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while he is in these townships - I am presupposing a township with a very small land holding - there is very little opportunity for him increasing his income in any way by the cultivation of the soil or reducing his actual living expenses and those of his family in the same way.

One of the only ways in which he can increase his income is by taking in tenants for which he charges a rental. Unless you have very sound administration, one of the results is very considerable overcrowding, which is inimical to health and wellbeing; so that the balance of weight seems in my opinion to be in opposition to these people acquiring small holdings -- that is, stands that are not able to stand any cultivation, -- in the vicinity of industrial areas.

Now, that applies fairly generally perhaps, but would it apply largely to individuals -- would there not be a large number of individuals to whom it would not apply? - I think not. My difficulty on the economic side is that there are so very few Natives who can be regarded as independent other than the men living away in the Native Territories, who have flocks and herds and crops; but the moment a man ceases to earn his living in industry or the like, his capital is not sufficient to carry him on.

Taking Natives in town earning £10 a month -- ?-
There are very few.

Yes, admitted; but would not such Natives be able to go in, to their own advantage, for holdings of this nature? - For a time only, I think. So long as they continue to be wage earners and their people ply between their homes and place of employment, they are allright, but so soon as they depart from the picture as wage-earners, economically they are on a very bad wicket.

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That applies to White people too, does it not ?- Yes, it does, but very much less so, I think, than to the Native. I think much the same argument might be held to apply to the European; if you contemplated for a moment the creation of small holdings of a similar sort for Europeans, I think you would be faced with very much the same objection.

They would not be able to keep up their payments, for example, when they fell into unemployment ?- Not in a legitimate manner.

But one naturally regards it as likely that the number that could afford to go in for a thing like that would increase as time goes on ?- If you are able to improve the economic condition of the Native, yes; but today the number is so small who can advantageously, in their own and the general interest, take up such a scheme, that it is almost negligible; but I do not say the same where you allow these people to settle on land of adequate quantity to augment their resources, where they can reduce their living expenses by the production of the soil: and that is why I say that the proper scheme for the Natives of this class is to facilitate their obtaining ground and directing their houses on land which is sufficient to help them substantially economically. The nett result of that I do not think would be more expensive to the Native himself than the acquisition of ground in the vicinity of industrial areas, which is very much more expensive and which the owner of the ground is deliberately exploiting at the expense of the Native for his own benefit.

MR. LUCAS: When you speak about providing land farther away, do you mean as far away as the reserves ?- I had not that in mind, but sufficiently far away not to make his

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precarious life dependent on letting rooms and so on. Rather encourage him to develop the soil.

But is that possible with the type of Native we have been discussing, who must have and who must maintain a considerable degree of skill in the work that he is doing? The Native who goes home for three or six months in the year, or who remains at home for 12 months, is not the type who will be able to earn six to ten pounds a month or more?— No; well, he is not one of those who desires to purchase this land; he is already tribalised; his anchor is at home.

The type we are thinking of, capable of earning from £6 to £10 per month, does it not imply in his ability to earn that, that he must work continuously so as to maintain his skill?— Yes.

Can you say it is any use providing that Native with land hundreds of miles away from his work?— There are a considerable number of Natives who are on the verge of retiring from active operations, who have made what they regard as sufficient on which to purchase land and go in for one of these land purchase schemes; but if you examine them as to how they propose to live after they have purchased their ground and erected their house, you find that they have carried the matter no further.

CHAIRMAN: Among the objections that you raise to a suggestion like that, you mention the undesirability of the creation of Native townships in the vicinity of public roads. Will you explain more fully what you meant by that?— These are the objections that have been urged. I have had a large mass of correspondence; the objections I have advanced are not necessarily objections to which I personally subscribe;

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but the idea behind that is that if you get a township of fairly considerable size, including a considerable proportion of Natives and a high percentage of tenants who are not of the same class as the owner, ^{acts of} ~~that~~ tends to lawlessness and aggression are more likely to occur amongst such a community; they are outside the operation of the various restrictive measures in respect of the local authority's boundary, and there is a tendency for the less reputable classes of the Native people to gravitate as tenants into such areas.

DR. ROBERTS: Now, taking that Alexandra Township, do you find the nearness there to the road is a trouble? - Of recent times, the Alexandra Township has held a very good record from a crime point of view; there was a time when it had a very undesirable record.

Yes; but there were reasons for that then -- the poor-ness of the governing council; is not that so? - Yes, to some extent.

MR. LUCAS: It is on one of the most important public roads in the country? - Admittedly, yes.

MAJOR ANDERSON: Do you not think it would be possible to start a townships ~~tax~~ on a very small scale for Natives who have natural aspirations to own land and with suitable control and guidance may succeed and perhaps extend it little by little, as opportunity offered? - So long as the land holding is very small, I cannot agree to it; my conviction is against it.

MR. LUCAS: What size plot would you consider satisfactory? - Not less than two acres.

MAJOR ANDERSON: To enable them to do some cultivation and draw something from the soil? - Yes.

CHAIRMAN: When you think of their being in the vicinity of farming would be a prejudice, you are thinking of European

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farming ?- Yes.

A centre like that may become the centre of Native small holdings ?- Yes. Of course, it is regrettably true that nearly any institution intended for Natives -- it does not matter whether it is a hostel, location, compound or small holding of this nature, -- it almost invariably opposed by the European local interests.

We want to see it in rather a larger light; taking all the factors into account, the creation of a township like that is likely in ten years' time to be condemned as a mistake ?- Exactly. That is why I say the effect in 20 years' time is the test of these settlements.

MR. LUCAS: WHAT form do you think the test will take in 20 years' time ?- Well, I visualise that, at the end of 20 years, the present holders of these small holdings will have ceased to be wage-earners and they will be thrown entirely on other means of earning a living, -- either by savings, investment of capital and so on.

Why should they cease to be wage-earners ?- Well, because most of them are already men well advanced in years; the average age is already somewhere in the region of 45 or 50.

You mean, they will become too old to work ?- Yes.

MR. LUCAS: Will not the same rules apply to them as to any ordinary European township; they will be able to sell their lots and retire to somewhere else ?- The quality of the houses that they build, for example, will have very much deteriorated in 20 years. I doubt whether there will be any appreciation of capital. They might be very fortunate if they get back as much capital as they put into it. Well, assuming that they paid £50 for the land and another £30 to £40 on the erection of a house, they are then in possession

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of something like £70 in the nature of capital. A detribalised Native as distinct from a tribalised Native, cannot, in my opinion, hope to exist on an investment of capital of less than £100.

MAJOR ANDERSON: With regard to the quality of the house they build; it would have to be controlled; they would not be allowed to put up shacks or tin huts? - No; but even then, it is unlikely that in building regulations you would insist on the construction of buildings that would be of similar value in 20 years' time.

CHAIRMAN: Would you insist that some minimum standard be laid down as regards Building? - Yes, but I would not go so far as to say that that standard should be a very high one; it should conform more to hygienic laws rather than any idea of perpetuating them and protecting the owners from depreciation in value.

DR. ROBERTS: I am at a loss to understand this against these townships; a police station would have to be established in the vicinity of such townships at public expense to protect property and maintain law and order. Now, why should there be a police station? - The argument is merely the same as I have suggested in the case of roads -- that there is the likelihood of a somewhat undesirable tenant class and that, where you have this considerable class of undesirables, special measures are necessary for the protection of good government.

Yes, quite so; but you could not visualise a decent township populated with decent men who would not require a police station at all? - I would entirely agree with you if the township were limited to standholders; but the moment you admit the necessity -- and it is an economic necessity to

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take in the tenant -- then the position is very much altered. But I want to make it clear that I have assembled for the guidance of the Commission, as far as I was able, the arguments put to me in favour of and against these things; they are not of my own creation, I simply precis-d them and put them forward for the information of the Commission.

MR. LUCAS: May I ask which of the objections you agree with? Take the first; I take it you do not attach much importance to that? - No, I do not.

And the same applies to the last? - Yes.

Take the second one; is not the person who put that up drawing on rather a vivid imagination? - Yes, I think there is something to be said for it, owing to the tenants factor that I have put down.

MAJOR ANDERSON: Would any of these suggestions apply so strongly to a township in the neighbourhood of an European town and that the Natives owing land could work in towns? This seems to contemplate a township far removed from an existing town? - It contemplates a township in the vicinity of, or, say, 8 to 10 miles away from an industrial area.

It would be rather too far for Natives to come to work, would it not? - No; Natives have bicycles and now there are such modern institutions as Native buses, which ply very readily between such places.

MR. LUCAS: Take the fourth one, the establishment of a Native township tending to depreciate the value of property in the neighbourhood; has that been so at Alexandra Township? - I am assured that this is so, and I am more assured that it is so in regard to a little Native township near Kliptown, which is just beyond Nancefield Location, where there is no system of local government at all. This place

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is rather like Topsy; it has grown.

DR. ROBERTS: There are a few townships in the North of Natal? - I do not know them. There is a township which I would like to have had an opportunity of examining with the object of putting something before this Commission, and that is the township of Evaton, where a very large number of Natives live, and I would suggest that the Commission might like to have some enquiries made in regard to that township; either the Native Commissioner of Vereeniging, - or there is a Secretary to the Township, - and they might be asked to come before the Commission and express some views. I have no personal knowledge either of the size of the stands, how the administration is conducted, or anything else, but this township for Natives has been in existence for many years and it might be worth while examining the results there.

MR. LUCAS: Do you know whether the Alexandra population furnishes many employees for farmers in the neighbourhood? - I should think very few; the great number of the breadwinners are employed in Johannesburg.

You make the point that not many Natives of the class that would live in townships would accept the wage that the farmers are able to pay? - That is so, yes.

Would that apply to a place like Vryheid? - No, it would not apply nearly so strongly. In the first place, the wages in Vryheid are on a very much lower plane than they are on the Reef and secondly, the area of the town lands is very large.

I do not know if you are aware of the fact that, just outside the town lands there is a farm that has been cut up into small lots, and the attempt was made to form a Native village? - No, I was not aware of that; I am only concerned

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in labour administration so far as Natal is concerned.

We take it these points you have put forward here are points that have been raised by different people in regard to Native townships near Johannesburg ?- Yes.

Or, have you had them raised in connection with other areas ?- Well, I say the Reef. There has been one on the far East Rand, near Springs; another one some miles north of Germiston, and another one north of Johannesburg.

Who could give us a statement shewing the number of these townships that have been formed or attempted to be formed ?- None have been formed. In the case of the one at Springs, the history of it was that it was created for an European township, but the Company failed to sell its ground to Europeans, so they decided to try and turn it into a Native township.

And did they succeed ?- It has never been established.

Have Natives acquired plots there ?- No.

Are Natives living there ?- No.

And the one you mentioned near Germiston ?- No.

There are no Natives on it ?- No.

So that all we have are Alexandra, the place near Klip-town, and Evaton ?- That is so, yes.

CHAIRMAN: Passing on to the Industrial Conciliation Act; do you consider that the Natives will, in the near future, be able to come up to the standard of organization which is required for the present form of that Act ?- I think there ought to be a process of tuition -- well-directed tuition to bring them under the operation of that Act; whereas, any tuition that they get today is very largely ill-directed tuition. I would like to see the organization on sound and clean lines rather than on somewhat Communistic lines.

That tuition would again become the function of a

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department like the Labour Department, or of your Department ?-
Not necessarily; I do not contemplate anything very large in
the way of development on those lines. As I have suggested
in my memorandum, I contemplate one selected officer; such
an appointment is already in existence, recently created in
the form of a welfare officer, but whose functions do not
include those which I have suggested might advantageously be
taken by such an officer,

But, in practise, it would mean this, that a number
of Natives would come together to form an union and that union,
although it might not conform in all respects to the require-
ments of the Industrial Conciliation Act, might be registered
and an European officer given the task of gradually converting
it into one which would conform with the Act; is that your
idea of it ?- Not quite, at this stage, -- or not at the
earliest stage. My idea was more this, that supposing a
conciliation agreement were contemplated in respect of, we
will say, the bakery trade or the leather trade on the Wit-
watersrand, that this particular officer who had the confidence
of the Native people, should be directed by the Minister
to represent the Natives employed in the bakery or leather
trade; that he should then get in touch with Natives in that
trade -- representative Natives -- and that they should be
brought together and elect a certain number of their own
representatives to serve in an advisory capacity behind him.

Advisory to this official ?- Yes; that the Minister
might have the ability to add to that advisory council certain
selected Natives, not necessarily employed in that trade, but
whose mental abilities would enable them more clearly to state
the claims and ambitions of Natives in that particular trade

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-- to voice them; to assemble the thoughts of the Native people and put them up in a more or less considered way. Then, when your conferences were proceeding, with the object of determining -- not determining, but arriving at an agreement with regard to wages to be paid in that particular industry, this selected European would attend that conference as the accredited representative of the Natives employed in that particular industry; he would listen to the arguments; he would voice his views and so on, and at certain stages, he would assemble this advisory council of Natives and would say to them, "These are the factors, - these are the proposals; my view is that you should press for a little more on this line", or "That the payment of a certain wage for some unskilled work in such a line is inimical to your interests and you should oppose it", "and generally speaking, your views on what is going on in regard to this industry should, in my opinion, be so-and-so and so-and-so". This would then be discussed by these Natives and they would agree or modify the views that he had suggested to them, and, ultimately, after this process had taken place once or twice, he would come back to that conference room with a resolution from the Natives, "I am authorized by the Natives employed in this industry to vote so-and-so and so-and-so". In that say, it seems to me that, at this stage, the actual view and interest of the Native people might definitely find its place into the agreements that are entered into in these wage agreements.

It would be rather a difficult matter to get the individual to have the confidence of the Natives in all these cases ?- Admittedly; it is better than nothing, and, in my view, after it has operated for a comparatively short time, the

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Natives themselves, when it was appreciated by the Europeans sitting in council, that the Native view on these matters was a very sane view, would automatically be organized and that they themselves would have the voicing of their own interests in these deliberations; which is, of course, what I would advocate.

DR. ROBERTS: Do you think the creation of an officer for conciliation in the Native Affairs Department open in that direction? - It is quite outside at the present moment, of course.

I understand that? - It has been directed mainly in arriving at some basis of agreement between the employer and the employee, and it is based very much on the method adopted in labour districts by the labour administration -- that is the Native labour administration.

It is a via media? - Yes.

MR. LUCAS: I do not know if you have any experience of how industrial councils work? - No, very little.

Today, most of them expect to make an agreement in a few minutes. It is difficult to get meetings, and the procedure you suggested would involve a little delay, would it not? - Quite probably.

Do you think that you could get an official for the work that you mentioned, who would dare to stand up to the employers? - I think so.

Do you realise that it would mean that an official of that sort, who would push for adequate wages for the Natives, would have a very difficult time indeed with the employers? - Yes; well, he would be paid for his hardships.

But do you feel that the position is so bad here that it would not be possible to get discussions between employers and their Native employees? - I do not think that the time is

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quite ripe for it; it is much more ripe than it was a matter of four or five years ago.

I was wondering whether you appreciate the very rapid change that is coming over?— Oh, yes, very much; but you still have the weakness that there is no industrial organization among the Natives capable of representing them.

When you speak about an official representing the Natives, are you meaning in respect of all occupations, or only unskilled occupations?— Any occupations where there is a substantial number of unskilled workers, because, in my opinion, agreements, even on the semi-skilled side in regard to wages, are often very inimical to the Native interests.

They can be, quite easily; I appreciate that; but this is a case that has actually happened. I was wondering how your official would fare in trying to protect the Natives; a wage determination was made for a particular industry; the European employers and employees got together and discussed an industrial council agreement to take the place of the determination. The employees' representatives were almost all highly skilled people, well paid, and they, in consideration for having their own positions secured, were quite willing to allow the employers, if the law would permit it, to reduce in effect the Native wages to a half of what they were in the determination. In such an instance as that, your official would be faced, not only with opposition from the employers, but also from a privileged class of employees. Do you think he could stand up to that?— No, I think he probably could not; but he might be able to wield the big stick in the fact of his having the ability to bring his view before the Minister.

But a similar view is today brought before the

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Minister because of the fact that all such agreements have to be commented on by the Wage Board; but that big stick is still not sufficient? - No, I daresay. That there are difficulties I quite agree, but, as I said, a great many people, employers of labour particularly, are careless and neglectful of the interests of their Native people, but they are not deliberately callous in regard to them, and much that is done is through lack of appreciation of its effect on the Native employees. I think that, with the employers who are very intelligent people -- and many of the employees also, particularly the senior ones, -- when they have a full appreciation of the effect of certain provisions under these agreements on the Native employees, that they would be prepared to make some concessions which would be in the interests of the Native people.

Now, do you yourself see any reason why Natives should not be allowed to organize in trade unions, either as members of a trade union embracing both Europeans and Natives, or in a separate trade union? - No, I would not like to see wise direction in regard to those things.

You spoke about a welfare officer; what are his duties today? - I can give you the actual duties; I am afraid I have not got them here. There was a memorandum -- it appeared in the Press, as a matter of fact, -- indicating his duties at the time; it was probably about 18 months ago. They are virtually the examination of disputes between masters and servants in industry and agriculture, with a view to finding a settlement of these disputes without the recourse to criminal law, which in most cases is the alternative.

Is that his primary duty? - Yes.

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Would you say he has been successful in that ?- I think he has had quite some measure of success. I am not very intimately in touch with his work; he is in Pretoria and he has not been operating in labour centres.

Have you anybody of that sort in labour centres ?- Yes, all the Native Commissioners are virtually endowed with similar functions.

And would you say, wherever possible an attempt is made to settle masters and servants cases out of Court ?- Oh, yes.

And can you say that has led to a reduction in some cases of cases coming before the court ?- Oh, yes, in some cases, -- in fact, strikes of any magnitude are a thing of the past on the Witwatersrand. The Native people, I am glad to say, have developed so much confidence in the ability of the Native Affairs Department, as represented by the Native Commissioners, to settle these agreements, that it is most unusual for recourse to violence in the nature of strikes and the like.

Do you wish us to infer from that that most of the masters and servants cases are cases analagous to strikes ?- Well, of course, I am speaking more or less of industry and bigger representations; I am not touching on domestic servants and that sort of thing. But strikes and refusals to work are almost invariably attributable to some disagreement in regard to the conditions of employment, with regard to the material that is supplied for certain operations, or in regard to the wages or other conditions, in the shape of remuneration or payment, hours of work, etc.

Do you agree that the inference from the right to organize will be the repeal of the provisions in the Masters and Servants Act, making the breach of civil contract a criminal offence ?- Well, the Masters and Servants Act does really

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touch the position now. The labour regulation has superseded that, but the same principles apply. I would not go so far as to say that I would eliminate entirely the same coercive measures in these industrial acts. I think that they should be in administration only utilised as a last resource, but where you have got these enormous masses of the Native people who have not yet got a proper sense of their civil obligations under the Masters and Servants or analagous agreements, I do not think it would be wise to eliminate, what you might call, the criminal disciplinary elements entirely; that is, today if a Native goes on strike, he can be charged with refusing to work or inciting others to refuse to work. One usually finds, whenever there is an European strike, the Europeans have not conformed to the provisions of the Act; they have taken the bit between their teeth, just as much as the Natives take their bits between their teeth.

Can you conceive of any real power being exercised by a trade union with regard to the criminal section of the Masters and Servants Act, or Labour Act? - I do not see why not. Trade unionism flourishes under these measures in the Conciliation Act that we have referred to.

No, no; the position is very different there. Today, if a Native has bound himself for three or six months and he fails to work for any reason, he is subject to a criminal penalty; but, if an European contracted to work for three months, he could still be within the law under the Industrial Conciliation Act, if he struck after one month? - Yes, that is so, but my point is that he does not give th at month's notice, -- at least, in my experience, where European strikes have taken place, and I can think of no case where a strike has occurred of a month's notice having been given of the

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intention to strike.

A condition could arise today under the Industrial Conciliation Act of an European being able to strike while a Native in the same trade union could be sent to gaol -- an European could strike with impunity?-- The Natives could equally give a month's notice of his intention to terminate his agreement, except where he was bound for definite periods, which would be quite in the minority; that is, being a man, say, in a six or nine months' contract, he could not give notice of his intention to leave, but, on the Witwatersrand, taking the Mines, the great majority of Natives have already completed their contracts of service and can now terminate their agreements by giving one week's notice. That is a special arrangement under the regulations; where a man has entered into a contract for a definite period and remains in employment at the conclusion of that definite period, he automatically becomes, under the regulations, a weekly servant.

And is there a large number of these?-- A very great number; I should think that they are the most numerous section of the Natives.

And the voluntary Natives; do they contract for a fixed period when once they arrive?-- It varies on the individual mines. In some cases, they take them on as weekly servants; in other cases, they stipulate for a minimum of three months.

DR. ROBERTS: You have been long and intimately associated both with the Natives and Europeans. Do you think the relation between the two is changing?-- Unquestionably, it has tremendously improved during recent years.

On both sides?-- On both sides.

To what would you say that is due on the European side?-- To a more intimate appreciation and recognition of the claims

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