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the 1,600,000 Natives on European lands who may neither own nor lease there? The additional land would have given the total Native rural population (i.e. 3,880,000) 4.7 morgen per head, or 23.5 morgen per family of five. Allowing for a natural increase of two percent, the new saturation point would have been reached in 1926, had the whole of the Native rural population been moved into the new areas."

Now, allowing for these being only figures. Give us 50 years to talk about. Assuming, on the basis of General Hertzog's present Bill, that Natives do have one half of the additional morgenage in the released areas. Supposing they are lucky enough to secure just 3,000,000 morgen more, I venture to suggest that, in 50 years' time, you will still have a large spill over from the Native areas and that you will want space for them somewhere. It is easy enough to say to them, "Go to your Native areas".

CHAIRMAN: You do not visualise a situation where all the Native population will be agriculturists?-- No; there will always be a large population for whom there is no land available, if they want to be agriculturists. I am not dealing with the red population at all. There will always be a large Native population for whom no land will be available if they want to be agriculturists, -- either through purchasing land or leasing it, and increasingly so if there is no leasing. There will be a large population for whom there is no place to lay their heads. Well, that is wrong from the point of view of the economic position of the country. We should rather say, "On what

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basis should these people be allowed to rest in European areas?", on two conditions -- one, that they should gradually come to a cash basis as labourers, or that we should allow a certain amount of leasing on a cash basis. The White man is not prejudiced, because these people are not acquiring the right of ownership in these areas. They are only there by the goodwill of the White people. If the Land Committee says, "We do not want any more Natives in this area", then they can all be cleared out in two or three years.

CHAIRMAN: I admit the possibility of your two forms of Natives coming to the White areas, but I do not admit that they are the only ones. Bearing in mind the fact that, to the Native, money economy is a new thing, and on the other hand that the reasons tending to agriculture are large, it seems to me that a system whereby the money element need not be in the foreground, and the risk bearing can be divided up between the European and the Native, has a good deal to be said for it. That would be a third possible basis?-- I would consider that on the condition that the man is given a definite status. At present, the whole status of the Native as a labour tenant is unsatisfactory. We shall have to do something about this, but we must provide some alternative system of cash rent leasing.

SENATOR VAN NIEKERK: To boil it down to a nutshell, you contend that we are not making adequate provision for the Native as regards land in his own areas, unless we are prepared to allow him to be an agriculturists right among the Europeans?-- Yes. And I also say that I see no reasonable hope of our being able to provide the land

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which is necessary. Land has become too valuable in South Africa today. Every bit of land belongs to somebody and it has become too valuable for Parliament to face what is going to be asked of it. We have shifted our ground. In the 1913 Land Act, we definitely said "We are going to have additional areas set apart for Native occupation". Now we say, "We are going to have areas where Natives, if they are lucky, may be able to buy". I reckon that, in 10 years' time, we shall be in a position when we cannot even contemplate setting aside any areas.

DR. ROBERTS: Supposing the Government were to set aside, say, ten million of money. Do you not think that that would be sufficient to go on with?-- Yes, for the time being. But my point is that meanwhile you have to begin setting your economic house in order. Merely playing with this thing, - which has a historical growth - we have to provide a sane and reasonable system, whereas at present it is a rule of thumb method.

Is not all political outlook like that?-- Except this, that by the 1913 Land Act, by one stroke you made impossible an adjustment which was working quite nicely before.

CHAIRMAN: Take these three bases; two are not definitely/in conflict with the law of the land, namely, labour tenancy, or, in its present form, cash rent tenancy. Cash rent tenancy is a second and then there is the further point of a certain amount of controlled share tenancy. Your view is that we shall have to develop both labour tenancy and encourage cash labour, and you put in a plea

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for developing a third basis, namely, share tenancy, and, along that, you say that you see great hope for development? Yes. I may say again. Each word I say is equally applicable to your White worker.

MR. LUCAS: What do you mean by controlled share tenancy ?-----

CHAIRMAN: You accept the principle of local committees having a certain amount of control where the share tenancy is to be allowed ?-- I do not quite like the words "share tenancy".

I am sorry. I thought you admitted, in reply to an earlier question of mine, that that tenancy need not be on a purely cash basis ?-- I used the words "cash tenancy" and you used the words "share tenancy", which has a limiting effect. There should be some criterion, according to which the Native has to labour to fulfil his obligations.

A form of tenancy other than labour tenancy ?-- There is a very definite nexus.

MR. LUCAS: Could one put it this way, that supposing the rent were fixed at £5, you do not mind the farmer agreeing to take ten bags of mealies -- mealies being at 10/- per bag -- instead of £5 in cash ?-- So long as the contract of lease mentions a very specific criterion of rent.

MAJOR ANDERSON: You are opposed to share tenancy?-- My opposition to that is that it is neck or nothing. I want the Native tenant to have to work for something.

CHAIRMAN: Probably his Native bread --- ?-- I want him to be able to obtain his independent status as a lessee. He has to produce something.

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I fear you are pitching him into an economic system which he does not understand. It is difficult enough for the people who understand it?-- I give you an example of cases in the Cape, where he is working on that basis, and he was working very well in Natal and the Transvaal before the 1913 Law came. I have a case of a European farmer who said that in many cases the rents charged in Natal were excessive.

It was a share tenancy before 1913 ?-- It was a cash rent tenancy, too. There was an increased tendency in that direction. Today, in the Cape, it is a cash rent tenancy. I think we are/~~under estimating~~ ^{under estimating} the adaptability of the Native; he is very adaptable.

SENATOR VAN NIEKERK: I can quite see your point of view, and, from the Native point of view, you are on the right track ?-- I say that from the Country's point of view I am on the right track.

No, from the Country's point of view, not -- is it your idea that the farmer, when he wants a labourer, will be bound to have only labourers as rent tenants ?-- That I would make a sort of hard and fast rule.

Do you mean, the opening should be there ?-- Yes. The opening should be there. Develop the thing naturally. In 1913, we made a hard and fast line; I say get rid of that, but control any leases that may come. Do not compel these things, - of course not.

But in the Cape you have that freedom today?-- Yes.

It has not developed to any extent ?-- It has developed and is constantly developing.

CHAIRMAN: Do you mean, in the private locations?--

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The private locations are terms in the Cape. (?)

MR. LUCAS: They are nothing like our locations?--
No; the point is that, in the Cape, the situation is that the European farmers have found that they can do without Native tenants. That is the situation there. And then the Native has to take his luck in that respect. After all, you cannot go against economic forces without causing injury to someone, and my view is that the 1913 Act is causing injury to White and Black by the hard and fast prohibition of leasing. I do not want to compel anyone to do anything, but I want a natural movement.

DR. ROBERTS: You would be inclined to go the length which many Natives do want, namely, to withdraw the 1913 Act?-- No, I would not do that. I would simply say alter this provision, or, if you like, I would make it a matter of policy, even. The 1913 Land Act provides for exceptions. Except with the approval of the Governor General, the prohibition stands. Before General Hertzog brought in his Land Bill, that provision was used by the Administration to enable Natives to buy lands which were covered both by the Committee Report and the Beaumont Report. But you see, there is such a strong feeling against anything in the way of discretion in respect of Native land, that the Administration, I am sure, would be most chary to allow leasing today, in fact, it would not allow leasing under that provision.

If the Government were to say, "We shall try this experiment", which need not even alter the 1913 Act, provided it made it clear that it would allow this as an experiment, it could do so, but if you want to make it perfectly clear that you are adopting my suggestion, then

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you must alter that provision of the Land Act. You can make the experiment today with the law as it stands. I think so, but I am subject to correction. In any case, it would be worth while trying it.

CHAIRMAN: I thought your point was that you could make it by the law as it stands, by reason of being able to use the Governor General's sanction to allow experiments in certain areas?-- Yes. The whole policy, of course, has been not to allow leasing on any account and people regard it as absolutely prohibitory.

DR. ROBERTS: I understand that land is bought?-- Yes, but I am referring to leasing.

MAJOR ANDERSON: You want it to be clear that any experiment is under the strict control of these land committees?-- Yes, that is so, and I think it is worth while making experiments in that regard in this country.

SENATOR VAN NIEKERK: If you accept the principle, then why should you only accept it half way? Why should you limit the number of tenant farmers I should have on my farm, why not through the thing open altogether?-- Well, Mr. van Niekerk, because we are experimenting.

If you lay it down as a principle, the Natives should be able to hire land anywhere in the Union?-- We have definitely gone in for this principle of prohibiting and I am hoping to be a little reasonable. You see, I realise that we are dealing with very fundamental things and it is really only an experiment, but there must be good faith in that experiment. That is the point which I am trying to establish. I feel this morning that I have to argue a case. I have not put the pros and cons, but Mr. van Niekerk has put the cons, - he has put the case from the

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the other side. Now, I do not wish Mr. van Niekerk to feel and I hope he will not feel that I have only taken the one aspect of the case. He has put the other side so clearly that it was not necessary for me to do so.

MR. LUCAS: When Mr. van Niekerk but to you that the Native should be rather shy about agreeing to pay an amount of £6 per year, or whatever it was, for a piece of land in cash, you said, "He might not do so, as things stand today". What do you mean by these words?-- It is because we are dealing with a person who is subject to all sorts of prejudices and fears and he is a product of the past, and when we put a new idea, especially to a land worker in any country, it takes a long time for it to soak in. My point was that he would probably not see the value of working for the cash rent basis straight away.

And when you use the word "status" in connection with what we have been discussing, what do you imply by that; was it the security of tenure?-- Yes, all the things which go to enable you to be on a parity with a man with whom he is making the contract.

His rights must be ascertained?-- His rights must be ascertainable in a court of law. A farmer, when he gets something, is also giving something and the Native, when he is getting something, is also giving something, and these things should be ascertainable. At present, the Native in land tenancy feels that he is getting nothing worth anything and, therefore, he is not ^{giving} anything worth giving. I must say I have a great deal of sympathy with the farmer, but I say that the position is

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due to the unsatisfactory arrangements.

I would be glad if you would summarise briefly what you consider are the defects of the present labour tenancy system from both sides ?-- One of the things is this, that the complaint has been that when a Native must work for the farmer - when the Native most wants to deal with his lands, wants to work his lands, wants to plough them and so on, the farmer also wants him most and he, - the Native - can only go and plough his own lands when the rains are really finished. To what extent that is true or not, I am not prepared to argue here. The trouble about that sort of thing is that so much depends on the decency of the farmer and on the goodwill of the farmer.

CHAIRMAN: And the decency of the weather ?-- Yes, certainly. If you have a good farmer, there is very little difficulty, and I know hundreds of cases where the farmers go out of their way to help the Natives plough their land, but still, what I have just told you is a very common complaint.

SENATOR VAN NIEKERK: If you accept that complaint you must also accept the other basis, that the farmer has a surplus of labour, otherwise he would never be able to impose these conditions. I could not impose it on my farm, because I would lose all my labour at once ?-- Yes; I admit it is a pretty difficult position. The second point is this, that it seems to give rise to constant quarrelling. That is a frequent thing, so I have heard. They are always quarrelling about the question of stock, too much stock, or that the children do not turn out quickly enough in the morning, or that the children have gone into

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town and that the father has no control over them. Those are constant complaints. It comes down to this, that the whole relations are so illdefined that they lead to friction of all kinds. These are the main points coming to my mind straight away. I quite realise that it is a very unsatisfactory situation that Natives should be allowed to run stock ad lib, and that the stock should increase so rapidly that the farmer simply is chucked out and is forced to take steps.

MR. LUCAS: And in some areas the farmers have to get four times as many Natives on the farm as they really require, so as to provide for the time when they need the largest number of Natives to do their work?-- Yes. In the Southern States I found the same thing, that the farmers maintained on the land far more labour than they required.

SENATOR VAN NIEKERK: Is not that benefiting the Natives today --- where farmers are housing more Natives on the land than are actually required, is not that to the benefit of the Natives themselves?-- No, Mr. van Niekerk, I do not think it is. A situation of that kind is unhealthy for anyone. What is economically unsound cannot be socially just or sound in the long run. Merely because a farmer does that, he does more harm in the long run to the Natives than good, because it is giving the Natives social and other conditions and shelter under conditions which are not satisfactory. And, of course, we have introduced other elements which makes the position of the Native uncertain.

Taking things as they are, if I turn my tenants into cash labour and if I say "you cannot have any stock and

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you cannot plough; I would probably have to discharge half of them?-- Yes. You have to do that sort of thing gradually and justly. You cannot do it in five minutes. You have to keep in mind the principles on which you are going, but in the end you would have to do that.

MR. LUCAS: The great thing is to have a policy?-- Yes.

The Commission adjourned for lunch at 1 p.m.

On the Commission resuming at 2.30 p.m., the evidence of Mr. Rheinallt Jones was continued, when an additional statement covering certain other points raised in the Questionnaire, was put in by the Witness.

CHAIRMAN: In regard to this new statement which you have just put in ----?-- Before you proceed with that, Mr. Chairman, may I just say something on the land question? I want to mention a matter of interest -- I had a very interesting discussion in front of me with the Directors of a Sudan Syndicate. This Syndicate entered into an agreement with the Imperial Government in regard to the development of land in the Sudan. The arrangement is that the Government rents the land from the actual holders and re-allots the land in 30 acre allotments to the same people again, on a very definite principle, whereby the holders, as tenants, get a share of the profits, the Imperial Government get a share and the Syndicate get a share for administering the area.

DR. ROBERTS: Are they connected with the Sudan Mission in any way?-- No; it is a pure Imperial Government scheme, and I shall send you the prospectus. They took

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the plain on one of the tributaries of the Nile and took over the whole of this area. The holders were expropriated for a period of forty years and they are given a rental of 2/- an acre per annum for each holder as a sort of recognition of their eventual right to that land. The holders are to resume ownership at the end of that forty years period. The water belongs to the Government. The land is divided up into allotments of 30 acres each, one third under cotton crop, one third under leguminous crop, and one third under grain of various kinds. Now, the whole of those tenants pay over 60% of the cotton crop and 40% they retain for themselves. The rest of the crops they keep. The Syndicate markets all the cotton and then gets, I think, its 20% of the proceeds and the Imperial Government gets 40%, or vice versa. In any way, the Imperial Government shares in the proceeds. The Syndicate is responsible for the whole of the administration, it is responsible for all the heavy ploughing with a small charge, it is responsible for all the financing and it gives interest to the tenants on any credit balance they keep with the Syndicate, and the Syndicate supplies seeds for that area, and, from the reports which I have, and the discussions which I had with the Directors of the Syndicate, it is a very valuable system of small holdings.

MR. LUCAS: Is it a commercial syndicate?-- Yes. The Chairman was Sir Frederick Eckstein. Unfortunately, he died a week before I got to London. I had an introduction to him, but from the discussion I had, it is clear that it is an important co-operation between a commercial syndicate,

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the Government, and the owners of the land who are now in the form of tenants.

Were these owners on individual tenure?-- Whatever freehold was in practise ---

Did they hold any individual tenure?-- Yes. There was a very considerable amount of difference between the amounts held by each person. The whole lot were thrown into a pool and each man was entitled to 30 acres. He gets something in recognition of the fact that he held the land originally and, at the end of 40 years, the land goes back to the original holders, but of course, we do not know what will happen at the end of 40 years.

DR. ROBERTS: I fail to see the advantage of this complicated system. Why should they not deal with the holders?-- A commercial syndicate is a very much more competent body to deal with the marketing of commercial goods and products.

Yes, provided they are a good quality of men?-- Yes, and the Government has a definite control over the administration, without having too much trouble in regard to the details of the administration. Why I mention it is because it seems to me that it is the very sort of thing which we might investigate for South Africa, for Natives and Whites, with the possibility of combining commercial spirit of venture, - the commercial undertaking with a Government control and a closer organization of individual owners.

DR. ROBERTS: You require to have a very fine quality of man as commercial overseers, would you not?-- I say quite frankly that I have not got the tenants' side of the story. I have read the Government's publications

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on the matter, they are satisfactory, and I have also read the Syndicate report.

It seems to me that it would lend itself to abuse?-- I do not know; in what way?--

They might want 10% ?-- No, the actual terms are fixed by the Imperial Government before they enter the ground. I should like to refer to that paragraph about cash wage labour.

MAJOR ANDERSON: Before you come to that, I just want to put this to you. You say, in your main statement, that the sugar farms in Natal have "notoriously bad conditions, but one is glad to feel that the more enlightened sugar farmers are realising the need for standardized conditions!" Are you sure that these conditions are so bad ?-- Yes, I am afraid the conditions are notoriously bad.

Are they bad throughout the whole of the sugar belt; what would you base that on ?--m Well, I shall mention a few things. One of the very bad things is the housing; owing to the nature of the housing, it becomes very unsatisfactory.

Would you say that it is worse than the housing of other labour, indentured labour throughout the Union? I think it is probably better ?-- I would not quite be prepared to say that. You have brought into the towns large numbers of Natives from other areas, use different types of housing, and there is no doubt about it that the type of housing used for so many Natives has proved so very insanitary. These people are not used to that type of housing and they become more insanitary than is necessary. On the other hand, I have found from enquiry that a great many sugar farmers are realising the necessity of a change to the

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brick buildings. (In the foregoing paragraph the Witness uses the words "you have brought into the towns" etc.,-- this apparently is a mistake and should read "you have brought to the sugar plantations".) There are regulations of the Health Department in regard to the housing of Natives?-- On the sugar mills?

And for other farmers, too. The rule is that no farmer can put up new buildings now without having his plans passed by the Health Department?-- There is no standardisation of that.

DR. Park Ross has laid down standards?-- Yes. What I want to urge is what I say at the top of page 5. The time has come to standardise conditions. I say in my statement that sugar farms should be brought into line particularly as to (a) medical examination of recruits, (b) medical supervision and standardisation of housing and feeding conditions, (c) registration of all contracts and proper provision for consideration of complaints, and (d) cash wages only. After all, the sugar farms are a form of industry, a form of agriculture, but it is badly organized.

There are small farmers who do not employ more than 10 or 20 labourers?-- Yes, I grant you that, but still the time has come for standardisation. The reason why I mentioned the sugar farms is because the time has come to make a start with standardisation in an industry of that kind. It will take a long time in agriculture generally to enforce housing conditions, but in a case like this, where you have a highly organized cash basis, it should be possible to enforce the regulations better.

It is only fair to say that there are a large number

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