



UNDERSTANDING APARTHEID IN SOUTH AFRICA THROUGH THE RACIAL CONTRACT

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ABSTRACT

This article examines apartheid in South Africa and uses Mills (1992) theoretical framework of the Racial Contract to understand how this system operated and flourished in South Africa. To explicate Mills' position about racism, this paper draws from the different tenets of Critical Race Theory (CRT) where applicable. It begins by providing an illuminating overview of apartheid in South Africa and uses education, legislation and religion as examples to help unpack the racial inequalities that were rampant in the then South Africa. It further explains the Racial Contract and uses it as an analytical tool to interrogate racism in South Africa. Mills' argument is that the racial contract was never a contract since it was nonconsensual, hence negating the validity of its existence in South Africa. Mills contends that the Racial Contract is still in force and now operates in a more de facto stance. This paper recommends that for South Africa to transform it has to understand the 'modus operandi' of racism from a Critical Race Theory perspective in order to unearth the subtle nature of its manifestation in the post-apartheid era.

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Keywords: Racial contract, Racism, South Africa, Critical race theory, Education, Religion, Legislation, Inequality.

Contribution/ Originality

This study contributes to the existing literature on the Apartheid System of Government in the then South Africa and brings in a new dimension of the use of Critical Race Theory (CRT), in particular, Mills' notion of the Racial Contract, as an analytical tool in understanding these social inequities and injustices.

1. INTRODUCTION

Never, never and never again shall it be that this beautiful land will again experience the oppression of one by another and suffer the indignity of being the skunk of the world. Let freedom

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reign. The sun shall never set on so glorious a human achievement! (Nelson Mandela's Inaugural Speech):

http://www.africa.upenn.edu/Articles_Gen/Inaugural_Speech_17984.html

The above quote, in particular, sets the tone of this paper as South Africa emerged from an oppressive system of government that ordered people by the color of their skin popularly referred to as *Apartheid* or separate development into a democratically elected government on the 10th May, 1994, a historic moment in the lives of all South Africans. South Africa is well known throughout the world as one of the countries that has practiced racism despite criticism from all over the world including isolation from participation in world affairs and politics. This country is situated at the southern tip of Africa and it borders the Atlantic and Indian oceans, Namibia, Botswana, Zimbabwe and Mozambique. It covers a vast area of land which is approximately 1, 219,080 square kilometers and by 2001 had a population of 44,819,769 people. It has a robust economy within Africa and is well developed in infrastructure. It is divided into nine provinces and has eleven official languages (<https://www.cia.gov/library/publications/the-world-factbook/print/bc.html>). It was colonized by the Dutch East India Company in 1652 who were later to be known as Afrikaners and the British in 1815, and was proclaimed the Union of South Africa in 1910 (Zungu, 1977).

2. OVERVIEW OF APARTHEID SYSTEM IN SOUTH AFRICA

Worden (1994) attributes racism in South Africa to the expansion of European colonialism which was part of the scramble for Africa in the middle of the nineteenth century and its notion of 'civilizing inferior natives.' This purported civilization is aligned to the Darwinist notions of evolution and hierarchy that was applied to human beings. This theory of Darwinism made Whites believe that they were at the top of the evolutionary scale which was exhibited through their advancement in technology and imperial expansion. Worden (1994) asserts that Apartheid emerged as the slogan of the Gesuiwerde Nasionale Party which was a splinter group from the Hertzog's National Party in 1934 and became popular among Afrikaners' in the 1940's. It is important to note that Afrikaner nationalism is a topic surrounded by mythology and has created its symbolism and its own history stressing the unified experience of the Afrikaner Volk (Worden, 1994). This idea will be elaborated further as this discussion unfolds.

Systematized racial discrimination in South Africa did not begin when the Nationalist Party came to power in 1948. It is a result of many factors; it can be traced as far back as the pre-industrial period, similar to what happened in Europe, Asia and America. It dates back to the days of colonial rule when the Dutch first settled at the Cape 1652 and their establishment of a fort at Table Bay (Worden, 1994; Marx, 1998). This establishment of a fort at Table Bay was the beginning of misery for the local inhabitants of this area such as the Khoikhoi herders, San and Khoi pastoralists as evidenced by their being denied access to grazing pastures and water resources and in some cases being robbed of their cattle by the Settler Commandos. This in essence marks the beginning of racial discrimination in South Africa. It should be understood that what was to become South Africa was inherited from the two polities of European settlers mainly the Dutch-descended Afrikaners and the British –descended English-speakers (Marx, 1998).

The subsequent formation of apartheid as a legalized system of racial discrimination was influenced by the emergence of Afrikaner nationalism, an ideology that promoted Afrikaner supremacy and pride in response to British invasion as well as the threat from blacks, who were resisting subordination (Worden, 1994). During this period, the Afrikaner nation had endured British Colonial rule throughout most of the 19th century. They were sustained by maintaining their cultural identity through their language (Afrikaans) and religion (Dutch Reform Church), in this way cultivating a sense of group Nationalism. Winning political power thus put the Afrikaners in a position to steer the country in any direction they so desired. The greatest desire of the Nationalist Party was to take over the major institutions, that is, the economy, the political and educational systems. In order to achieve its goals, the National Party had to design a system which would elevate whites over other racial groupings through economic and political deprivation (Zungu, 1977).

2.1. Segregation of Blacks

Not only was apartheid a system of racial discrimination, however, it was also imposed separation or segregation of blacks and whites in the areas of government, labor market and residency. It was, thus, pervasive in that it was deeply embedded within the economic, social and political structure of the whole country. In order to implement its policy of divide and rule, the Nationalist Party passed a series of laws. Some of the most prominent included the prohibition of mixed marriage, the Immorality Act of 1950, the Group Areas Act of 1950, which promoted the placement of blacks and whites in separate residential areas on a comprehensive and compulsory basis, the Reservation of Separate Amenities Act of 1953, which enforced segregation in the use of public facilities such as transport, cinemas, restaurants and sports facilities and the Bantu Education Act of 1953, a policy for separate schooling and curriculum on the basis of race and the abolition of missionary schools. The latter also introduced a curriculum which emphasized 'Bantu Culture.' The Verwoerdian rhetoric of 'Bantu culture' was presented as largely rural, and static and was a clear attempt to create a limited vision of Blacks within the broader context of South Africa (Hartshorne, 1992; Worden, 1994). From this scenario, the introduction of the use of mother tongue in schools was not basically an advantage for the Blacks since it was perceived to be myopic and unable to capture some of the scientific concepts as well as lacking the standard orthography. This was a plan to subjugate the Blacks and render them inferior economically, politically and socially through education. In this paper, we shall discuss the latter in greater detail in the section that follows. This is because the act was instrumental in ensuring that apartheid in the form of black oppression and economic disempowerment was implemented and legitimized.

According to Hartshorne (1992) the implementation of Bantu education did not go unchallenged; it experienced some setbacks as well as hiccups. This is because black resistance became a deterrent as well as a threat and obstacle that the Nationalist Party had to contend with over the decades until its demise in the early 1990's. This resistance came in the form of popular protests by urban blacks most of whom were employees in the mining industry. The restrictive force of the apartheid system, which was strengthened through its oppressive laws, fueled this resistance. In particular the urban influx control laws or the pass laws and, forced removals and

Bantu Education act (Worden, 1994). In the midst of assaults by the police, leaders and followers of the liberation movements such as the African National Congress and the Pan African Congress as well as labor leaders continued to organize resistance in the form of boycotts, strikes and civil disobedience. In June 1955 the African National Congress collaborated with other liberation movements including the Congress of Democrats, Indian Congress and the South African Colored People's party and drafted the historic Freedom Charter in Kliptown. The Freedom Charter was a collection of grievances and demands, which later became the yardstick for subsequent opposition under the banner of the African National Congress. The objective of the Freedom Charter is eloquently expressed in one of its famous declarations, which stated that:

South Africa belongs to all who live in it, black and white, and no government can justly claim authority unless it is based on the will of the peoplethe rights of the people shall be the same regardless of race, color or sex.....all apartheid laws and practices shall be set aside (Worden, 1994).

In response to this resistance, the Nationalist Party tightened its control in the 1960's during what was known as the "second phase" of apartheid by increasing the police force and giving more power to law enforcement by passing the General Law Amendment Act of 1963. This meant that the power of state control was even more fortified and brutal. This was evident when thousands of people were massacred in Sharpeville in 1960. The state was also determined to capture and silence those who were the driving force behind the liberation struggle, hence the Treason Trial at the end of which, the ANC leadership, with Nelson Mandela in the lead, were sentenced to life imprisonment in 1963. With these leaders out of the picture, the state proceeded to reinforcing the urban influx control laws, which were meant to strip blacks of residence rights in urban areas in an effort to limit urban radicalism (Worden, 1994). These events signaled decades of tighter state control and the weakening of resistance with the banning of all liberation movements and the incarceration of the movements' leaders. The resistance was revived, however, in the early 1970's with the rise of youth activists who were protesting against the Bantu Education policy. In the sections that follow, we will focus on how education was used as an oppressive tool to deprive black people in South Africa of their rights and how that promoted racial inequalities.

2.2. Bantu Education/ Curriculum

According to Zungu (1977) education is one of the major institutions in society that is manipulated by those in power so as to push their political agenda forward and achieve their interests. He says that Bantu Education was based on the Afrikaner Nationalism ideology whose intention was to consolidate the dominance of white Afrikaners at the expense of the poor blacks and other racial minorities in every realm of the country. This annihilation of the Black people is further elaborated in Mills (1992) when citing Ngugi wa Thiongo's idea of the "cultural bomb" of British imperialism which trained him to despise his own culture and see the world from the eyes of a white man. Formal education for blacks was discouraged because a) it was assumed that equipping blacks with skills would have a negative impact on whites in the labor market and b) education would not be useful to blacks themselves since it was believed that educating them in European mores would undermine their African beliefs and traditions. Thus, blacks were better off

uncivilized and confined to agricultural activity (Zungu, 1977). However, economic and political changes that occurred as a result of industrialization forced the government to provide schooling for blacks. Two factors influenced this decision. First, with industries advancing into manufacturing in the 1930's, there was a demand for cheap labor in the urban areas. Second, black youth unemployment in the urban areas proved to be problematic for the government since this group was politicized and perpetuated violence in the cities. Urban schooling was therefore, one way in which the state could keep these young people under control (Fataar, 1997).

2.3. The School Curriculum

One of the areas that the apartheid system successfully tempered with in education was the school curriculum from primary secondary and university levels. This was done by instituting a series of commissions to assess the state of Black education and make recommendations as it suited the government. The school curriculum was to become a battlefield for institutionalized oppression and racism. According to Jansen (1990) a correlation exists between curriculum content and the ideological as well as material gains of a highly stratified political economy. South Africa provides one of the clearest examples of major institutions such as education and the curriculum being used as a vehicle for serving the interests of the society as perceived by its rulers (Zungu, 1977). This connection results in an institutionalized curriculum that is intended to serve the needs of those in power at the expense of the powerless as it is turned into a hotbed of domination. The Nationalist Party's ideology and conception of what black education should consist of was reflected in its content at primary and secondary levels of schooling. One of the recommendations of the Eiselen Commission of 1949 which was tasked to look into the curriculum pattern of primary schools was that the curriculum therefore, envisages a system of education which is based on the circumstances of the community and aims to satisfy the needs of the community. The vehicle of instruction to be used was the mother tongue of the pupil. Besides the usual subjects, religious instruction, handicrafts, singing and rhythm must be emphasized as they prepared the learners for manual work (Hartshorne, 1992). The nature and intent of the curriculum of Bantu education was meant to dehumanize and retard the Black people and other marginalized people in order to continue the legacy of imperialist domination and white supremacy. This is one of the most pathetic incidents in the history of Bantu education, where instead of it being emancipatory, it is turned into an instrument of oppression.

Jansen (1990) further explained why the Bantu education system continued to prevail despite the socio-political changes that took place in South Africa between the 1920's, 1940's and 1980's. He says it is the institutionalization of the following: First, what she calls the ideological forms, i.e. the reproduction of apartheid culture and ideology. This was manifested in the way in which the syllabus glorified white supremacy and nationalism, while Black Nationalism was marginalized and rendered invisible. In addition, there was a deliberate fabrication, in the syllabus, of South African history in favor of whites at the expense of blacks. Second, is educational inequality, which was apparent in the way education was coordinated by the government with limited funding, overcrowded classes, dilapidated buildings, limited resources and unqualified teachers (Jansen, 1990). There was resistance to the curriculum, however, especially from the black youth in the

townships. According to Hartshorne (1992) the events of 1976-1980, 1984-1986 and the 1990's did not only take place in high schools but affected the primary schools as well. The student uprisings of June 1976, that took place in Soweto, typified by the killing of Hector Peterson, the first pupil to be shot, was a response to the introduction of Afrikaans as a medium of instruction in secondary schools. During this debacle, about 1,200 black students were killed, hospitalized or brought before the courts, among these 44 % were between the ages of 13 and 16 (Hartshorne, 1992). The author further alludes to the involvement of primary school pupils in these uprisings, that they have been underestimated with misperceptions that only high school students were involved. The activism of primary school students' shows the intensity and problematic nature of the issue of the introduction of Afrikaans as a medium of instruction in schools. It also marks the loss of trust and hope on the educational reforms in Bantu education.

The Soweto uprisings forced the government to reconsider its policy on Black education. In 1979 the government passed the Education and Training Act in which more flexibility in language instruction was introduced. However, this was but a minor change the government implemented in response to the student uprising of 1976. In addition, mother tongue instruction would only be required up to standard two (grade four). However, the problem with only exposing black pupils to English instruction when they reach higher levels of schooling was that their English abilities were not well developed. Thus, they struggled to grasp complex mathematical and technical concepts that could only be explained in English because such terminology does not exist in African vernacular. As a result, black students had limited vocabulary, which further restricted them from coping in the modern world (Zungu, 1977; Jansen, 1990).

Other non-curricular changes that were brought about by the passing of the new legislation concerned the administration of black education. The formation of the Department of Education and Training in 1979 meant that this body would be responsible for expenditure on building of schools in townships. Improved funding for this endeavor resulted in the elimination of double sessions and reduction in teacher pupil ratio from 1:60 in 1972 to 1: 41 in 1988. Despite this change however, there was no improvement in the proportion of pupil persistency in schools. There were still large numbers of students who dropped out of school. For example, it is estimated that in 1988 some 307,000 dropped out of school in Standard two (grade four), and about 440,000 left school with only Standard five (grade 7) (Hartshorne, 1992). In addition, the government's restructuring of black education in the 1970's, did not affect the quality and organization of black schooling. Black education continued to be manipulated to meet the needs and interest of the white or Afrikaners. Fataar (1997) has argued that anomaly became the order of the day during the 1970's and 1980's when learning broke down in schools due to the continuing resistance by students and teachers against apartheid education. In discussing Bantu Education and the curriculum as objects of oppression, it would be insufficient to omit the role of religion as an elevator of white supremacy within South Africa then.

2.4. Religion

From my earlier discussion in this paper, we noted on how the Afrikaners built unity among themselves and their interpretation of nationalism. Their nationalism was based on their language,

culture and religion in opposition to being assimilated into the English under Cecil John Rhodes and the British colony at the Cape. This religion was inherited from their being Dutch-descended Afrikaners, hence the prevalence of the Dutch Reformed Church. The roots of this church can be traced as far back to the arrival of the Dutch East India Company in 1652 (Marx, 1998). After the Anglo-Boer war and the rush for diamonds and gold mining, the Afrikaners feared that they will be anglicized and as such formed organizations that would protect their heritage. Many organizations and associations were formed to foster unity and mobilize Afrikanerdom. One of the most influential among them was *Borederbond* meaning “The Brothers League”. This organization was the most influential in stimulating nationalistic Afrikanerdom to achieve its destiny and power (Zungu, 1977).

Another important organization was the Institute for Christian National Education (CNE) which was established in order to prepare a comprehensive document laying the basis of Christian National Education. According to Zungu (1977) this institute published a manifesto in 1943 which spelled out the program as establishing the single-medium schools and denying parents to choose the language of instruction for their children. It further stated that the character of education of Afrikaner children be both Christian and national. Christian was defined in terms of ‘life based on Holy Scripture and formulated in the articles of faith of the three Afrikaner churches; National meant love for everything that is their own, with special reference to their country, their language, history, and culture; In short the school was to be a hotbed of Afrikaner nationalism and ideology” (Zungu, 1977). This type of religion was to form the backbone of education, therefore, had implications for the Africans in general.

Zungu (1977) further argues that the twin concepts of Christian and National imparted to Africans the notions of segregation and racial inequality because it depicted the Afrikaners as “Christians” and as a more civilized race that had to assume guardianship over the “Uncivilized” Africans. He further cites the Commission’s Report as saying “In general the function of education is to transmit the culture of a society from its more mature to its immature members, and in so doing develop their powers” (Zungu, 1977). From this scenario, it appears that religion permeated all educational structures including the curriculum and was to be used to inculcate the spirit of superiority among the Afrikaners and relegate the Africans to an inferior status. Having talked about religion and how it perpetuated racism in South Africa, in the next section of this paper, We discuss how Mills (1992) theoretical framework in conjunction with the other tenets in critical race theory help us to understand apartheid in South Africa.

3. RATIONALE FOR USING THE RACIAL CONTRACT

This paper uses Mills (1992) Racial Contract as its theoretical framework to understand the apartheid system in South Africa and also employs the various tenets of Critical Race Theory (CRT) to reinforce Mills’ argument. Critical race theory is defined as “a body of legal scholarship, now about a decade old, a majority of whose members are both existentially people of color and ideologically committed to the struggle against racism, particularly as institutionalized in and by law” (Bell, 1995). This definition therefore, shows us that critical race theory is still at its embryonic stage and evolving. Even though Critical Race Theory appears to be new it has emerged

as a powerful theoretical and analytical framework within educational research (DeCuir and Dixson, 2004). The two authors further delineate CRT tenets as: (a) counter storytelling (Matsunda, 1995) (b) the permanence of racism (Bell, 1992;1995; Lawrence, 1995), (c) Whiteness as property (Harris, 1993), (d) Interest convergence (Bell, 1980), and (e) the critique of liberalism (Crenshaw, 1988), (DeCuir and Dixson, 2004). These CRT tenets would be applied where need arises to strengthen the arguments as they come. It should be borne in mind that the Racial Contract is one theory among the many in critical race theory and is not the only theory that can be used to study apartheid in South Africa. We chose Mills (1992) theory of the Racial Contract because;

1. It is a compelling and illuminating theory in the way it fits explaining the South African situation and calls for thorough scrutiny
2. It develops a global theoretical framework for situating discussions of race and whiteness
3. It attempts to show how essential race is and yet often unspoken of in western political thought and how its importance must be acknowledged and analyzed if we are to overcome the legacies of the past and present.
4. It serves as a conceptual bridge between mainstream (i.e. white) ethics and political thought and “otherness” as perceived within black communities.

Having delineated the rationale for the theoretical framework used in this paper, we now discuss the racial contract and *its modus operandi* in relation to apartheid in South Africa. The discussion uses some tenets of Critical Race Theory (CRT) to further interrogate racial issues in South Africa.

4. THE RACIAL CONTRACT AND ITS *MODUS OPERANDI*

Valls (1998) provides an illuminating explanation of the Racial Contract and makes it explicit in terms of its nature and ways of operation. The contention is that the nature of the Racial Contract and its framework is a contractarian one which is derived from mainstream western thought and used to engage and critique that tradition from the perspective of those who traditionally have been left out of the social contract and subjugated by it. The main argument in the book is that “ there has been, in the modern era, a global racial contract, the parties to which have been whites, and the substance of which has been the denial of nonwhites’ status as fully human” (Valls, 1998). This assertion provides a vivid picture of the nature of the racial contract and draws us to an understanding of what the contract is all about. Mills (1992) argues throughout the book that the Racial Contract was never a contract since it was nonconsensual. This idea is well captured in Mills (1992) that; “If the Racial contract creates its signatories, those party to the contract, by constructing them as “white persons,” it also tries to make its victims, the objects of the contract, into the “nonwhite sub persons” it specifies (p.87). This contract divides people into categories of humans and sub humans and relegates the weaker group to a lower status within the hierarchy it develops. However, the contract in itself was a breach of contract because the Whites herein referred to as Humans or Persons never had an agreement with the nonwhites herein referred to as sub human’s or savages. This has been further explicated in Mills (1992) where these sub humans were denied the status of being human marked by “the exploitation of their bodies, land and resources and the denial of equal socio economic opportunities to them” (p.11). The above quote

forms the backbone of this discussion as we will use it to unpack the subtleties of the apartheid system in South Africa.

4.1. Exploitation of Land and Resources

The idea of exploitation of land and resources by European imperialists and colonizers in Africa is a well-known phenomenon and the most intriguing in human history. Mills (1992) contends that at the turn of the century, Europe held a total of about 85% colonies, protectorates, dependencies, dominions, and commonwealths. “No other associated set of colonies in history was as large, none so totally dominated, none so unequal in power to the western metropolis” (p.29). In other words the racial contract establishes what Mills would call “a virtual community of people linked by their citizenship in Europe at home and abroad and constituted in opposition to their indigenous subjects.” Mills (1992) argues that colonialism “lies at the heart of the rise of Europe. The idea is that the trans- continental exploitation of the non-European world has largely benefited Europe at the expense of the colonized. The exploitation of the resources from the colonized lands heightened the colonizers unity in that they had a common interest of enriching themselves. Regardless of their differences, they agreed on one thing and that was exerting their power and influence among the people they conquered. Mills (1992) argument is that the racial contract necessitated European expansion in that they conquered lands, exploited resources and dominated the people they found. In this sense it meant that the racial contract was basically driven by race and an effort to exert white supremacy. South Africa provides a clear example in the area of conquest with the twin occupation by the British and the Dutch (Afrikaner). Even though these two groups of people were rivals, they had one thing in common, to civilize the uncivilized and to acquire wealth. This rivalry was eminent whenever the British and Afrikaners met and they constantly negotiated their being. The fact that they were both white they could agree when it came to dealing with black people and exerting their superiority. In South Africa for example when colonialism ended, people were divided according to their color making the whites a superior race and the ‘indigenes’- an inferior race. Civility was marked by what the white man did (Mills, 1992).

The idea of superiority on the basis of being white is captured in Bell (2000a) that “ whites of widely varying socio-economic status employ white supremacy as a catalyst to negotiate policy differences, often through compromises that sacrifice the rights of blacks” (p.71). Worden (1994) confirms the attitudes of the colonizers by saying that where the colonizers economic interests were threatened, the British did not hesitate to intervene. For example in the 1840’s wool farmers in the Eastern Cape wanted their grazing pastures to be expanded into the Ciskei region. As a result, the Cape Governor named Maitland ordered an attack on the Xhosa under the pretext that one of them who had been jailed for stealing an axe escaped from prison and a police officer has been killed. Worden (1994) argues that the “War of the Axe” was in fact about land control and it marked the beginning of a new period of Cape-Xhosa antagonism. The war of the axe shows the extent to which the British were determined to annex the Xhosa lands and banish them from their grazing pastures for as long as it interfered with their economic gains.

The triviality of their attacks was marked by small incidents where a war would be raged against the whole clan because of one person’s mishap. Not only did they annex their lands but also

made these people pay hut tax, confiscated their cattle, drove them out of their homes and fertile lands (Worden, 1994). The displacement of the inhabitants of these lands affected them socially, economically and politically. Their being human as a cultural group was disrupted and taken away from them. Agriculture was substantially affected as able bodied young men were captured to provide cheap if not free labor as well as the confiscation of cattle and grazing pastures. Countries such as America, Australia, New Zealand, South Africa and Rhodesia (Zimbabwe) were all born under the same politics of extermination and displacement of indigenous populations. It is interesting to note that “United States, Canada and Australia maintained ‘white’ immigration policies until a few decades ago and native peoples in all the three countries suffer high poverty, infant mortality and suicide rates” (Mills, 1992).

Therefore, Mills (1992) argues that we live in a world built on the racial contract and this is exhibited by colonial conquest, constitutions, exclusionary juridical mechanisms, histories of racist ideologies, battles against slavery and colonialism as documented in historical disciplines. However, the whites do not think about all these as a history of oppression but rather as ‘the way things are’. The inability for the whites to see history in the light of oppression but as a way of life is what (Bell, 2000a) would refer to as racial realism or the permanence of racism. To him “a ‘realist view’ requires realizing the dominant role that racism has played and continues to play in American society, this can be both conscious and an unconscious act” (DeCuir and Dixson, 2004). In other words, these whites live in an epistemology of ignorance, the belief being that white supremacy is the norm and people should accept those inequalities as they present themselves politically, economically and socially.

4.2. Denial of Equal Socio Economic Opportunities

One of the pertinent issues with racial discrimination is the denial of other people access to the economic gains of the country. According to Mills (1992) the economic dimension of the racial contract is the most salient since it is based on economic exploitation. His argument is that the racial contract establishes a moral hierarchy that partitions the polity according to race in order to secure and legitimate the privileges of those designated as white/persons and the exploitation of those designated as nonwhite/sub persons. The racial contract is assumed to have greater political influence, cultural hegemony and psychic payoff from one knowing that they are a member of what Mills (1992) calls *Herrenvolk* or “the wages of whiteness” in W.E.B. Du Bois terms. Mills further opines that “globally, the racial contract creates Europe as the continent that dominates the world; locally, within Europe and other continents, it designates Europe as the privileged race” (p.33). Mills argument is very compelling on how it explains the racial contract as the world order and how it has perpetuated economic inequities, unbalanced power relations and cultural hegemony. In South Africa, “the whites came, they saw, they conquered”, the mines-diamonds and gold. The rush for mineral exploitation increased the plight and suffering of the indigenous peoples in South Africa. They were made to work in the mines, providing hard and cheap labor, in very poor working conditions. The Africans flocked from all over Africa, from countries like Botswana, Malawi, Zambia, and Zimbabwe and up north to work in the mines. I grew up in a neighborhood where I never saw the children’s fathers because they had gone to the mines and never came back.

When they did come back they were old, disabled or very poor. This is a typical example of how the Africans were exploited for the economic gains of the Whites. [Bell \(2000b\)](#) endorses the argument on South Africa that “ the major function of racial discrimination is to facilitate the exploitation of black labor , to deny us access to benefits and opportunities that would otherwise be available, to blame all the manifestations of exclusion-bred despair on the asserted inferiority of the people” (p.71)

One area that is critical within the racial contract is that of provision of education. [Mills \(1992\)](#) argues that children in the Caribbean, Africa and Asia were taught out of their colonial masters textbooks to despise their own culture and see themselves as aspirants of colored Europeans who have been saved from their barbaric cultures and growing up as “black skin, white masks”. This notion of masking is well elaborated in the story of the Creole in [DeCur-Gunby \(2006\)](#) where light skin is more preferred to darker skin as well as the types of hair being used as a distinguishing factor for recognition. The story of the Creole though not related to education is a typical example of a socialization that is discriminatory and promoting whiteness as property. [Harris \(1993\)](#) states that; “ whiteness as property is derived from the deep historical roots of systematic white supremacy that has given rise to definitions of group identity predicated on racial subordination of the “other”, and that has reified expectations of continued white privilege...” (p.1). The notion of whiteness as property is in tandem with Ngugi wa Thiongo’s notion of the “cultural bomb” where he talks about his experiences in his native country Kenya, where he was prohibited learning his traditional folklore of Gikuyu and was trained to see himself from a Eurocentric view ([Mills, 1992](#)). His argument is that the effect of the cultural bomb is to annihilate people from their belief in their names, languages, environment struggles, unity and their own capacities.

In South Africa, this annihilation was promulgated through the introduction of Bantu Education. This education was tailored for the African and meant to subjugate them. Bantu education had a negative impact on the Africans. According to [Zungu \(1977\)](#) Bantu education impacted Africans in three ways; a) it necessitated change in the content of education with a shift to mother tongue as a medium of instruction, b) Mother tongue was to produce Africans for the labor needs, c) Introduction of mother tongue to create cleavages among ethnic groups. The introduction of the mother tongue as a medium of instruction in schools was implemented for purposes of denying students quality education because as they go up the educational ladder they will experience difficulties in knowledge acquisition in technical and scientific information ([Zungu, 1977](#)). The experiences with Bantu education in South Africa verify [Ladson-Billings and Tate \(2006\)](#) notion of intellectual property that; “Property differences manifest themselves in other ways. For example, curriculum represents a form of ‘intellectual property. The quality and quantity of the curriculum varies with ‘property values’ of the school” ([Ladson-Billings and Tate, 2006](#)). For the Africans, the curriculum was inadequate and myopic, teachers were unqualified and resources were poor. Therefore, the property value of the school was deliberately made to be inferior to that of the master. This curriculum was meant to produce cheap labor for serving the master. As a result Africans were destined to develop restricted vocabulary that will enable them to get instructions from their masters.

The Bantu education curriculum was used to relegate the Africans to a lower status through the content of the curriculum and language. Their curriculum content was limited in scope and syllabus had a very strong rural bias, it also emphasized on oral work and speech exercises in English and Afrikaans which was meant to help them carry out the instructions of the white master (Hartshorne, 1992). Bantu education symbolized white supremacy and the oppressive nature of the apartheid system of government. It was implemented with very wrong motives of further subjugating the Africans and excluding them from the economic, social and political structures in South Africa. Secondly, according to Zungu (1977) the issue of instruction in mother tongue was meant to create cleavages among African ethnic groups. He argues that from time immemorial, it is known that in multi-ethnic societies language is a binding symbol of identity. Enforcing the mother tongue was strategic in that its intent was to divide Africans and then rule them smoothly. The third function of the mother tongue was to produce Africans who would fulfill the labor needs of the whites at the same time not posing a threat to the white working class (Zungu, 1977). The experience of Black people in South Africa through the introduction of Bantu education is similar to what took place in the United States. This ill treatment of Blacks and their denial of proper education resembles notion of ‘absolute right to exclude’ as articulated that, “the law has accorded ‘holders’ of whiteness the same privileges and benefits accorded holders of other types of property” (Dixson and Rousseau, 2006). This allows whites to deny other people who are non-white the privileges and benefits to enjoy them. This right to exclude is further elaborated in relation to education that; “In schooling, the absolute right to exclude was demonstrated initially by denying blacks access to schooling all together. Later, it was demonstrated by the creation and maintenance of separate schools...” (Ladson-Billings and Tate, 1995). This quote typifies the notion of whiteness as practiced in education. Education becomes the hotbed of whiteness and promotes the idea of superiority versus inferiority. From this, it can be deduced that the Bantu education was meant to limit students from gaining a world perspective of how things operate.

According to Zungu (1977) by March 1972, about 86.97% of all African school teachers were under qualified below the matriculation level. What were these teachers expected to do? Obviously the system of education was deliberately made for a different purpose other than that of helping the Africans. Bantu education was tailored to subordinate Africans and promote white supremacy. Bell (2000b) augments the notion of subordination that, the subordination of blacks seems to reassure whites of an unspoken, but no less certain property right in their “whiteness.” For example most of the Afrikaners in South Africa were working class and others were farmers. The fact that they were white made them superior to the Blacks. So, Bantu education was meant to curb competition for jobs between the white working class and the Africans. Their being white gave them property and acted as a passport to white supremacy. These rights were upheld by the law and sustained for specific purposes.

4.3. Religious Complicity

One of the tools that were used to subjugate Africans and promote white supremacy in South Africa was religion. Mills (1992) traces the evolution of the relationship between white supremacy and religion back to the medieval ages. He contends that “Initially the intellectual framework was a

theological one, with normative inclusion and exclusion manifesting itself as the demarcation between Christians and heathens” (p.23). That is to say people were divided into two groups and these groups were used as the basis for being human or subhuman. In this instance the Pope had powers to give rights and to also to deny them. It is against this background that we see the relationship between the racial contract and religion in South Africa. Religion was also used in South Africa to divide people into whites and Africans. This division was to determine who is included and excluded in the economic, social and political landscape of South Africa. The school was seen as a good place to enforce the idea of superiority and inferiority. In short, the school was to be a hotbed of Afrikaner religious. This type of religion was to form the backbone of education and therefore, had implications for the Africans in general.

Christian was defined in terms of ‘life based on Holy Scripture and formulated in the articles of faith of the three Afrikaner churches. Delgado in [Dixson and Rousseau \(2006\)](#) acknowledge the importance of storytelling as counter narrative to be used in order to give voice to those people of color who have experienced racism and allow them to act as sources of knowledge. This would help in the case of South Africa as the religion as used to foster the grand narrative. I want to believe that the Truth and Reconciliation Commission in South Africa to some extent served the same purpose of the counter narrative as people’s experiences were used as a source of knowledge and gave those who initially were “voiceless” a voice.

[Zungu \(1977\)](#) further argues that the twin concepts of Christian and national imparted to Africans the notions of segregation and racial inequality because it depicted the Afrikaners as “Christians” and as a more civilized race that had to assume guardianship over the “Uncivilized” Africans. [Mills \(1992\)](#) extols on this idea that the strategic dichotomization of Christian/ Infidel was later translated into other forms of racism where race became the official maker. It reached its zenith and crystallized over time to the development of a category of people referred to as “*humanoids*” or “*savages*”, “*barbarians*” and identified as a set of non-white races. This is what [Mills \(1992\)](#) refers to as the distinction between full and question-mark humans. A moral code was then set with rules for whites and non-whites. The argument on religion and how it was used as a framework for the divisions among people reminds us of [Tate \(2003\)](#) argument about the neighborhood and the beliefs about whiteness that “The human race was white and did not include blacks; therefore, it was not possible to include blacks as part of the “neighborhood” (p.125). It is this moral belief of whiteness that laid the foundation for the current relationships between whites as property owners (citizens) and blacks as laborers (non-citizens). In South Africa, it appears that religion permeated all educational structures including the curriculum and was to be used to inculcate the spirit of superiority among the Afrikaners and relegate the Africans to an inferior status.

4.4. Institutionalization of Segregation

One of the interesting ideas in the racial contract that Mills eloquently alludes to is the norming of space and the demarcating of civil and wild spaces. According to [Mills \(1992\)](#) for the racial contract space and individuals are not homogeneous and distinctions have to be made between the two. [Mills \(1992\)](#) further asserts that “you are what you are in part because you originate from a

certain kind of space, and that space has those properties in part because it is inhabited by creatures like yourself” (p.42). Therefore, the racial contract links space to race and race to personhood and as a result “the white raced space of the polity is in a sense the geographical locus of the polity proper. The notion of the norming of space helps us understand segregation, why during the apartheid era there were places designated “WHITE ONLY” and those for others. It is interesting to note that where indigenous peoples were permitted to survive, they were denied full or any membership in the political community

We want to reiterate that not only was apartheid a system of racial discrimination, it was also imposed separation or segregation of blacks and whites in the areas of government, labor market and residency. In order to implement and formalize its policy of divide and rule, the Nationalist Party passed a series of laws. As alluded to in my earlier discussion, some of the most prominent laws included the prohibition of mixed marriage, *the Immorality Act of 1950*, *the Group Areas Act of 1950*, which promoted the placement of blacks and whites in separate residential areas on a comprehensive and compulsory basis, *the Reservation of Separate Amenities Act of 1953*, which enforced segregation in the use of public facilities such as transport, cinemas, restaurants and sports facilities and *the Bantu Education Act of 1953*, a policy for separate schooling and curriculum on the basis of race and the abolition of missionary schools (Zungu, 1977). What does this tell us? That the whites were determined to uphold their supremacy and in an effort to do so they formalized and institutionalized segregation in order to paralyze non-whites.

The introduction of a series of laws and acts became a catalyst for instability and dissent from the non-whites which was done through protests, boycotts and uprisings. These uprisings are similar to those that took place in the United States known as the Montgomery bus boycott often typified by the story of Rosa Parks. What is interesting about the Rosa Parks story is that it is often told as a grand narrative depicting her as a poor woman who had nothing, with the boycott being portrayed as an unplanned incident that happened by accident. Such grand narratives should be nullified through counter narratives. Story telling is viewed as an important tool in Critical Race Theory and therefore, such stories will help unpack salient issues of racism and discrimination. The issue of using the law to subjugate people is also evident in the United States regarding the Indians. William (2000) states that since the invasion of America, whites have sought to justify through law and legal discourse its privileges of superior values and norms of white civilization against Indian people. The ‘white man’s rule of law’ has always been used as a fundamental mechanism for whites to absolve themselves from any injustices against the Indian people. The question still remains, where does the struggle take us?

5. CONCLUSION

In this paper, we have looked at racism in South Africa and used the Racial Contract and other CRT tenets to understand apartheid in South Africa from a historical perspective. It would be insufficient not to address the issue of the Racial Contract in Post-Apartheid South Africa. Mills (1992) argues that the first period of the Racial Contract was characterized by *de jure* white supremacy with its branches such as the expropriation contract, the slave contract, colonial contract and many others. All these were indicators of white supremacy as a privileged race. He further

claims that what characterizes the current period is the *de facto* white privilege and extension of rights. His argument is that the racial contract is still alive and continues to manifest itself through unofficial local agreements such as covenants, discriminatory employment contracts, and political decisions about resource allocation and many others that we see today. The manifestation of racism is extolled in Morrison (1992) when arguing that racism is much more alive today than it was during the enlightenment period and “has become metaphorical- a way of referring to and disguising forces, events, classes, and expressions of social decay and economic division far more threatening to the body politic than biological race ever was.” (p.63). Morrison (1992) contention solidifies and endorses the issue raised in the Racial Contract regarding the salient operations of colonialism during the post decolonization period in Africa. It is in fact ironic to see African countries including South Africa and Botswana thinking and rejoicing that they have been decolonized yet are controlled by the West under the guise of a global order. Through the World Bank, International Monetary Fund (IMF) and World Trade Organization (WTO), these countries dance to the tune of the world powers as to who to include or exclude in the global economy.

Mills further argues that even though Africa has decolonized and Africans are in office the global economy is still ruled by the former colonial powers and their big corporations such as international financial institutions, lending agencies and giant corporations. This holds truth for many African countries. The simple example is that of the Commonwealth of Nations that brings together all African countries which were formerly British colonies headed by the British Monarchy. It is interesting to ask what the role of the commonwealth is? The answer would be to keep the legacy of British colonialism alive in Africa under the pretext that they are building and maintaining friendships. Another example involves the policies that African countries have to implement for development purposes which are from the World Bank and are accompanied by requirements that African countries cannot meet. The International Monetary Fund (IMF) and its subsequent lending policies is all part of the global economic order that still dictates to Africa what has to be done and is European based. In fact Mills is right that the Racial Contract is still in force and now operates in a more *de facto* stance.

According to Marx (1998) South Africa today is faced with a challenge to transform the past exclusive nationalism into an inclusive national government. Given the antagonism that prevailed among the Afrikaners, Whites and Africans, national unity requires grappling with the past and this led to the institution of the Truth and Reconciliation Commission (TRC). At independence in 1994, South Africa was also faced with a challenge of defining national unity that would not encourage revenge, or some reference to ethnic, racial or class exclusion. With the new government in place black South Africans are looking forward to change and it is this change that may turn out to be the biggest threat to democracy in South Africa. Under the new dispensation, educational skills, geographical area and the economic divisions accounted for race differences in earnings. Even though the new government has devised ways to provide educational and employment opportunities for the previously disadvantaged groups, a large segment of black people are still uneducated; live in poor rural communities and have lower paying jobs. Marx (1998) asserts that encouraged by their democratic inclusion, the majority of black South Africans would continue to look for substantive changes in their lives.

The postulation by Marx (1998) appears to be gaining ground in South Africa today. We have been following the news lately and the situation on xenophobia in South Africa is reported to be out of control. It appears the country is experiencing a lot of violence and antagonism towards foreigners. This may be an indication that the people have lost hope in the government since their situation has not changed even after the demise of apartheid. The rich are getting richer and the poor getting poorer. We think Critical Race Theory if used well in education can help people in South Africa to understand and deal with the issues of racial inequalities accordingly and work towards dismantling apartheid which is now very salient and difficult to notice.

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