Committee of the Red Cross, n.d. [January 1961].

¹⁰⁷ 'Training for vagrants', *African Daily News*, 1 Feb. 1961.

¹⁰⁸ 'The unfortunate men at Hwa Hwa', *Parade* (Salisbury), Mar. 1961.

¹⁰⁹ NAZ ORAL 242, Beecroft.

¹¹⁰ 'Vagrants a year ago, they are now skilled men', *African Daily News*, 18 Nov. 1961.

¹¹¹ NAZ ORAL 242, Beecroft.

Department of Social Welfare. If Beecroft's concern had been for the competition Wha Wha's young graduates offered older, married black workers, McLean's concern was for a very different constituency. He, along with the Rhodesian Front MP for Gwelo, 'considered that we were training blacks to do work that had traditionally been done by whites and coloureds'.¹¹² Wha Wha was thus reconstrued as the cause of unemployment among the Rhodesian Front's key constituency, the white working class.¹¹³

CONCLUSION

The study of vagrancy law offers rich material for the exploration of not only the social origins of law and the history of the poor and 'undesirable' but also the range of state responses to the political challenge of nationalism. The 1960 Vagrancy Act highlights a transitory moment in Southern Rhodesian governments' efforts to confront African unrest. It was unusual among colonial vagrancy legislation in that it did not seek to exclude 'undesirables' from the city: its ambition lay in their rehabilitation as 'useful' urban citizens. Such rehabilitative ambitions – always wedded to deeply punitive practices – were echoed in the treatment of political opponents elsewhere, most dramatically in the response to Mau Mau in Kenya. But this was different from those efforts: officially at least, Rhodesia's nationalists were not targeted by the Act and were not depicted as in need of rehabilitation. They were subjected to preventive detention instead, a punitive measure intended to isolate but which cast nationalists as neither criminal nor driven by a flawed and fixable character. The UFP's analysis of the causes of disorder disaggregated the 'spark' of nationalism from the 'dry tinder' of those who had not been properly socialised by marriage and work, and proposed different disciplinary regimes for each.

That the UFP's analysis flew in the face of the realities of the settler political economy, and indeed the impetus behind African protest, is clear. The Vagrancy Act was unable to redress unemployment or meet African social aspirations, never mind attend to demands for citizenship encompassing political rights. The demise of the Act at the hands of the Rhodesian Front marked another shift. For the Rhodesian Front, African unrest was the result not of an anti-social element amenable to social engineering but of an essential African savagery. Where the UFP had sought the rehabilitation of the socially marginal not the nationalists, the Rhodesian Front set up a committee – never remotely successful – to 'rehabilitate' nationalists.¹¹⁴ Its version of the Vagrancy Act, passed in 1973, returned to the habits of earlier legislation by unambiguously criminalising

¹¹² NAZ ORAL 242, Beecroft.

¹¹³ See F. Cooper, *Decolonization and African Society: The Labor Question in French and British Africa* (Cambridge, 1996), 140.

¹¹⁴ On the Rhodesian Front's feeble attempts to 'rehabilitate' nationalists, see *Report of the Secretary for Law and Order for the Year Ended 31st December 1963* (Salisbury, 1964); *Report of the Secretary for Justice for the year ended 31st December 1965* (Salisbury, 1966), Appendix G; and NAZ ORAL 256, Francis Anthony Staunton, written answers prepared in November 1986 to questions supplied by I. J. Johnstone.

the urban unemployed and destitute, and consigning them to the rural areas.¹¹⁵

The study of vagrancy in Rhodesia also serves to highlight the strange histories of institutions. Enslinsdeel went from a home for destitute white men to a training centre for white and 'coloured' vagrants. As such it had two claims to fame: the production of welders who worked on the Beira pipeline, and the production of mercenaries who went off to the Congo under the command of the mercenary 'Mad' Mike Hoare. With Zimbabwean independence, Enslinsdeel was transformed into a centre for the treatment of disabled guerrillas of the liberation armies. Wha Wha sat vacant in the second half of 1963, but was soon to prove all too useful once again. When the Rhodesian Front government found that restricting nationalist leaders to rural areas gave them too easy access to their constituencies, it decided to further isolate them and deemed Wha Wha perfect for the purpose. In February 1964, a reluctant Department of Social Welfare was made to hand over Wha Wha's facilities and staff to the Ministry of Law and Order.¹¹⁶ Wha Wha is notorious today not for its role in rehabilitating vagrants, but as a centre for the long-term detention of African nationalists. As it turned out, Wha Wha was well suited to the role: Brian Beecroft had, as he put it, 'cribbed' the idea for Wha Wha's lay out from a German POW camp which he had once inhabited, and whose design he had admired for its efficient surveillance.¹¹⁷

¹¹⁵ *Report for the Secretary for Internal Affairs for the Year 1973* (Salisbury, 1974), 9, notes the use of the amended Vagrancy Act to order 412 'vagrants' out of the urban areas for periods of up to two years.

¹¹⁶ NAZ S3330/1/35/25/T14A/2/1, 'Wha Wha Re-establishment Centre, 1964-65', Secretary for Law and Social Welfare to Secretary, Public Service Board, 24 Feb. 1964; NAZ S3330/1/35/25/T14A/2/1, Clifford Dupont, 'Reply to the Queen's Speech', 25 Feb. 1964.

¹¹⁷ NAZ ORAL 242, Beecroft.