

THE CHAIRMAN? That is a far-reaching statement. Do you think it is impossible if natives follow their tribal life for them to advance to where they are now?-- They do here and there, but the atmosphere there is not congenial to it. They have got something to retard their progress. They come up repeatedly against tribal customs, habits and environment which are all against it.

Would it be a fair deduction therefore that if the native is to advance he has got to start by being detribalised?-- I have not known anybody who has advanced who has not begun by doing so. They have been detribalised from the people.

(the Pondo chief)
Dr. ROBERTS: Where did Poto/live as a detribalised native?-- He went to Lovedale.

That is not being detribalised?-- (No answer).

The CHAIRMAN: You mean that a man must get guidance from the European to get on?-- Yes. That does not necessarily mean that he must be^{de-}tribalised but he must get guidance from the European.

But cannot that guidance be exercised with tribal limits?-- Not always; it is difficult, but it is not impossible. It would be very difficult to carry it out.

SENATOR VAN NIEKERK: Would you say that the only way to advance the mass of the native people would be to detribalise them; would it not be the best policy to go on the tribal system?-- My reply to that is that it will just settle itself; like every other nationality in the world it goes on its own and becomes more and more civilised under natural circumstances and not by direction from anywhere.

DR. ROBERTS: In regard to the position you take up, what do you say about Dr. Moroka the son of a chief who is not detribalised?-- (No answer)

MR. LUCAS: What do you mean by "detrivalised"? Perhaps you mean it in a different sense?-- Yes, perhaps my definition is different, but as far as I understand if his uncle was ~~not~~ a chief he could submit himself to a Court.

DR. ROBERTS: What about Dr. Molema?-- He is in the same position.

His father is the chief?-- Yes.

But he is a "Dr."?-- Yes.

I could mention four or five sons of chiefs who have been prominent men or doctors so your view does not apply in every sense that if you belong to the tribal system then you cannot get on. These men belonged to the tribal system but despite that they got on?-- Yes, what I meant to convey was this; if Dr. Moroka did not belong to the royal house, and was taken somewhere to the Transkei he would not submit at all to the judgment of the chief in the place; he would claim his right as a detrivalised man and go to the common court of law.

But he belongs to the royal house; he is a medical man and takes his medical career like any other doctor would do; he does not worry and say "I belong to the royal house"?-- No he does not.

MR. LUCAS: Will you please try to explain what you mean by "detrivalised" when you use the word? I think it will make it easier for us and for you if you will?-- By "detrivalised" I mean a man who left his people say some 20 years ago and came to Cape Town for example; since then he has had no connection with the people of the tribe, he has no place in the tribe, his land has been taken away and given to somebody else and the whole control of his family has been taken away by the right of the kraal, for ~~that~~ the reason that he treated himself

himself not as an inmate of the kraal or subject to the chief. He regarded himself as an individual and did not work socially with the people.

But that would not apply to Chief Poto for instance to whom you referred?-- No.

Although you used the word "detrribalised" about what he did?-- Dr. Moroka having to go to Lovedale for education?

I understood you to use the word "detrribalised" to a man while he was away like that?-- If I did so, it does not come within my definition. There are many men in Cape Town who left their homes some 20 years ago and did not return to their keaals. All their land has been confisdated and if they went to their kraals they would not be known to the people and would have to make application to go there.

MR. MOSTERT: We have known cases of men who have been away 20 years who have returned to their reserves. They have not considered themselves detri balised owing to the fact that they had been away so long. The only native we call detribalised is one who is actually born outside a reserve in some city or other such as Cape Town for instance. He can fairly say: "I am detribalised and I am never going back". But many who have been away for a large number of years still look upon themselves as being of the people?-- We have got a number of men in Cape Town married to coloured women. These people will never go back to their kraals. They do not know whether they are natives or coloured, because their wives are coloured.

They have inter-married?-- Yes.

DR. ROBERTS: Do you suggest that because Poto went to Lovedale he somehow or other lost his status?-- No, I did not mean that.

SENATOR VAN NIEKERK: Do you say that the tribal system
retards

retards the rapid evolution of the native?-- Yes, I say so.

THE CHAIRMAN: Some natives say that the change has come so rapidly that they could not keep up with it, and that has done a lot of harm; what do you say to that?-- It is only natural.

What is your view, do you think the majority can keep up with the speed that the change has come about during the past twenty years?-- It is only natural.

What is only natural?-- That some of them should have more speed than others.

Yes, but my question is this; taking the speed at which the native has moved towards civilisation in the last twenty years, is that speed one which the great bulk of the natives can keep up to, or is it only the advanced people?-- I think we cannot control that; it depends upon the attitude of the man. There are some people who can adapt themselves better than others, but we cannot retard it.

SENATOR VAN NIEKERK: The Chairman means that there is a new movement among the native people in the direction of taking on civilisation?-- Yes.

Has this civilisation come too suddenly upon them. Has it come too quickly or are they not able to keep pace with it?-- I do not know how to reply to that but I do not know that progress has been retarded. Of course those who have got the aptitude have advanced beyond the others.

DR. ROBERTS: But there must be a general progress?-- Yes.

THE CHAIRMAN: Will you go on with the next point?-- Yes, No. 7, the question of Native Migration from their homes to the towns. Circumstances have a lot to do with that. Then taking No. 8, Land Tenure by Natives, as to whether I am in favour of the communal or individual system of land tenure, I favour
individual

individual tenure. The individual system is very much better. It helps a man to look to something. He can build his house and can improve it, and have a little flower bed and that sort of thing, and it will help very much to know that the property is his. If it is not so he will not care. Even if the soil on the land corrodes he will not care because he will be going away in due course, but the individual system will help him to improve the land, and therefore I think that system is very much better. That applies only to a particular class of natives who are able to buy land. I believe there is a regulation with regard to the beneficial occupation of land and if the native does not beneficially occupy the land then somebody else is put in his place. I think with these safeguards it would go a long way to educate the native people in regard to intensive farming. They have not got money for more than a few acres of land and would put all their energy forth to improve the bit of land they have got. It would be an incentive.

SENATOR VAN NIEKERK: Do you agree that it is useless having individual tenure, whether in the case of a native or a white man, unless he knows or is taught how to use it properly?— Yes.

You think individual tenure is bound to help? We have proof in the Transkei and other districts where there is also communal tenure and there is no difference?— I was going to mention the Transkei. The difference in a plot of land in the Transkei and the Ciskei only comes from that. One man knows he has got the land only for a number of years and may have to quit, in but the Transkeian man takes care of his land because he knows he will be there all the time. In the Ciskei men know that they can be removed any time. In some places as long as they pay quit rent they stay there but we have always known that the land is not theirs, and they do not care when the land is not theirs.

MR. MOSTERT: Is it your idea to cut up their territories into small holdings which will then belong to the native in freehold; is that what you mean? You are talking about the site only, the grazing is communal?-- If I could I would have the land exactly divided where natives are as you have got it in the Transkei; and you give rights to the second and third sons also.

But what about your grazing?-- That should be communal. In Natal on the Buffalo Flats a number of farms were bought by the natives and in every case it was suggested and the man agreed that the grazing should be communal and the plough land should be individual. That scheme has worked well in some places and it has saved the native people. They can sell their plough land or somebody else can take it, but they cannot sell rights to the commonage, that belongs to the people.

But supposing one man has got only four head of cattle and another one has got forty or fifty; each has got the same size of plot, what then about the ratio, is that a fair ratio?-- The advantage and the risks of the one man is the same as the other. That is where you get the advantage of the land being communal in that sense. They have got the same right so far as grazing is concerned.

Even though one man has only four or five cattle and the other fifty, you still maintain that it is right?-- I do not think it is wrong because the one benefits by the other's contribution even if the little man pays only £50 towards the buying of the land.

MAJOR ANDERSON: But if they have contributed in equal shares and one man has fifty head of cattle surely he is overstocking the grazing and spoiling it for the man with only a few head of cattle?-- I have known that trouble to arise.

MR. MOSTERT: You have known trouble to arise from overstocking?— Yes, but I have not known a native to say "So-and-so has bought so-and-so and therefore his cattle is too small", I have not known that.

The Chairman: What is your next point?— No. 9 - Landless Natives. Natives for which no reserve land is available. I say Sir that should not have been so long as we have got land in South Africa. There should be no one who should be landless.

DR. ROBERTS: So long as you have got European farmers..?— We have got some European farmers with 20,000 acres for example from Baileytown to Queenstown; so long as they have got farms like that something should be done. The Government should buy these lands from the farmers because it is useless to them.

SENATOR VAN NIEKERK: Where would the money come from; would the natives stand higher taxation?— I will reply to that later on.

THE CHAIRMAN: Will you proceed?— I promised that I would reply to the question about native taxation and I will go into that now. We feel as native people that the taxation as it is is sufficient. Over and above indirect taxation which everybody else has got we have the general tax, local tax, quit rent tax for those who have got land, the dipping tax for those who have got cattle, and we feel that ^{with} the £1 poll tax over and above what everybody else pays we are taxed quite enough and they should be able to carry on the native wants without putting on other native taxation. I consider there should be no need to increase the taxation, even if they did buy land, because even as it is at the present time we are heavily taxed.

And now I want to take the question of Natives in Urban Areas and will begin with the question of administration. It would be more satisfactory to the native people if in the administration

native townships more natives were employed. It would help to get the native people satisfied and it would create a good feeling between the natives and the local authorities. I shall speak now more particularly with regard to the locations. There are only two locations here, Langa and Ndabeni. The housing is not satisfactory and the rents we maintain are high for the kind of house that the people are living in. I suppose the way of calculating the rent has always been from the value of the property. If that is the basis of calculation of the rents at Ndabeni Location, well, some of these houses have been there for a number of years. And at Langa even there we feel that it is an injustice. The value of the houses there, although it is said that the rents were based on economic considerations, we feel that if the buildings had been put up by native labour and the administration fees had not to be taken out of the rents the position would have been different. Of course some of them are very good houses indeed, those for Europeans and if we had not to be responsible for the making up of the roads by relief workers the rents would not have been so high. ~~Then~~ At Langa we have got accustomed to the railway. It is nearer to go to Langa than to town but we pay more from / to Ndabeni Langa than from Langa to town.

SENATOR VAN NIEKERK: With regard to rents, how does the rent paid at Langa compare with the rents paid by the average coloured man for a private house?— At Jamestown for instance, ~~why~~ they pay the same rent or more rent at Jamestown than the native people at Langa pay but it is the hirepurchase-scheme system there and eventually the houses will be theirs. It is not fair therefore to compare us with the people at Jamestown or elsewhere because they are on the hire purchase system and we are paying rent all the time.

But the coloured man who has not bought a house; has he to

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pay a higher rent than the native at Langa?-- Yes but you have to take into consideration the fact that he gets in wages twice what the native man receives.

Are you sure of that now?-- Well, the watchman we have at Ndabeni Location who is paid exactly the same amount as the coloured man and that is £2, which is what they get on construction in Cape Town.

What are the coloured people earning on building construction?-- £1-10-0 a week.

Then there must be a good number of natives here who also earn £1-10-0 a week?-- £1-5-0 is the average.

But what would that be ^{pays for} supposing he ~~constructs~~ a house?-- About £1-10-0 a month.

That is more than you pay at Langa?-- Yes and his wages are better than ours.

You say that he earns £1-10-0 a week and the native earns £1-5-0?-- Yes.

So he is only better off by 5/-?-- Yes.

But the native at Langa gets privileges that the coloured man would not get, the hospital for instance?-- That is always counted as part of the rent at Langa and sanitation is also included.

The other man has to pay for his own sanitation?-- Yes.

THE CHAIRMAN: What is your next point?-- Well, we consider that our rents at Langa are high considering the amount of wages that the average man gets. It does not allow of them saving anything at all.

SENATOR VAN NIEKERK: Supposing the Municipality ^{had} ~~did~~ not put up the buildings at Langa and the natives had to find houses for themselves would they in Cape Town be able to get the same accommodation as you have got to-day at Langa for the same price?-- They would not have got the same kind of accommodation.

accommodation.

At the same price?-- Yes. They would not have got the same accommodation at the price.

So they are doing the natives a good turn?-- No, when the natives come here they do not get good accommodation.

But we have got to look to the health of the natives; it would be a danger to themselves and to the general community to allow them to live in unsanitary and otherwise undesirable conditions?-- They rent houses which have to be inspected almost every week; they have been able to save some money but at Langa they cannot.

Yes, I agree that he can save money if you allow a man to live in a hovel but he may be a menace to the town?-- My reply to that is that we have always been here and if these places are hovels they should not be where they are.

That is why you have got Langa; the Municipality must make decent accommodation for the natives because the Government would not allow them to carry on as they have carried on in the past?-- But supposing they had spread the period over 50 years instead of 25.

Well I will concede that point?-- We are not against the houses but the people are able to save nothing and are a burden on their friends. At Langa they save nothing at all. Another contributing factor with regard to Langa is that unless a native man has got a note from Langa he would not be employed by any employer. He must bring a note from there.

Do the people at Ndabeni save?-- Yes. I have been at Ndabeni for ten years now and I think there are only a few men who have no money whatsoever when they return to their kraals. So I would say that they are saving money, those who want to do so. If they want a ticket to go they have the money to get it.

So they are not getting too little to live on?-- Sometimes

it is so but they starve themselves in order to save a little money.

But the great bulk of them?- Yes, but not to save. Even at Ndabeni in order to save they must live on as little as possible and have no luxuries. At Langa even then they cannot save, so much so that the people at Langa are beginning to brew skokisan and indulge in the illicit liquor traffic.

THE CHAIRMAN: Is there much brewing of illicit liquor?- There is.

Is there more at Ndabeni than at Langa?- I think there is more at Langa in proportion to the population.

DR. ROBERTS: There is more opportunity of getting out into the bush at Langa than at Ndabeni?-- Yes that is so.

Mr MOSTERT: Do you say that they can save a little if they do without luxuries?-- Yes.

That is what the white man does too?- (No answer).

MR. LUCAS: You spoke about having to get a note from Langa?- No employer may employ any native unless he produces a note that he resides at Langa.

But he employs natives from Ndabeni?- No, not now. At any rate they must have a note from Langa.

THE CHAIRMAN: Does that mean that the man at Ndabeni cannot get employment?- It is only those who have had it before.

But supposing a native at Ndabeni loses his employment and has to go to look for work at another place; can anybody employ him?-- Not unless he proves that he is a resident at Langa. New people coming in cannot be employed, according to the regulations, unless they have got a note. (A permit under the Urban Areas Act)

Dr. ROBERTS: He may live at Ndabeni but he must go to Langa for his permit?- Yes, it is only issued at Langa.

THE CHAIRMAN: It is apparently a question of where the office is; he need not necessarily live at Langa but he must

get his permit from there?- Yes, but the certificate is printed and it states "I reside at Langa".

We will follow that up afterwards?- Yes, Sir. That prejudices the employment of the native people because for instance in the case of a builder, he wants to get on with his work and while the native goes to Langa to get a certificate some coloured man comes along and takes the work that is going. They of course do not require a certificate.

SENATOR VAN NIEKERK: Cannot the native get a certificate beforehand to say that he lives at Langa, and then look for work?- The employer must write on the certificate that he is willing to employ this man and therefore the native must first of all get the post and be able to say that his boss is So-and-so. The boss must be registered in the book at Langa and while the native goes to register somebody else is taken on in his place. When the native gets back there is no room for him. Another contract has been made and the employer has not engaged the native at all.

That is the system we have in the Transvaal, but surely an employer will not set on another boy in the meantime?- But you employ him there by the month and that is another matter, and you have not a number of coloured people in competition as we have here.

How would you overcome that difficulty?- I should say, let the man find the work and then if the employer wants to register him let him do so. The employer should take the name of the man on an identification card. There should be no need for the native to go back; he is carrying a card of identification all the time.

THE CHAIRMAN? Will you proceed?-- With regard to question No. 4 - Provision for prevention of disease - there is this peculiarity with regard to the people at Ndbeni and Langa; why the rents have been increased there is as compared with outside

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is because of the hospital and a matron and nurses and all that is required there. The rents are raised to cover the expenses of the hospital. The trouble there is this, that our people are paying for the hospital and others elsewhere are not. We pay the taxation that other people pay and we also pay for the hospital. Why not do the same as in other places and let the Provincial Administration take charge of the hospital? That would help to reduce the rents at Langa as well as in the other place. It is a burden on the people when at the same time they pay all the taxes that other people pay.

And your next point?-- I would like to say something with regard to the effect of education on natives. We believe that the education of native people is very good indeed, but we desire to have more facilities with regard to education. Under this heading I shall again refer specially to Langa. Of course we do not know how long we are going to remain here Sir as a native people because there has always been a custom that the native man will have to go up-country and not compete with the coloured man. But at the same time we have got children and the education we get down here for native children is only up to Standard VI. There is no school above that, and the railway fare to Lovedale is £5 or more. It would be well if arrangements could be made here for them to carry on otherwise they have to leave school at 13 or 14, these children have passed Standard VI and they cannot be employed. The peculiarity is that in the Western Province the native has to be employed as a labourer and his boys of 13 or 14 years of age naturally do not get employment anywhere. Nobody wants them because they are not sufficiently useful. If they want boys at all at any office as messengers or anything they employ coloured boys. It means therefore Sir are left without any guide and you can see about fifty ~~mill~~ or so boys loafing about Ndabeni doing nothing and therefore

therefore they are up to mischief. Some of them have found themselves in gaol for being mischievous and some have been admonished by the Magistrate. We have started a Juvenile Board but it all leads to nowhere because we have nowhere to place these boys. If we had a school where they could be kept until they reached the more mature age of 16 or 17 until such time as employment could be found for them it would be a very good thing.

SENATOR VAN NIEKERK: Why does the white man prefer the coloured to the native boys?— I do not know that.

DR. ROBERTS: What you say is perfectly true, but you had a meeting in connection with that matter and the ministers were called together?— Yes.

And there was an effort made by the Native Affairs Dept. to have a ~~and the~~ school at which you should all unite?— Yes.

And did you unite?— No.

No, you did not, otherwise the school would be there?— All the other churches except the Anglican and the Roman Catholic are united to-day.

Are you sure about the Wesleyans?— We did Sir. I am a Wesleyan and we did join in.

At any rate there was a very cold reception. Until you get union what is the good of talking about not getting this help. It does not matter whether it is episcopal R.C. or Wesleyan, it is the same; you know it has broken down?— Yes, but what can we do?

SENATOR VAN NIEKERK: But you cannot blame the white man?— But is not the white man behind the Anglican school and the R.C. School too.

DR. ROBERTS: But the implication is that they could not agree?— Well, after all, I have mentioned that. We feel it as a great grievance in the Western Province, and if there is no unity it is not the fault of the black man. Even at the present

present time we have a united school. With regard to "Pensions" we have got here Sir a number of people, native people, who left their homes some years ago and would not now be able to return to those homes. Some of them are entirely unprovided for. Last year through the generosity of the people of Cape Town we provided for these people some pension for the year but it is now all finished. We had some money and we gave them £1 a month. Now that money has gone and they are having to do as they used to do before. I would say that there is need to consider some of these cases for pensions, some have got no homes.

SENATOR VAN NIEKERK: When the native is indigent cannot you apply to the Magistrate for relief?-- We have done so.

Did he help or not?-- Not up to the present.

Has he refused to do so?-- No, he did not refuse. We were referred to the Board of Aid but the Board of Aid has closed down.

Could you not refer to Eureka ?-- The Superintendent of the Location has tried but with no results.

THE CHAIRMAN: Is there any other point you wish to make?-- Yes just one. There is in the Western Province no opening for educated natives. Even the native interpreter at the Court is a European. We think that natives should be appointed so long as they are there and available; there should be openings in the Courts for the educated men. I know of no obstacles that have been placed in the way but what I feel is that perhaps they have not been induced to take up these appointments. For example at Paarl a native used to do some interpreting but later on a European came and the native had to go. I believe if something could be done perhaps some satisfaction would be given to my people.

(The Commission adjourned at 4-53 until tomorrow at 10 a.m.)

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