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29.1.1

The Anti-Slavery and Aborigines Protection Society

(in which are incorporated the British and Foreign Anti-Slavery Society and the Aborigines Protection Society)

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DENISON HOUSE,
296 VAUXHALL BRIDGE ROAD,
LONDON, S.W.1.
(CLOSE TO VICTORIA STATION.)

11th January, 1938.

Confidential.

Dear Dr. Rheinallt Jones,

Yes, we held our meeting in the House of Commons, where we had a very full and frank discussion, but I think the uppermost feeling of everybody was, as I telegraphed to Professor Hoernle, that nothing could be done here until we knew what policy was going to be adopted in the event of transfer. My own feeling is that opinion here against transfer will be tremendous if it is proposed to extend the racial discrimination policy of the Union to the Protectorates. Anyhow, we are all waiting to know what policy would be adopted; everything turns on that.

I wonder if you had thought of the possibility of a treaty in which the Schedule could be incorporated? There are those who believe that that would be the best way of safeguarding the principles laid down in the Selborne Schedule.

I wonder what situation would obtain if South Africa does not annex the Protectorates?

We shall await with interest the draft memo you propose preparing. I take it you will carefully consider the opinion expressed by Sir Clarkson Tredgold and published in "Race Relations"?

Yours Sincerely,

John Harris

P.S. I would strongly urge you to see a confidential letter which I have written to Professor Hoernle.

Senator the Hon. J.D. Rheinallt Jones, M.A.,
Glandwr,
Florida,
Transvaal.

Enc.

7th January, 1938.

Dear Professor Hoernlé,

This letter is merely to confirm what I telegraphed,
namely:-

"Confidential. Have ascertained prevailing impression is it would be undesirable consult natives until they know what policy would be applied after transfer. See Selborne memorandum page 6. Writing."

My difficulty on the receipt of your letter was considerable, first, because the conference held in the House of Commons was strictly confidential, and therefore ^{not} I could/say anything about it. In the second place, everybody was absent from London for Christmas, and therefore the only thing left for me to send was one of the points upon which the Selborne Committee feels so strongly, namely, that it is no use asking the natives what they think, either officially or semi-officially, until we are told what policy is going to be adopted, or in other words whether the Schedule will be applied.

Neither the natives nor anybody else can give a final answer until they get a reply to this essential question. However, I wonder whether you would consider it advisable to wait until some of us have been able to discuss matters with you.

As you doubtless know, you will shortly be receiving visitors who are deeply interested in the whole problem. Professor Rufus Jones and his wife are leaving New York on February 1st, and they should be with you before the end of March. I hope you will make every effort to put before them the whole question of native policy and the difficulties with which you are confronted in South Africa. I am sure it will be of interest to both of them.

But more important than this visit, and in some ways part of it, will be the visit, shortly after Professor Rufus Jones, of the other members of the delegation of the All Friends World Conference held in September. Who these will be we are not yet able to say, beyond the fact that Professor Thomas E. Jones, the Head of Fisk University, and his wife Esther Jones, will be part of this delegation. We have yet to choose the English members. Strong pressure has been put upon me to go on this deputation, but I am inclined to think for many reasons that on no account must

I do so. I think it is much better that others should go on this particular enquiry.

Thomas Jones and I were colleagues with the American experts in the enquiry into labour conditions in the Southern States of America, and I was profoundly interested in comparing the conditions and position of the negroes in the Southern States with those of South Africa. I am afraid I think that generally speaking the industrial negroes of the Southern States are much worse off than their brethren in the African Continent, but that those who have been able to break away from this lower strata are in an infinitely better position than any of the natives from Kenya to the Cape.

You will understand, therefore, how very helpful it should be to have the head of Fisk University come out with a deputation, moreover, he and I were Joint Chairmen of the Friends Native Races Commission of the Conference, an association which was happy from every point of view.

You will shortly be receiving a full list of the members of the All Friends deputation.

But it is being arranged that, if possible, Rufus Jones and his wife shall extend their stay in South Africa until the arrival of the other members, who, after conference with them, will stay on another two or three

months. This second deputation will in all probability and in turn await a third group, of which nothing is yet arranged definitely beyond that a member of the House of Lords, and possibly a member of the House of Commons, will be coming.

From the foregoing, you will see that there is quite an ambitious programme in front of us in London, but as much of it is not yet finally arranged, and that decisions have to be taken, I must ask that you and your Committee will treat this information in confidence.

My object in mentioning the steps that are being taken has behind it the hope that probably in Johannesburg, Pretoria and Cape Town you might be able to arrange for a discussion between the Race Relations Committee and these deputations, as and when they arrive.

To sum up, I think the dates of departure from Europe and America will be as follows:-

Rufus and Elizabeth Jones leaving New York certainly on February 1st. (General Smuts, I believe, asked Rufus Jones to come).

Thomas E., Esther Jones and other members of the Friends deputation will probably leave England in April or May, but the date is not yet fixed.

The third visitor, or visitors, will be leaving

London some time in June.

There is just a possibility of certain members of
the Selborne Committee paying a visit.

Yours sincerely,

Professor R.F.A. Hoernlé, M.A., B.Sc.,
University of the Witwatersrand,
P.O. Box 1176,
Johannesburg.

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CONFIDENTIAL

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January 15th, 1938.

Colonel the Hon. C. M. Hore-Ruthven, C.M.G.,
Vern Leaze,
Calne,
Wilts, ENGLAND.

Dear Colonel Hore-Ruthven,

PROTECTORATES

I have been anxious to write to you about the Protectorates question, but constant travelling has made it very difficult to keep track of the matters calling for attention, and to have suitable opportunity for writing to you fully. It so happens that I am, at this moment of drafting this letter, held up for a day at Brandfort through a nasty skid which damaged my car last evening as I was hurrying from Capetown to Senekal to meet Native farm workers and others who were to give evidence today before the Government Committee on Native Farm Labour. My wife and I hope to go on at six this evening - if the new spare part arrives from Bloemfontein. I have been glad to have the extra day to deal with correspondence.

I shall be very grateful for all the help you can give the Institute and others concerned, such as the Native Parliamentary representatives, in dealing with the question of the incorporation of the Protectorates which may flare up again at any time. I know you will act discreetly and I can therefore write freely to you.

The matter was on the agenda of the meeting of the Council of the Institute held at Capetown last week; and it was clear that those present were nervous of saying anything at all, lest anything said might be used to the disadvantage of the Natives of the Protectorates, and so the discussion was a failure and the matter was dropped without any clear lead being given to the Institute's officers.

But let us go back a little so that I may give you the situation as it stands here.

You will remember General Hertzog's outburst in an interview on his departure from London, when he complained bitterly that the Government of the United Kingdom had done nothing to follow up the aide memoire. Heaton Nicholls, the member for Zululand, followed in a wild speech, also breathing threats of grave trouble if the Protectorates were not transferred. This speech indicated that there was serious danger of the question becoming the central feature of the coming general election in the Union, and our experience of the Black Manifesto of 1929 made me and others to whom I spoke, very nervous of the

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Colonel the Hon. C.M.Hore-Ruthven, C.M.G.

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effects of such a happening upon Native Affairs in the Union. I therefore decided to try to side-track the question before the elections by suggesting in a press interview in July last, the setting up of a joint commission, to study the whole question, to consult with the chiefs and tribal councils and the European residents in the Protectorates as regards the conditions under which their goodwill for incorporation could be secured. It seemed to me that it would be a mistake for the Senators and M.P's. representing the Natives to take the line of absolute opposition to incorporation since the Act of Union had contemplated it; it had indicated "how" but not "when". The Joint Commission I had in mind would consist of two men like Judge Feetham (appointed by the Union Government) and Lord Hailey (appointed by the Government of the United Kingdom) and it would take a couple of years to work out the "how" and "when" of incorporation, and to be quite sure that the essentials for the consent of the Natives had been worked out. They might agree to recommend "no incorporation" or "incorporation by instalments" (e.g. Swaziland first, etc), or they might report in opposition to each other. In any event, they would supply the material upon which decisions could be taken, not only by the Governments concerned, but also by the unofficial bodies and individuals interested in the question.

The proposal was supported by some of my parliamentary colleagues, by the Cape Times, The Star and other papers; but as, later, the question ceased to be prominent in the press, largely because discussions were being carried on between the two Governments, nothing further was said.

I discussed the proposal with Sir William Clark, but he feared it, saying that it might have the effect of crystallising the situation, while he preferred to keep it fluid. I decided to say no more at the time.

The Executive of the Institute, however, felt the proposal ought to be considered by the Council and it was therefore put on the agenda.

In the meantime the parliamentary representatives met at Pretoria in December. The Protectorates question was among the matters discussed. The general feeling was that it would not be wise or right to oppose incorporation on principle or because the Union Government could not be trusted, and that thought should be given to working out the details of the safeguards to be secured in the light of (a) the Statute of Westminster, (b) Union Native Policy, (c) changes in conditions since the schedule to the Act of Union was adopted. There was general agreement that the Union has enough hay on its fork in Native Affairs (the working out of the new Land Act, etc.) to justify an effort to postpone the transfer of the Protectorates.

At the All African Convention held at Bloemfontein in December, its President (Professor Jabavu) declared emphatically against incorporation, and I think he expressed the general feeling of the Natives. But, as you know, General Hertzog and his party are not likely to desist because the Natives are against, although you will remember that Mr. Malcolm Macdonald brought up in the House of Commons General Hertzog's assurance in 1926 that he agreed that the consent of the Natives of the Protectorates was essential. We have travelled far since then,

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and I do not expect General Hertzog (or his successor) to stand by that assurance.

As regards the Council of the Institute, as I have already said there was great nervousness lest anything said might lead to a handle being given to help those who demand incorporation. The proposal for a joint commission was not adopted or rejected for this reason, and I did not think it right to urge it on the Council.

The Chairman (Professor Hoernle) had, in a private letter to Sir John Harris, of the Aborigines Protection Society, mentioned that the Council would be discussing my suggestion, and he received a cable from Sir John Harris to the effect that opinion in London was opposed to the Natives being consulted before the terms of incorporation were known. This cable was not mentioned in the meeting and as Professor Hoernle left before the meeting closed, I do not know why he did not mention it. I do not know either just what the cable was intended to convey. It seems to me that men like Tshekedi and Sebhuza should have opportunities of saying what they want before they are told what they may have. I hope you will see Sir John Harris and discuss this and other aspects with him.

I have written to Sir John Harris expressing the view that it is most desirable that there should be free exchange of views between us in South Africa who represent the liberal elements and those who in England are concerning themselves with the question. The Native Parliamentary representatives are directly interested. I, as Senator for the Transvaal and Orange Free State, have thousands of Swazi, Sotho and Tswana tribesmen in my area who are still directly affiliated with chiefs in the Protectorates. You will understand when I tell you that it would not help us here if we are considered to be too closely tied up with any group in England.

Reverting to the Council of the Institute, I should say that the impression I gained was that the members (there were present about 30 gathered from all over the Union) were themselves opposed to incorporation and would only discuss safeguards if it became clear that incorporation was inevitable.

I have occupied myself with working out the safeguards and could send you a memorandum, should you feel it would help you to have an idea of what seem to me to be the safeguards we should aim at.

In the meantime it will help us all to learn through you as much as you can tell us (1) how the matter stands between the two Governments, (2) what the various groups think; e.g. Chatham House, Royal African Society, the London Group on African Affairs, the Friends of Africa. I should also like to know what Lords Selbourne and Clarendon think, and any other individuals of considerable influence, e.g. Lord Lothian.

I am asking Captain G.G. Thwaites, whom you may know, to see you before he returns to South Africa in March. He is interested in Native matters and was at first a candidate for the Transvaal and Orange Free State Senatorship. It would be helpful for him to know something of opinion in England, but I do not know how far confidential matters can be entrusted to him. I do not know him well enough.

I hope I am not bothering you too much, but you can hear

Colonel the Hon. C.M. Hore-Ruthven, C.M.G.

January 15th, 1938

us tremendously by giving us an objective and balanced account of the Protectorates question as viewed in England and advise us on the lines we should follow in South Africa.

We keep in mind the possible effects upon (a) Imperial Relations and (b) Native policy in the Union of any refusal to transfer; also of the effect upon the standing of the Native representatives in Parliament of any line they may adopt.

I send you extracts from my survey of Race Relations for 1937 to appear in Race Relations for February 1938. The points mentioned may be useful reminders to you.

My wife joins me in wishing Mrs. Hore-Ruthven, yourself and the children all happiness in 1938.

Yours sincerely,

Rheinallt Jones

P.S. As this is an urgent matter, I am asking the Institute's office to type this letter and post it to you without my signature.

JDRJ/KC

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