PART II

NATIVES ON EUROPEAN FARMS
Labour Tenancy on Farms.

351. Note.—Mr. Lucas does not agree with all that is contained in this portion of the Report and has dealt with the subject of labour tenancy in an Addendum which will be found on page 173.

352. There was much complaint on the part of Native witnesses heard by the Commission throughout the Union of the terms under which labour tenants work and are remunerated on farms. Very few of these witnesses however were themselves labour tenants. The evidence of the individual farmers and representatives of Farmers' Associations heard by your Commission, on the other hand, was practically unanimous to the effect that farm labour was on the whole reasonably well paid, fed, and treated. At the same time farmers complain that the general run of Native labour available to them is unreliable, inefficient, and often insufficient in quantity.

353. It was also urged on the Commission by farmer witnesses that the class of Native who made the complaints referred to was too often one which no farmer wanted and that a farm-to-farm inspection would show a great proportion of contented and decently treated Native labourers.

Definition of Labour Tenancy.

354. Before discussing the question of labour tenancy it is desirable to state what the term implies. Different terms have been used in the past in the various Provinces to describe much the same sort of labour arrangement on farms. Thus the term “squatter” has been used in the Transvaal and Orange Free State to describe what is now more generally known as a labour tenant, but in Natal “squatter” implied a Native who was allowed to settle or squat on a piece of land either on payment of a cash rent or a share of the crops produced by him on the land which he occupied.

355. For the purpose of this Report the term “labour tenancy” will be used to describe the system the main feature of which, subject to innumerable differences in detail from district to district and even in the same district, is the giving of services for a certain period in the year to the farmer by the Native and/or his family in return for the right to reside on the farmer's land, to cultivate a portion of land, and to graze his stock on the farm.

356. In the early days when the system originated land was plentiful, cultivation was limited by the absence of markets, and in comparison with the amount of labour required there were sufficient Natives available for ordinary farm work. There was room in plenty for everyone and there was little cause for friction about privileges or amount of labour to be rendered.

357. As population increased and land values rose there emerged the question of the more economical use of the available resources. Even now in some parts of the Union the farmer is in a position to give his tenants as much grazing and arable land as they want. This is, however, becoming exceptional. Hence the questions of the amount of remuneration for farm labour, and of the quantity and quality of labour supplied have come to the fore.

358. The conditions which obtain to-day are largely the result of historical development, and the circumstances which determine the demand and supply have had a larger influence on the existing state of affairs, than any conscious attempt at establishing a logical system.

Main Features of Present-day Labour Tenancy.

359. While therefore infinite variety is found, the following may be taken to represent the main features: In the Transvaal, and to a lesser extent in the Orange Free State and the Cape, the tenant is required to give ninety days' labour for his “place” on the farm. In Natal six months are generally demanded. During this period he may or may not get an additional cash wage. The spread of the service period used to be at the farmer's pleasure, which system is generally described as the “two-days a week” system. In actual practice it does not mean that the Native must work two
definite days in every week, but that he may be called on when required. Some weeks he would work in full, some weeks not at all. This does not necessarily mean that he is tied to the farm all the year round. He has to obtain a pass from his employer to seek work elsewhere. Unreasonable employers may of course use this power to inflict hardship on their tenants. This system is, however, rapidly dying out, and being superseded by continuity of the service-period. The labour is performed by the members of the family; but here again the conditions vary very much. The head of the family may or may not give a hand. If he has grown-up children he generally works only on exceptional occasions. His wife and daughters are frequently but not invariably required to do the house work and the washing. Sometimes they assist on the lands, chiefly with harvesting, but for this they generally receive additional remuneration. The principal source of labour for the farmer is the sons of the kraal head, who can be usefully employed at a fairly early age. The flight of many young Natives from the farms to the towns is referred to elsewhere. This gives rise to considerable difficulties and friction between employer and tenant.

360. The privileges of the tenant again show extensive variation. Generally speaking land to plough and grazing must be granted. The quantity, however, is subject to agreement between farmer and tenant. Food is generally given to members of the tenant’s family who are working for the farmer during the days they are at work. There are, however, exceptions to this, chiefly in the Northern Transvaal. Sometimes a varied ration is given. Sometimes the ration consists purely of mealies or mealie meal. The ration in these cases is generally in excess of what the recipient can consume, the surplus being regarded as a set-off for other articles of diet, which he must acquire either from the proceeds of his lands and his stock, or from his cash wages. Sometimes cash wages are given for the period of the tenancy contract. More frequently the tenant, or his family, must supply their cash needs during the free period of six to nine months per year. The tenant is generally given a building site, and allowed free use of such building materials as are to be found on the farm. Sometimes the farmer must supply poles and thatching grass whether they grow on the farm or not. Articles of clothing, chiefly second-hand from the farmer’s household, are sometimes given; but this is a favour rather than a right. Animals which are generally consumed by the Native tenants, who also have free use of fuel and water.

361. The foregoing describes the main features of the system. Labour tenancy is, however, showing signs of disintegration in many directions. Some farmers will only allow on the farms labour tenants who will undertake to work for them all the year round. In these cases the prevailing rate of wages of the district is paid, either for the whole of the twelve months, or for the free period, a lower wage being paid during the time the tenant or his family is working for their “place”. Some farmers in predominantly agricultural areas will not give grazing; others in certain pastoral areas refuse land to plough. Some farmers will not have labour tenants at all, and depend purely on wage-paid agricultural labourers.

362. Your Commission was also informed that a type of tenancy exists in Natal whereby the tenant is charged a rental of between £3 and £5 per but per annum, and is required to work off this rental either by his own labour or that of his family at ruling rates of wages. After the rental has been worked off the Natives are free to work elsewhere. This system was said to give much less ground for friction than the others described; but owing to the decline of the kraalhead’s authority and power over his family it is giving way largely to a labour agreement pure and simple.

Many Causes of Friction.

363. It will be obvious from the above description what a variety of types of contract exists, and what extensive causes of friction there are. When it is remembered that written contracts are the exception rather than the rule, and that the farmer and the Native are not necessarily well versed in each other’s language, it will be clear what a fruitful field for misunderstanding and consequent friction the labour tenancy system offers. According to the evidence of a large number of Magistrates misunderstanding of the terms of the contract accounts for a considerable proportion of the cases tried in court under the Masters and Servants Laws.
364. There was, on the part of many Native witnesses heard by your Commission, throughout the Union much complaint about the terms under which labour tenants work—smallness of cash remuneration, limitation of stock, inadequacy of the food supplied by the farmer for the wants of his family, and poor quality of lands given for ploughing, were stressed.

365. Individual farmers and representatives of Farmers' Associations were alike unanimous in condemning labour tenancy as uneconomical, as an evil, though a necessary evil, and in describing many of the tenants as unreliable and inefficient.

366. The evidence of the farmers, while admitting that many instances were known of individual farmers who did not deal fairly by their labour tenants, also claimed that the reverse was as frequently true. It was claimed that the offending farmers were generally known in their districts, and that, except where there was a surplus of labour, Natives generally had, in the boycott, a powerful weapon against such farmers.

367. No good purpose can be served by your Commission attempting to pronounce judgment on these claims as if the right is all on one side and the wrong all on the other. It will be more fruitful to examine the question as one of class and race relationships in which individual rights and wrongs characterize the action of individuals on both sides. The bulk of farm Natives are not dissatisfied with their conditions, although they would naturally appreciate better conditions wherever possible. The bulk of the farmers are not dissatisfied with their labourers, although they admit that only a low degree of efficiency can be expected as the general rule. Generally speaking, the relationship on the farms is amicable, but the system of labour tenancy has drawbacks for both the farmer and the tenant. Some of these are due to the human factor, some to inherent defects in the system, some to the transition stage in which the system happens to be at the present day. We shall try to analyse the position, and to indicate possible lines of development.

Labour Tenancy an Uneconomic System.

368. From the point of view of the farmer labour tenancy is definitely an uneconomic method of securing a labour supply. This point was stressed by farming witnesses all over the Union. The only reason why it is maintained on many farms is that there is at present no satisfactory alternative. It involves waste, inasmuch as it is generally necessary to keep more labour on the farm than the work warrants.

369. As regards the Native, in areas where land values are high, remuneration in kind demands a better standard of agricultural and pastoral practice than most Natives have yet attained: there is therefore a disparity between the value of the grazing ground and lands to the farmer, and the income which the Native derives from these. The farmer complains of the high cost, the Native of the low income. This serves further to illustrate the point that it is uneconomical to have a large section of the population on a low level of productivity.

The Remuneration of the Labour Tenant.

370. Generally speaking, the opinion of qualified witnesses is that in value, the privileges of a Native labour tenant are worth more to him than the wages which he would normally receive in town. These privileges are however not on a cash basis, and this fact has certain consequences which will be referred to below. The evidence led before your Commission has left no doubt in our mind that on the best farms the privileges are certainly worth a good deal more than the income which the same Native would earn in town. The opinion expressed by the Director of Native Agriculture, who has considerable experience both from the European and the Native side, would seem to summarize the situation with regard to most farms. He expressed the view that if all privileges are taken into account there is very little difference in value between the remuneration of the farm and the urban labourer. It is, however, clear to your Commission that the various ways in which remuneration is given has a material effect on the amount of agricultural labour available. Your Commission is satisfied that where farmers are poor, Natives are poor, and generally speaking the remuneration is better where agricultural conditions are more favourable.
371. A factor which has a very considerable influence is the almost universal practice of granting grazing rights as part of the remuneration. This is an important consideration from the point of view of obtaining a labour supply for the farm, but as regards the support which it gives to the Native it has an effect which must be further considered. As we have explained elsewhere, the Native does not in the first instance regard his stock from an economic angle and he therefore does not get the income from them which he should. This is particularly instanced by certain northern districts of Natal where strong complaints were made by the Natives of the inadequacy of their remuneration on the farms; yet when we came to examine the cattle holding of these Natives, we found that it actually exceeded the total cattle holding of the Europeans, in spite of the fact that there are no Reserves in those districts. The following figures illustrate this point:

Population (Estimated) and Cattle in Rural Areas of Certain Natal Districts, 1930.

<table>
<thead>
<tr>
<th>District</th>
<th>Rural Population</th>
<th>Cattle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngotsha</td>
<td>960</td>
<td>27,000</td>
</tr>
<tr>
<td>Pietermaritzburg</td>
<td>1,400</td>
<td>11,900</td>
</tr>
<tr>
<td>Utrecht</td>
<td>2,000</td>
<td>24,000</td>
</tr>
<tr>
<td>Vryheid</td>
<td>3,000</td>
<td>55,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,700</td>
<td>117,500</td>
</tr>
</tbody>
</table>

372. In addition to the above-mentioned numbers of cattle the Natives in these Districts had the following other stock on European farms:

- Horses, mules and donkeys ............... ............... 15,249
- Sheep ................................................. 17,271
- Goats ................................................. 154,796

With the low income-producing value of these cattle it is probably true that the Natives experience difficulty in making ends meet, in spite of the total number of stock which they possess. These Natives received the bulk of their remuneration in the form of grazing for their stock.

373. Mr. Lucas and Dr. Roberts hold that the fact that the number of cattle of Natives in those districts exceeds the total number of cattle belonging to Europeans cannot be considered apart from the number of people owning those cattle. A glance at the Table in paragraph 371 will show that the cattle of the Natives represent approximately the same average per head of the population as occurs in many other parts of the Union. The Natives in these Northern Natal districts do complain bitterly about the inadequacy of their remuneration on the farms. When the number of Natives in these districts is considered it cannot be said that they get per individual more grazing privileges than are granted in many other parts of the Union where more favourable other conditions are given to labour tenants. The great dissatisfaction among the Natives in those districts may be traced to a number of causes, such as the fact that there are no Reserves in what was until comparatively recently purely Native territory; that most of the Chiefs are landless; and that the large numbers of the Natives, all dependent for their homes on European landowners, make it impossible for the Natives to secure for their services remuneration which meets the minimum needs for a Native's standard of living.

374. From the foregoing it is clear that purely economic considerations do not, alone, affect the amount of labour available for agriculture, and we therefore attempt to give an analysis of the factors operating in determining the supply of labour on farms.
Of the favourable factors, an exceedingly important one is the love
of the Native for his cattle, and his desire to stay where he can get grazing.
This factor will outweigh a considerable amount of economic hardship in
other directions. It assures the farmer a considerable supply of labour in
many parts of the Union: in fact it is the basis of the labour tenant system.
That the farmer does not require to pay wages in cash, which is generally
somewhat scarce on the farms, also tends to keep the system going.

Agricultural Progress is Disintegrating the System of Labour Tenancy.

It is however well to draw attention to the fact that economic
conditions are disintegrating the system and that more and more, as time
goes on, European farmers, and the Natives on European farms, will have
to adjust themselves to a different basis of labour. Where land values have
risen and intensive cultivation is coming in, it is no longer economically
possible for the farmer either to give the grazing which the Native wants
or to allow him to work any portion of the land according to his own
primitive methods. In such areas therefore labour shortage is beginning to
be felt owing largely to the farmers’ inability to remunerate in the manner
which the Natives prefer. In other areas the number of cattle, which the
Native is allowed to graze, is being severely limited. This again brings
conflict between farmer and labour tenant. The farmer looks at the question
from the point of view of the value of the land; the Native of the number
of his cattle. If the farmer insists on the reduction of the number of cattle,
the Native considers that he is being unjustly treated. There is nothing
unreasonable in the farmer’s attitude in view of the fact that the land has
risen in value; to the Native the demand that he shall sell part of his
stock in cold blood seems cruel and unjust. Frequently he will ask for a
"trek pass" rather than reduce the number of his cattle, and in actual
practice the result is very often that many of his animals die. In times
of drought large numbers of Native cattle die, but the Native will proceed
to gather together a herd again after the drought, only to go through the
same Sisyphean cycle once more without marvelling at its futility.

As time goes on the European farmers will have to insist on even
further reductions in the number of Native scrub cattle, and the basis of
the Native labour tenant system will disappear. At present, in fact, farmers
in well developed districts experience some difficulty in getting sufficient
labour at good cash wages without any other privileges, while in less
developed areas Natives hold large numbers of cattle and complain bitterly
of the inadequacy of the cash remuneration.

Where the Native has few or no cattle the benefit which he derives
from grazing rights is adversely affected. Frequently no other privilege
is substituted. On the other hand Natives with few cattle find a place
easily where grazing is scarce. Farmers, however, who have plenty of
grazing prefer tenants with cattle, maintaining that such Natives have a
greater stake in the farm and are therefore more likely to prove satisfactory
workers.

Another favourable supply factor is the low cost of prime necessaries
and the free use of many of these. Native witnesses have told your
Commission that when a Native requires money he goes to work in town,
but when he requires stock he goes to work on the farm. Further, the cost
of feeding and housing the Native’s family on the farm is undoubtedly
very low in comparison with the town, where many things have to be paid
for, which are obtained free on the farm.

An additional favourable circumstance is the fact that the Native is
accustomed to open spaces and when he settles down to family life he
generally prefers the country to the town. This factor does not apply
however to the young people and there is a continual stream of these going
to town.

There are, however, many factors which react unfavourably on the
supply of farm labour.
The Drift of Young Natives to Towns.

382. Under the labour tenant system the benefit of payment in kind goes to the head of the family. The system originated at a time when the Native family was a well-knit organization in which the benefit to the head of the family was also a benefit to the family as a whole. The family unity has broken down to a considerable extent under the influence of the European, and the young men, and even the young women are frequently dissatisfied with their position in the family. One of the outstanding migrational movements in the Union is the movement of the young Natives to towns. They frequently abscond from their homes leaving their work unfinished, leaving the cattle untended, and giving no notice to their parents of their intention.

383. As against the monotony of the farm they have heard from their comrades of the glitter, the movement, the excitement of town life. In the eyes of a young Native a visit to Johannesburg frequently ranks with the circumcision school as a necessary preliminary towards the attainment of manhood. The solidarity of the family having ceased to be a factor holding back the young Native, he contrasts his life on the farm, where he gets next to nothing for himself of what he earns, with the attractive picture of life in town, which is brought back by those who have been there. There he will be able to spend all he earns on himself and as length of vision is not a strong point with primitive people, he disregards the problems which will arise when he wants to get married and settle down, and he freely and not very wisely spends the money which he earns in town. Parents complain that they have frequently to find Isolo-cattle and even money for taxes for their prodigal sons. The older Natives complain bitterly throughout the country that their children are not sending back money as they used to do. A large number of incentives, from the lowest to the highest, draws the young Native to town: potent drink, amours, fine clothes, better opportunities of education, contact with civilization.

384. This factor introduces further difficulty in relations between farmer and labour tenant. The farmer takes on a labour tenant in order to obtain the labour of his children; the children abscond or do not come back when it is their turn to put in their period of labour; the farmer, finding that he does not get the labour which he requires, ejects the head of the family and this causes ill feeling.

385. There is also a very striking conflict between the terms of service on the farms, particularly in Natal, and on the mines. The period of service for the labour tenant in Natal is generally six months. The period on the mines for recruited Natives is 270 shifts, which necessarily takes more than nine months to complete. Many farm youths are recruited, but being only free for six months they cannot possibly fulfil both contracts, and again dissatisfaction and difficulties between the Native kraalhead and the farmer result.

Effects of Payment in Kind.

386. Another very important factor is the small proportion of the farm wage which is paid in cash. Generally the amount is not enough for the cash requirements of the labour tenant, and he must necessarily increase it by going to work elsewhere. Sometimes no cash is paid at all. The Native is apt to discount the benefits which he receives in kind. In his tribal state he has free use of the soil, and the idea of having to pay for its use is therefore strange to him. Under the influence of the European system he puts up with the necessity of having to work for his place on the farm. A large number of Natives who appeared before the Commission argued as if they got no remuneration for their labour at all, or alternatively contrasted the small cash wage on the farm with the larger urban cash wage. It is another example of the impingement of European ideas based on a money economy on those of the subsistence economy of the Natives.

387. The large proportion of payment in kind on the farms means that when there is a crop failure the Native is left very badly off. Most farmers take off the keen edge of this in various ways. In the best cases they give the Native sufficient food to tide him over, without making a charge for it; more commonly they lend him the grain he needs and require him to work
it off afterwards. In bad cases the grain is charged for at a price which involves a usurious rate of interest, and in such cases Natives, averse as they are to selling their stock, find it difficult to get free of debt. Except in the last case, the action of the farmer means however that he lends his servant the wherewithal to get his food on terms which involve cheaper credit than the latter would normally obtain from the stores.

Gregarious Instincts of Natives.

The gregarious instincts of the Natives also represent a factor unfavourable to the supply of labour on many farms. The farmer, who can keep a large number of Native families, seldom has difficulty in getting enough labour and frequently keeps more than he requires. The small farmer who has to count his costs is always at a disadvantage in this respect. This factor incidentally leads to a considerable waste of labour on many large farms. The gregarious instinct causes many Natives to go to town, and this is not entirely due to the fact that it is socially pleasanter, because under the system of social communism of the Native, it is also an insurance against hard times. In town at least there is little risk of starving. As one Native put it, "If he were living in a town, I guess he would be better off than the one living on a farm, because in a place where there are many human beings about, and houses, and smell of food, he would feel comfortable in his inside".

It should also be remembered that in the tribal state most of the work was done by women. The Native male is no more fond of hard physical exertion than most Europeans, and prefers the less strenuous nature of many town jobs, like house work, newspaper selling, delivery work, to the relatively harder farm work. There is therefore generally no shortage of labour in occupations of this nature, whereas in occupations like mining or farming, which involve more strenuous application, the problem of a sufficient labour supply is continually to the fore.

Your Commission has referred above to the conditions which have given rise to the growth of the labour tenancy system and its reactions upon European farmers and Native labourers. We have been forced to the conclusion that it has disadvantages for both parties and that in so far as its disadvantages are felt by the Natives, it must be regarded as a cause of their migration to towns.

The system is disintegrating and is bound to disappear in time under the force of economic pressure, much as the "bywoner" system has already largely disappeared. It is, however, necessary to consider what steps should be taken to simplify the transition.

It has to be recognized at once that it would not be practicable to abolish the system by legislation or administrative action or to substitute a universal system of cash paid labour on farms, however desirable a change that might be. The existing system is too deeply rooted in the special conditions of both European land holding and Native mentality to make possible any short cuts to its removal.

Written Contracts.

Many witnesses, both European and Native, advocated the introduction of written contracts to put an end to the large amount of misunderstanding arising from the system of oral contracts. Attempts have been made by farmers' organizations to bring this about, but without success. Witnesses generally stressed the point that written contracts must be universal, and that any partial system would fail. Magistrates invariably favour the introduction of written contracts.

Your Commission considers that the time has come for legislation to be passed to make the completion of a written contract between farmer and tenant obligatory.

An official form of contract allowing latitude for variations in the detail of forms of remuneration to the labourer, should be made available farmers' organizations being consulted in its drafting.
It would be desirable that the contracts entered into should be executed in some simple form before an official, but if that is considered not to be feasible it should be stipulated that all contracts should be notified to the Magistrate of the district and be recorded there.

Further, your Commission considers that a trial might be made by farmers of a system under which all labour tenants' contracts would stipulate on the one side a nominal comprehensive cash wage, with or without food, agreed on by the parties, and on the other side either the payment by the labourer, or the deduction from his wage, of a regulated charge for the grazing of the Native's stock and for the use of the land he cultivates. These charges would have to be based upon the recognized value of the land as used.

It is considered that such a system would offer certain definite advantages. The farmer would have a clear idea of the gross as well as the nett cost to him of his Native labour. He would realize when entering into agreements what exactly he was giving up in the way of potential land produce, agricultural and pastoral, through paying wages to his Native labour wholly or in part by giving up the use of some of his land.

The Native on the other hand would know just how much he really was being paid for his labour. The Commission was assured by reliable witnesses that it is a common misconception in the Native mind that under labour tenancy arrangements where the return to the Native for his work is solely in the use of the farmer's land, he is getting no payment whatever. Though the plan proposed might not entirely remove this misunderstanding, it should help to bring the real facts home to him.

The charge for grazing expressed in terms of cash would help to make the Native realize that he must certainly pay for his stock, whether good or bad, and would at least clear the ground for the beginning of the educative process which in time may bring him to an understanding of the advantages in productive capacity of good over bad stock, as well as the costliness of unlimited increase of numbers. It will therefore assist the transition to the purely economic outlook on cattle.

The Native would further be in a much better position to compare his remuneration on the farm with what he could get in town. At present he is often misled by the prospect of a cash wage in the latter, into believing that he would be so much better off there; whereas he is in fact very often not actually improving his real position by migrating.