

Chief Solomon

that the better way would be, when the Government proposed to introduce legislation, especially affecting the Natives, to summon a meeting of chiefs from the whole of the Province, say from the whole of Natal, to meet here in Maritzburg and for such a meeting to go carefully into the whole thing then and there.

MR. LUCAS: You said that you thought the agricultural colleges in the Transkei were good. One chief, or a few chiefs could not do the same amount of good as the colleges do - only when the people work together as they do in the Transkei through the Council, is it possible to achieve such good results. Would it not be wise for your people to find away of coming together, with a view to seeing whether they could work in the same way as the Council in the Transkei? - Years of contact with the civilisation of the White people has taught these people to do these things. They have advanced that far and they are carrying on these works, but with us it is different. Our people are much more backward and even if here and there we may have a few people to take an interest in that kind of thing, it would be very much like just one isolated case, it would be like taking a pig and having it put into a nice clean place and then letting it go and get itself dirty again. It would not be long before that pig had fouled itself again.

MAJOR ANDERSON: If you had this meeting of chiefs, would you like to have the power to spend money as the Bunge have, on schools and roads and so on? - That would be an excellent question to put to such a meeting, but I could not reply to it on my own responsibility. I think, if there is any such intention in the minds of the authorities, they should



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call the people together ----- Supposing the Government wishes to give the chiefs in Zululand the authority to say how money should be spent, let the Government put that question to a meeting like that. There will be much divergence of opinion on it, but eventually some kind of agreement might be reached. But, so far as I am concerned, I am afraid I could not speak on such an important question.

DR. FOURIE: Are you in favour of a special institute for the education of sons of chiefs? - I am very much in favour of it. I am out and out in favour of that institution. It is perhaps the best weapon that the authorities could possibly have placed into our hands. There is a certain section of people who are opposed to the tribal system and who are opposed to the chieftainship system. They say that it is not in keeping with modern times, but if we can get our future chiefs educated there, we shall be able to reply to these people on that point. There are one or two points on which I have some friendly criticism to offer to the place there, but when I get back I shall speak to the Principal and I shall suggest that some system should be introduced to tell the students who go home at vacation time not to remain away. There are a few instances of that kind and I should like to see discipline at the institution there tightened up somewhat.

DR. ROBERTS: But generally you are in favour of such education for the sons of chiefs? - Yes, sir, I am out and out in favour of it.

THE COMMISSION ADJOURNED at 1. o'clock until 2.30 p.m.



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On the Commission resuming at 2.30 p.m.,

MR. JOHN BERNARD ERLIGHTON FARRER, Retired Magistrate,

was called and examined:

CHAIRMAN: I understand that you wish to make a statement to the Commission about certain points in our terms of reference? - Yes. I am a retired magistrate and I want to speak on this question of Native lands in the main. I think that, in order to enable us to approach the question from the right point of view, we should realise that the Native acts and reacts in exactly the same manner as any other person under similar conditions. One has to understand the peculiarities of the Natives. Those peculiarities are common to those people when you get to know them, but there are certain things which are peculiar to the Natives in particular. All people have their peculiarities and, if we approach the subject from that point of view, I think we shall get along better than if we progress to have special knowledge of the inner mind of the Native. I do not profess to have such knowledge.

I have had 37 years service as a magistrate and magistrate's clerk and, during that time, I have been in direct contact with the Natives, and one of the main points which occurred to me in dealing with the Natives is this idea about this "Back to the land" idea -- this idea that that is going to be a cure for everything and that that is going to settle everything. If one comes to look at it, one must come to the conclusion that no country can progress if all its people should be agriculturists or pastoralists so that we have to take it in this way. We have to ask ourselves, "What is the future of the Native?" and I think we



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must try and focus on that question, what is the future of the Native, is he to be an agriculturist, a pastoralist or an industrialist, earning his living by work. There is no country in the world, I think, where the bulk of the people live in the country in the loose manner in which the Natives occupy South Africa.

In every other country in the world, there is a large proportion, a greater proportion of people who earn their living by their labour and work. Now, of course, the great drawback in this country is politics. Everything that is done in dealing with the Native goes to politics. That is the great trouble, that the Natives are not represented in South Africa in Parliament, yet their government is carried out by people who are swayed by politics.

My idea is that the Native is an industrialist and he will have to earn his living by his labour. That is to say, the bulk of them will have to do so. The majority of people in all parts of the world are workers, and we are not going to start ~~xx~~ being the exception here. By the majority of people living on the land. There is not enough land for one thing and even if we, the White people, were to clear out altogether, there would not be enough land for the Natives to carry out their agricultural or pastoral pursuits. And they will have to come in in the same way as others.

The majority of the people are living in towns, closely together, and going out to work. Well, there are a large number of people who hold that the Natives should be discouraged from coming to the towns. They say that the Natives are getting detribalised when they come to the town and that they are getting at a loose end. Well, sir, that position has got to



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come. We cannot keep the Natives out, we cannot keep them out for always. What I see here in Natal is this, whether it be by accident or by design or by some knowledge which the people had when they laid out the locations here so that there was attractive land set apart for Natives running from the Tugela to the Umzimvuba, about 20 miles inland from the sea --- that is what we have here, and that is almost a continuous strip of land. Now, supposing we set that apart and encourage the Native to settle there, what would be the effect of that? Supposing we encourage the Native on the other hand to settle wherever their labour would be required. I say that the future of the Native is an industrial one and, for that reason, I hold that we must provide them with work so that they can work. We do not want any colour bars or restrictions, but I do say that the Natives could well be settled all along that strip of land and provided with work there and then there would be land at the back that could be taken up later on as required and, in the meantime, it could be occupied by the Natives who are not ripe for that yet.

The Health Department will no doubt say that you are having too many people assembled in the one place without making provision for sanitation or things like that, but that is one of the details which will have to be considered under this scheme. It so happens that the fields for employment, the openings for employment, the largest fields for employment, also lie in that part there, between the sea and this belt which has been set apart for the Natives. That would bring about segregation in an intensive manner, in a manner most helpful to both sides. That land has already



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been set aside and, if they realise that they can go there and that that is their home, it will be a good thing. You must not lose sight of the influence of home life on the Natives. At present, the Natives have to leave their homes and they have to go long distances to work. They lose touch with their home lives and with their people and one has to substitute something else for it. It happens that we have the opportunity of putting these people somewhere near and the same thing could be done on this side of the strip. If they find there sufficient inducement to work, they can work on this side of the strip too and they will also be free to go wherever they want to. They are not bound to go and work in Durban or in the sugar cane fields.

They will be able to have a place where they can start their work near their homes and they can have some land which they can call their own.

CHAIRMAN: I do not know whether I quite follow you, but in referring to that strip of land, do you mean to suggest that more Natives should be transferred into it than there are there now? - No, I would leave that to be voluntary. I would not force them, but I would say "Here is a place where you can go and live", and it would be a matter for arrangement what size of ground you would give to each man who wants to live there. And, in the course of time, when these people had got in to sufficient numbers to elect a committee or some form of local government, they could then adopt that and arrange their own affairs in there. In the meantime, until that time has arrived, the Native chief would be the chief.

But we have to get rid of the chiefs. They



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have to die out in the course of time. You cannot have people coming along and being under a chief without there being any obligation for them to be under him. The chief orders him to do this or that and the chief gets whatever he can out of the man, although he has no real means of enforcing his will or his orders upon these people. But, of course, it is a position which, in certain ways, is alright.

The tribal system is a very useful one, with a large number of people living in that condition -----

MR. HOSBERT: Is not the tribal system the only vestige remaining to keep the Natives together? - Yes. But the Natives are distributed all over the country and their tribal ties are vanishing and what we want to do is to try and preserve the home life. You want to teach the man that he has something which he calls his home and where he has his stake.

Is that not the only way in which you can do it, by having a chief -- is he not the tie? - No. They have to manage their own affairs as soon as there are sufficient numbers of them. You see, when we came here, we found the Natives living under the chiefs. They were living under a king and the king ruled his people and there was a continuous string of responsibility, but we have broken that down now and, in Natal, it hardly exists today at all.

But it has not been entirely broken down? - Nearly.

There are quite a number of chiefs and the people respect them? - Yes, but I am really referring to their influence over their people and I say that they have practically no hold over them.

Do you think that the influence of the chiefs over



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their people is waning ?- Yes, it is. They have practically no authority over the Natives now, and there is nothing by which they can hold them together.

Do you think that there is a sentimental power which the chief has got? We have had evidence all over the country in regard to the power of the chiefs and their influence. Now, is that power sentimental or is it real ?- It is sentimental to a great extent and, when it comes into contact with practical matters, it goes by the board.

Yes, but sentiment always does that ?- Yes, I think so.

Then, supposing that the Government were to give the chiefs more power, for instance, if they gave them the power to put the troublesome men into gaol so that they could get back some of the power which they had in the past, would that be helpful ?- No, I do not think so. I think that what we want to do is to take away as much of the coercion as possible and leave every man a free man. He has to obey the law just in the same way as anyone else has to do, but do not coerce him.

Sentimentality has a great value - the world is ruled by sentiment? - That is among the more civilised people. With them, sentiment goes farther.

Do you mean that sentiment goes farther with civilised people than with uncivilised ?- Yes.

Do you not think that if you bolstered up a chief by giving him the status which he had before and if you gave him a few other things, -- say you were to give him a brass hat and things like that, do you think that that would help him ?- No; I think it is only prolonging the day when they will have to stand on their own feet and when they will have to be responsible for their own actions.

Is the day going to come when they will have to stand



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stand on their own feet, when the White people will no longer look after them ?- Yes. The Natives, of course, have to obey the laws, but under the tribal system, conditions are entirely different. I do not really know what the tribal system involves; I do not think anybody knows. It is a very favourite expression on the part of the man in the street to say, "Make the chief responsible for this or that". That is all very well, but you do not vest him with the power to do so.

And you do not think that it is safe to vest him with that power ?- No, I do not.

DR. ROBERTS: How does the proposal appeal to you that Chief Solomon, for instance, should have a body of chiefs as a Council, to deal with proposals of the Government as they arise ?- You see, our trouble is there that those councils and advisory boards, on the face, appear to be useful, but how often do we find that the Government pays any regard whatever to them. They pass resolutions and such things, but it very often is impossible to carry them out.

Yes, I agree with you there, but I do not think that Governments as a rule take the advice of anyone ?- No, they do not. And then what is the good, if that is so, of having an advisory board. Commissions, of course, are very useful, because they collect evidence and that evidence is useful to someone else afterwards. We had an old commission which sat in Natal here, and the things which they recorded were very good. I noticed the other day, when I went into this matter of how many Natives there were in Natal, how useful the information collected by the Commission was. I saw that, in 1835, there were about 20,000 Natives in Natal, and,



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in 1845 they had gone up to 100,000. And then, in 1852 when there was another commission sitting, ---- I do not know whether it was the same one perhaps ---- they had increased a great deal more.

DR. ROBERTS: You are not referring to Zululand ?- No, that is separate.

In how many years did they increase from 20,000 to 100,000 ?- In nine years. Now, many people say that this country, South Africa, belongs to the Natives. It is argued by many that they have a prior right to the White man, but have they? If we consider that when we came here there were only 20,000 people and those 20,000 were refugees. I do not say that, because of that, we should disregard the Natives, but I do say that we have to deal fairly by them, though I do not think that they can say that they have a better right to this country than we have. That especially applies to the White people who came here and bought the land. The Native people had land set apart from them and they had the opportunity of buying land themselves, but they only availed themselves of that right to a very limited extent.

There are two other matters on which I would like to have your views. You say in the first place that we must have industries. Well, now, what industries could you propose today which would give labour to the Native people ?- I am not referring in particular to factories. When I say an industrial life, I mean that they have to go and get work and work for their living. They leave their wives and children at home and go out with the idea that they can go home quite easily at weekends when they are finished their work.

If there are no industries, there can be no labour.



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There is not enough labour in the towns to use up all the Natives ?- In that particular belt between the Tugela and the Umzimvuba, there is sugar being grown and the Natives could obtain employment there and then the industries round about Durban would take up a lot of them as well.

You think so, ?- Yes, I do.

Do you not think that there is a surfeit of labour there ?- No. You see, at present the Native goes wherever he can find labour, that is employment, and the majority of them today go to Johannesburg or round about there. Well, Johannesburg could establish the same sort of settlement for them, where they could have their own ground and so on.

Yes, but if we are to obtain labour as you suggest, for the increase of the Native population, you cannot do that without new industries, because there are not enough employers to employ the Natives today ?- You probably might get industries there if they were assured of a labour supply.

Now, there is not in your mind any thought of what kind of industries one might have ?- No. What my idea is is to let things flow on ---- I do not say that we must take these people and plant them there and that they must live there. We can say to them, of course, "there is a place where you can live but if you want to go elsewhere you can do so. There is a home for you there, but you are not bound to go there."

Let me give you an illustration from England. There were a good many unemployed there because the motor industry, for instance, has steadily gone down and cannot employ so many men as in the past. Now, is there any industry that you can think of in this country which would take up the surplus Natives that we have here ?- No. I have not considered that



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point, I have not thought of the class of labour which they are to get. I am only thinking of the other countries where you have the working people where they flow into the towns, where they come into the places where they are working. You know what I mean, they come in early in the mornings, and they go out again in the evenings, and I think that, here too, these things will adjust themselves. If we say to them, "Now, there is your place; do not cry <sup>out</sup> about wanting land, because there is no land for you to have, but here is a place where you can settle down." That is what I had in mind.

But if there is no work for them, then they would be worse off than they are today? - No, they would be better off, because they have a place which they can go to where they can leave their families, and a large proportion of them will give up the idea of living on farms. Today, they have conditions there on the farms which they prefer to the conditions in the locations.

Do you not think that a huge Native proletariat in the towns would be a very dangerous thing, both for the Europeans and for the Natives? - Yes; but, of course, that is a point which one may have to face. We cannot do without them. Then, on the question of Native beer, I do not know whether it has even occurred to you when you have been enquiring into these matters, what a great danger lies in these municipal beer halls, in encouraging a Native or any person to spend from 25 to 50% of his daily earnings on beer.

DR. ROBERTS: Yes, I am quite conscious of that? - Well, it is a very dangerous thing.

Yes, but unless you are going to have total prohibition or home brewing, I do not see how you are going to escape from



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these things, because men will drink ?- Yes, to a certain extent that is so, but I do not see why you should go and put all these places there to encourage these boys and these people to go on and every day at 11 o'clock to have their drink of beer.

MR. HOSBERT: You want to do away with the temptation ?- There are lots of things to be said in favour of it. For one thing, they get good beer, but is it not a very dangerous position which you are setting up, that you are encouraging people to spend from 25% to 50% and perhaps more of their daily earnings in beer.

Where in reality they cannot afford to do so ?- No, certainly they cannot afford to do so. They have to find the money to support their wives and families and they are using the bulk of that money in beer, which is not necessary to them. It is quite right that they should have their beer, but what I object to is the personal interest of the Corporation in the profits of the beer.

MAJOR ANDERSON: We had a high medical authority the other day at Grahamstown who said that kaffer beer was essential to them and that lack of it was causing serious deterioration ?- Well, here you have urban areas and now you have the liquor act, under which they are able to get beer legally. A Native or a boy under 18 cannot get beer legally when he lives in an urban area, -----

MR. LUCAS: What figure per month expended on beer are you taking as 25% of their wages ?- I am taking it at 1/- per day.

You mean that they are spending 1/- per day on beer ?- They can get a 3d drink, that is a small one, and then they



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can get a 6d one, which is a large one.

And do you think they go to the Municipal canteen twice a day ?- I think they go pretty often if they can handle the money. ~~Do-you-think~~

Do you think that they have developed the 11 o'clock beer habit ?- Yes, I think so.

DR. ROBERTS: Now, would it be an advantage if you made it one third cheaper and if you gave them a drink for one penny, would not that help ?- I do not like the idea of encouraging a habit of that kind. Even if it is only a very small amount, it is a habit and he is wasting his money, and, on the other side, of course, it is their policy to encourage him to do it, because he remains longer at work.

MR. MOSTERT: Would you suggest that we should do it for the European as well, and that we should have total prohibition ?- No; but I do think that we are over-legislated in this country, that is the trouble, and the Native in particular gets most of it, and he has no say in the making of that legislation. But I cannot get away from these things. I know there is a lot of advantage in the Natives getting beer, but I do not think that the Municipal policy should be ----- I know a place where the Municipality have said to the Police, "The beer receipts last month were down; there must be a lot of illegal beer-drinking going on, and you must do something to check it." They say, "Our receipts have gone down and that must stop". We hear<sup>of</sup> that the money derived from beer is used for Native welfare, but a large amount goes to things which benefit both Black and White.

In other words, you think that they encourage it ?- Yes, and it is only human nature that they should. They want



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to keep down their rates and they do that. But it is very dangerous. On the other hand, I say that it is going too far to lay it down that a person shall not brew -- it is wrong to say that a person shall not be able to brew beer for his family. I have been answered by people who have said, "Yes, but Europeans are not allowed to have stills either", but that is not the same kind of thing. We stop them from getting liquor, that is to say, spirits, and now we are out to stop them from getting their own beer. That, I do not think is right. I agree that it is an evil if it is carried to excess, and it is getting worse and worse. We know that in many parts, on Monday mornings, the day does not start until later on in the day, or even later in the week, owing to many of the Natives having been away and having got incapacitated at a beer drink. But that is just an individual circumstance and we cannot stop it and I personally do not think that it would be fair to them to stop it altogether.

MAJOR ANDERSON: Medical opinion at Grahamstown said that it was essential for them that they should have their kaffer beer? - Yes, that may be. I do not hold with the people who want to stop them in every possible direction. As I say, I tried to explain, the Urban Areas Act makes it impossible for a Native female or a boy under eighteen to get beer legally. That is good and well, but I think Native adults should be able, under certain restrictions, to brew their own beer. That is only fair.

DR. ROBERTS: You really do not think then that it does him any harm? - No; but I do not think it right that he should be encouraged to spend too much money on it.

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Mr. Spiers

MR. ROBERT JOSE SPIERS, called and examined:

CHAIRMAN: Will you please tell us who you are and what you wish to say to us? - I am a farmer of the Eston District, which is near to Camperdown. I should like to put certain points before the Commission for its consideration.

Will you tell us what these points are? - I came in primarily to object to clauses 8 and 9 of the Native Masters and Servants Act.

Are you referring to the Native Service Contract Bill? - Yes. I want to object to the provision under which an employer, a farmer, may have to appear before the magistrate or the police at any time they wish him to do so.

DR. ROBERTS: That is the provision under which the magistrate or the police can call upon a farmer? - Yes. They can call upon the owner of a farm who has tenants living on his farm. I feel that this is an injustice to the farmer generally and it is for that reason that I have appeared here to speak. When you come to think of it, the farmer has already entered into an agreement with his Native, who lives on his farm and, generally speaking, that agreement has worked fairly to both sides, it is interpreted in an amicable way and you feel that any interference on these lines would be detrimental because, if you put it at the worst, you are always going to find objections. If a farmer may be called at any time to appear before a magistrate, he may perhaps have to go 50 or 100 miles to give some explanation and he is going to be put to all kinds of inconvenience. Then there is the other side - it means creating distrust between landlord and tenant. If the farmer tells his head boy with whom he has an agreement that he, ka (the farmer), is liable to a fine



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of £5 if he, the boy, does not work three months in the year, -- it will lead to all sorts of trouble. Let me explain. That boy may be the head of a kraal and he has come to an amicable agreement with the farmer to supply him with labour. Now, under that agreement he, the head of the kraal, is not to work himself, but he supplies the farmer with labour from the kraal and he is directly responsible to that farmer for the labour. You can understand that when you try and make a fresh agreement with that boy and if you tell him that he must work three months in the year, he will not understand that and it will simply cause friction and trouble, with the result that he will fall out with his master, and he will simply leave the farm in the long run. To me, it looks as if it might be a wedge in the process of the scheme for the segregation of the Natives. It would appear almost as if it were running parallel with the clause in the proposed Native bills, where it is suggested that no farmer shall be allowed to retain more than three kraals on his farm and that he will have to pay a direct tax for any additional labour over five.

DR. ROBERTS: You are referring to the old Land Bill now?-- No, I am referring to the present bills as proposed, the new Native Land Bills aiming at segregation. That is a clause in those bills, unless it was taken out recently. It means this, that it brings about a state of affairs between the master and the servant necessitating eventually the expulsion of the boys from the farm. Then you come up against a blind wall as to where these boys are to go and the end of it will be that land will have to be found for them.

Now, on that basis alone, I think, it will be detrimental



**Collection Number: AD1438**

**NATIVE ECONOMIC COMMISSION 1930-1932, Evidence and Memoranda**

**PUBLISHER:**

*Collection funder:- Atlantic Philanthropies Foundation*

*Publisher:- Historical Papers Research Archive*

*Location:- Johannesburg*

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