

CECIL RHODES, THE GLEN GREY ACT,
AND THE LABOUR QUESTION
IN THE POLITICS OF THE CAPE COLONY

THESIS

Submitted in Partial Fulfilment
of the Requirements for the Degree of
MASTER OF ARTS
of Rhodes University

by

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January 1991

Financial acknowledgement

The financial assistance of the Institute for Research Development of the Human Sciences Research Council towards this research is hereby acknowledged. Opinions expressed, and conclusions arrived at, are those of the writer, and are not to be attributed to the Institute for Research Development, or the Human Sciences Research Council.

Abstract

Chapter One The provisions of the Glen Grey Act of 1894 are summarised. The memoirs of contemporaries are discussed and the historical literature on the Act from 1913 to the present is surveyed. The likelihood of the land tenure provisions of the Act forcing the people of Glen Grey (or the people of other districts that came under the operation of the Act) to seek employment is noted. It is evident that there is an increasing emphasis in the literature on labour concerns rather than on the disenfranchising effects and local government provisions of the Act. It is often assumed that the labour force generated by the Act was meant for the Transvaal gold mines.

Chapter Two The relevance of the labour needs of the Indwe collieries is investigated. These mines lay adjacent to Glen Grey and might have been expected to draw their labour thence if the Act had been effective. Rhodes, the author of the Act and prime minister of the Cape, had bought shares in the collieries for De Beers shortly before the Act was passed, which made a possible connection more intriguing. No causal link between De Beers' interests and the Act could be demonstrated; nor do the collieries seem to have employed many people from Glen Grey.

Chapter Three Examines the Cape colonists' complaints about shortage of labour from 1807 to the eve of the Glen Grey Act, and investigates various official measures to promote the labour supply. The Glen Grey Act was not the first labour measure passed at the Cape, and it seems likely, therefore, that the labour needs of the Cape, rather than the Transvaal, were uppermost in the minds of those responsible for the Act.

Chapter Four examines Rhodes's political position in the 1890s and shows him to be increasingly dependent on the parliamentary support of the Afrikaner Bond to stay in office. Since the Bond was an agricultural interest group it seems likely that labour for Cape farms, rather than Transvaal gold mines, was what the Act was supposed to provide. With that Rhodes could readily agree, since he wanted to promote the agricultural development of the Cape. However, the Bond wanted to be able to buy land in Glen Grey (and other district in which the Act was proclaimed). Rhodes wanted to keep such districts as 'reservoirs of labour' so he could not give the Bond all of what they wanted, i.e. Glen Grey titles to be alienable. His manoeuvring to keep the Bond supporting

the Bill while not making the land readily salable is described. (In the end the land was alienable with the consent of the government -- consent that a Rhodes ministry would not give, but that another might.)

Rhodes's desire to obtain the administration of Bechuanaland for his Chartered Company, and his need therefore to reassure the Colonial Office and humanitarian opinion that he could be trusted to rule over blacks, are pointed out as other possible motivations for the Act, which Rhodes tried hard to present as an enlightened piece of legislation. The course of the Act through the Cape parliament, and the opposition of Cape liberals to the Act, is described.

Chapter Five The mentalité of the Cape colonists as regards race, liquor, land tenure and other political issues is described.

Chapter Six The reaction to the Act of Cape blacks and sympathetic whites, British humanitarians and the Colonial Office is described. The contemporary concern with reserving land for blacks is noted, as well as concern over the morality of economically coerced labour. This is in contrast to the modern concentration on labour almost to the exclusion of other issues in regard to the Glen Grey Act. The unsuccessful efforts of Cape blacks and British humanitarians to have the imperial government veto the Act are described. Rhodes's influence over the Colonial Office is described.

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Acknowledgements

When one writes a thesis one incurs many debts, which I am glad to have this opportunity to acknowledge.

My thanks are extended to my first supervisor, Professor T. R. H. Davenport, formerly professor and head of the department of history at Rhodes University. Professor Davenport gave me much sound advice and encouragement in the early stages of my research. I mention as well the fine teaching that Professor Davenport gave to me and to all his undergraduate students; Rhodes's history department has traditionally lavished great care on its undergraduates, and Rodney Davenport has continued this tradition.

The staff of the Cory Library for Historical Research at Rhodes University have been consistently helpful and cheerful. I mention in particular the former Cory librarian and now deputy university librarian, Mr Mike Berning; the present Cory librarian Ms Sandra Rowoldt; Mr Jackson Zweliyanikima Vena; Mrs Sally Poole; and Ms Cecilia Blight.

The archivist of the De Beers Archive, Dr Moonyean H. Buys, was most helpful, and so were her staff.

Dr Richard Bouch of the department of history, Rhodes University, and Professor Jeffrey Peires, professor of history at the University of Transkei and formerly of the Rhodes history department, both gave me advice, as well as good teaching in the course-work part of this degree. Dr Bouch also allowed me to consult his recent University of London, Institute of Commonwealth Studies thesis. Dr Elsie Wagenaar, a recent Ph.D. of Rhodes University, kindly let me read her thesis. Dr Alan Mabin of the department of town and regional planning of the University of the Witwatersrand kindly answered a query of mine, and provided me with a copy of a seminar paper of his. Professor Philip Warhurst of the department of history, University of Natal, Durban, gave me the result of some of his research into government policy with regard to land and labour in early Rhodesia. My parents have all along encouraged me, and given me moral and crucial financial (!) support. Dr Chris Hummel, associate professor of history at Rhodes, has been on hand to give me advice and to fight the powers that be on my behalf. Mrs Cherry Charteris, secretary in the history department, taught me how to use a word processor and was unfailingly cheerful. Ms Madi Moed kindly read the proofs of the thesis and corrected many infelicities of style.

Lastly and most importantly I thank my second supervisor, Miss Brenda Nicholls. Brenda persuaded me when she took over my supervision that there was in fact a thesis to be had out of my material, and gave me much good advice and encouragement along the way. It is not politeness but simple truth to say that without Brenda this thesis would never have been completed, and I am most grateful to her.

Abbreviations used in the text and footnotes

- A Documents in the AVP series printed by order of the House of Assembly
- AVP Annexures to Votes and Proceedings of the House of Assembly
- C Documents in the AVP series printed by order of the Legislative Council
- CA Cape Archives Depot, Cape Town
- CC Civil Commissioner
- CGR Cape Government Railways
- CCL Commissioner of Crown Lands and Public Works (A Cape cabinet minister)
- CL Cory Library for Historical Research, Rhodes University, Grahamstown
- CM Chief Magistrate of Tembuland and the Transkei
- DBA Archives of De Beers Consolidated Mines (Limited), Kimberley
- DHA Debates in the House of Assembly
- G Documents in the AVP series printed by order of the government
- GTJ Graham's Town Journal
- IRC Indwe Railway, Collieries and Land Company, Limited
- MLA Member of the Legislative Assembly
- MLC Member of the Legislative Council or Minutes of the Legislative Council
- RM Resident Magistrate
- PMO Prime Minister's Office, Cape Archives Depot, Cape Town
- PRO Public Records Office, Kew, London
- RM Resident Magistrate
- RU Rhodes University, Grahamstown
- SC(A) Select Committee of the House of Assembly
- SC(C) Select Committee of the Legislative Council
- SAL South African Library, Cape Town
- SNA Secretary of Native Affairs (A Cape cabinet minister)
- SPM Secretary to the Prime Minister, Cape Town
- V&P Votes and Proceedings of the House of Assembly

Introduction

The Glen Grey Act, Act 25 of 1894, is probably the best known measure passed by the parliament of the Cape Colony. It has been much written about by historians, and assessments of its worth have varied over time. It is often mentioned in passing by writers whose topics are much wider. An example of this kind of passing reference is to be found in Paul Rich's book White power and the liberal conscience, where Rich says

One of the earliest uses of the concept of 'territorial segregation' was by the Cape liberal, Richard Rose-Innes, member of a prominent Cape legal family, who linked it to the establishment of 'reservoirs of labour'. The model from which this accrued was the Glen Grey Act of Rhodes...¹

Rich correctly notices the idea of reservoirs of labour, but he is mistaken when he draws a close connection between Rhodes and the Cape liberals, because it was the liberals (mainly in parliament) who most criticised the Glen Grey Act.

Recent emphasis on the importance of class in South African history has been associated with increasing attention to the Glen Grey Act as a labour producing measure for the mining interests, especially in the Transvaal. These interpretations emphasise Rhodes's dual position as joint managing director of Goldfields of South Africa, Ltd, and as prime minister of the Cape Colony. Often the actual effect of the Act in generating labour is exaggerated.

The present thesis draws attention to what is in danger of being forgotten: that the Glen Grey Act was a measure of the Cape parliament, enacted at a time when the main economic interest represented there was the agricultural interest, particularly that of the Western Province farmers, through the Afrikaner Bond.² While Rhodes, a man of wide interests and ambitions, was very influential in the Cape, he had to take cognisance of the values and interests represented in the Cape parliament. In addition he could not ignore the imperial dimension, and

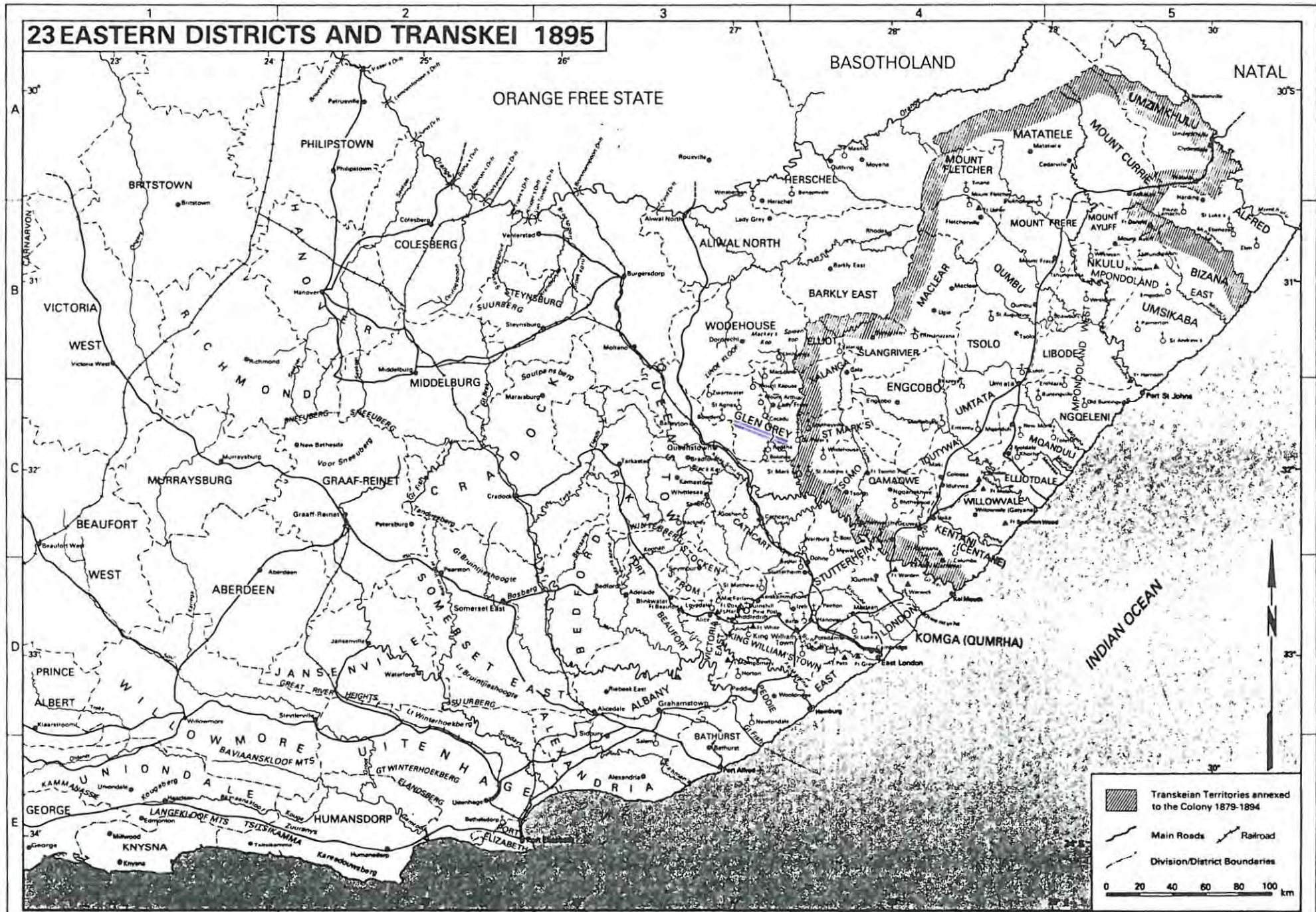
¹ Paul B. Rich White power and the liberal conscience: racial segregation and South African liberalism 1921-60 Johannesburg: Ravan, 1984. Page 4.

² Hermann Giliomee "Western Cape farmers and the beginnings of Afrikaner nationalism, 1870-1915" Journal of Southern African Studies 14(1) October 1987 pp 38-63.

in London other considerations than the gold mines' labour supply played their part. The Colonial Office had to think not only of the administration of the Southern African region, but also of public opinion in Britain.

Once due weight has been given to all these factors, it is hoped that the Glen Grey Act will be seen for what it was: primarily a Cape Act which reflected the interests and aspirations of the members of the Cape parliament and which was affected by the problems Rhodes confronted in enacting the measure.

Source: John L. Beigh and J. C. Visser The Eastern Cape frontier zone ...



Chapter One

A summary of the Glen Grey Act
and an
historiographical survey of writing about the Act

- (i) Summary of the provisions of the Act
- (ii) Introduction to the historiographical survey
- (iii) Memoirs of contemporaries
- (iv) Historical opinion in favour of the Glen Grey Act
- (v) Sui Generis: Edgar Brookes, the repentant segregationist
- (vi) Historical opinion against the Glen Grey Act

(i) Summary of the provisions of the Act

The Glen Grey Act was introduced into the Cape parliament by Cecil Rhodes on 12 July 1894, and had passed through all its stages and received the governor's assent by 16 August. A summary of the most important sections of the Act follows.

1 The Act was to apply to the district of Glen Grey and could be extended to other districts, of which the inhabitants were mainly black, by proclamation.

2 Land in Glen Grey could only be allotted with the governor's permission. [The effect of this was that it would ordinarily be allotted only to blacks.]

3 Glen Grey was to be divided into locations, except for mission station land and land already held in freehold or on quitrent.

4 The locations were to be divided into allotments of four morgen and granted to individuals already holding land in the district and to approved persons claiming, but not yet in possession of, land. Allotments in excess of four morgen could be made to men already holding more than four morgen of land.¹

5 Glen Grey titles could not be mortgaged.

6 The remaining unallotted land was to be commonage, and the government was empowered to build roads, railways, dams, and similar public works across the commonage if necessary.

7 Each location was to be under the control of a board of three appointed by the governor after consideration of the wishes of the inhabitants. Their term of office was a year, during the governor's pleasure, and they could be re-appointed.

8 The governor could fill vacancies on the boards arising from the death, illness or imprisonment of members.

9 Headmen could be eligible for appointment to boards.

10 The governor could confer on the boards powers vested in local authorities by the Villages Management Act, 1881, and similar Acts.

11 The governor could grant lot-holders half an acre of land as a building lot for the construction of a substantial dwelling house.²

¹ In practice this provision was used to reward loyal collaborators rather than to ensure that no one held less land under the Act than he had before. J.J. Kelly Act 25, of 1894, as applied and its probable consequences to the natives of the district of Glen Grey No publication details. Pp 10-11. (CL MS 17102).

² This would enable the lot-holder to qualify for the franchise, if the house was worth £100.

12 The cost of surveys would be borne in the first instance by the government. Approved claimants to land had to pay half the cost of survey, plus 5 shillings stamp duty, within three months.

13 The balance of the survey cost had to be paid by holders in four equal annual instalments.

14 The annual quitrent was 15 shillings for a standard four morgen lot, and for every morgen beyond five (sic) a further 3 shillings per morgen per year.

15 In the event of quitrent or instalments of survey expenses being three months overdue, the movable property of the defaulting lot-holder could be sold to recover the money.

16 In the event of a lot-holder being in default of payment for a year, his title deed could be cancelled and his land re-allotted to anyone not in possession of land who could pay the arrears. (Twenty-eight days notice of the magistrate's intention to cancel the title deed had to be given to the defaulting lot-holder.)

24 Lot-holders could not bequeath their land by a will. The land had to descend according to the law of primogeniture (i.e. to the eldest son). An heir who was already a lot-holder could choose whether to take up his inheritance or keep his existing lot, but could not hold more than one lot at a time. A table of succession was delineated. Failing any male heirs, the governor could grant the lot or the proceeds of the sale thereof, to female heirs.

26 Allotted land was deemed to be held in communal tenure for franchise purposes.³

27 The voters' lists of the Tambookieland field-cornetcy in Queenstown and the West Waschbank field-cornetcy in Wodehouse were to be specially revised by an officer appointed for the purpose.

28 People not meeting the qualifications were to be removed from the roll; people not previously on the roll who now met the qualifications were to be added to the roll.

29 Provision was made for the magistrate to hold a court for finally settling the voters' list.⁴

33 Every male black person in Glen Grey who in the magistrate's opinion was capable of labour had to pay a tax of ten shillings per year, but would not have to pay the tax if he had worked outside the district for three months in the year. He could be permanently exempt by working for a total period, consecutive or otherwise, of three years.

34 The magistrate could exempt for a year at a time anyone who for good reason could not leave the district, or who with the magistrate's prior permission obtained paid employment within the district. Members of location boards and the district council were exempt during their terms of office.

³ The effect of this provision was that land held under Glen Grey title could not be counted towards the property qualification for the vote.

⁴ This provided some appeal against the revising officer's decision.

35 The tax was to be spent on agricultural and trade schools.

36 If the tax was three months overdue, the magistrate's messenger of the court could sell the defaulter's movable property to raise the money. If he had no property, or the sale did not raise all the money due, the defaulter could be deemed to be an idle and undesirable person and upon a second conviction could be sentenced to prison with hard labour for up to twelve months. Payment of the amount due, or showing cause why he should be exempt, relieved the accused from these penalties.

38 The governor was empowered to set up a district council for the administration of local affairs.

39 Six councillors were appointed by the governor. Six were chosen by the location board from among their members, with the governor having a veto over their choice.

40 A councillor's term of office was three years, during pleasure, with the possibility of re-appointment.

41 The governor could fill vacancies on the council.

45 The magistrate was a member of the council, and was to preside at its meetings when present. The magistrate did not have to be present for meetings to take place. The council elected its own chairman in the magistrate's absence. The chairman had a deliberative and a casting vote.

46 The governor could set a scale of allowances for councillors, who could not become contractors with the council, or be financially interested in any contract with the council. Contravention of this section meant expulsion from the council.

47 The council could levy a rate on property owners in Glen Grey not holding land under the Act of no more than two pence in the pound.

48 The council was to levy a rate of not less than five shillings a year on lot-holders and male adult blacks capable of labour, except persons holding land by ordinary quitrent tenure or in freehold.

53 Funds raised by the council could be spent on a lengthy list of matters appropriate to local government, such as education, roads, bridges, the destruction of noxious weeds, the planting of trees and so forth.

59 A labour bureau was to be set up. The council was to receive applications from employers wanting labour and arrange for the despatch of blacks wanting work.

60-64 The council was to choose three of its members to form a licensing court.⁵ A majority of the council had to give its approval in advance for the court to issue a new liquor licence. The court could not renew an existing licence if a two thirds majority of the council had resolved against the renewal beforehand; but was not obliged to renew if the council had made no resolution. The court's powers of cancellation

⁵ It seems that in practice the council itself acted virtually as the licensing court.

did not extend to Lady Frere,⁶ but the court could prohibit licensees in Lady Frere from selling liquor to blacks.

Schedule A contained the form of title deeds to be used under the Act. Among the most important conditions were the following: the land could be forfeited for rebellion, for conviction for the crime of theft for which a prison term of not less than twelve months was imposed, and failure to occupy the land beneficially. The district council had first to be consulted in such cases, and a period of three months' notice had to be given of the governor's intention to seize the allotment for non-beneficial occupation so that defaulters could make good their lapse.

It should be noted that clauses 64 and 65 of the Bill were not included in the Act. These had provided that when a liquor licence was cancelled by the licensing court, compensation would have to be paid to the owner. The outcry over such a provision (at a time when many people, black and white, wanted to protect blacks from the harmful effects of liquor) was such that the clauses were eventually dropped. Local councils would not be discouraged from cancelling liquor licences by the need to pay compensation.

(ii) Introduction to the historiographical survey

This chapter deals with comment about the Glen Grey Act to be found in the memoirs of contemporaries and with historical writing about the Glen Grey Act. It does not include what contemporaries wrote and said at the time that the Act was a part of current politics; that is to be found in chapters four, five and six.

Any survey of the literature on the Glen Grey Act will bring to light three interesting things: (i) the change in the views of historians over time, from early praise to later condemnation; (ii) the extent to which later criticism of the Act echoed, often unwittingly, the criticism of contemporary observers (this is particularly true of the labour provisions of the Act); and (iii) how soon the criticism of contemporaries was forgotten by historians.

The bulk of the historical literature on Glen Grey has been divided for present purposes into "for" and "against". These are very broad and general categories, and at least one author, Edgar Brookes, has proved impossible to classify. Some others are so lukewarm that it is difficult to know where to place them. Nevertheless, the distinction has

⁶ A white town in the Glen Grey district.

been drawn, and it seems to illustrate the contention that, generally speaking, earlier historians were more favourably disposed towards the Act than later ones.

From the moment when the intended legislation appeared as a draft Bill, comment on the Glen Grey Act has been so constant that it is difficult to distinguish contemporary controversy from the later debate about the historical significance of the Act. Any line of division between the two kinds of discussion must appear somewhat arbitrary, but for the purposes of the present overview the year 1910 has been selected. It was in this year that the first reminiscences about Rhodes appeared, written by one who was a participant in Cape politics at the same time: Sir Thomas Fuller, leader of the Progressive Party and friend of Olive Schreiner.

Another reason for choosing 1910 was that soon afterwards, in 1913, the first serious retrospective assessment of the Glen Grey policy appeared. It was written by J. H. Hofmeyr (later deputy prime minister of the Union of South Africa) in his youthful biography of his uncle Jan Hendrik Hofmeyr, Cape politician, leader of the Afrikaner Bond party,⁷ and sometime colleague of Cecil Rhodes.

(iii) Memoirs of contemporaries

Sir Thomas Fuller was a director of De Beers⁸ and a member of the Cape's Legislative Assembly (MLA). He was pro-imperialist and anti-Bond rather than liberal. He was the leader of the Progressive Party, which had resolved to give Rhodes's ministry "fair play" and "watch that the ascendancy of the Bond party ... did not affect injuriously the progress of the country and its imperial interests"⁹.

Fuller drew attention to the land, labour and local government

⁷ Hereafter "Bond".

⁸ Thomas Ekins Fuller The Right Honourable Cecil John Rhodes: a monograph and a reminiscence London: Longmans, 1910. Page 8.

⁹ Fuller Reminiscence pp 164-5.

provisions of the Act. Abhorring idleness, he claimed that "three out of four" black men in the Cape Colony were idle, letting their wives work for them. While some worked in towns or on farms most did not. He therefore supported the labour tax which he said was a tax "not on labour but on laziness"¹⁰ that would drive out the lazy young men. He did not, however, want whites to monopolise the labour force generated by the Act: in parliament Fuller proposed an amendment that working on another man's lot in Glen Grey should exempt a man from paying the tax. Although Rhodes accepted this, a subsequent amendment, according to Fuller, nullified it. Fuller, therefore, while accepting the principle of the Bill, thought that in its final shape it was "unfair to native interests" and voted against its third reading.¹¹ He noted with satisfaction that the labour tax was almost a dead letter.¹²

When he was writing his memoirs Fuller's memory misled him. Section 34 of the Act did in fact provide that paid employment within the district for three months a year would exempt a worker from the tax provided the magistrate gave his permission. Fuller's amendment would have facilitated the employment of blacks by blacks because it had not required such permission.¹³ In addition the proposed further amendment to which he objected required that the employer be "any person other than a native".¹⁴ This amendment was, however, negatived, so the final position was largely as he had wanted it, i.e. labour in the district whether for a white or black employer could bring exemption. His reason for voting against the Bill is thus unclear.¹⁵

With regard to "native" policy more generally it should be seen that Fuller was not completely unenlightened. He had opposed the so-called "Strop Bill", which Rhodes had supported twice. This would have made legal corporal punishment for domestic and farm workers.

For Fuller the Glen Grey Act was one of "statesmanship", which would by its local government provisions give "a corporate life" to the

¹⁰ *ibid* p 175.

¹¹ *ibid* p 178.

¹² *ibid* p 179.

¹³ DHA 8194 p 460 col 2.

¹⁴ *ibid*.

¹⁵ What is also puzzling is at what point the requirement of the magistrate's prior permission was inserted.

localities that had been lacking until then.¹⁶ Fuller approved of the alienation of land being prohibited without government permission, as a way of protecting blacks from encroachment by whites.

James Tennant Molteno, later Speaker of the House of Assembly of the Cape Colony and the Union of South Africa, and the son of the first prime minister of the Cape, was MLA for Namaqualand at the time of Rhodes's Act. He was critical of the Glen Grey Act in his memoirs, published in 1923, although he, like Fuller and many others, had voted for its second reading. He thought that the Glen Grey Bill was meant to serve as a rallying point for Rhodes's ministry after a session which "from the Ministerial point of view ... was not a success."¹⁷ The cabinet's Scab Bill (to put down the scab insect in sheep which was devaluing the Cape's wool clip) had met with considerable opposition from Bond MLAs who were supposedly government supporters.

Molteno believed that Rhodes acted under pressure in regard to Glen Grey. He noted that the Glen Grey Bill was introduced late in the session and that Rhodes had said after its second reading that he was satisfied with the progress so far and would not proceed with the measure until the next session. But, "Later on he [Rhodes] changed his mind and thought that by pandering to some of the worst elements in his party he could regain some of his lost prestige."¹⁸ Molteno was opposed to the exploitative aspects of the Bill, which he described in a staccato style: "Cheap labour, lessened restrictions on the alienation of Native Lands to Europeans." He disapproved of compensation for cancelled liquor licences, but did not recall that it had been struck out of the Bill. He opposed the racial discrimination of the Act: "Rhodes forced through a labour tax applied to the native only and withheld from the lazy poor whites." Molteno accepted the local government provisions, which he described as "common cause" between government and Opposition, and did not remark on the franchise provisions. He wrote "The Bill passed, with infinite harm to the Native question, but what did the natives count for as long as

¹⁶ Fuller Reminiscence pp 171-4.

¹⁷ James Tennant Molteno The dominion of Afrikanderdom: recollections pleasant and otherwise London: Methuen, 1923. Page 46.

¹⁸ Molteno Afrikanderdom p 47. Rhodes envisaged the possibility of not getting the Bill enacted in the 1894 session, but did not say that it was his intention to leave it over until the next session. DHA 1894 p 363 col 2, and p 392 col 2.

Rhodes could achieve a consolidation of his disgruntled followers!"¹⁹

Victor Sampson, later attorney general in Jameson's cabinet, and an unsuccessful Bond-supported candidate for Tembuland in the 1893-4 general election, mentioned the Glen Grey Act in his Reminiscences.²⁰ He approved of the Act and wanted credit for his part in bringing it about. Sampson clearly saw the potential significance of individual tenure to labour supply, and had the agricultural interest of the Cape in mind.²¹ In 1892, while on circuit with the Eastern Districts Court, Sampson had

hit upon the plan of giving the natives individual title to land with the law of primogeniture to govern the succession, hoping in this way to get rid of the evils of communal tenure and force the brothers of the heir to go out and seek their living elsewhere²²

In 1893 he wrote to Hofmeyr asking him to persuade Rhodes to turn his scheme into law. Sampson acknowledged the contributions of others: "the idea of the Native Parliament came from Robert [sic] Stanford, afterwards the Chief Magistrate of Tembuland"; "To Cecil Rhodes belongs the credit of the power to carry such a measure through Parliament",²³ but was nevertheless anxious to be recognised as having thought of the primogeniture provision himself.

George A. L. Green, subsequently editor of the Cape Argus until 1946, was a reporter in the gallery of parliament when the Glen Grey Bill was discussed. Newly arrived from Britain, he was then employed by the Cape Times. Green commented briefly and favourably on the Act as a measure intended to introduce segregation and to benefit blacks.

The first occasion on which I heard Rhodes speak at length was when he moved the second reading of his famous Glen Grey Bill --a measure which he intended as the prologue of a great experiment to ensure the advancement of the natives and obviate racial friction in the future.²⁴

¹⁹ *ibid* pp 47-8.

²⁰ Victor Sampson My reminiscences London: Longmans, 1926. Page 84.

²¹ Ruth Edgecombe "The Glen Grey Act: local origins of an abortive 'Bill for Africa'" in J.A. Benyon et al. (eds) Studies in local history: essays in honour of Professor Winifred Maxwell Cape Town: Oxford University Press, 1976. Page 90.

²² Sampson Reminiscences p 84.

²³ *ibid*.

²⁴ George A. L. Green An editor looks back: South African and other memories Cape Town: Juta, 1947. Page 38. (Green went on to describe Rhodes's manner of public speaking, which he found much less impressive than other

Sir James Rose Innes, later chief justice of the Union of South Africa, was attorney general in Rhodes's first cabinet, but was in Opposition by the time of the Glen Grey Act. Innes had reservations about the Act. He pointed out that the possibility of being able to buy land from blacks was what recommended the policy of individual tenure to many whites, including government supporters. "Repeated attempts to dispossess the Glen Grey natives having failed, an agitation was commenced for the issue of unconditional subdivided title."²⁵ Rhodes's policy, however, was that the land should be inalienable without government consent, a point on which the Opposition agreed with the prime minister. Innes described some of the other features of the Act as follows:

There was a purge of the voters' roll, which was an excrescence, and a labour tax, which was a blot upon the measure. ... 'labour' meant labour for other people. No toil, however strenuous, upon a Native's own land, was dignified enough to satisfy the tax collector.²⁶

He tried to improve the Bill in committee, but Rhodes reneged on an undertaking to consider favourably certain Opposition amendments intended to bring the Bill in line with Rhodes's speeches, which, Innes wrote, "were more liberal than his bill." Innes saw the "dictatorial and impatient" sides of Rhodes for the first time. He also saw that Rhodes was the prisoner of his own hard-line back benchers, who wanted a repressive measure. Rhodes insisted on an all night sitting, "in those days an unheard-of proceeding" to ram the Bill through. Innes considered his own position carefully. He felt betrayed by Rhodes and although in principle in favour of individual tenure he voted against the third reading, particularly because of the insufficient protection against alienation.

Nevertheless, in later years Innes thought that the Act was a success. Shorn of the labour tax, and with greater protection for black owners because the land was no longer executable for debt, it was in his view an improved measure.

Sir Walter Stanford, later undersecretary for native affairs in the Cape Colony, was a magistrate in the Transkei at the time of the Act.

observers.)

²⁵ James Rose Innes Autobiography Edited by B.A. Tindall. Cape Town: Oxford University Press, 1949. Page 104.

²⁶ Innes Autobiography p 105.

He was primarily interested in the local government provisions of the Act. He described a tour through the Transkei that Rhodes made before the session of 1894 with the Glen Grey policy obviously in mind. Stanford did not speculate about possible ulterior motives behind the law, but he did describe Rhodes's skilful management of the people, black and white, whom he met, and whom he attempted to persuade of the merits of his policy:

[H]e would search for opinions or views on the Glen Grey system in its various applications. To the missionaries he put the gain to them in stabilizing the payment of teachers in their schools.... To magistrates he put the opportunities which would come for development of their districts. To commercial men better roads and greater circulation of money were points he made at once. To the native headmen and councillors he urged the value of the opportunity to them of developing their country educationally and the advantages of better means of communication, thus enabling them readily to bring their produce to the best markets. He also impressed upon them that the Council system was the beginning of local self-government for them on new lines adapted to their changing conditions of life.²⁷

Stanford's account of Rhodes's progress was glowing, although a small irony shows him alert to black caution over the measure:

everywhere one heard individuals explaining to each other what Mr. Rhodes had said to them and retailing the very sound advice which in return had been given him. The natives were more reticent as is their way, besides which they were the people who had to find the money.²⁸

The recollections of contemporary observers mentioned above reflect both criticism and praise of the Act. They foreshadow, on the one hand, much of the subsequent criticism of the Act: cheap labour, and segregation. On the other they also anticipate the approval later writers have shown: individual tenure as a good thing, local government as worthy, the whole Act a sound piece of "Native" administration.

(iv) Historical opinion in favour of the Glen Grey Act

Many historians who approve of the Act fail to see the economic interests

²⁷ Walter Stanford The Reminiscences of Sir Walter Stanford, volume two 1885-1929, edited by J.W. MacQuarrie. Cape Town: the Van Riebeeck Society, 1962. Pages 166-7.

²⁸ Stanford Reminiscences p 167.

which motivated and were served by the Glen Grey Act. To many the Act was simply a piece of "native administration". An illusion of perpetual trusteeship underlies much of this discussion and often those who write approvingly of the Glen Grey Act see nothing wrong in blacks being forced by legislation to work for whites.

J. H. Hofmeyr's biography of his uncle The life of Jan Hendrik Hofmeyr (Onze Jan),²⁹ while interesting, has serious faults. It sets out to be a work of filial piety: its object was "to lay a tribute at the grave of one, whom an admiring country has acclaimed as perhaps its greatest son"³⁰, not to provide a critical account of Onze Jan's career. It cites few references to support the claims made, and is immensely condescending towards people of colour.

For the younger Hofmeyr the Glen Grey district was "fruitful" but in his prejudiced view the "natives" were "living in sloth and idleness, and deriving their livelihood from the pleasant and profitable occupation of stealing the stock of neighbouring farmers". The measure was intended to counteract the overpopulation of the district by forcing the surplus population onto the labour market.

The younger Hofmeyr (hereafter J. H.) believed his uncle was the author of the Glen Grey measure. As well as making an explicit claim he provides indirect support for the contention: the Act reflected Onze Jan's views in inhibiting the sale of land held on Glen Grey tenure, and in withdrawing from Glen Grey quitrent erf-holders the right to qualify for the franchise. Not all Onze Jan's followers applauded these views. "The greater part" of the members of the Bond favoured full individual title which would include the right to mortgage and sell, because this could be expected to facilitate the white purchase of the land.

Hofmeyr was more prepared than his followers to give some protection against the land being bought by whites, but he did not accept the proposal, even more generous to black interests, of a cheaper form of tenure (tickets of occupation) and protection against loss of land by sale or indebtedness together with the continuance of the franchise.

²⁹ J. H. Hofmeyr with F. W. Reitz The life of Jan Hendrik Hofmeyr (Onze Jan) Cape Town: Van de Sandt de Villiers, 1913.

³⁰ Hofmeyr Hofmeyr p vi.

Hofmeyr would reserve the land to blacks, but he was opposed to their having the franchise.

Onze Jan's difficulty was that his followers might not agree to "native" land being potentially inalienable. For that reason he was for the most part silent on the matter, except for a speech towards the end of 1893 in which he made a compromise proposal, "in order to educate his followers up to his view", that the land should be inalienable for a period of eight years.³¹

J. H. claimed that the credit for the Glen Grey policy was due to his uncle. The elder Hofmeyr apparently wrote a draft of the Bill before going to the imperial conference at Ottawa, which caused his absence from the 1894 parliamentary session. Rhodes came under pressure during that session from some of the Bondsmen over a certain clause in the measure. The author did not say which clause: perhaps this was the opposition that Onze Jan had feared over the reservation of the land. Rhodes disarmed his critics by producing the draft from his drawer and saying "There you have it all, in Mr. Hofmeyr's own handwriting."³²

J. H. provided no reference for this anecdote. He had written to the man who had been the permanent secretary at the Prime Minister's Office at the time, W. H. Milton who by 1913 had been knighted and was administrator of Rhodesia. The younger Hofmeyr's letter reads in part as follows:

I have been informed that the Bill was actually drafted by Mr Hofmeyr and that this draft was shown by Mr Rhodes himself to a gentleman still living. Your Excellency will no doubt be aware of all the circumstances ... and [I] am therefore writing to ask whether Your Excellency ... could let me know in how far Mr Hofmeyr was actually responsible for the Bill. That it was evolved in consultation between him and Mr Rhodes is at least certain.³³

Milton's reply, if he replied, has not been traced and may not survive.³⁴ His testimony would have been most interesting, since it is

³¹ *ibid.*

³² *ibid* p 467.

³³ SAL MSB 247 Hofmeyr to Milton 27 June 1913.

³⁴ In my fruitless search for relevant Milton papers the following people did their best to help me. Their assistance is gratefully acknowledged: Professor Michael Roberts of the Department of History of the University of Zimbabwe, who searched that university's historical

the contention of this thesis that the Glen Grey Act was a measure intended primarily to provide labour for the farmers of the Western Cape rather than the gold mines of the Transvaal. This is not a novel view, but the recent emphasis on mining capital as a determining factor in South African history requires that the alternatives be stated. Hofmeyr, as the leader of the Bond, the political movement of the Cape Afrikaner farmers, would be concerned with the Cape farmers' need for labour rather than the productivity of gold mines in the Transvaal. While it is impossible to prove that the Bill was actually drafted by Hofmeyr, the coincidence between his ideas and the contents of the Act is plain.

A generally chronological arrangement has been adopted in this chapter, but where the same author has written more than once, all his or her work is treated together at the date of earliest publication. Hence we now turn to the year 1931, when J. H. wrote a book called South Africa for a series on the modern world under the general editorship of the historian H. A. L. Fisher. He had by then changed his views on the purpose of the Glen Grey Act -- or may have been dressing them up for a British audience. As he saw matters in 1931 there were two main ideas underlying the Act:

The one was that means must be found to avert the danger which was beginning to be realized, of the breaking down of the authority of the chiefs, and the consequent disappearance of the traditional machinery of native local government, with nothing to come in its place.

The second main aim of this legislation was the encouragement of native agricultural development by the improvement of the system of land tenure³⁵

There was no mention here of "forcing the overgrowth into the labour market". This is all disingenuous; Hofmeyr must have been aware that the undermining of the chiefs' power had been an object of Cape "native" policy for decades. As for encouraging black agriculture, the Glen Grey

manuscripts collection; the staff of the National Archives of Zimbabwe who were most helpful, but whose collection of Milton papers does not include anything relative to the Glen Grey Act; Mrs Dorothy Ivey, presently of the School of Librarianship of the University of Cape Town, who has done research of her own into Milton's career; the staff of the Cory Library, Rhodes University, who ran a computer data base search on the National Register of Manuscripts (NAREM); and Professor Chris Hummel of the Department of History, Rhodes University.

³⁵ J.H. Hofmeyr South Africa London: Ernest Benn, 1931. Page 165.

policy undermined the profit-seeking peasants by limiting the sizes of their allotments to a trifling four morgen -- although three agricultural schools had been set up in the Transkei under the Act by 1911.³⁶ Hofmeyr went on to say, without any explanation, that "Logically enough it was enacted that this special form of tenure would not qualify for the exercise of the franchise."³⁷ He described the Bunga (the Transkeian Territories General Council -- the apex of the system of location boards and district councils) in positive terms, and praised the Glen Grey Act as its ultimate origin. Hofmeyr's later book, then, casts no light on the objectives of the Glen Grey policy. In fact it is positively misleading, although it is of interest for what it shows about the changing ideas of a portion of the white ruling caste about its own role.

J. H. was to return to the Glen Grey Act a third time, in one of the chapters he wrote for the South African volume of the Cambridge History of the British Empire published in 1936. He again describes the Act as a fruit of the Rhodes-Hofmeyr alliance, but fails to mention the labour tax. He notes the "improved" land tenure and partial self government. The Act is described as part of a policy of differentiation between the races that was beginning to replace the Cape policy of assimilation. The denial of the franchise was a "logical consequence" of this policy of differentiation.³⁸

In the meantime other writers had referred to the Glen Grey Act. Basil Williams, for example, an early biographer of Rhodes, pointed out in 1921 that Rhodes had agreed with the Bond and "foreshadowed, much to their delight, his own Glen Grey policy" when he criticised the Cape franchise in the debate on the 1887 Registration of Voters Bill on the grounds of, as Williams puts it, its "liberality" to "uneducated natives."³⁹ The 1887 Act had excluded land held under communal tenure from the franchise qualification. Williams sees Rhodes as moving from

³⁶ East London and Frontier Red Book 1911 East London: Standard Printing Company, 1911. Pages 555-7. There were two industrial and three agricultural schools set up by the Transkeian Territories General Council by 1911, and the Council also gave grants-in-aid to other educational institutions.

³⁷ Hofmeyr South Africa p 165.

³⁸ J.H. Hofmeyr "The problem of co-operation, 1886-1895: railways, customs and the native question" in A.P. Newton and E.A. Benians (eds) The Cambridge history of the British Empire volume viii South Africa, Rhodesia and the protectorates Cambridge: the University Press, 1936. Page 546.

³⁹ Basil Williams Cecil Rhodes London: Constable, 1921. Page 140.

early crude opinions about keeping the "natives" as a subject race to a later, more enlightened position of uplifting them⁴⁰ -- from "juvenile ideas of 'oriental despotism'" to helping them "make a better use of their human minds".

In Williams's view Rhodes thought that whites had, by virtue of their higher civilisation, responsibilities towards blacks.⁴¹ He was in favour of practical rather than academic education for them because the former produced "Kaffir parsons" and newspaper editors -- "both objects of his intense dislike".⁴² Training blacks along Rhodes's lines would make them useful and docile labour for white employers; it did not occur to Williams to doubt that whites had the right to regard blacks as cheap labour (no doubt with kind treatment) and nothing else. Nor did it occur to him that blacks might have other aspirations, although he says that to do Rhodes justice he would have forced English loafers to work as readily as he tried to force blacks to work.⁴³

Williams's approval of the Glen Grey Act rests on some misunderstandings. He sees the local government provisions of the Act as a quid pro quo for the loss of the franchise, but takes at face value Rhodes's claim that the "natives" were "not interested in the politics of the country"; in fact we know that blacks took a keen interest in Cape parliamentary politics.⁴⁴ Williams makes the common mistake of assuming that the labour tax was not meant to apply to land-holders.⁴⁵ He claims that in parliament "no great objections" were found to the Bill's principle, which may be true, but he overlooks the strenuous opposition offered to some very important details of the measure. He is aware that the labour tax was largely a dead letter, but thinks that the "natives entered into the spirit of ownership and took up plots eagerly"⁴⁶ when in fact the people strenuously objected to the new tenure. In short Williams is rather naive in his assessment of the Act, and largely uncritical of Rhodes's policy.

⁴⁰ Williams Rhodes pp 209-10.

⁴¹ *ibid* 203-5.

⁴² *ibid* p 210.

⁴³ *ibid* 210.

⁴⁴ Stanley Trapido "African divisional politics in the Cape Colony, 1884 to 1910" Journal of African History 9(1) 1968 pp 79-98; Andre Odendaal Vukani Bantui the beginnings of black protest politics in South Africa to 1912 Cape Town: David Philip, 1984.

⁴⁵ Williams Rhodes p 211.

⁴⁶ *ibid* p 213.

of these measures: the Registration of Voters Act of 1887 and the Franchise and Ballot Act of 1892. Walker, however, follows Williams in seeing Rhodes's ideas on "native" affairs as having matured from his earlier ideas of "Indian despotism" to a kind of moderate position (with Hofmeyr) between those whites who wanted to have both the land and the labour of the blacks, and "others like Sauer who held that the native must be protected in the possession of the land and yet be allowed to acquire the franchise."⁴⁹

Walker provides a brief summary of the Act, and points out that its principles were not new, as Rhodes had readily conceded. Walker notes that the expense of survey deters blacks "to this day" from adopting individual tenure.⁵⁰ Many Bondsmen were opposed to the land not being readily saleable, but were "reassured when the vote was withheld from such tenants and a labour tax was prescribed for all non-landholding men who did not go out to work for three months in the year."⁵¹ Sauer and his colleagues in the Opposition resisted these two points, says Walker, but approved of the local councils. Walker concludes by pointing out that the money raised by the rates and taxes under the Act was spent locally, and that the Act was not as widely applied as Rhodes had expected.

Walker's point about the expense of the survey is well taken, but he does not probe further and see that the Glen Grey policy had effected no real change. The cost of the survey in the districts that came under the Act had been very high in proportion to the value of the land. He correctly identifies the withholding of the vote and the labour tax as being likely to please the Bond (although they were attractive to Rhodes as well) and he sees that the Bond opposed restrictions on the alienability of the land. In all his writing on the subject Walker consistently under-rates the extent of the parliamentary opposition to the council system. (It should be noted that the Opposition was in favour of a local government measure, but wanted the councils to be elected, not appointed.)

In the 1957 edition of his history, called A history of Southern Africa, Walker made no changes in his discussion of Glen Grey. He

⁴⁹ Eric Walker A history of South Africa London: Longmans, 1928. Page 438.

⁵⁰ Walker History of SA (1928) p 438.

⁵¹ *ibid* p 439.

Eric Walker, an influential historian in the 1920s and 30s, wrote biographies of two of Rhodes's contemporaries (Lord de Villiers, 1914 and W. P. Schreiner, 1937) as well as a general history of South Africa (1928, revised 1957).

In his life of Lord de Villiers, chief justice of the Cape Colony and later of the Union of South Africa, Walker adverts only briefly to the Glen Grey Act. He describes it as a Bill

which gave the natives in the overcrowded Glen Grey area individual tenure of land inalienable without the Governor's consent. The franchise, which this tenure would otherwise have conferred, was withheld. Instead, the natives were to be trained politically through village and district councils. The opposition had desired to give the natives the vote. The rank and file of the Bond, on the other hand, had wanted to give them individual tenure with all its liabilities, frankly with the idea of throwing the territory open to European exploitation.⁴⁷

Walker's summary is accurate. He sees the councils as an alternative to the franchise, with an implication of political segregation [see Ferguson pp19-20 below], and he demonstrates an awareness of the Bond's land hunger.

A few pages later Walker writes that "besides" many excellent provisions" the Glen Grey Bill contained the labour tax, which he says (not quite correctly) was never enforced, and which he describes as "dangerous". Walker feels that there was "something to be said" for the tax, but does not elucidate. Presumably he believed that many young black men were idle and needed to be nudged into working. But he qualifies his faint praise for the tax by pointing out that it might have led to forced labour of the kind then being exacted by the Chartered Company in Rhodesia. He says that the tax was to be levied on "all men", which is correct.⁴⁸ It is commonly said to have been levied only on the landless.

In the first edition of his History of South Africa (1928) Walker points out that since 1879 there had been laws passed in the Cape which discriminated against blacks in a way that had not been done since the Fiftieth Ordinance of 1828, and mentions Rhodes's involvement in some

⁴⁷ Eric Walker Lord de Villiers and his times: South Africa 1842-1914 London: Constable, 1925. Page 256.

⁴⁸ Walker De Villiers p 258.

inserted a new passage nearby in which he described the racist thinking behind the abolition of plural voting in the Cape Town constituency, ostensibly because it was an anomaly to allow the practice in Cape Town and not elsewhere, but actually to prevent the election of a particular individual to whom Rhodes and the Bond objected on racial grounds. So Walker, while approving of the Cape constitution, was aware that the tradition of non-racialism in politics was under threat.

W. P. Schreiner: a South African (1937) contains much the same argument about Glen Grey, but includes an error about the creation of the ministry of agriculture: Walker says that this ministry was set up in 1894 to see that the Scab Act was carried out.⁵² In fact there had been a permanent official in the Cape's Colonial Office responsible for agriculture since 1887 with the title of secretary of agriculture.⁵³ In 1892 agriculture had been put into John X. Merriman's portfolio as commissioner of crown lands and public works.⁵⁴ A separate ministry of agriculture, with the responsible minister (styled "secretary") in the cabinet was set up in September 1893.⁵⁵ Its purpose was not to enforce the scab law, which had not yet been enacted, but to placate the Bond. It should be noted that the Scab Act was not popular with many Bond members, despite its positive effects on the value of the colony's wool clip. Walker has confused the events of two different years.

W.T. Ferguson in his 1932 M.A. thesis sees the policy as one in the common interests of white farmers and black peasants.⁵⁶ Ferguson is approving of the Act: he notes that white farms were short of labour in the 1890s, while there was overcrowding in the reserves. In Ferguson's view Rhodes saw that this would lead to the impoverishment of the people in the reserves, and found individual tenure to be the answer: a number of blacks would be secured in their rights to land "and a surplus would

⁵² Eric A. Walker W. P. Schreiner: a South African London: Oxford University Press, 1937. Page 57.

⁵³ P. Venter Thesis on Cape administration, 1806-1910 [No title page] Microfilm, Cory Library, Rhodes University. 1949? Pages 60-1.

⁵⁴ Phyllis Lewsen John X. Merriman: paradoxical South African statesman Johannesburg: Ad Donker, 1982. Pages 154-6.

⁵⁵ Minister of Agriculture Act, 14 of 1893, in W. G. Eybers (ed.) Select constitutional documents illustrating South African history 1795-1910 New York: Routledge, 1918. Pages 74-5.

⁵⁶ W.T. Ferguson The native policy of Cecil John Rhodes in the Eastern Province M.A. thesis, University of Cape Town, 1932.

remain wherewith to supply the Colonial labour market."⁵⁷ Individual tenure, Ferguson says, would give blacks a greater interest in their land and encourage them to make improvements on it. Cape liberals thought it would civilise the blacks, and the Bond thought it would throw the land open to white purchase. While Rhodes wanted to reserve the land to the blacks in perpetuity, he compromised with the Bond by making the right to sell dependent on the governor's permission, which might someday be forthcoming.⁵⁸

Ferguson thinks it likely that Rhodes wanted segregation and an end to the black vote.⁵⁹ In Ferguson's view the new land tenure had two objectives: (i) to break down tribalism and replace it with individualism; and (ii) to force the majority of blacks to abandon the land and take up permanent employment. Ferguson thus falls into the "complete proletarianisation" school of thought on the Glen Grey Act, along with Diane Cooper and Russell Ally, rather than the "migrant labour" school, exemplified by Marion Lacey. [See section (v) below for all these writers.]

The Glen Grey Act was mentioned in a study of the economic development of the British Empire by L.C.A. and C.M. Knowles in 1936. The authors saw Rhodes as a despotic but benevolent paternalist who, in their view had a realistic grasp of likely trends. They quote Rhodes's words from the debate on the Bill that "nine-tenths" of the black population would have to work as manual labourers in the future. They say that he was aware that the whites would supervise and do the brain-work, but claim that Rhodes "realized the obligations of the white man to the black and [he] found that those obligations had been but ill-observed."⁶⁰

Such a benevolent paternalism cannot be found in the Glen Grey policy. The brief treatment given to the Glen Grey Act by the authors in the course of a lengthy work probably accounts for their superficial understanding of the measure.

⁵⁷ Ferguson Native policy pp 43-4.

⁵⁸ ibid p 44.

⁵⁹ ibid p 55.

⁶⁰ L.C.A. Knowles and C.M. Knowles The economic development of the British overseas empire volume three The Union of South Africa London: George Routledge, 1936. Page 321.

Another approving thesis, presented in 1939 by M. S. Griffiths, also considers the question of land tenure in its relation to labour.⁶¹ Griffiths says of the labour tax

It carried the Bill, and, as was intended, it won for Rhodes the support of the farmers, but it elicited such fierce opposition from the natives themselves, and from those chiefly interested in their welfare, that it threatened even the excellent features of the remaining 66 clauses.⁶²

For Griffiths the labour was required "in this country",⁶³ i.e. the Cape, not the Transvaal. He notes correctly that an attempt was made to collect the labour tax, but that it "ultimately fell away through the difficulty in enforcing it" and remarks also that "in most areas the idle natives seemed to be few."⁶⁴ Griffiths's work is one of administrative history, so the interests that the Act was intended to serve do not receive any further attention, but the thesis is perceptive within its limitations.

C. W. de Kiewiet, a protegé of the historian W. M. Macmillan, published his History of South Africa: social and economic in 1941, in which he praises the Act. He describes it as "the most forward move in fifty years" and commends the protection of black land against white encroachment.⁶⁵ For de Kiewiet the policy "held out the promise of a gentle but sure transition from an unenlightened and squalid tribal existence to an active and progressive individualism."⁶⁶ De Kiewiet finds the land clauses to be the most important part of the Act, and that the improvement of black agriculture was intended. He notes that the Act was not a complete success, mainly because there was not enough land allocated to make it work. He is aware of the labour tax, which he concludes shows that the Transkei was not meant under the policy to become self-sufficient in food, but would always have had to "export" labour. The implication seems to be migratory labour. De Kiewiet's interest in black agriculture seems to have misled him as to the purpose

⁶¹ M.S. Griffiths The development of native policy in the Transkei and in Glen Grey between 1870 and 1900 M.A. thesis, Rhodes University College [?], University of South Africa, 1939 [?]. See e.g. pages 114 and 118.

⁶² Griffiths Development p 120.

⁶³ *ibid* p 120.

⁶⁴ *ibid* p 123.

⁶⁵ C.W. de Kiewiet A history of South Africa: social and economic London: Oxford University Press, 1941, reprinted 1968. Page 142.

⁶⁶ De Kiewiet South Africa p 199.

of the Act: to advance white agriculture in particular, and white enterprises in general, through the provision of black labour.

W.J.G. Mears in his doctoral thesis of 1947 is mildly approving of the Act, although he is aware that the purpose of the individual tenure was to create "a landless class which, it was expected, would earn a living working for Europeans."⁶⁷

Mears makes two important errors. He states that men ploughing more than four morgen at the time the Act came into effect were allotted all the land they had been working,⁶⁸ which Ally has demonstrated was not the case.⁶⁹ Mears also says that the labour tax did not apply to landholders,⁷⁰ which a close examination of the text of the Act disproves.⁷¹

He is correct in noting that the unpopularity of the labour tax made the people of other districts unwilling to accept the extension of the Act,⁷² and in saying that "the labour tax broke down almost at once."⁷³ Mears, however, has little to say about the larger aims of the measure.

A University of Cape Town M.A. thesis of 1951 by Stanley Jenkins on Rhodes's premiership presents land tenure as the crucial part of the measure.⁷⁴ Jenkins notes that the allotments were insufficient to feed more than one family, and so a man's children would be forced to seek work, but does not remark further. He sees little wrong in the labour provisions of the Act, although he is critical of the liquor provisions

⁶⁷ W.J.G. Mears A study in native administration. The Transkeian Territories 1894-1943 D.Litt. thesis, University of South Africa, 1947. Page 268.

⁶⁸ Mears Study p 37.

⁶⁹ Russell Thomas Ally The development of the system of individual tenure for Africans, with special reference to the Glen Grey Act, c 1894-1922 M.A. thesis, Rhodes University, 1985.

⁷⁰ ibid p 267.

⁷¹ Section 33 of the Glen Grey Act, 25 of 1894. Statutes of the Cape of Good Hope 1894-98. Page 67.

⁷² Mears Study p 39.

⁷³ ibid p 38.

⁷⁴ Stanley John Jenkins The administration of Cecil John Rhodes as prime minister of the Cape Colony M.A. thesis, University of Cape Town, 1951. Page 82.

of the Bill (that were removed at the committee stage): "if it is possible to justify Rhodes's action in regard to the labour tax, no such justification is possible for his handling of the liquor provisions of the Bill."⁷⁵

(v) Sui Generis: Edgar Brookes the repentant segregationist

Edgar H. Brookes, a well-known South African liberal, wrote two different versions of the same book fifty years apart, and so radically altered his opinions that it is impossible to put him in either the "for" or the "against" category. His early work The history of native policy in South Africa (1924) was explicitly segregationist, albeit of the liberal segregationist school which sought to protect blacks by segregation. In 1974 he published a substantially revised version under the title White rule in South Africa in which he describes his retraction of his segregationist views and attempts to write a history of white rule without arguing for a policy of which he no longer approved.

In the earlier work Brookes praises the Cape's Transkeian policy. His reasons for doing so are not clear because it is not easy to see exactly what was the content of this policy. Detribalisation, "civilisation", and individual tenure of land all play a part, but what else there might have been is not clear. Brookes does not seem to have expected the complete cultural assimilation of Africans to be the goal of Cape policy, and seems to think that some preservation of distinctions between white and black was necessary. What Brookes appreciates is what he saw as the Cape's sympathetic administration: he did not, in 1924, defend the Cape franchise.

Brookes writes:

The essence of the [Sir George] Grey policy -- to civilise and not merely to preserve peace and the status quo -- was a feature of Transkeian life from the first. But the faults of the Grey policy were avoided; and there was no attempt to treat the Natives as being identical with Europeans. The Transkeian Magistrates were too practical to deal in legal fictions, and too kindly to wish to extend liquor and the vote to their people. From the very first they tried

⁷⁵ Jenkins Administration p 95.

to teach them to govern themselves rather than to assist in governing Europeans. Their material progress was fostered and ensured. The Government at Cape Town, taught by the bitter lesson of Basutoland, refrained from oppressive legislation.⁷⁶

Cape "native" policy, Brookes says, was progressive and under it the people of the Transkei became "the most prosperous, the most advanced and (with the exception of the tribal Natal Native) perhaps the most contented Native in South Africa today."⁷⁷

Brookes locates the Glen Grey policy in the tradition of Cape "native" policy, and points out that much of the Glen Grey policy was foreshadowed by Captain Matthew Blyth, the first chief magistrate of the Transkei, in a memorandum of 1882.⁷⁸ Brookes also emphasises the value of continuity of policy, achieved by leaving things mainly in the hands of the permanent officials of the Native Affairs Department. He gives J. W. Sauer, secretary of native affairs 1881-4, credit for starting both this practice and the tradition of "continuous public consultation with the Natives".⁷⁹ (Sauer was a minister in Rhodes's first cabinet from 1890-3 and then a leading member of the Opposition to Rhodes.) Brookes's view of the Glen Grey policy and its relation to "native" affairs more generally may be best conveyed by his own words:

It may be convenient for panegyrists and other garblers of history to credit Cecil John Rhodes with the Glen Grey policy and to suggest to us that it sprang full-grown from his brain as Pallas Athene from the head of Zeus. Sober and accurate history must step in with regret and destroy this legend, in the interests of the just fame of the great Administrators who really deserve the credit -- in particular Charles Brownlee, Matthew Blyth, H. G. (later Sir Henry) Elliott and W. E. (later Sir Walter) Stanford.⁸⁰

When he discusses the Act itself, Brookes praises its "improved form of land tenure" and "partial self-government, intended to have an educative effect and lead up to better things." He notices that "quit-rent furnished a useful revenue, and the necessity for its payment an incentive to work" without criticism. He has the highest praise for the

⁷⁶ Edgar H. Brookes The history of native policy in South Africa from 1830 to the present day Cape Town: Nasionale Pers, 1924. Pp 109-10.

⁷⁷ Brookes Native policy p 107.

⁷⁸ *ibid* p 108.

⁷⁹ *ibid*.

⁸⁰ *ibid* 108-9.

Act in general, and the tenure and council systems in particular.⁸¹

He accords praise to the advances in education and the public works paid for by the councils⁸² before dealing with some black criticisms of the policy. He admits that the magistrates might have unduly revised the decisions of the general council, particularly in financial matters, and concedes that since the councils were only advisory their success could be over-rated.⁸³

Brookes notes that the introduction of the Act produced a resistance and a resentment that alarmed the magistrates of Tsomo and Idutywa in 1895, but he notes too that the agitation died down.⁸⁴ He was, in short, aware that the policy had been unpopular, but he was confident that since the grassroots opposition had been shortlived, the policy must ultimately be successful, and worth extending.

Brookes describes Rhodes's skill in bringing in the Act:

"Nine-tenths of the House were in favour of either the Labour Tax or the Quit-rent Tenure, though probably those whole-heartedly in favour of both could have been counted on the fingers of one hand, and so the Bill had a comparatively easy passage."⁸⁵

He does not suggest in more detail what Rhodes might have been trying to achieve by the measure. He notes that the labour tax was unpopular, and felt by blacks to be "harsh and oppressive" but does not concede that it was so; he considers the repeal of the tax wise in the circumstances.⁸⁶ He gives a lengthy analysis of the land tenure provisions of the Act, but does not consider the economic viability of the four morgen lots, or the cost of the survey in relation to the value of the land.

To sum up Brookes in 1924 one cannot avoid saying that he is complacently oblivious to the oppressive features of the Glen Grey policy, and, while well-meaning, was wedded to white supremacy as it was then understood: blacks were to be segregated and excluded from the

⁸¹ *ibid* pp 113-7.

⁸² *ibid* p 265.

⁸³ *ibid* pp 266-7.

⁸⁴ *ibid* pp 272-3.

⁸⁵ *ibid* p 363.

⁸⁶ *ibid* pp 363-4.

rights of citizenship while benefiting from enlightened tutelage. His later views are different, although not without some lingering paternalism.

In 1974 Brookes was anxious to distance himself from the policy of apartheid, since his earlier (recanted) approval of segregation might have been construed as support for the policy of the National Party. Yet it is surprising how little of his book he really changed, as a comparison of pages 107-17 of The history of native policy with pages 78-84 of White rule will bear out. While much was cut out, and some matter added, for the most part alterations merely brought the racial terminology up to date. ("Native", quite inoffensive in 1924, was deemed derogatory by 1974 and replaced by "African" throughout.)

When dealing with the Glen Grey Act Brookes admits that it withheld the franchise from most blacks in the Transkei and "a system of partial self-government replaced it, which may fairly be claimed to be the precursor of the autonomy of the Transkeian 'homeland' at the present day."⁸⁷ He regrets that "[i]n many (though not all) ways the Transkeian system led to the policy of 'Bantu authorities' in the 'homelands' which is so controversial at the present day."⁸⁸ While appalled at the trend of legislation after 1948, and aware of the Glen Grey Act in the network of causation in South African history, Brookes was reluctant to abandon his favourable view of what Cape "native" policy had once been.

(vi) Historical opinion against the Glen Grey Act

Wiggins, writing in 1929, departs from the approval of the Glen Grey Act found in most writing until then.⁸⁹ Wiggins sees the Act as a labour measure intended to benefit Western Province farmers. She is not blinded by ideology about "native administration". She points out that the white

⁸⁷ Edgar H. Brookes White rule in South Africa 1830-1910: varieties in governmental policies affecting Africans Pietermaritzburg: University of Natal Press, 1974. Page 73.

⁸⁸ Brookes White rule p 83.

⁸⁹ Ella Wiggins A thesis on the Glen Grey Act and its effects upon the native system of land tenure in the Cape Colony and the Transkeian districts M.A. thesis, University of Cape Town, 1929.

farmers of the Eastern Province were generally well supplied with labour, while those in the Western Province complained of an "expensive" and "irregular" supply, and one that was adversely affected by "industrial development, such as railways or dock construction."⁹⁰ The gold mines also drew labour away from the Cape Colony. The Cape government responded to this problem by appointing a commission of enquiry, which sat in the years 1893-4.

Wiggins argues that the Cape policy was to undermine the tribal system with a view to forcing the people onto the labour market, and she is suspicious of colonists' claims that blacks lived in idleness. This demonstrates a refreshingly critical view for her day, when the attitudes of colonists were often unquestioningly reproduced by historians. She writes:

The main conclusion [of the labour commission], naturally enough, was that the natives would only become effective wage earners when they had been taken out of their tribal system, and the main objection to their tribal system was that it provided the natives with land so that they could live in "idleness." Any measures to deter this should be tried, and individual tenure was advocated.⁹¹

She notes further: "Individual tenure for natives had long been a favourite panacea in matters of native policy."⁹² Wiggins points out that whereas the old communal tenure had been elastic and able to accomodate population growth, individual tenure was deliberately intended not to make such allowances:

What was to happen to natives as they attained the status of manhood, when normally some piece of land would have been found for them?

This was a question which had been fully anticipated by the framers of the Act. These young men, it was intended, would have to go out to work. It was in this way that it was hoped that the Act would contribute towards a solution of the labour problem.⁹³

Wiggins is unable to provide references for many of her contentions, but her argument is most convincing, and is in agreement with later writers such as Ally.

⁹⁰ Wiggins Thesis p 27.

⁹¹ Wiggins Thesis p 2.

⁹² *ibid* p 28.

⁹³ *ibid* p 36.

Sheila van der Horst, in Native labour in South Africa (1941) saw the Glen Grey Act as a labour measure of limited success. She anticipates Colin Bundy [see pp 36-7] by putting the Act in the context of the Private Locations Act of 1892, another labour measure. This law had encouraged white landowners to drive off their farms blacks not in their employ by imposing a tax on such tenants (called "squatters" in the parlance of the day), who were then expected to become labourers for other white farmers.

Van der Horst notes that the labour commission of 1893-4 had found much opinion in favour of individual tenure as a means of forcing black men into labour by "preventing all who had no title from occupying land". She notes also that the commission was not sanguine about this having the desired effect, as events were to prove.

She quotes Rhodes's remark from the debate on the Glen Grey Bill that "in order to assist the western farmer" the expected black workers from the eastern districts would be put to work on the railways. This would force "coloured" labourers who had left agriculture for the railways to return to farm work, as the farmers wanted. So van der Horst sees the Act as a labour measure for the Cape rather than the Transvaal, and particularly in the interests of agriculture.

She points out the effect of increasing the need of blacks for a cash income, not only through the labour tax but also through the quitrent and the district rate: this was expected to make blacks work for white employers for pay.

Van der Horst's treatment is brief but pithy. She does not decry the intentions of the framers of the Act, she simply states what it was they seem to have wanted. She is under no illusions about "civilisation" or the wisdom of a benign "native policy" and simply provides a cold blooded analysis of the Glen Grey Act as labour legislation. Hers is perhaps the most penetrating of any analysis of any up to the date of publication of her work.⁹⁴

T. R. H. Davenport's criticism of the Glen Grey Act has

⁹⁴ Sheila van der Horst Native labour in South Africa London: Oxford University Press, 1942, reprinted London: Frank Cass, 1971. Pages 148-52.

increased over the years. Writing in 1966 on the Afrikaner Bond, he takes at face value the finding of the 1892 Glen Grey Commission that a majority of the people there were in favour of individual tenure. He represents as the view of the people that their land should be inalienable for a period of three or four years,⁹⁵ when in fact that was the view of the commission: a majority of the people had wanted a permanent prohibition against sale. However he correctly notes that for "many Bondsmen ... Glen Grey was a coveted region."⁹⁶ He mentions, but only in passing, the expected effect of individual tenure on labour supply.⁹⁷

Davenport emphasises and criticises the disenfranchising effect of the law; but he is relieved that a white land grab was not, after all, permitted; and he notes (not quite correctly) that the labour tax was never collected. Even the labour tax could have been worse: "this part of the 'Bill for Africa' has since had rather stiffer parallels in other parts of the continent."⁹⁸ Davenport's view of the Act in 1966 was not very penetrating and he admits that at the time he saw "nothing sinister" in the measure.⁹⁹

By the third edition of his modern history of South Africa in 1987 Davenport was more aware of the Glen Grey Act as a labour measure. It "had something to do with the extension of local government to African communities on Cape Colonial lines, but rather more to do with the utilisation of black labour."¹⁰⁰ He criticises the disenfranchising effects of the Glen Grey Act and the 1892 Franchise and Ballot Act¹⁰¹ and suggests that the Glen Grey policy was useful in drawing labour out of the Transkei for the Cape,¹⁰² but he probably overstates the Act's efficacy. Davenport notes that Glen Grey was overcrowded and suggests that this overcrowding would have made it fairly easy for labour to be forced out of the district. He suggests that Rhodes intended by means of his law to draw out labour for the nearby Indwe coal mines in which he

⁹⁵ T.R.H. Davenport The Afrikaner Bond: the history of a South African political party, 1880-1911 Cape Town: Oxford University Press, 1966. Page 153.

⁹⁶ Davenport Afrikaner p 153.

⁹⁷ *ibid* 154.

⁹⁸ *ibid* p 155.

⁹⁹ Personal communication with Professor Davenport, 1988.

¹⁰⁰ T.R.H. Davenport South Africa: a modern history Johannesburg: Macmillan, 3rd ed., 1987. Page 106.

¹⁰¹ Davenport South Africa p 108.

¹⁰² *ibid* p 141.

had bought a share for De Beers.

Davenport makes the common mistake of assuming that the labour tax was meant to apply only to the non-landholding men in Glen Grey. In fact it was meant to apply to all men whether lot-holders or not. Likewise the district rate applied to all, and not only to landholders.¹⁰³

Stanley Trapido and W. D. Hammond-Tooke both published articles in 1968, Trapido on African divisional politics in the Cape, and Hammond-Tooke on the Transkeian council system. Trapido mentions the Act only peripherally, as something to which black voters were opposed in the 1903 general election.¹⁰⁴ Hammond-Tooke follows Davenport's 1966 assessment in concentrating on the franchise and local government aspects of the Glen Grey Act. He notices the labour tax but since his interest is to assess the working of the councils he does so only in passing.¹⁰⁵

John Marlowe, in a biography of Rhodes published in 1972 and called Cecil Rhodes: the anatomy of empire, says that the Glen Grey Act was part of Rhodes's attempt to get Cape "native" policy in line with that of Natal and the republics.¹⁰⁶ Of Rhodes's policy more generally he writes the following succinct and accurate outline:

The main lines of his domestic policy consisted of ... a policy of agricultural protection and improvement designed particularly to appeal to Dutch farmers, and a railway tariff policy designed to channel the trade of the inland republics through the Cape.¹⁰⁷

For Marlowe the labour tax was "an attempt to provide more and cheaper labour for the Cape farmer and mine manager", but only an attempt because it was "not applied" and later repealed.¹⁰⁸ The Glen Grey Act

¹⁰³ Section 48 of the Glen Grey Act, 25 of 1894. Statutes of the Cape of Good Hope 1894-98 p 70.

¹⁰⁴ Stanley Trapido "African divisional politics in the Cape Colony, 1884 to 1910" Journal of African History 9(1) 1968 pp 79-98. For the Glen Grey Act see pp 88 and 92.

¹⁰⁵ W.D. Hammond-Tooke "The Transkeian council system 1895-1955: an appraisal" Journal of African History 9(3) 1968 pp 455-477. See p 460 for labour tax and pp 455-60 for the Glen Grey Act more generally.

¹⁰⁶ John Marlowe Cecil Rhodes: the anatomy of empire London: Elek, 1972. Page 196.

¹⁰⁷ Marlowe Rhodes p 196.

¹⁰⁸ *ibid* p 198.

was "the origin of the Bantustan policy later adopted by the Republic of South Africa."¹⁰⁹

Marlowe's book is popular and does not contain many startling insights, but it is generally accurate and it is interesting that he does not need to look outside the Cape for an explanation of the Glen Grey Act. Perhaps a foreigner, somewhat detached from South Africa, is better able to avoid the "Witwatersrand-centric" approach to our history.

A rather better life of Rhodes, though lacking any references to sources, is John Flint's 1974 publication. He correctly puts a discussion of Rhodes's policy in the context of the development of agriculture in the Cape, and the political power of the agricultural interest.¹¹⁰ He notes that much of Rhodes's parliamentary support was drawn from the Afrikaner Bond, "a farmers' party".¹¹¹

Rhodes's problem, in Flint's view, was that to leave Glen Grey (overcrowded, overgrazed and "a haven for unemployed Africans") to itself was to "invite chaos and violence"¹¹². Glen Grey was just one such district. However, Rhodes found that

to stabilize African society, to grant Africans secure title to their lands, and to improve their educational facilities and their economy threatened slowly and steadily to increase the number of African voters¹¹³

For Flint, Rhodes's Act was intended to secure the political supremacy of whites, and the segregation of blacks, who were to be migrant labourers. Hence Flint's equation of Glen Grey with apartheid.

T. J. Keegan, writing in 1975, provides a thorough treatment of the policy as experienced on the ground, but deals only briefly with the question of motivation. He suggests that the idea behind individual tenure may have been to create a "buffer-class of commercial

¹⁰⁹ *ibid* p 198.

¹¹⁰ John Flint Cecil Rhodes Boston: Little, Brown, 1974; London: Hutchinson, 1976. Pages 157-62.

¹¹¹ Flint Rhodes p 161.

¹¹² *ibid* p 167.

¹¹³ *ibid*.

peasants".¹¹⁴ He points out that by limiting the number of lots many people would be forced onto a labour market quickened by the "discovery of mineral wealth and the consequent upsurge in commercial farming".¹¹⁵ He notes that workers were already leaving the reserves on a large scale. He points out the desire of some whites for land in Glen Grey,¹¹⁶ and raises the possibility of whites wanting to quash African competition in agriculture.

Ruth Edgecombe has written about the Glen Grey Act in her Ph.D. thesis on the Aborigines' Protection Society¹¹⁷ and in a later article. The later work is subtitled "Local origins of an abortive 'Bill for Africa'" and this captures the core of her argument: Cape interests, and not metropolitan or even Transvaal interests, determined this policy.

Edgecombe describes how men such as Victor Sampson [see section (iii) above] expected individual tenure to solve the labour problem by restricting the use of land among blacks to title holders only, thus forcing the rest out to work. He expected it to provide "cheap labour all over the colony".¹¹⁸ Sampson also hoped to see black-owned land coming onto the market to be bought by whites. He communicated these ideas to Jan Hofmeyr in the hope that Rhodes's government might be persuaded to take action along the lines suggested.

Edgecombe points out that the African vote usually went against the Bond.¹¹⁹ Individual tenure carried the vote, so the franchise had to be "doctored", in Sampson's words, as far as blacks were concerned: simply raising the franchise would exclude too many of the poorer white voters. Here we have the views of a fairly senior member of the Bond (Sampson was a candidate for parliament on the Bond ticket in 1894) expressed in the years 1891-3. They bear an extraordinary similarity to the contents of the Glen Grey Act of 1894.

¹¹⁴ T.J. Keegan African responses to the implementation of the Glen Grey policy B.A.(Hons) dissertation, University of Cape Town, 1975. Page 2.

¹¹⁵ Keegan Responses p 3.

¹¹⁶ *ibid* p 6.

¹¹⁷ Dorothy Ruth Edgecombe The influence of the Aborigines' Protection Society on British policy towards black African and Cape coloured affairs in South Africa, 1886-1910 Ph.D. thesis, University of Cambridge, 1976.

¹¹⁸ Edgecombe Influence p 88.

¹¹⁹ Edgecombe Influence p 86.

For Edgecombe the Glen Grey Act was a compromise between the Bond view and the views of men such as Innes, Merriman and Sauer who wanted individual title, but with restrictions on sale. In her opinion the land tenure is important because it bears on the labour supply, and the party political implications of the franchise are also important: she draws our attention to one T. J. Botha, a member of the Bond who in the 1880s had brought a court action to have the voters' roll in Glen Grey revised, because he alleged there were many unqualified black voters on it. He lost his case, but subsequent petitions on similar lines led to the House of Assembly appointing a select committee on the voters' roll.¹²⁰

Eddie Webster, writing in 1978, has ascribed to the Glen Grey Act an importance and an effect far beyond its due.¹²¹ He writes that the emergence of a labouring class for the mines through the operation of the market alone would have taken far too long. Extra-economic methods were needed, to wit "the legislative power of the state and the creation of monopolistic recruiting organisations."¹²² The Glen Grey Act was one of three central laws, the other two being the pass law of the South African Republic of 1896, and the Land Act of 1913. What Webster appears to ignore is the testimony of contemporaries¹²³ and historians¹²⁴ that the Glen Grey Act had little effect in increasing the supply of labour to the gold mines, or anywhere else: Glen Grey was already a labour exporting district.

The Glen Grey Act was thoroughly analysed by Diane Cooper in 1979.¹²⁵ Cooper's work, while seriously flawed, is interesting and deserves fairly lengthy consideration here. She notes that at the time of writing much academic work had concentrated on the South African state's

¹²⁰ Ruth Edgecombe "The Glen Grey Act: local origins of an abortive 'Bill for Africa'" in J.A. Benyon et al. (eds) Studies in local history: essays in honour of Professor Winifred Maxwell Cape Town: Oxford University Press, 1976. Page 93.

¹²¹ Eddie Webster "Background to the supply and control of labour in the gold mines" in Eddie Webster (ed.) Essays in Southern African labour history Johannesburg: Ravan, 1978.

¹²² Webster "Background" p 10.

¹²³ DHA 1894 p 388 col 1. "...of the 7,000 adult males in Glen Grey 5,000 were out at work".

¹²⁴ W.T. Ferguson The native policy of Cecil John Rhodes in the Eastern Province M.A. thesis, University of Cape Town, 1932. Pages 59-60.

¹²⁵ Diane Cooper The Glen Grey policy of 1894: an attempt at "dissolution" B.A.(Hons) dissertation, University of Cape Town, 1979.

policy of maintaining the reserves as a source of cheap migrant labour for the gold mines. She makes the now generally accepted point that migrant labour was cheap because the reserves provided for the subsistence of the workers' families (and the workers themselves for part of the year) so that the wages paid to those workers could be low.

Cooper distinguishes two kinds of policy aimed at securing labour. One was the policy of 'conservation' which would preserve some aspects of tribal life. The other was the policy of 'dissolution' which aimed at entirely eliminating pre-capitalist modes of production. In her view the gold mining industry at the end of the nineteenth century favoured a policy of dissolution, and it was this end that the Glen Grey Act was designed to serve. Only after that policy had failed was it replaced in the twentieth century by one of maintaining the reserves.

What Cooper emphasises is the correspondence between the thinking of the Chamber of Mines and the provisions of the Glen Grey Act. In the 1890s the Chamber considered that one way of obtaining labour was individual tenure which would "separate a large number of African peasants from the means of production and force them to labour on the mines."¹²⁶

Since both individual tenure and a special tax were included in the Glen Grey policy, Cooper believes that Chamber of Mines thinking influenced it. The Chamber was able to do this because while the interests of the Cape's ruling class had prevailed in the colony before gold mining began, once goldmining capital was imported into South Africa it was "hegemonic".

She recognises that there was a shortage of agricultural labour at the Cape. For Cooper there was a "contradiction" between Cape agriculture and Transvaal mining: they were competing for the same pool of labour. The mines, with their better organisation for recruiting and (for a time at least) higher wages, had the advantage over the farms in attracting labour.¹²⁷ But these competing "fractions of capital" reached "agreement" over the Glen Grey policy; agriculture expected to benefit "indirectly" from an oversupply of labour, with the "excess"

¹²⁶ *ibid* p 35.

¹²⁷ *ibid* p 36.

going to work on the farms.¹²⁸ For all this she provides no references.

She goes on to discuss the political organisation of the agricultural interest in the Cape. "The Bond quite clearly came to represent predominantly the large-scale capitalising farmers. It was this section of agriculture which brought its interests [sic, influence] to bear on the Cape government."¹²⁹ In that respect she is quite correct.

Cooper asserts that mining capital enjoyed hegemony over the Cape. "It is clear that a close connection between mining capital and the Cape government existed on both a general and individual level."¹³⁰ She attempts to prove this connection by pointing out that mining capital was largely British and "shared common ties with British imperialism." She continues: "Although the Cape had been granted self-government, it remained a colony of Britain. The governing party in the Cape parliament, the Unionist Party, was strongly pro-British imperialism."¹³¹ (In fact there was no Unionist Party in the Cape legislature until 1907.¹³² The governing party at the time was the Afrikaner Bond and a few adherents of Rhodes. The pro-British party was the Progressive Party, which at the time of Glen Grey was in opposition, and did not come to power until the Jameson cabinet of 1904.)^{132 A}

In Cooper's view Rhodes was another link in the imperialist chain, and "Other Cape government officials such as Rose-Innes, Brownlee and Stanford expressed their belief in the superiority of everything British..." This "representation of British imperialism on ideological and parliamentary political level is a manifestation of its influence on all levels of Cape society."¹³³ Cooper goes on to cite what she regards as evidence for the hegemony of British mining capital over the Cape Colony. The Cape government had helped in a small way with mine labour in 1893. The Labour Commission complained that Cape interests were being subordinated to those of the Transvaal by the cheap tariff for the carriage of workers to the Transvaal by the Cape Government Railways,

¹²⁸ *ibid* p 37.

¹²⁹ *ibid* p 38.

¹³⁰ *ibid* p 39.

¹³¹ *ibid* p 40.

¹³² Jan Christian Smuts Selections from the Smuts papers, volume two June 1902-May 1910, edited by W.K. Hancock and Jean van der Poel. Cambridge: the University Press, 1966. Page 356 n 2. ^{132 A} *Leuren Morsman* p. 269.

¹³³ Cooper Glen Grey p 40.

which was a cause of labour shortage in the colony. Rhodes had become prime minister in 1890 and was "a major shareholder" in Consolidated Goldfields; Lionel Phillips, president of the Chamber of Mines from 1892 to 1895, was implicated "in the Jameson Raids [sic]."¹³⁴

Cooper correctly tells us that the "native question" was really a number of issues combined. These were labour supply, overcrowding in the reserves, the question of whether the franchise should be extended or narrowed, and the question of how the colonial state was to achieve political control over its African subjects.¹³⁵

Cooper fails to consider the more immediate circumstances that produced the Act. She does not consider Rhodes's need for a policy in the Cape that would help him to get the free hand that he wanted in the North and Bechuanaland. She completely misunderstands the balance of power in the Cape parliament. The Glen Grey Bill had to be approved by the legislators of the Cape. A malign force called "imperialism" did not somehow coerce or fool those men into voting against their own interests -- whatever Rhodes's position at Goldfields was, whatever the constitutional position of the colony was, however metropolitan capital may have been placed. These disagreements notwithstanding, Cooper has argued plausibly that the policy was intended to undermine completely the traditional economy of the reserves and convert the great majority of the men in them into wage labourers.

Colin Bundy in The rise and fall of the South African peasantry describes the Act as one of a number of measures (such as the Private Locations Act, Act 33 of 1892) that tended to undermine the independent black peasantry of the Cape with a view to forcing them to become labourers on white farms. He suggests that one reason why earlier writers such as de Kiewiet look on the Glen Grey Act and the Transkeian administration favourably was that they tended to consider only the successful peasants whose views were aired in the Transkeian Territories General Council.¹³⁶ The activities of that body provide evidence of agricultural innovation and prosperity, but in Bundy's view this was

¹³⁴ *ibid* p 41

¹³⁵ *ibid* p 50

¹³⁶ Colin Bundy The rise and fall of the South African peasantry London: Heinemann, 1979. Pages 132-3.

confined to a small class of well-to-do peasants who were often also functionaries under the Glen Grey Act.

For Bundy, Glen Grey was a Cape farmers' policy. "The proposed size of agricultural holdings ... as well as the principle of 'one man one lot' seems designed to prevent the emergence of black farmers so successful that they might compete with white farmers."¹³⁷

Bundy says that under the Act the reserves "would continue to feed the black population and thus free the capitalist sector from that responsibility."¹³⁸ This is certainly one view of the question, although the "complete proletarianisation" thesis has much to commend it too. (By "complete proletarianisation" is meant the complete separation of blacks from the land, so that they were forced to rely solely on wage labour to earn a living. This is contrasted with the partial proletarianisation of migrant labourers, who still had a partial livelihood in the reserves, and were not solely dependent on their wages.)^{138 A}

To sum up, Bundy puts the Glen Grey policy firmly in a Cape colonial and agricultural context, and treats its labour aspects as central. He is not much concerned about whether proletarian or migrant labour was intended, and his discussion of the administrative aspect of the law deals only with its serving the interests of a small, successful, co-opted peasant class that continued to prosper while the mass of their fellows sank into poverty.

D. M. Schreuder's book on the scramble for Southern Africa contains a brief reference to the Glen Grey Act:

The farming interests of the western Cape never ceased complaining of the slow supply and high cost of African labour, as the evidence to numerous colonial commissions on the subject reports.... Never was this better vocalised than in Cecil Rhodes' highly revealing, if somewhat crude speech, on the Glen Grey Act of 1894.¹³⁹

¹³⁷ Bundy Peasantry 135.

¹³⁸ *ibid.* 138 A *ally Development* pp 41-47.

¹³⁹ D.M. Schreuder The scramble for Southern Africa, 1877-1895: the politics of partition reappraised Cambridge: the University Press, 1980. Pages 198-9.

While not going into detail Schreuder clearly sees the measure as one for the Western Province farmers.

One of the more prominent radical historians to discuss the Glen Grey Act has been Marion Lacey in her book Working for boroko.¹⁴⁰ It may be a little unfair to take her to task over Glen Grey when her book is mainly about the Hertzog era, but her statements on Glen Grey are so emphatic that they must be examined.

Lacey presents the now familiar argument about the mines' labour supply and the partial subsistence base in the reserves that this required. The South African Party (SAP) was for Lacey the political arm of mining capital, and pursued a policy on the African reserves accordingly. This policy had its origins in the Glen Grey Act: "This SAP reserve policy related to extant Natal and Cape practices and in particular the Cape Glen Grey system first framed by the arch-capitalist Cecil Rhodes to boost the mines' labour supply."¹⁴¹

In Lacey's view both mines and farms required labour, but they diverged on how to obtain it. While the mine owners wanted the reserves as a partial subsistence base, the farmers thought that the reserves were havens for deserters or potential workers, and wanted them restricted so that workers would be forced out to labour on the farms.¹⁴² She states:

Until 1924 the interests of mining capital had held sway and the decision had been taken to extend the reserves so that they could be maintained as cheap labour reservoirs for migrant workers. Contrary to traditional interpretations this ... was a policy based on the Glen Grey system which Cecil Rhodes, the mining magnate, inaugurated in the Cape during his premiership in 1894.¹⁴³

In a footnote to the above remark Lacey says "The Glen Grey system itself was based on earlier land and administrative experiments in the Cape and also on Shepstone's policy in Natal."¹⁴⁴

Lacey sees the Rhodes policy as successful: "Of all the various

¹⁴⁰ Marion Lacey Working for boroko: the origins of a coercive labour system in South Africa Johannesburg: Ravan, 1981.

¹⁴¹ Lacey Boroko pp 13-4.

¹⁴² *ibid* p 13.

¹⁴³ *ibid* 4.

¹⁴⁴ *ibid* p 310 n 8.

methods designed to perpetuate the migrant labour system, the Glen Grey system inaugurated by Cecil Rhodes in the Cape proved most efficient."¹⁴⁵ She does not notice that the Glen Grey Act added little to the existing trend of migratory labour. Nor does she note that the individual tenure system was little applied and was abandoned even as an ultimate goal of policy in the early 1920s.¹⁴⁶

Lacey cannot make up her mind on the position of the Afrikaner Bond. At one point she quotes Davenport to say that by making the surveyed lands inalienable Rhodes

cut across the interests of the Bond ... [representing farmers,][sic] and incorporated the views of the Opposition regarding the desirability of retaining the reserves for Native occupation.¹⁴⁷

But further on she says: "He ruled in league with the Bond and this prevented Rhodes from taking steps that would [adversely] affect farming interests."¹⁴⁸

Lacey notes correctly that another strand in the thread of causation was the matter of reconciling Cape "native" policy with that of Natal in the interests of federation.¹⁴⁹ But this is her only concession to factors other than the mines' labour supply.

For Lacey the Glen Grey Act was for the benefit of mine owners, not farmers; it promoted migratory labour rather than complete proletarianisation; and it was a success, not a failure. (She notes that "Rhodes aimed to curb the growth of an assimilated African elite -- in keeping with mining capital's need for an unskilled and exploitable workforce." Of the local government provisions she says "So successful was this administrative scheme of Rhodes that it became the model for post-Union governments."¹⁵⁰)

Jill Nattrass, in her book The South African economy: its growth

¹⁴⁵ *ibid* p 14.

¹⁴⁶ Russell Thomas Ally The development of the system of individual tenure for Africans, with special reference to the Glen Grey Act, c 1894-1922 M.A. thesis, Rhodes University, 1985. Pp 259-60.

¹⁴⁷ Lacey Boroko p 15.

¹⁴⁸ *ibid* p 315 n 19. (Refers to p 16 of the main text.)

¹⁴⁹ *ibid* p 56.

¹⁵⁰ *ibid* p 56 (both quotes).

and change, claims that the Glen Grey Act improved the labour supply of the gold mines, and that "mining capitalists lobbied for measures such as the Glen Grey Act".¹⁵¹ She provides no reference to support either claim. Her discussion of the measure is really incidental to her treatment of the goldmining economy. It is interesting more for the "Witwatersrand-centric" assumptions it reveals than for any information brought to light.

William Beinart does not deal with the Act at any length in The political economy of Pondoland. Beyond mentioning it as a compromise between various factions in Cape politics,¹⁵² he characterises it as a labour measure. He points out that a government "native" labour bureau was to be established in terms of the law, and mentions the labour tax. He notes too that the tax was dropped (testimony to the Act's ineffectiveness) and says that "the effects of natural disasters, land shortage and the operation of the market proved enough to mobilise labour in the next decade."¹⁵³ Beinart does not suggest for which interests labour was mobilised.

Phyllis Lewsen discusses the Glen Grey Act as an episode in the career of John X. Merriman, Cape politician and a possible contender for the post of first prime minister of the Union of South Africa. Lewsen is concerned with the denial of the franchise, the labour tax, the inadequate size of the allotments, the cost of their transfer, and the (defeated) liquor compensation clause. She does not suggest for what enterprises the labour might have been intended.¹⁵⁴

Donald Denoon and Balam Nyeko in the second edition of Southern Africa since 1800 see the Act as a compromise between white farmers, liberals and the diamond mining interest. The liberals are rather inelegantly tacked on to their argument which runs as follows: the Kimberley mines had labour as long as fire-arms were for sale. Once the sale of guns was controlled, the possibility was that the labour flow might stop. The Glen Grey question presented De Beers with a good

¹⁵¹ Jill Nattrass The South African economy: its growth and change Cape Town: Oxford University Press, 1981. Page 137.

¹⁵² William Beinart The political economy of Pondoland 1860-1930 Johannesburg: Ravan, 1982. Page 43.

¹⁵³ Beinart Pondoland p 43.

¹⁵⁴ Phyllis Lewsen John X. Merriman: paradoxical South African statesman Johannesburg: Ad Donker, 1982. Pages 170-2 and 266.

opportunity: white farmers wanted to clear the Thembu out and grab the land, while white liberals wanted individual tenure for blacks. Rhodes's compromise was individual tenure without the franchise.

The logic of the Glen Grey Act was to settle a limited number of African families on the land, and to make the others available as seasonal migrant workers either for farmers in the agricultural and pastoral regions, or for De Beers at Kimberley.¹⁵⁵

De Beers and white farmers both sought cheap African labour -- and the Glen Grey legislation was a satisfactory compromise between the needs of both kinds of employer.¹⁵⁶

No references are provided for these claims. The diamond mining aspect makes sense in the light of the position of the Cape at the time, but the argument about fire-arms surely belongs to an earlier era, the time of the Peace Preservation Act of 1878. The sale of rifles had little effect on De Beers's labour in the 1890s.

Russell Ally, in an M.A. thesis presented to Rhodes University, argues that complete proletarianisation, rather than migrant labour, was what the Glen Grey Act aimed at.¹⁵⁷ However he opts out of a detailed investigation of the motives behind the policy:

Given the limited objectives of this thesis it would be presumptuous on the part of the writer to attempt to make any definitive claims as to where the "true" meaning of the Glen Grey policy is to be found.¹⁵⁸

He does suggest some possible explanations of how an illiberal measure such as this could have been put onto the statute book. The first is that Cape liberalism was declining as Afrikaner nationalism, represented by the Bond, grew strong. At the same time many liberal white voters abandoned the liberal cause for the Bond because they were scared of eventual black domination.

His second explanation follows Trapido: the mineral revolution had changed the Cape economy. The economic interest of the liberals no

¹⁵⁵ Donald Denoon and Balam Nyeko Southern Africa since 1800 London: Longmans, 2nd ed., 1984. Page 91.

¹⁵⁶ Denoon Southern Africa p 92.

¹⁵⁷ Ally Development p 40.

¹⁵⁸ *ibid* p 47.

longer lay in having a black middle class or a prosperous black peasantry. What was needed now were workers, hence the decline of liberalism.

Ally does not regard the two above explanations as mutually exclusive. He thus goes on to point out that while the Act had many oppressive provisions, it had some liberal aspect as well. Provisions which may be regarded as illiberal were: the foisting of individual tenure of the people of Glen Grey, while denying them the franchise that such tenure should provide; making the lots too small to allow for production for the market; and the prohibition against accumulation of land.¹⁵⁹ On the other hand individual tenure was associated with civilisation and progress. The protection afforded by the governor's approval being required for the sale of land may be seen as a "liberal" feature of the Act.

Ally finds Rhodes to be of central importance. Rhodes wanted capitalism to triumph in southern Africa. For this to happen the people's way of life had to change: they had to become labourers. If we ask "labourers for whom?" Ally replies "probably for the Cape farmers." When Cape farmers were short of labour there is no reason to suppose that the Cape legislature would enact a measure to provide for the Transvaal. He concludes that the Act shows the operation of

a declining but not yet moribund "Cape liberalism", an awakening but not yet triumphant "Afrikaner nationalism"; but perhaps of most significance, a strident but not yet fully developed capitalism.¹⁶⁰

Allan Jeeves, in the context of goldmining labour, describes the Glen Grey Act as a failure, particularly the labour tax.¹⁶¹ He points out subsequently that labour bureaux were not set up in terms of the Act as intended, but only came later.¹⁶²

Robert Rotberg deals with the Glen Grey Act in his lengthy

¹⁵⁹ Although it might be argued that if blacks were allowed to buy each other's land on a large scale, even more might be forced onto the labour market.

¹⁶⁰ Ally Development p 61.

¹⁶¹ Alan H. Jeeves Migrant labour in South Africa's mining economy: the struggle for the gold mines' labour supply Johannesburg: Witwatersrand University Press, 1985. Page 16.

¹⁶² Jeeves Migrant labour p 107.

biography of Rhodes, The founder. He places the policy in the context of black-white relations in Rhodes's second ministry. Rhodes was a white supremacist. He and Hofmeyr had already dealt with "the problem of political control" by raising the franchise qualifications. Next came the need to secure the labour of blacks "for the mines and farms", and to regulate the relations between black and white more generally.¹⁶³ Glen Grey provided a test case.

In the legislation dealing with such a case, the franchise had to be withheld from individual tenure or the effects of the Franchise and Ballot Act might be undone. The land could not be sold or white purchase would "thrust vast numbers of landless black families onto the Colony";¹⁶⁴ the effect of whites intermingling with blacks would exacerbate the poor white problem.¹⁶⁵ Since labour was the main object of the Act, education in the reserves should be appropriate to labourers, and not, in Rhodes's words, "Kafir parsons".¹⁶⁶

Beyond the phrase quoted above ("mines and farms") Rotberg does not suggest exactly where the labour from Glen Grey was intended to go. But he points out elsewhere that Rhodes was solicitous of the economic interests of the Bond.¹⁶⁷

* * * * *

Many writers over the years have given attention to the Glen Grey Act, some concentrating on the Act itself, others alluding to it in the course of a more general work. There have been discussions of its origins and of the role of individual personalities. There has also been a shift of emphasis and assessment. Early writers gave it more praise than criticism; more recently, criticism has been emphasised. Equally, recent writer have followed the precedent of Van der Horst in stressing the importance of the Act as a labour measure. The recent emphasis on mining

¹⁶³ Robert Rotberg The founder: Cecil Rhodes and the pursuit of power Johannesburg: Southern, 1988. Pp 466 and 467.

¹⁶⁴ Rotberg Founder p 468.

¹⁶⁵ *ibid* p 470.

¹⁶⁶ *ibid* p 471.

¹⁶⁷ *ibid* pp 119-29 and 354-6.

capital in South Africa, especially goldmining capital, has led some historians to lose sight of an essential feature of the Act: that it was a measure passed by the Cape parliament, where the farming interest of the Afrikaner Bond were dominant.

Given the trend of scholarly debate, the possibility of mining interests within the Cape Colony being influential in bringing about the Act prompted an investigation of the Indwe collieries, which are adjacent to Glen Grey. An account of this investigation follows.

Chapter Two

The relevance of the labour needs of a specific enterprise:
the Indwe Railway, Collieries and Land Company.

(i) Introduction

(ii) Wars and upheavals in the region

(iii) Early history of coal extraction at Indwe

(iv) The Indwe Railway, Collieries and Land Company

(v) Conclusion

(i) Introduction

Consideration of the Glen Grey Act as a labour measure led the present writer to examine the Indwe Railway, Collieries and Land Company (IRC). There were two reasons for this: firstly because De Beers Consolidated Mines, Ltd., of which Cecil Rhodes was then chairman, owned a share in the Indwe mine,¹ and secondly because the Indwe collieries lie adjacent to the district of Glen Grey. It seemed possible that the Glen Grey Act, coming as it did shortly before De Beers completed negotiations over the setting up of a joint stock company to exploit the coal beds of Indwe, might have been passed with the collieries in mind. In Davenport's words:

The Glen Grey Act] was a multi-purpose law to whose making there were many contributors. Glen Grey was a problem area. It was overpopulated. Rhodes, who purchased the nearby Indwe coal-mines for De Beers in 1894, seems to have been mainly concerned to draw out surplus labour from the area.²

In the event it cannot be demonstrated that the Glen Grey legislation was enacted with any thought to the labour supply of the IRC. Nor can it be shown that the Act was of much use to the Indwe Company, which complained continually of a shortage of labour. But the investigation of such a co-incidence had to be made. It has been argued that with the departure of Innes, Merriman and Sauer from Rhodes's cabinet, and their going into Opposition, Rhodes had to rely more heavily on the Bond, who wanted greater emphasis placed on the internal economic development of the colony, and that helping a new colonial industry like the Indwe coal mine was a useful gesture towards the Bond.³ This view is interesting, but no substantiating evidence has been found.

The little town of Indwe is about seventy kilometres north-east

¹ Colin Newbury "Out of the pit: the capital accumulation of Cecil Rhodes" Journal of Imperial and Commonwealth History 10(1) October 1982 pp 25-49. Page 32. Newbury is not quite correct when he says that de Beers bought the Indwe coal mine; in fact it put up only L75 000 of the initial capital of L159 000.

² T.R.H. Davenport South Africa: a modern history Johannesburg: Macmillan, 3rd ed. 1987. Page 181.

³ Alan Mabin "Land as a crucial element in social relations? The Indwe area, 1880-1920" Unpublished paper, Queens University, Kingston, Ontario, History Seminar, 9 February 1988. Pages 6-7. I am grateful to Dr Alan Mabin of the Department of Town and Regional Planning, the University of the Witwatersrand, for giving me a copy of this paper.

of Queenstown in the eastern Cape Province, and half a kilometre west of the Indwe River,⁴ near the Stormberg Mountains. The town's raison d'être was the nearby coal mine. Indwe has been described by Mabin as perhaps "the first classic 'company town' in South Africa, owned, laid out and controlled by the company which possessed the mines."⁵ The settlement prospered as the Indwe Company prospered, and went into economic depression when the company did. The company that owned the mine was liquidated in 1918, but coal mining was begun again at Indwe in 1988.⁶

(ii) Wars and upheavals in the region

Indwe's hinterland was an area of turbulence. There had been considerable upheavals of population after the cattle killing of 1857, and few blacks had ancestral claims to the land on which they came to be living after that event.⁷ The land in the rest of the Wodehouse Division was largely surveyed by the 1870s, but the land along the Indwe River was not. It was crown land, on which Africans were living, perhaps without legally recognised title to the ground.

The failure of the 1877-8 harvest sparked the existing tension on the frontier into the Ngqika-Gcaleka War. The end of the war saw more "mass removals of the African population of the eastern Cape and southern Transkei".⁸

In 1880 the Thembu "rebellion" occurred. Since the Thembu at that point were outside the colony's frontier, rebellion is not an apt term. By the end of 1880 colonial forces had driven several thousand people out of northern Thembuland, both Emigrant Thembuland and Thembuland Proper. All these events contributed to the ease with which land could be acquired by whites, and to the general upheaval and dispersal of the black population of the area.

⁴ Mabin "Land" p 1.

⁵ *ibid* p 2.

⁶ Eastern Province Herald 19 October 1988 "Indwe colliery in action next week".

⁷ Mabin "Land" p 2.

⁸ *ibid* p 3.

(iii) Early history of coal mining at Indwe

It was known that there were coal deposits in the Stormberg region as early as the 1850s.⁹ The first mines were the Cyphergat mines near Molteno, and mining began on a small scale near the Indwe River in 1877.¹⁰ It was in that year that Bradfield and Brothers, attorneys at the little nearby town of Dordrecht, wrote to the commissioner of crown lands and public works to claim a L500 reward for a client of theirs, a Mr Ferguson. They claimed that this sum was owed to Ferguson in terms of a government notice which offered to reward the discoverer of a viable coal mine in the colony. The government replied that the mine was not viable, as the reward offer required, because it was located far from a railway by which the coal could have been transported. A sum of L50 was offered, which Ferguson declined to accept. The relevant documents take the story of the reward no further, so it may be assumed to have ended there, with Mr Ferguson disconsolate.

This little incident is not in itself important, but it highlights the problem that Indwe coal had from the start: the mine was not commercially viable without a railway to take the coal away.

A group of Dordrecht merchants and their associates¹¹ took out mineral leases on an area near the Indwe River after the end of the Ngqika-Gcaleka War, but little was done to develop them. Nevertheless the government was interested in Indwe. It hoped that colonial coal might be cheaper than Welsh coal, and Indwe coal was tested in 1879-80 in engines of the Cape Government Railways (CGR). Official reaction was positive, and the possibility of the government building a railway line to Indwe was considered.¹²

It was decided that the government would not build the line. Instead, the government would contract with the coal owners to build a railway to Indwe. Accordingly the Imvani and Indwe Railway and Coal Mines

⁹ Cape of Good Hope Blue Book 1859. Cited in Mabin "Land" p 2 n 8.

¹⁰ Mabin "Land" p 3. See also AVP A 37-'78.

¹¹ The syndicate consisted at the end of the year 1882 of James W. Weir, E. J. Byrne and W. A. Johnson. AVP G 53-'91 p 1. There had been "former owners" of whom Ferguson must have been one, but no more details have been traced. AVP G 33-'88 p 4.

¹² AVP A 59-'80 and A 103-'80.

Act, Act 3 of 1882, was passed by the Cape legislature, empowering the government to enter into a contract with private persons for the building of a railway. A contract was duly signed on 27 December 1882 with the owners of the Indwe mine, James W. Weir, E. J. Byrne and W. A. Johnson. The plan was that the Indwe proprietors would be the principal contractors with government, and would sub-contract the actual work of building the line. They were to be paid L25 000 on completion of the line, and to be granted 25 000 morgen of crown land on quitrent tenure. They were also to receive one thousand acres of coal-bearing land of their own choice from crown land adjacent to the Indwe River.¹³

Before the railway line was built, a process of forced removals began to clear the land to be granted to the company of its black inhabitants. The removals were only stopped because the capital to build the line had not been secured, and it appeared that the contract might be about to fall through.¹⁴ The line was supposed to have been built by December 1887, but was not. The principal contractors explained that the building of their line was bound up with the course of a junction line between the Midland and the Eastern Systems of the CGR. Since the course of that line had not been fixed it was impossible to proceed with theirs. The contractors plainly felt out of their depth, and wanted the contract set aside and the government to take over the building of the line.¹⁵ (At this point Johnson retired and the syndicate was joined by John Linden Bradfield of Dordrecht, a man who later became a Member of the Legislative Council (MLC).)

In their uncertainty the coal owners also wanted the government to buy them out, or to guarantee them a fixed price per ton of coal. The Indwe proprietors wanted L100 000 for the mine, but the Sprigg government would not offer more than L50 000. Negotiations were broken off on 11 June 1889.¹⁶

The government did, however, terminate the railway contract as requested earlier -- without paying the contractors the sum of L3 000 that they had incurred as the cost of surveying the proposed railway

¹³ AVP G 53-'91 p 8.

¹⁴ Mabin "Land" p 5.

¹⁵ AVP G 53-'91 p 11.

¹⁶ AVP G 46-'89 p 13.

line. They later sued the government unsuccessfully for this money.¹⁷

Turning from the Indwe proprietors' dealings with government to the state of affairs on the ground at Indwe, some facts can be gleaned from a report of 1888 made at the request of Friedrich Schermbrucker, the commissioner of crown lands and public works (CCL) in the second Sprigg ministry. The report, written by a railway official, was commissioned to help the government decide whether to buy the colliery or not. It appears that the Indwe mine was already supplying coal to the Cape Government Railways (CGR) in "considerable" but unspecified amounts. But that coal was transported by bullock cart, and a railway line was suggested as being more efficient.¹⁸ Output was estimated at 200 hundred tons per day. The official remarked on the labour at the mine as follows:

The labour employed is the native of the country, principally Kaffirs, young men and boys, who are learning the use of the pick, and are stated to be becoming efficient miners by Mr Rae, the manager of the mine.¹⁹

The work was let out to "Kafir headmen for 3s. 6d. per ton, who employ their own [black] miners". The report goes on to say:

The Indwe Mine is situated in the midst of a settled native population -- ensuring labour at hand, many of whom are young men -- in training at the mine for regular mining. This in the future will provide an experienced native mining population to the advantage of colonial mining operations.²⁰

One of the Indwe proprietors, J. W. Weir wrote in an appendix to the same report that

Probably in no part of the world can mining operations be carried on so cheaply. No shaft sinking; no pumping; no noxious gases. The preliminary expenditure of capital in opening the mines need be very small, and there is abundance of labour of the best class for mining available.²¹

¹⁷ Indwe Railway, Collieries and Land Company (Limited) v The Colonial Government in Supreme court reports: decisions of the supreme court of the Cape of Good Hope volume 14, 1897, p 228.

¹⁸ AVP G 33-'88 p 4-5.

¹⁹ *ibid* p 4.

²⁰ *ibid* p 33.

²¹ *ibid* p 33.

This optimistic assessment by Weir was to prove mistaken. There may have been an "abundance of labour" for the small scale operations of the 1880s, but for the larger venture of 1894 onwards there was not sufficient.

Once the Rhodes ministry came into office in July 1890 the coal owners again approached the government, hoping for a more sympathetic hearing. The CGR wanted to buy Indwe coal for its engines.²² Rhodes, as managing director of De Beers, wanted cheap coal for the machinery at the mines,²³ and as prime minister was interested in the economic development of the Cape Colony. The Rhodes ministry was prepared to enter into an agreement for the building of a railway and the exploiting of the coal deposit, but there was disagreement over the price that the CGR would pay for the coal. The Indwe proprietors wanted 12s. 6d. per ton, or a guaranteed royalty of 1s. 6d. per ton above the cost of extraction, the same demand they had made to the Sprigg government. This was reasonable, they said, because all possible eventualities had to be covered, one of which might be a failure to get a "supply of native labour for large output". In any event it would take time to expose a sufficient surface of the coal face before large scale extraction could take place.²⁴

James Sivewright, the commissioner of crown lands and public works (CCL) in Rhodes's first cabinet, regarded 12s. 6d. as "an unfair and unreasonable price";²⁵ and he was not prepared to pay eighteen pence a ton royalty regardless of the cost of production. He relied on the estimate of production costs of 4s. 6d. a ton made by the Indwe proprietors' own engineer.²⁶ The Indwe proprietors were either exceptionally greedy or genuinely intimidated by the size of the venture they were undertaking.²⁷ No agreement was reached on these issues, and the correspondence was broken off in February 1891.²⁸

²² AVP G 52-'91 p 50.

²³ Moonyean H. Buys "The Indwe Railway, Collieries and Land Company Limited 1894-1918" Unpublished historical resume for DBA on the records of the IRC (contains inventory). Page 1.

²⁴ AVP G 53-'91 p 23.

²⁵ *ibid* p 33.

²⁶ AVP G 53-'91 p 31.

²⁷ AVP G53-91 p 23. "...we were indisposed at this time to enter into such a large business and undertake such a heavy responsibility as the contract would involve. We felt this more especially in a business like coal mining on a large scale, of the risks and contingencies of which we had no adequate experience".

²⁸ AVP G 53-'91 p 31-33.

Matters were complicated when, in 1891, John X. Merriman, the treasurer in Rhodes's first ministry, threatened to take back the crown lands which the Indwe proprietors had been allotted in 1882 as payment for building the railway line, and which they had been allowed to keep, despite not having even begun to build the line.²⁹ The negotiations were resumed and in 1893 an agreement was reached between the government and Weir, Byrne and Bradfield that the partnership would build a line within five years on the same terms as provided for by the 1882 Act, i.e. payment of L50 000, a grant of 25 000 morgen of land, and a further 1 000 acres of coal-bearing land.³⁰ The Indwe partners then negotiated with De Beers to set up a joint-stock company (the IRC) in which De Beers was to hold shares, and to which De Beers would provide expert mining assistance and help in raising the necessary capital. De Beers also provided administrative assistance.³¹ Rhodes's role in all this must have been important, but the records are too scanty to know exactly what he did.

(iv) The Indwe Railway, Collieries and Land Company

The IRC was incorporated at Kimberley on 27 November 1894. It had a nominal capital of L300 000 of which L159 700 was subscribed at the formation of the company. The issued capital rose to L237 875 in a few years. The final agreement reached with De Beers was that they would take 75 000 shares at one pound each on the condition that "the Company when formed bind itself to supply De Beers with such coal as they may elect to take at a price not exceeding 15s. per ton at Sterkstroom."³² (De Beers needed a regular cheap supply of fuel to power the winding machines that hauled the blue ground out of its mines,³³ and so was happy to buy a stake in a coal mine.) Another important stipulation was that

The De Beers Consolidated Mines, Limited, shall, so long as they remain the registered proprietors of not less than Fifty Thousand (50,000) Shares in the Company, have the right of nominating and appointing two persons as Directors of the Company.³⁴

²⁹ Mabin "Land" p 6.

³⁰ AVP SC(A) 12-'93 pp ii-vii.

³¹ Buys "Indwe Railway" p 6.

³² DBA S4/IRC 6 cited in Buys "Indwe Railway" p 1.

³³ Robert Turrell Capital and labour on the Kimberley diamond fields 1871-1890 Cambridge: the University Press, 1987. Page 12.

³⁴ Buys "Indwe Railway" p 2.

The directors so appointed were Francis Oats and Gardner F. Williams. The other six founding directors were

Edmund John Byrne (chairman)
 John Linden Bradfield, MLC
 James Wilson Weir
 Colonel F. Schermbrucker, MLA
 Henry Robinow
 Lieutenant-Colonel David Harris

Robinow and Harris also had De Beers connections,³⁵ so De Beers had four of their own men on a board of eight. It is interesting to note that Schermbrucker, the former CCL who had shown a tentative interest in buying Indwe for the government, was on the board of the company -- although nothing further has been brought to light about his role.

As the full name of the Indwe company suggests, its activities extended beyond the collieries. It had a substantial landed property, from which many of the black inhabitants were initially forced off so that the land could be rented to white tenants.³⁶ (This proved to be a mistake in the long run because of the potential labour lost in that way. The company always had some black tenants or sub-tenants who held their land on condition that they worked in the mines, but these were never enough.) The IRC also laid out plantations of trees, intending to use their own forests to provide props for the mines.³⁷ The railway, which it continued to run until 1902 when it was sold to the government, was busy and successful.

The company's first objective was to build the long-delayed line from Indwe to Sterkstroom. The first directors' report, for the year ending 31 March 1896, told shareholders that the completed railway had been handed over by the contractors in January 1896, but not in a condition for heavy traffic.³⁸ Some re-ballasting and widening of cuttings had to be done, but this was not crucial as it took six months to get the mine going, owing to a delay in obtaining labour. (This was the first of many complaints about labour shortage.) The directors intended to set aside an unspecified portion of land as a mining

³⁵ *ibid.*

³⁶ Mabin "Land" pp 7-8.

³⁷ DBA S4/IRC vol 2 p 83 d.

³⁸ DBA S4/IRC box 7 Directors' Report 31 March 1896.

location; tenure of land in this location would depend on service in the mine. The directors concluded their report by saying that they were "laying down the lines for a permanent reliable supply of trained Native miners".

The report for the year ended 31 March 1897 (in fact presented to a general meeting of 5 August 1897 and covering events up to the end of July) said that no dividend would be paid for the year under review. Output had not increased as rapidly as expected owing to the difficulty of obtaining "sufficient suitable labour". The directors conceded that the work in the mines was hard and required skill; it was more difficult, they said, than Transvaal coal mining. The directors had been locating on company property "natives" who bound themselves to work for the company, and it was hoped by January 1898 to have enough labour to put out 100 000 to 120 000 tons per annum.

The mine manager's report for the same period showed that in April, May and June, the months of labour shortage, "the Kafirs were attending to their mealie crops". The supply of labour was better in July and was expected to improve. The labourers located on the IRC's farms had "been of some service", but there were not yet enough of them. To cope with the shortfall the manager proposed to pay the miners on completion of thirty days work rather than monthly, and to "procure two hundred Basutos who^m we shall engage for five months". In his closing remarks the manager noted chillingly that

Should the Rinderpest sweep through the Native Territories (as there seems to be every likelihood) then in my opinion not only will the labour question be solved, but wages will be reduced.

This emphasis on the Transkeian Territories shows that the bulk of Indwe's workers came from there, although some did come from Glen Grey.³⁹ It has not proved possible to ascertain how many, but from the paucity of references to Glen Grey in the IRC's records it seems that the proportion was low.

On 5 October 1897 a board meeting discussed correspondence with

³⁹ Mabin cites Glen Grey, Xalanga, Qumbu and Tsolo as some of the districts from which the IRC supplemented its labour supply "in the first two or three years of mining". Mabin "Land" p 11.

De Beers asking that company to accept 3 500 tons of coal per month until the end of the year, a smaller quantity than De Beers had requested. The IRC was not able to supply the full amount, and wanted a "temporary accommodation" to enable it to meet the needs of other customers.⁴⁰

On 3 November 1897 the board resolved to reduce the rent in its locations from L5 to L3 per annum with retrospective effect from 1 July.⁴¹ The entry in the minutes says no more than that, but it may be inferred that the company was choosing to forego some of its rent in order to attract workers to live on its land.

In January 1898 the board decided to pay L8 per month to a labour agent.⁴² The records do not show who this person was or where he worked. It was also resolved to communicate with the chief magistrates of Basutoland, Pondoland and the Transkei about labour.⁴³ A protest was sent to the liquor licensing court at Dordrecht over the increase in the number of licences at Indwe.⁴⁴ Clearly the detrimental effect of alcohol on their labour force was occupying the board's collective mind.

The report for the year ended 31 March 1898 was issued at the end of August. The mine manager noted that "for the first few months our operations were restricted on account of the scarcity of boys, though latterly we were much better off".⁴⁵ His earlier proposal to get Basuto miners had been carried out because he wrote that at the end of 1897 he "got two or three large batches of boys down from Basutoland", but they did not stay more than two or three months, although they were good workers. Since then, wrote the manager, "we have always had twenty or thirty Basutos in the mines".

The manager made it clear that Indwe's labour supply fluctuated seasonally with the agricultural calendar of the Transkeian Territories. He wrote

The Rinderpest which carried off nearly all the natives' cattle had not the effect which we anticipated; the boys did not go out to work

⁴⁰ DBA S4/IRC vol 1 p 151 a.

⁴¹ DBA S4/IRC vol 1 p 155 e.

⁴² DBA S4/IRC vol 1 p 159 c.

⁴³ DBA S4/IRC vol 1 p 159 e.

⁴⁴ DBA S4/IRC vol 1 p 159 f.

⁴⁵ DBA S4/IRC box 7 Directors' Report 31 March 1898 p 4.

in numbers ... Since the ploughing season was finished however we have been much better off for boys.⁴⁶

From remarks about "our mines" having "a good name in the Transkei" it seems clear that a significant portion of the IRC's labour came from there rather than from cisKeian Glen Grey.

From the year ended 31 March 1899 two dividends a year of five per cent each became usual.⁴⁷ This proves that despite the labour problems the Indwe Company was profitable, but it should be borne in mind that it derived income from its railway and its landholdings as well.⁴⁸ On the subject of labour in the year ended March 1899 the mine manager wrote

though the output has increased considerably, yet hardly at any period has there been a sufficient supply of native labour. At the present time our mines are developed for 4 500 tons per week (234,000 per annum) yet we have never put out more than 3,200 tons per week. ... Certainly the boys whom we have located on our Contract farms are a great help, but they are only 180 in number, whereas we require from 1200 to 1500 to keep us going.⁴⁹

Mabin writes that by 1899 the company employed sixty whites and 1 100 blacks.⁵⁰ (By 1911 the number of black employees was down to about 500.⁵¹) But in 1899 the IRC was experimenting with machinery for cutting coal and the tone of the company's report was optimistic.

The effect of the South African War on the company was disruptive but not catastrophic. For the half year to 30 September 1899 things were going well, but the war meant that "the earning powers of the Company, in respect of both Railway and Mines, were suddenly curtailed, and eventually entirely stopped, whilst the expenditure had to run on".⁵² The military authorities had taken over the company's rolling stock until March 1900.

⁴⁶ *ibid.*

⁴⁷ DBA S4/IRC box 7 Annual Report 31 March 1899 p 2. See also S4/IRC vol 1 p 189 f.

⁴⁸ Mabin "Land" p 12.

⁴⁹ DBA S4/IRC box 7 Annual Report 31 March 1899 p 7.

⁵⁰ Mabin "Land" p 12.

⁵¹ DBA S4/IRC box 7 Annual Report 31 March 1911 p 7.

⁵² DBA S4/IRC box 7 Annual Report 31 March 1900 p 6.

The labour supply in April and May 1899 had been insufficient, the manager wrote, but better in July, August and September because of the poor mealie crop. In the beginning of October the IRC "benefitted considerably by the exodus of natives from the Rand for a short time, but many of our own boys went home on account of the unsettled state of the surrounding districts".⁵³

During September 1900 the Indwe company had a significant shortage at its Green Mine.⁵⁴ The mine manager gave reasons which bear out the company's dependence on the Transkei for its labour, and show how race relations affected the workers' willingness to stay:

Many natives went home on receipt of the news that rain had fallen in some part of the [Transkeian] territories, others got afraid of the smallpox (of which we had two cases) and cleared out, whilst I think that the treatment accorded them by the white miners was anything but fair. A change was made in the compound management, with the result that the labour supply is now much better.⁵⁵

The change in the compound management seems to have been the dismissal of a manager named Vice and his replacement with one J. J. Webb.

The war continued to affect the supply of both black and white labour. The pay, rations and easier work offered by the military authorities was more than Indwe could compete with. The chairman, Weir, reported in 1901 that since October 1900 the company had been without "50 per cent. of the labour necessary" to the extent that some of its contract obligations had not been met.⁵⁶ Nevertheless a dividend of five per cent was declared for the half year to September 1900, and another for the half year to March 1901.⁵⁷ To ease the labour difficulty the board proposed to settle black workers with their families, rather than white farmers, on some of its land.⁵⁸

Competition with the CGR for labour was reported in July 1901. An agreement was reached that the railways would not recruit within a

⁵³ *ibid* p 16.

⁵⁴ The IRC's mines were called Green, Byrne, Dugmore, Guba and, patriotically, Milner.

⁵⁵ DBA S4/IRC vol 1 p 223 e.

⁵⁶ DBA S4/IRC box 7 Annual Report 31 March 1901, attachment p 1.

⁵⁷ DBA S4/IRC box 7 Annual Report 31 March 1901 p 4.

⁵⁸ DBA S4/IRC box 7 Annual Report 31 March 1901, attachment p 2.

five mile radius of the mines. But the more serious problem of recruiting "throughout the territories" would continue to be affected by the army's needs.⁵⁹

In 1901-02 the company's employees were sent into the Transkei on at least three recruiting drives with limited success. Labour "touts" were operating in the district and drawing workers away from the IRC.⁶⁰ The opinion that the war was the root cause of current labour problems was repeatedly expressed.⁶¹

The annual report for the year ended 31 March 1902 gave share holders the happy news that the IRC's railway had been sold to the Cape government, and this made possible a complete capital repayment of twenty shillings in the pound. This capital repayment would not affect "the prospect of a 10% annual dividend, even under the disastrous effects of guerilla war".⁶²

In January 1903 the Indwe company agreed to supply the government with 3 000 tons of coal per month at 20s. per ton, but "Considering the conditions of the labour supply the Company had declined to enter into a binding contract".⁶³ In the same month a labour agent was appointed, at a salary of L20 per month, to procure Basuto workers.

The report for 1903 announced the usual dividends, notwithstanding that labour problems did not end with the war. Every effort "throughout Kaffirland and way into Basutoland" met with little success and the company could only supply the CGR with 2 000 tons a month, compared with the 6 000 to 8 000 that the railways could have taken.⁶⁴ The same report told shareholders that De Beers, the IRC's largest customer, might soon get its coal from other sources.

The 1904 annual report refers to the difficulty of obtaining enough labour to fill the company's contracts despite wages being twenty per cent higher than before the war. The usual dividends were

⁵⁹ DBA S4/IRC vol 1 p 247 d.

⁶⁰ DBA S4/IRC vol 1 p 253 e; p 277 c.

⁶¹ DBA S4/IRC vol 1 p 281 b.

⁶² DBA S4/IRC box 7 Annual Report 31 March 1902 p 3.

⁶³ DBA S4/IRC vol 1 p 287 c.

⁶⁴ DBA S4/IRC box 7 Annual report 31 March 1903 p 3.

nevertheless declared.

In June 1904 the shortage of labour prompted the board to telegraph to several magistrates that 200 workers were required immediately. Replies were received from eight magistrates in the Transkei. Labour was available, "but good crops make the natives indisposed to turn out to work".⁶⁵

A board meeting of 14 June 1905 recorded that De Beers had decided not to take any more coal "after the end of the present year".⁶⁶ Natal coal was found to be more competitive. At the general meeting on 22 June 1905 it was reported that government was also taking less coal.⁶⁷ From 1905 onwards the IRC also felt the effects of the Witwatersrand's competition for labour.⁶⁸

The report for 1906 told of reduced demand, and laying off fifty white workers. The company's sales were now confined to the CGR and private customers in nearby towns, De Beers having taken its business elsewhere as expected.⁶⁹

For the first time the company had more coal to sell than its customers wanted to buy. They offered CGR 120 000 tons for 1906, but the railways would only take 54 000.⁷⁰ In December 1907 it was remarked at a board meeting that no directors' fees had been paid for the last two years.⁷¹ The salary of the local managing director at Indwe was reduced from L750 to L500 a year for the year 1908, after which it was not intended to keep him on.⁷²

Although there are board minutes of some labour shortage after 1906, by the 1909 annual report the falling off in output was entirely due to reduced demand.⁷³

⁶⁵ DBA S4/IRC vol 2 p 91 e.

⁶⁶ DBA S4/IRC vol 2 p 157 a-b.

⁶⁷ DBA S4/IRC box 7 Annual Report 31 March 1905 p 3.

⁶⁸ Mabin "Land" p 14.

⁶⁹ SBA S4/IRC box 7 Annual Report 31 March 1906 p 3.

⁷⁰ *ibid* p 3.

⁷¹ DBA S4/IRC vol 2 p 283 b.

⁷² *ibid* and p 309 b.

⁷³ DBA S4/IRC box 7 Annual Report 31 March 1909 p 3.

By 1912 the fall in the price of coal in South Africa at large meant that the company could no longer be certain of making a profit on its coal business. In that year a provisional decision to liquidate the firm was made.⁷⁴ The company carried on, paying reduced dividends, until 1917, when the South African Railways refused to take any more coal from them. This was the death blow to the mine.⁷⁵ It was put into liquidation and its landed property sold off to the government for the purpose of intensive white settlement. This meant that, once again, the existing black tenants were ousted.

(v) Conclusion

The relevance of this little company history for the Glen Grey Act is tantalising rather than clear. The prosperity of the enterprise depended on the demand for its coal and the supply of labour, and De Beers clearly created the demand on which the company for a time prospered. References to the importance of "native" labour are frequent, but no evidence has been found to suggest that Indwe's demand for labour was a specific and explicit cause of the Act, while there are indications that the enterprise drew its labour from the Transkei rather than the Glen Grey district. The implication that Rhodes enacted the Glen Grey measure because he (or De Beers) had a financial interest in Indwe⁷⁶ remains unproven, and, perhaps unprovable.

(Please turn to p.62)

⁷⁴ Mabin "Land" p 15.

⁷⁵ Buys "Indwe Railway" p 5.

⁷⁶ Davenport South Africa (1987) p 181.

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Chapter Three

Perceptions of the need for labour
in the Cape Colony
before the Glen Grey Act, 1807-1894

The question of labour supply was of concern to the public authorities of the Cape from the earliest times. While a brief sketch of labour supply matters from the second British occupation of the Cape is presented here, this chapter is concerned largely with the position during the responsible government period, i.e. after 1872.

Newspapers, government publications and legislative assembly debates of the nineteenth century Cape Colony provide a clear record of continual complaint by colonists about the shortage of labour. This is especially true of those in the western Cape, and particularly of farmers. It has not proved possible to discern whether this was (i) always a genuine shortage of labour, or (ii) whether colonial farmers simply felt that they could do with more labour, or (iii) if there was merely a shortage of labour at the wages offered. Similarly, no attempt has been made to distinguish between a shortage of labour caused by an increase in the demand for labour, and a shortage caused by a falling-off in the supply. The fact that is dealt with here is that, rightly or wrongly and whatever the reasons may have been, the Cape colonists often thought themselves to be short of labour, and they made vigorous complaints about that state of affairs, often compelling government to act to alleviate their situation.

The relevance of the above observations to the Glen Grey Act is that the Act came at a time when farmers, particularly in the Western Province, were complaining of labour shortage. The Glen Grey policy should be viewed against the background of the previous complaints of shortage, and the previous measures taken to deal with them. It will then be seen for what it is, i.e. a Cape labour measure.

* * * * *

Susan Newton-King has described the position of the Cape's labour market in the period 1807-28. She notes that "at least by the end of the second decade of the nineteenth century, the colony was facing a generalised labour shortage which was more serious in Cape Town and the western

districts than elsewhere."¹ She could have said the same of almost any period between 1820 and 1894.

The major cause of labour shortage in the early nineteenth century was the abolition of the slave trade in the British Empire² in 1807. This shortage led the colonial authorities to tighten control over the free blacks of the colony, mainly Khoisan or "Hottentots", by means of the regulations of 1809 promulgated by the governor, Lord Caledon, and known as the Caledon (or Hottentot) Code. While this code afforded some paper protection to Khoisan from abuse by their employers, it also laid down very strict control over their freedom of movement. As Newton-King puts it: "it was now legal to compel any Khoisan not in government service to serve the colonists, for without a pass he could not legally be anywhere at all".³ This stringent control over Khoisan continued until Ordinance 50 of 1828 repealed the regulations and put the free blacks in the colony on a legal par with the whites.

Newton-King argues that the Albany settlement of 1820 exacerbated the labour shortage by introducing nearly 5 000 settlers, many of whom wanted not to be labourers themselves, but to employ labour. She describes various unsuccessful schemes to introduce further white labour into the colony. In the end the colonists had to rely on black, particularly Xhosa, labour.

There had long been an official policy of "non-intercourse" between black and white across the colonial border. This was the policy of the Dutch East India Company until the end of its rule, and was taken over by the British authorities.⁴ In fact the policy could not be enforced. Certain exceptions were officially made "for purposes of trade, for missionary endeavour, [and] to admit supplies of Native labour."⁵ The British authorities may have been reluctant to admit Xhosa into the colony, but they had to make some exceptions to the general rule against

¹ Susan Newton-King "The labour market of the Cape Colony, 1807-28" in Shula Marks and Anthony Atmore (eds) Economy and society in pre-industrial South Africa London: Longmans, 1980. Page 171.

² Newton-King "Labour market" pp 172 and 177-8.

³ Newton-King "Labour market" p 177.

⁴ Sheila van der Horst Native labour in South Africa London: Oxford University Press, 1942, reprinted London: Frank Cass, 1971. Pages 4-5.

⁵ Van der Horst Native labour p 5.

it, and the prohibition was in many cases evaded.⁶

The passing of Ordinance 49 of 1828 made it legal for blacks from outside the colony to enter in search of work. The authorities thereby abandoned a policy of "segregation".⁷ The time for such a move had come, because despite the fears about security that many colonists had, black labour had been increasingly employed on the farms throughout the period of frontier wars.⁸ The change of official policy did not imply laissez faire. Those coming into the colony to work had to bear passes, and could be "press-ganged for up to twelve months" if found without them.⁹ Peires notes that in the period shortly after the 1828 legislation "Sheep farmers were so desperate for labour that they were prepared to tolerate Xhosa workers bringing their families and their cattle with them."¹⁰

Newton-King states that Ordinance 50 of the same year, which ended legal discrimination on grounds of colour between free blacks and colonists, and abolished the pass system for blacks born within the colony, was not motivated solely by humanitarian concerns. The ordinance had the effect of making the movement of labour about the colony easier, and making the Khoisan more tractable by alleviating their conditions of service. Free labour, well-treated, would be more productive than semi-servile labour subject to harsh controls.¹¹

Peires notes that for successful commercial farming in Albany "an abundance of cheap labour was required. During the 1830s, this simply did not exist." The situation was made more acute by the change from cattle to woolled sheep, which required not merely herding but shearing as well. Some labour was obtained by allowing blacks from outside the colony (known then by the contradictory soubriquet of "native foreigners") to squat as labour tenants.¹²

⁶ Newton-King "Labour market" p 175.

⁷ Van der Horst Native labour uses the word p 12. See also Newton-King "Labour market" p 192.

⁸ Van der Horst Native labour p 14.

⁹ Newton-King "Labour market" p 196.

¹⁰ J. B. Peires The House of Phalo: a history of the Xhosa people in the days of their independence Johannesburg: Ravan, 1981. Page 105.

¹¹ Newton-King "Labour market" pp 197-8.

¹² Peires House of Phalo p 120.

The emancipation of slaves throughout the British Empire came in 1834. This added to the shortage of labour in the colony. It may have been as a response to this new problem that in the aftermath of the Sixth Frontier War, 1834-5, the Mfengu (Fingoes) were introduced into the Cape Colony by the governor, Sir Benjamin D'Urban, as a supply of labour for the colonists. There is some controversy among recent historians about the origins of the Mfengu and the nature of the Mfecane which brought them to the Cape. The present writer is unable to venture any judgement on this debate, but if the findings of the new research are correct the importance of labour and the struggle of the white colonists to obtain labour in the period up to about 1840 is even greater than has been previously thought.¹³

The devastation after the War of the Axe (the Seventh Frontier War, 1846-7) led impoverished Xhosa to enter the colony in search of work. The authorities indentured Xhosa as they came into the colony and sent them to the western Cape.¹⁴ Nevertheless the labour shortage was not over: twenty out of twenty-one districts responding to a government questionnaire in 1848 reported a scarcity of unskilled labour, and ten of these a "great dearth".¹⁵ In 1854 a member of the Legislative Assembly for Beaufort West said in parliament that wool farmers could not get fleeces washed because they did not have enough labour; in the same year the Graaff-Reinet Herald complained of the shortage of labour. Some legislators wanted white immigration to solve the problem, others favoured the introduction of Chinese workers. A select committee on frontier defence suggested that "tribes, chieftaincies or congregations of natives" be broken up: some of the blacks thus treated should be located by individual tenure as whites were; the rest were to be apprenticed, or to take service, or leave the colony.¹⁶

¹³ Alan Charles Webster Ayliff, Whiteside and the Fingo "emancipation" of 1835: a reappraisal B.A. (Hons) research essay, Rhodes University, 1988. [Cory Library Ms 17 405]. For a general introduction to the revision of the Mfecane see John Wright "Political mythology and the making of Natal's Mfecane" Canadian Journal of African Studies 23(2) 1989 pp 272-91.

¹⁴ Peires House of Phalo pp 167-8.

¹⁵ J. B. Peires The dead will arise: Nongqawuse and the great Xhosa cattle-killing movement of 1856-7 Johannesburg: Ravan; Bloomington and Indianapolis: Indiana University Press; London: James Curry, 1989. Page 246.

¹⁶ Peires Dead will arise p 247.

A large number of Africans came into the colony seeking employment after the millenarian cattle-killing movement of 1856-7 had rendered them destitute. The Cape of Good Hope government publications (AVP) available in Cory Library on the subject are not complete or very informative.¹⁷ What can be gleaned is that during the cattle-killing colonial officials set up a system to facilitate the flow of labour from British Kaffraria to the Cape Colony. Under these arrangements magistrates in British Kaffraria were to keep a register of blacks seeking employment. A central register of workseekers was kept in the office of the resident magistrate of King Williamstown, and farmers or other employers in the Cape could apply to that office or to the magistrate nearest to any tribe, stating the kind of labour required, wages, length of service and whether wives and families could accompany the workers. In the first three months of 1857 the number of adult men indentured for service in the colony under the scheme was 1 528. Adult women numbered 1 266, boys 1 126 and girls 1 173, for a total of 5 093. These figures unfortunately cannot be compared with those of normal years because they were compiled once only at the request of the Legislative Council.¹⁸ It is interesting that under these arrangements the labourers were sent to central and eastern divisions of the colony: Albany, Victoria, Beaufort, Uitenhage, Port Elizabeth, Queenstown, Somerset East, Cradock, Graaff-Reinet, Albert, Grahamstown and Bathurst.¹⁹ The west was only to get its share later. Nevertheless these statistics reveal a concern with, and an attempt to do something about, labour and particularly agricultural labour.

Peires has given a harrowing description of the cattle-killing and the cynical exploitation of that tragedy by Governor Sir George Grey and his officials to provide labour for the colony. The hungry were despatched to the colony to work. Only such of the Xhosa as were willing to labour received any official famine relief, and not even all of those did. Grey's policy in fact consciously ensured that some would starve and not be helped. This can be seen from the official rebuff given to the Kaffir Relief Committee of King Williamstown which was set up to provide

¹⁷ AVP G11-'57 "Correspondence on the Kaffir Employment Bill" is not in the Cory Library collection. Its existence has been ascertained from Reuben Musiker and Naomi Musiker (eds) Guide to Cape of Good Hope official publications: 1854-1910 Boston: G.K. Hall, 1976.

¹⁸ AVP G39-'57 pp 2-3.

¹⁹ AVP G39-'57 p 2.

unofficial relief to the destitute and which made some criticism of the inadequate official programme of relief. The hapless committee did not mean to tread on official toes, and pointed out that their work was supplementary to that of the government: their beneficiaries would join the government labour scheme as soon as they were fit enough to do so, and would receive no further help from the committee. Nevertheless Grey resented the implied (and some explicit) criticism of his policy, and hounded the committee until it disbanded.²⁰

In August 1857 a form of agreement was drawn up by the attorney-general of British Kaffraria for Xhosa applying for employment in the colony under the official labour scheme. By this contract they agreed to go anywhere in the colony that they might be sent, to perform any work allotted to them, and to accept wages determined by officials, all for a period of up to five years.²¹ The movement of Xhosa into the colony, and their employment within it, was regulated by the Kaffir Pass Act of 1857 and the Kaffir Employment Acts of 1857 and '58.²²

Peires states that a total of 29 142 Xhosa had registered for service in the colony by the end of 1857, and believes that an equal number may have come in un-registered.²³ The labour shortage of the colony had been relieved by exploiting a tragedy, but the solution was not a permanent one. (While the colonists' demand for labour was great, there was an admixture of caution in their attitudes as well: a select committee of 1859 was appointed to investigate "providing additional guarantees for the security of the public against any evils likely to arise from the continued presence" of blacks in the colony.²⁴)

The next official notice of labour recorded in extant government publications took place early in the responsible government era. This was a select committee of 1873, which investigated complaints from the Albert district about "native" labour and stock theft.²⁵ In 1875 there was correspondence on the possibility of importing labour "from the territory beyond the Transvaal".²⁶

²⁰ Peires Dead will arise pp 241-67.

²¹ *ibid* p 249.

²² *ibid*.

²³ *ibid* p 267.

²⁴ AVP SC(A)4-'59 p iii.

²⁵ AVP SC(A)10-'73. Not in Cory Library. See footnote 17.

²⁶ AVP A16-'75. Not in the Cory Library. See footnote 17.

Labour was again an issue by the 1870s because the depression of the 1860s was over, and the diamond boom was by then stimulating demand, particularly for agricultural produce. In 1876 a report was published on the related questions of immigration and labour supply for the year 1875. This emanated from the Department of Crown Lands and Public Works, of which the acerbic John X. Merriman was the minister at the time. These rather cutting remarks must surely be his own words:

in the Cape the Government is called on to "Survey mankind from China to Peru," in the hope of creating and maintaining a class of cheap labourers, who will thankfully accept the position of helots, and not be troubled with the inconvenient ambition of bettering their condition.²⁷

"Inconvenient ambition" was a reference to the farmers' insistence that labourers imported into the colony should not aspire to becoming farmers on their own account, since that would simultaneously deprive the existing farmers of their labour, and provide competition. Merriman noted in passing something that was to be an enduring concern of his: cheap labour did not necessarily make a prosperous country. He was a keen supporter of the lower middle class or the "decent working man".

This report touched on the unsuccessful attempt of some labour agents to provide workers "from the interior" for the public works and also for private employers.²⁸ On the other hand, African labour from the Transkei (not yet annexed to the Cape Colony) was proving satisfactory on the railway lines of the eastern and central Cape. Again the pattern of relative abundance of labour in the east and relative shortage in the west can be observed; Merriman noted that

On the Western [railway] line it is to be regretted that the supply of labour from the source above indicated [Transkei] has been small, owing, probably, to the distance from the Frontier and the sea voyage.²⁹

Looking to other possible sources, Merriman noted that Chinese labour could not be introduced into the colony for less than £25 or £30 per worker, which seemed more than the government or private employers were likely to pay. The treaty obligations of the imperial government to

²⁷ AVP G8-'76 p 1.

²⁸ *ibid* pp 1-2.

²⁹ *ibid* p 2.

China meant that "certain official formalities" had to be complied with, which made Chinese labour less attractive.³⁰

In the 1870s the Cape Colony employed an immigration agent in London to facilitate European immigration into the colony. This official was Thomas Fuller, the same man whose reminiscences of Rhodes have been quoted above [see pp 6-8]. On the subject of European labour, his annexed report noted that

upwards of 1,349 artizans and railway labourers have been shipped during the year for the services of the Government, and 447 under the Aided Emigration regulations for private persons. This number includes men, women and children.³¹

It can be seen that the Cape government in 1876 considered many possible sources of labour, and many possible means of persuading people to labour. Merriman in summing up pointed out that the diamond fields' demand for labour was part of the problem. He hoped that blacks would acquire "European wants", and then enter the labour market to earn the wages "to supply the wants thus created." The possibilities of individual tenure for blacks were canvassed as well:

The gradual introduction of individual tenure of land among the natives, in the place of the location system, will, no doubt, deprive numbers of natives of the means of leading a lazy, lounging life, at the expense of their more industrious fellows, and will also, by affording the possessors of plots of land the power to improve their properties for their own good, form an inducement to others to obtain the means of purchase.³²

That was in 1876. By 1879 Merriman was to be much more sceptical of the utility of individual tenure for providing labour.

The year 1879 saw a further ventilation of the labour question. In the Legislative Council, Marthinus Neethling, MLC for the Western Districts, moved that it was desirable particularly in the agricultural interest that "proper labour" be supplied. He wanted the government to be asked to obtain labour both within and beyond the borders of the colony, and said that a magistrate should be appointed among the Xhosa to induce

³⁰ *ibid* pp 2-3.

³¹ *ibid* p 4.

³² *ibid* p 3.

them to take service; Zanzibar seemed to him another possible source. He said that land was lying idle from a want of hands to cultivate it. He was not opposed to the importing of Europeans, but they must be artisans³³ (i.e. not farm labourers). Edward Hardwick, MLC for the Eastern Province, seconded the motion but feared that the proposal would fail owing to "the repugnance of the Kafir to work". The treasurer of the colony, J. Miller, said that the government was not opposed to the introduction of labour; it had been hoped that the Xhosa brought in after the [Ninth Frontier] war would have settled down, but despite being good servants they had become homesick and left. Miller suggested that the farmers' associations appoint their own agents in "the native country". Magistrates and others in government service would do what they could to help. Neethling withdrew his motion.

The brief report of this debate reveals that it was agricultural labour that was wanted. Hardwick's contribution reveals an assumption common among white colonists: blacks were lazy, particularly if they were not working for whites. The corollary of that assumption was that blacks could legitimately be forced to work for whites.

In the same session parliament passed the Native Locations, Land and Commonages Act, Act 40 of 1879. This empowered the government to survey crown lands, divide them into locations and issue individual title deeds to the occupier. The Locations Act has been described by Colin Bundy as a measure intended by means of individual tenure and the consequent landlessness of those not receiving title deeds, to produce labour for the Cape Colony.³⁴

In the debate on the Locations Act, Thomas Fuller, by now back from London and an MLA, said that the Bill would lead to a "social revolution" and went "to the root of the native question". Merriman, departing from his opinion of 1876 that individual tenure would contribute to solving the labour problem, said that the Bill was "important" but also pointed out that "there were numerous titles that had not been taken up".³⁵ The Locations Act was clearly similar in many ways to the Glen Grey Act, and criticism of the later measure was based

³³ GTJ 28 July 1879, reporting a debate of 16 July.

³⁴ Colin Bundy The rise and fall of the South African peasantry London: Heinemann, 1979. Pages 78-9.

³⁵ GTJ 6 August 1879, reporting an Assembly debate of 25 July.

on the unhappy experience of the earlier.

Also in 1879, a debate in the House of Assembly led to the appointment of a select committee to enquire into "the best means to be adopted for supplying the Labour Market, especially in the Western Districts".³⁶ The mover, P. A. Myburgh, MLA for Stellenbosch, said that if nothing was done it would be serious for the farmers.

Saul Solomon, a member for Cape Town and a prominent liberal, proposed instead a labour commission, because a select committee would not have time to consider the matter adequately before the end of the session. He was not at all sure that the labour supply was as inadequate as it was made out to be. On the question of the importation of labour he felt that there were enough blacks in the colony already, and asked why the farmers did not import European labour under the aided immigration scheme. A resolution of 1877 for the importing of Indians or Chinese had failed because farmers did not combine to take it up. The regulations of the imperial government over Indian labour, and the Chinese government over Chinese labour, would be too stringent for labour from these sources to be suitable. Chinese once here would as soon as possible be masters and not men; Solomon quoted the example of the Australian colony of Queensland as a place that having once imported Chinese labour now preferred to keep such workers out.

Solomon went on to quote the reports of civil commissioners to show that there was no shortage of labour except where farmers refused to employ blacks (as opposed to "coloureds"), such as at Riversdale. The rate of pay noted in the Blue Books, he said, suggested no shortage of labour; pay was lower than it had been in 1876. There had been difficulty in finding employment for Korannas brought down from the northern border. As a Westerner [i.e. one from the western Cape] Solomon did not want "barbarism and savagery" to flow in from the east. It was unfair to flood the market to force wages down.

Philippus Watermeyer, MLA for Colesberg, disagreed. He said that he had to "pay through the nose" for labour. "Everyone" was lazy. Blacks would not work, and the rates of pay must be brought down by introducing other workers to compete.

³⁶ SC(A) 26-'79 p iii. Committee appointed 11 August 1879.

Jan Hendrik Hofmeyr, the leader of the Afrikaner Bond, said that "Kafir labour was uncertain". The workers were inclined to go home, hence the reluctance of farmers to employ them.

Merriman said that farmers were better off than they had been "ten years ago". Cheap labour did not produce cheap goods. Australian and New Zealand wheat undersold Cape wheat in the colony, but labour in Australasia was paid more than at the Cape.

Myburgh, speaking again, accused Solomon of being the farmers' enemy: Solomon had said that he did not want more blacks in the colony, but at other times "the greatest scoundrel" would have Solomon's support if he were black, Myburgh maintained.

The motion for the appointment of a select committee (rather than a more thorough commission) was carried after "further discussion".³⁷

The debate outlined above reveals much about colonial attitudes. The liberals as represented by Saul Solomon were confused: on the one hand they wanted equality of rights between white and black. On the other they wanted to keep the Cape white. They feared for the position of "the white man" if the numbers of blacks rose too high. Perhaps they feared for the survival of liberal values altogether if there were too much racial friction. [See pp 129-31]

The select committee appointed on the motion discussed above interviewed twelve farmers, a Cape Town merchant who was also a farmer, a brewer with unspecified other interests, a citizen of the Transvaal, Thomas Fuller (an expert witness in view of his immigration experience), a white trader in the Transkei, a missionary who was also an MLA, and a "coloured" man who was a labour agent. The preponderance of farmers among the witnesses represents the bias of the committee's instructions: to investigate farm labour. In the time available to it (less than a month) the committee made a fairly thorough investigation.

Johannes Vermaak, an MLC from the Burghersdorp area (he sat for the North-Eastern Province), gave evidence to the committee. He was a

³⁷ GTJ 6 August 1879.

sheep farmer and agriculturist, and when asked if he had difficulty getting labour replied "We who live near the the border have not so much difficulty".³⁸ One A. Van der Byl, an agriculturist and sheep farmer in the Bredasdorp area (in the Western province, near Cape Agulhas) when asked about labour said "I cannot complain; because I give them free living in a cottage, and that ensures me as much labour as I want."³⁹ This farmer also allowed his workers to cultivate land on his farm, and to keep the entire proceeds of that cultivation.⁴⁰

The evidence of the above two farmers exemplifies the position: labour could be obtained quite readily in areas close to the Transkei, and a farmer with a private location on his land, even as far west as Bredasdorp, could be sure of labour.

On the other hand one J. A. Lochner, a farmer from Malmesbury said that "The want [of labour] in our district is so great that I can hardly describe it."⁴¹ A man who farmed corn, wine and cattle near Paarl was asked "Can you get plenty of labour?" and replied "Not so much as I used [to]."⁴² Another farmer, asked if he had difficulty getting labour, said "Yes; and it gets worse every year."⁴³

The committee reported that there was "a serious want of labour in some of the western districts of this country".⁴⁴ They thought that the completion of the public works might alleviate the problem, but still recommended that agricultural labourers be imported. They felt that there was no need to look outside Africa for labour, thus ruling out Chinese and Indians. They recommended as most suitable "Mozambiques, Delagoa Bay Natives, Mantatess, and Berg Damaras", and suggested a trial of workers from each of these "tribes".⁴⁵ They suggested that employers wanting labour should pay half the travel costs and other expenses of importation, and sign a standard contract drawn up by government. At the end of the contract period the labourers should be conveyed to the

³⁸ AVP SC (A)26-'79 q 168.

³⁹ *ibid* q 201.

⁴⁰ *ibid* q 206.

⁴¹ *ibid* q 266.

⁴² *ibid* q 299.

⁴³ *ibid* q 393.

⁴⁴ *ibid* p iii.

⁴⁵ "Tribes" is in scare quotes because some of these terms do not refer to genuine ethnic groups, but are merely colonial ascriptions.

seaport nearest their home at government expense. Once again the aided immigration scheme was recommended to farmers.⁴⁶

The committee in short recommended nothing new. It is interesting to notice that they had in mind migrant labour, but not seasonally migrant: the workers were to come for a term of years and then leave. This was presumably because of the distances involved. In any event, little came of the committee's report. The recommended importation of Damaras from German South-West Africa seemed promising. Arrangements were under way, and about 400 workers had been applied for by employers, but the scheme was prevented at the last minute by the German imperial government.⁴⁷

Another government document from 1879 shows that, as has been observed above, war was a great help to employers. In the wake of the Ninth Frontier War, the Department of Native Affairs undertook to send labour at government expense from the frontier districts. The secretary of native affairs reported that 1 242 men, 1 164 women, and 1 472 children, for a total of 3 878 souls (all black people) had been "introduced into the Western Districts during and after the late Galeka and Gaika war" at a cost to government of L29 607.⁴⁸

Also in 1879, the Legislative Council resolved

in the interests of the Agriculturists and other employers of Labour in this Colony, as well as in the interests of the Native Tribes upon and beyond our Borders, to encourage in every way such Natives to engage in Agricultural and other Labour⁴⁹

and asked officials and missionaries for their views on how best to achieve this end. The ensuing correspondence was only published in 1881. A wide variety of suggestions was made, some of which reflect the ambiguity in the wording of the resolution: did the Legislative Council have in mind persuading blacks to work for white farmers, or persuading blacks to become farmers themselves? It seems likely that the former is what the Council meant, but not all their correspondents thought so.

⁴⁶ AVP SC(A) 26-'79 pp iii-iv.

⁴⁷ DHA 1892 p 217 col 2.

⁴⁸ AVP A43-'79 p 1.

⁴⁹ AVP C8-'81 p 1.

The governor's agent in Basutoland thought that wages would have to be raised before more Sotho would go out to work. The civil commissioner of Queenstown thought that blacks should be left as peasant producers; he construed the resolution to mean encouragement to blacks to work their own land, and suggested agricultural shows and prizes. The chief magistrate of Tembuland thought that blacks were essentially "lazy" and "sensual" but that they could learn by example. He thought that they were better off left in their own territories.

Several other magistrates thought that peasant agriculture was the subject of the resolution, and responded with suggestions of irrigation and agricultural societies. The Rev. Charles Taberer, missionary at Keiskamma Hoek, was not sure whether the Legislative Council meant that blacks were to be "servants to European farmers" or to farm "on their own behalf". Either way he recommended individual tenure, the land to be sold (not rented) to the highest bidder. The chief magistrate of the Transkei, Matthew Blyth, recommended individual tenure as a means of improving black agriculture. Let Africans buy land, he said, "and a class of native farmers and small landowners will speedily arise". He thought it "wrong in principle" that blacks should "be simply hewers of wood and drawers of water".

It is interesting to note (a) that many Native Affairs Department officials were genuinely concerned with the welfare of their "wards" and (b) that individual tenure was seen as a means of encouraging both black and white agriculture, the former by giving fixity of tenure and the latter by creating a class of landless labourers. The same policy could be advocated from very different points of view.

In 1890, in response to petitions from farmers in the Western Province, the House of Assembly appointed a select committee on labour. The committee's findings were much the same as those of the Labour Commission of 1893-4. The labour shortage was found to be in the western districts; the competition of railways and harbours had much to do with the problem. Farmers complained of mission schools that kept "coloured" children at school during harvest seasons. This committee, like the Labour Commission, was dubious about the effects of legislation on the problem; certainly stopping the public works was not the solution. If black workers could be induced to come down from the eastern districts to replace the farmers' "coloured" labour, that would solve the problem. No

recommendations for legislation were made.⁵⁰

A Legislative Council select committee of 1892 was less pessimistic. It noted that the "scarcity of labour is by no means universal" and that the districts with a scarcity "are with one or two exceptions at a distance from locations or the frontier".⁵¹ The committee noted the competition of the railways but thought it undesirable to interfere, though they did ask that railway contractors not employ known farm workers. Good masters had abundant labour, the committee said, while their neighbours "not of that character" did not.

The committee thought that wages should rise, although they noted that some farmers had no difficulty getting labour at the customary 10 shillings a month since farm labour was often preferred to mine labour. Whatever the wages "the contract must be faithfully kept", a polite warning to some unscrupulous employers.

It had been suggested to the committee that the locations be abolished to compel blacks to work, but the committee's recommendation was that they should rather be regulated "to prevent their being the resort of loafers".⁵² Without the locations some districts would have had no labour at all.

The committee recommended that locations near villages should have water supplied by the municipalities. Alcohol for blacks should be prohibited, perhaps by licensees being compelled to sell no liquor to black employees without their masters' permission. A government labour office was proposed. (No discussion of individual tenure was entered into.)

The Council select committee of 1892 found much the same position as its predecessors had, and as the 1893-4 Commission would. Apart from the question of land tenure, the committee noted the competition of mines and public works; the non-availability of "coloured" children at crucial seasons because of their attendance at school; the problem of liquor; the question of wages and the character of employers.

⁵⁰ AVP SC(A)12-'90 pp iii-iv.

⁵¹ AVP SC(C)2-'92 p v.

⁵² *ibid* p vii.

It also found, of course, that the Western Province suffered more from a labour shortage than the east. The only departure from earlier findings was that the 1892 committee found the acuteness (but not the location) of the labour shortage to be less pronounced than others did.

The Labour Commission of 1893-4 was appointed following a debate in the House of Assembly at which mention was made of the return to a circular sent out by order of the Legislative Council in 1891 that "information with regard to the Native Labour Supply of the Colony be obtained".⁵³ This circular was sent to magistrates in all the districts of the colony, and they were required to give their opinion of the shortage or otherwise of labour. Thirty-three out of seventy-six districts had reported at least some scarcity of labour.⁵⁴ The Council select committee of 1892 discussed above was also mentioned. From this it can be seen that labour was the subject of intense interest at the Cape in the 1890s.

The Labour Commission was a large scale affair. It sat at intervals for fifteen months, travelled to fifty-four places in the colony and took evidence from 622 witnesses.⁵⁵ It found that "a want of available farm labour is acutely and increasingly felt in the Western Circle, Worcester, Malmesbury, and Piquetberg" and said that several thousand workers could be absorbed in that area.⁵⁶ The commission looked upon Tembuland, Griqualand East and Herschel as the main sources of labour for the colony.

The labour shortage had a number of causes, but the main one was found to be "the conditions of life and population in South Africa." The necessities of life were easily obtainable, and Africans had few wants beyond those necessities, so they would not work for wages.⁵⁷

The commission found that agriculture had been extended to meet the demand of the centres of population that had sprung up with the development of mining, and so the demand for labour had increased beyond the supply. Farmers could not compete with the wages paid by the mines,

⁵³ AVP C1-'92 p 1.

⁵⁴ *ibid* p 3; also DHA 1892 p 216 col 1.

⁵⁵ AVP G39-'93 p ii.

⁵⁶ *ibid* p iii.

⁵⁷ *ibid* p v.

public works and urban employers. Irregular habits of work were another part of the problem, as was the attraction of life in town locations that were inadequately regulated, in the view of the commission. Reduced railway rates of half a penny a mile for the carriage of workers to the Transvaal exacerbated the situation. The commission also found some "Vocations diverting labour", by which they meant that black peasants or "coloured" market gardeners, carriers and tradesmen who worked for themselves or employed labour thereby reduced the labour available to white farmers.⁵⁸

The commission noted that the "Native Territories" were exporting labour, but deprecated the fact that so many of the workers were going to the Transvaal: government statistics showed that 10 465 men had left Tembuland and the Transkei in 1893 to work in the colony, and a further 7 522 had left to work in the Transvaal.⁵⁹ The fact that the commission regretted so many workers going to the Transvaal, and the concern about the competition posed by towns, mines and public works, make it unlikely that the subsequent Glen Grey Act was intended to draft labour to the Transvaal.

Some reasons why workers from the territories did not go to the colony were found to be fear of losing their allotments, and fear that accumulating cattle might lead to charges of witchcraft, both of which seem unlikely. On the other hand, reports of ill-treatment on farms, and the possibility of being fined on the journey home for having scabby sheep (part of their wages) seem more likely deterrents, which the commission noted.⁶⁰

In regard to wages the commission found that "The amount is not generally a subject of complaint" because although ten shillings a month was the usual cash wage, with the customary additional payment in kind "the total often comes up to considerably above three pounds a month".⁶¹ While it appears from the debate on the motion to appoint the commission that a majority of the MLAs would have agreed with the notion that real wages in agriculture were good, some at least did not: Arthur Douglass, the member for Grahamstown, said

⁵⁸ *ibid* pp vi-viii.

⁵⁹ *ibid* pp viii-ix.

⁶⁰ AVP G39-'93 pp ix-x.

⁶¹ *ibid* p xii.

the rate of wages was from 5s. to 10s. per month and rations, and, as they knew, rations consisted for the most part of mealies. Stock farmers sometimes gave meat; but they did it in self defence and it was no use the hon. member for Richmond coming there and saying that the Kafir was exceptional in that he was idle.⁶²

But most colonists clung to their illusions that farm wages were good.

Liquor was felt to have a very harmful effect on many black workers. Prohibition was not recommended, as it "would tend to injure the industry of the west on which a great portion of the population depends". The commission proposed instead that licensing courts be empowered to make the issue of liquor licences conditional on liquor not being sold to "any specified class or classes of the community".⁶³

Another remedial measure proposed by the commission was the setting up of a government labour bureau to match up the demand for, and the supply of, labour. This was to find expression in the Glen Grey Act.⁶⁴

Immigration of Asian workers, or African workers from outside the colony, was not recommended.⁶⁵ The commission found that there was little demand in the colony for the immigration of European farm labour, and accordingly felt it was best left alone. The complaint was that such people soon became independent farmers, and so added little to the supply of labour. The immigration of women domestic servants was not objected to.⁶⁶

Private locations on farms were objected to by many witnesses who felt that the farmer with a private location on his land in that way monopolised the labour. Amendments to the Native Locations Act, Act 33 of 1892, were recommended to reduce the number of male black persons living on farm land which was deemed to constitute a private location (from seven to three).⁶⁷

It was found that the Masters and Servants Acts were not

⁶² DHA 1892 p 220 col 1.

⁶³ AVP G39-'93 p xiv.

⁶⁴ *ibid* p xvi.

⁶⁵ *ibid* pp xviii-xx.

⁶⁶ *ibid* p xx-xxii.

⁶⁷ *ibid* pp xxiv-xxv.

understood by many of the workers and farmers affected by them. There were many calls from witnesses for these to be made more stringent, which the commission did not recommend; it suggested that they be simplified (so that non-lawyers could understand them) and consolidated into a single Act.⁶⁸

On the all-important question of land tenure, the commission found that

Suggestions are made in different quarters as to a royal road to obtain a labour supply by furnishing all the natives in the Eastern and Transkeian territories with individual titles, and preventing all who have no titles from occupying land.⁶⁹

But, the commission said, "the matter is not to be settled off-hand in a day, or is likely to have the instant effect on the supply of labour that some expect."⁷⁰ The report noted that blacks were not prepared to go to the expense of having surveyed lots; titles had not been taken up in many cases where locations had already been surveyed; and boundaries of surveyed lots were often disregarded by the inhabitants. All these objections were to be proved correct.⁷¹ The commission was hesitant about the matter of individual tenure. It observed that it would "generally speaking" be advantageous for individual blacks to have "some fixity of tenure" to prevent overcrowding, but made no specific recommendations because of disagreement among its members; at the same time "all [the commissioners] are agreed that its effect can only be a very gradual one on the supply of labour."

It might be argued that since the commission reported equivocally on individual tenure this document did not contribute to the Glen Grey Act. The point made here is not so much that the commission was equivocal, but that it revealed that there was considerable opinion in favour of individual tenure as a means of providing labour. That opinion prevailed in spite of the commission.

⁶⁸ *ibid* p xxvi.

⁶⁹ *ibid* p xviii.

⁷⁰ *ibid*.

⁷¹ Russell Ally The development of the system of individual tenure for Africans, with special reference to the Glen Grey Act, c 1894 to 1922 M.A. thesis, Rhodes University, 1985. Pp 191-208 and 218-226.

On the other hand the commission was in favour of land in locations being inherited by primogeniture, another important part of the Glen Grey Act, and one that the commission suggested because "The effect of this would be that those who did not inherit the allotment would have to seek employment".⁷²

The commission recommended that land on individual tenure should be transferred without the expense of formal conveyancing;⁷³ this was not included in the Glen Grey Act.

The commission made two recommendations that seemed "advisable in connection with the labour question". One was that "additional direct taxation" be levied on blacks to pay for education. The other was that some portion of the hut tax should be remitted "upon his shewing he had been a certain time absent from his home in employment."⁷⁴ This recommendation was to find modified expression in the Glen Grey Act in the form of the labour tax.

On the question of whites being able to buy land from blacks once the latter had been given title deeds the commission said

The natives, where they have received titles, have not, so far as the Kaffir race is concerned, shown so much disposition to part with them as some expected would be the case; there have been hardly any instances as yet, while many Fingoes and other have, on the other hand, bought land largely.⁷⁵

So the desire of the Bond's members to acquire land in Glen Grey was likely to be frustrated, the commission found. Nevertheless the Bond fought for the titles to be alienable to whites. Rhodes, while saying that his government would never permit such sales, was forced to draw up the Glen Grey Act in such a way that a later government could give such permission. [See pp 101-3]

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⁷² AVP G39-'93 p xxix.

⁷³ *ibid* p xxix.

⁷⁴ *ibid* p xxix.

⁷⁵ *ibid*.

The committees discussed above with the evidence they had elicited and the recommendations they had formulated are part of the background to the Glen Grey Act. They draw attention to the labour needs of the Cape Colony, especially those of the farmers in the western districts. It seems a reasonable inference that the Glen Grey policy was intended to address some of the problems to which attention had been drawn. That the measure had the support of the Afrikaner Bond, whose members were western farmers, is itself testimony to the kind of problem it sought to address.

Chapter Four

The passage of the Glen Grey Act

- (i) The Glen Grey question before 1894
- (ii) Rhodes's political position in 1894
- (iii) Rhodes's haste over the Glen Grey Bill
- (iv) The opposition to the Bill: the Cape
'liberals' in and out of Parliament
- (v) The debate on the Act

(i) The Glen Grey question before 1894

The issue of the Glen Grey district had been before parliament for some time before 1894. In 1889 a petition had been presented to the Legislative Council from "residents in Glen Grey, Wodehouse and Queen's Town praying that the Tambookies [i.e. the Thembu] be removed from Glen Grey"¹ -- presumably so that whites could acquire the land. Even more significantly, Jotham Joubert, MLA for Albert and a Bondsman, moved in the Assembly the same year that "the natives residing on the Glen Grey crown lands be removed, and that such lands, together with such unoccupied land in said territory, be put up for public auction."² The motion was not carried, and received some stinging criticism. Rhodes had a leave of absence from parliament for the entire session of 1889, the year before he became premier, but the fact that Glen Grey was discussed demonstrates that the issue, and in particular the desire of some of the whites to grab the land of the district, was already a factor. In 1891 the same Joubert moved

for a return [i.e. government statement] of all waste lands in the Glen Grey district, including those that had been allotted to the Indwe-Imvani Company ... and which had reverted to Government by effluxion of time, stating the approximate extent, whether occupied or unoccupied, and what Government intends to do with it.³

In the event the Indwe Railway, Collieries and Land Company did complete the railway line and so retained its land in Glen Grey. But Joubert's -- and hence the Bond's -- land hunger is demonstrated by this resolution.

The Glen Grey Commission was appointed by letters of 14 and 21 April 1892 and reported on 27 May the same year⁴. There was an abortive attempt to deal with the question in the session of 1893. Its failure was due in part to the liberal wing of Rhodes's cabinet being able to secure a postponement.⁵ In short, a pattern of continuing interest in Glen Grey can be discerned in the years before 1894.

¹ MLC 1889 p 24. The number of signatories was 33 or 38 -- the printing is unclear.

² DHA 1889 p 232 col 1 (2 July 1889).

³ V&P 1891 p 218 23 June 1891.

⁴ AVP A3-'92 p 1 for appointment, p 6 for report.

⁵ Phyllis Lewsen John X. Merriman: paradoxical South African statesman Johannesburg: Ad Donker, 1982. Page 170.

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In moving his 1889 proposal Joubert cited the difficulties that white farmers were having because their veld was becoming over-grazed. He said that the government received nothing from Glen Grey except the hut-tax, while white farmers who had been granted land in Tembuland "had got on well enough, though the land was not to be compared in fertility with that in Glen Grey"⁶. His implication was that government revenue would be increased if his proposal were carried out. (It is also worth noting that Joubert regarded Glen Grey as a fertile, and therefore a desirable, district.) Joubert's motion, as mentioned above, was not passed. In the debate on the motion John Wood, MLA for Grahamstown, said that he "did not think the House would for a single moment entertain so monstrous a proposition."⁷ Sir Gordon Sprigg, the prime minister at the time, said "If the resolution was carried it simply meant war. (Hear, hear.)"⁸ Marthinus du Plessis, MLA for Queenstown, said that the proposal was justified by the fact that the Glen Grey people had been rebels [in 1878].⁹ William Hockly, MLA for Somerset East, said "if the House sanctioned the motion it would deserve the censure of the whole civilised world."¹⁰ Even John Frost, the other MLA for Queenstown, and later to be secretary of native affairs and secretary of agriculture in Rhodes's cabinet, said "it was a very unwise thing on the part of the hon. member for Albert to bring forward such a motion." There was nowhere for the people to be moved to.¹¹ Frost was no negrophilist, but he felt that facts had to be faced. His concluding remark is interesting: "The best thing the Government could do would be to give these people title to the land."¹² Frost as secretary of native affairs in 1893 was to introduce an unsuccessful motion on the lines of the Glen Grey Act.

Also in 1889 Marthinus du Plessis, the MLA for Queenstown who had seconded Joubert's motion, asked if the government would auction the 25,000 morgen of land formerly promised to the Indwe Railway Company.

⁶ DHA 1889 p 232 col 2.

⁷ DHA 1889 p 232 col 2.

⁸ DHA 1889 p 233 col 1.

⁹ DHA 1889 p 233 col 2.

¹⁰ DHA 1889 p 233 col 2.

¹¹ DHA 1889 p 233 col 2.

¹² DHA 1889 p 233 col 2.

Colonel Schermbrucker, commissioner of crown lands and public works in the second Sprigg ministry, said that the a mining engineer's report was optimistic about finding a good supply of coal on government land there. Schermbrucker had instructed that the area be fully investigated.¹³ Du Plessis asked the same question the following year, and Schermbrucker replied that the land had not in fact been transferred to the Indwe Company, as the promised railway line had not been built. The coal industry, he said, would be discussed later and the government would then be in a position to say whether the farms would be disposed of.¹⁴ These questions and their answers demonstrate the uncertainty surrounding the Indwe collieries question, and the Bond's land hunger -- and persistence.

As mentioned above, in 1891 Joubert moved for a return of all waste lands in Glen Grey, including the Indwe Company farms. The Bond's desire for a thorough investigation of the potential of Glen Grey is demonstrated by a telegram of 5 May 1891 sent from the SNA to the civil commissioner (CC) of Wodehouse instructing him to ascertain the extent of land occupied by "natives" in Glen Grey; the approximate number of huts and persons on such land; the extent of vacant land; and "Whether it is advisable and practicable to move natives from one part of the district to another part, so as to leave land now occupied available for other purposes."¹⁵ Those "other purposes" may be assumed to be occupation by whites.

The CC's reply was most discouraging, and so it was ignored. He wrote that blacks occupied 269 242 morgen of land but much of that was rocky and of no agricultural use, although it could be grazed. About 40 000 blacks lived in the district, 35 000 of them on black-owned land, and 5 000 on white farms. As regards the labour question his next remark is interesting: "In addition to those enumerated for census purposes, I have reasons for supposing that there are generally a large number of natives employed in the colony and elsewhere, but who really belong to the district." That is clear evidence that Glen Grey was already sending its sons out to work even before the Act was passed.

The CC found there was practically no vacant land, and that it

¹³ DHA 1889 p 266 col 2; for Galloway's report see AVP G50-'89.

¹⁴ DHA 1890 p 8 col 2. (3 June 1890. Rhodes's ministry came in on 17 July.)

¹⁵ AVP A1-'93 p 53.

was "neither desirable nor is it practicable to move natives from one portion of the district to another." The blacks had been in possession of their land for a long time, and owned large herds and flocks. Their industry was apparent from the fact that available land was cultivated to the fullest extent. He finished by saying "any attempt to dispossess the natives of the land would cause irritation and discontent."¹⁶ The government was not deterred by this advice. Instead, it set up the Glen Grey Commission to give it advice that it wanted to hear.

A three-man commission, including John Frost, was appointed by the secretary of native affairs, P. H. Faure, on 14 May 1892 to enquire into

- 1 The nature of tenure of Glen Grey lands
- 2 The extent and natural features of the ground, and its suitability for pastoral or agricultural purposes
- 3 The number of male residents and the number of huts they occupy
- 4 The possibility of reducing the extent of the locations by combining two or more into one, and the extent of the ground thus made vacant
- 5 The best way of disposing of the vacant land
- 6 The desirability of giving individual title to those who want it, and what to do about those who do not¹⁷

The commission took evidence from a range of witnesses, black and white. One of the latter was du Plessis, the MLA mentioned above, who said

my opinion is that the loyal natives who were loyal in name only be located on one portion of the ground and give them free title, and all rebels, Hottentots, Basutos and other nationalities who came in after the war, should be removed out of the Glen Grey Location, and the vacated land sold to the public.¹⁸

His resentment at the 1877-8 frontier war and "rebellion" convinced Du Plessis in his own mind that his desire to take over black land was reasonable. Other white witnesses had similar views. Joseph Sutherland, a farmer and Bond member in the Wodehouse division¹⁹ who handed in four memorials [i.e. petitions] signed by a total of 416 people²⁰ had the following exchange with the commission:

¹⁶ AVP A1-'93 pp 53-4 for the last two paragraphs.

¹⁷ AVP A3-'92 p 1.

¹⁸ AVP A1-'93 p 51.

¹⁹ AVP A1-'93 p 16.

²⁰ AVP A1-'93 p 15.

[Commissioner] Do you wish to disturb the loyal natives?

[Sutherland] We don't wish to disturb them, but want a certain portion of the ground allotted to them. In addition to the prayer of the memorialists it is the [sic, their] request that the natives who remain shall have individual titles allotted to them.

[C] Do you wish that all the people who joined the rebellion should be removed from the Location?

- Yes, together with all Basutos, Bastards and Fingoes who joined in the rebellion or not, as we consider they have no right.

[C] Do you know of any vacant land in this district?

- No, all the vacant lands are filled with rebels.²¹

In Sutherland's view lands that were occupied by "rebels" were ipso facto "vacant" and available for white purchase. Here it can be seen that the individual title strategy was espoused not just by MLAs but by rank and file Bond members as well. His evidence was followed by that of Jacobus Oosthuizen, another farmer who said "I agree with that stated by Mr. Sutherland with reference to the natives being removed and the land put up to public auction."

The commission was told by William Jenner, the RM of Glen Grey, that there was no vacant land available in the district.²² Jenner was not sympathetic to the cause of the blacks of Glen Grey, but he was a competent enough official to see that there was no spare land.

The opinion of the black witnesses was divided on the question of individual title; clearly some genuinely wanted it. A meeting at the Agnes Location in Glen Grey in 1892 passed a resolution to the effect that they were "surprised and grieved to hear that the Government has lately decided to restrict for the present the issue of individual titles in Glen Grey".²³ Those wanting titles were either the more prosperous of the peasants, or they were afraid that if they did not accept the new tenure they might have their land taken from them. The resolution mentioned went on to say "it is generally well known that attempts have been made and are still being made to deprive the Glen Grey natives of the lands they occupy"²⁴

Johannes Mahonga, a wealthy peasant farmer who had been part of a deputation to Cape Town to ask for individual titles, told the

²¹ AVP A1-'93 p 16.

²² AVP A1-'93 p 33.

²³ AVP A1a-'93 p 3.

²⁴ AVP A1a-93 p 3.

commission that the people his deputation represented wanted individual titles, although he did not claim that they represented all the people of the locations from which they came. He said that a "school Kaffir" could live on thirty morgen, but a "Red Kaffir" would be "entitled" to between eight and fifteen morgen, the reason for the disparity being that the red man grew only mealies and corn, "whereas the school Kaffir would grow all sorts of things."²⁵

Not all the whites believed that the Glen Grey people wanted the new tenure. William Wakeford, a farmer, said "The majority of people in this district are not willing to take titles."²⁶ A delegation of Glen Grey people had indicated in 1892 that they wanted a title vested in an elected council acting as a trustee on behalf of the people.²⁷ That would have the effect of reserving the land to blacks without opening up the possibility of whites buying it. The vesting of the title deeds in the tribe was known as "tribal title". The following exchange is typical of the evidence of black witnesses:

[Commissioner] What are the wishes of the people you represent?
 [David Malassi, a headman] Most of the Tembus want a Tribal title, that is the great question.
 [C] In the event of the Government refusing a Tribal title, would your people accept Individual title?
 - If the Government refuses Tribal title, the Tembus would like certificates of occupation....²⁸

The commission asked if certificates of occupation were refused, whether Malassi's people would accept individual title. His reply was that they would, provided no man got less land than he was currently cultivating. (An ominous foreshadowing of the fate of many peasants when the Act was carried out.) Asked if the peasants would be satisfied with eight morgen, Malassi said that they would want more.

A headman identified only as Kelem (sic) was asked what his people's views were about titles, and he replied "They wish to live as they have lived before."²⁹ This response, often word for word, was so common that it must have been pre-arranged among some of the witnesses.

²⁵ AVP A1-'93 p 21.

²⁶ AVP A1-'93 p 14.

²⁷ AVP A1a-'93 p 4.

²⁸ AVP A1-'93 pp 23-24.

²⁹ AVP A1-'93 p 45.

Nevertheless it represented the true state of black opinion in Glen Grey more accurately than the commission's report did, which said that a majority were in favour of individual tenure. The commission may or may not have been disingenuous on that score. Clearly some of the Glen Grey people wanted titles; many may have been reluctant to displease the white commissioners by giving them an answer they clearly did not want; perhaps not all those opposed to individual tenure went to the sittings of the commission.

In any event, the commission reported as follows. On point 1 of their instructions they found that the land was given to the Thembu by Governor Sir George Cathcart's proclamations of 22 November 1852. "From that date it is quite clear that the country was handed over to them and held by them on Tribal Tenure."³⁰ In short Glen Grey was not Crown land, but belonged to the people living there. During the 1880 war many Glen Grey people rebelled and returned to the land after the war was over. They were not then punished by confiscation, and it was too late now in 1892 to tell loyals from rebels. The commission regretted that they had been allowed to return, but recognised that there was nothing to be done.³¹

On point 2, they found the locations to be 248 476 morgen in extent, 20 000 morgen less than CC of Wodehouse had found; the difference is not explained. The soil in the valleys was more or less suitable for agriculture, and the grazing was good throughout.

On point 3, the number of residents, they estimated about 10000 adult males, and "great numbers at work in the Colony who have claims on the land".

On point 4, they found it would be impossible to reduce the number or extent of the locations, as the land was barely sufficient as it was. A lot of fifty-five morgen of land for each family was recommended for agriculture and grazing purposes.

On point 5, they made no report in the light of the findings on the fourth point.

³⁰ AVP A3-'92 p 2.

³¹ AVP A3-'92 pp 2-3.

On point 6, they recommended granting individual titles. They believed that a majority was in favour of the change, by 2 356 in favour to 1 312 against. (Quite how they arrived at these precise figures is not known.) They wrote

We also believe that the issue of individual title will help materially to solve the labour difficulty, for it will prevent outsiders coming in as they do at present, and when a man's children grow up, they will be compelled to seek service, as the land will be insufficient for the support of more than one family³²

The commission passed on the information that the blacks wanted a clause in their titles preventing alienation without the governor's consent, but recommended that this should be only for three or four years.³³ Another matter which they felt should receive the government's attention "is the introduction of a measure for a more easy and inexpensive mode of transfer of property belonging to natives."³⁴ In the light of the Opposition's argument during the debate on the Act that for the size of the lots a full-blown survey would be too cumbersome and expensive (and the experience of the working of the Act) this recommendation should have been followed. It was not, which raises the question of whether Rhodes wanted the Glen Grey land policy to work at all. He may well have been indifferent to the prospects for the ultimate success of the land tenure provisions of his Act.

In the House of Assembly in 1892, after the Glen Grey Commission report had appeared in June,³⁵ Du Plessis asked if the government would introduce a Bill to issue individual title "to the natives of Glen Grey." The SNA, Faure, replied that it would not be done in that session, but the government hoped to bring in legislation the following year to regulate tenure in Glen Grey "and elsewhere where the circumstances were similar."³⁶ Despite the hurried nature of the 1894 legislation, it is clear that the Bond and the Rhodes ministry had begun to think of individual tenure as a policy as early as 1891, as shown by the report of the CC of Wodehouse that year.

³² AVP A3-'92 p 5.

³³ AVP A3-'92 p 6.

³⁴ AVP A3-'92 p 6.

³⁵ AVP A3-'92 p 1.

³⁶ DHA 1892 p 330 col 1.

The speech from the throne at the opening of the 1893 parliamentary session told members "Your attention will be invited to the subject of the settlement of the natives at Glen Grey" but did not go into detail.³⁷ On 23 June 1893 Innes, by now out of Rhodes's ministry, asked for a postponement of the government's motion on the Glen Grey question until the evidence of the Glen Grey Commission could be made available to Members. (The commission's report had been printed but not the evidence it had taken.) John Frost, the new secretary of native affairs in Rhodes's cabinet, agreed to the postponement. Nearly a month later Frost moved

that in accordance with the recommendations of the report of the Glen Grey Commission ... steps be taken for granting individual title to land in the Glen Grey district to all who prove themselves entitled thereto; and that such titles shall ... contain a special clause limiting the transfer of the land without the consent of Government for three years.³⁸

Frost was anxious that his measure enjoy widespread support, and told the House that Innes had come to accept that individual titles were what the people wanted. He also said that the Glen Grey people "were almost unanimously in favour of individual title",³⁹ which he knew was not the case.

Frost seems to have contemplated the complete proletarianisation of the black people of Glen Grey and any subsequently proclaimed districts. He described an existing pattern of migrant labour, and was not satisfied with it. In pointing out how the labour supply was in inverse proportion to the goodness of the agricultural season in the Transkeian Territories (a point demonstrated in the case of the Indwe mines as well) he unwittingly reveals the callous attitudes of the white colonist:

So long as the location existed and individual responsibility was removed from the shoulders of the native, there would be difficulties connected with the labour markets. (Hear, hear.) There would of course always be men who would settle on the land and remain there, and there would be others who as now would go away and work for a certain number of years. But at present a good year in Kaffirland meant scarcity of labour in the Colony, while a bad year meant

³⁷ DHA 1893 p 2 col 1 (16 June 1893).

³⁸ DHA 1893 pp 172-3 (20 July 1893).

³⁹ DHA 1893 p 173 col 1.

abundance of labour. (Hear, hear.) His idea was that if the native had not the location to fall back upon, he would settle in the country and become merged with the population.⁴⁰

The Opposition contribution to the debate was of mixed quality. Merriman's speech must have made rather difficult listening as he referred frequently to census figures. He rode his hobby-horse, the danger of the multiplication of the black population. Richard Solomon, MLA for Kimberley and an associate of Rhodes whom Rhodes later turned against,⁴¹ made some interesting remarks.

He noted that the motion which Frost had introduced "extended a good deal farther than the mere question of Glen Grey" as the government would apply whatever tenure it devised in other areas as well.⁴² He pointed out that the history of individual titles had not so far been a happy one [see pp 71-2] and asked what was to be done with those who did not want such titles. They could not be forced to accept them, he said, and alluded to Sprigg's prediction in 1887 that if the people of Glen Grey were forced out there would be war, saying he feared the same would happen over forcibly imposed titles. He hotly disputed the commission's estimate of black opinion:

the only ground put forth by the Secretary for Native Affairs in moving this resolution was that the native inhabitants of Glen Grey were in favour of it [individual title]. He submitted that the natives wanted nothing of the sort; if the natives had been properly asked which they would prefer, individual title under which they would be free to alienate their land or certificates of occupation, he most emphatically declared that almost unanimously they would have said they would have preferred a certificate of occupation. ... [Some natives] were clearly of opinion that if they did not take title the land would be taken from them.⁴³

He foresaw that under individual tenure the transfer register would not be kept up to date, and that, title notwithstanding, there would be

⁴⁰ DHA 1893 p 173 col 1.

⁴¹ Robert Rotberg The founder: Cecil Rhodes and the pursuit of power Johannesburg: Southern, 1988. Page 608.

⁴² DHA 1893 p 254 col 1. Another point he made, which has not yet been cleared up, was why the matter was being dealt with by resolution rather than by a Bill.

⁴³ DHA 1893 p 254 cols 1-2.

squatting.⁴⁴ That was why he recommended the simpler system of "a rough survey" and certificates of occupation, which he suggested could be converted "after a certain number of years" to individual titles, but still without the right to alienate. "Lead them on the road to civilisation slowly but surely."⁴⁵ After all, he said, "In Immigrant [sic, Emigrant] Tembuland they had Europeans living upon certificates of occupation, and they had no right to alienate their land."⁴⁶

Solomon was against location land being seizable for debt, debt which he believed canteenkeepers and shopkeepers would encourage blacks to incur. The consequences of such seizure of land by creditors would be "white men in the location", a prospect from which he shrank: "The white men would imitate the vices of the natives and the natives of the white men."⁴⁷ Such views on the effects of integration were shared by many, including Rhodes.

Solomon's concluding remarks show that he, like the Cape Times, believed that Rhodes was the prisoner of his own back-benchers, i.e. the Bond. "If the Premier and Treasurer had to decide this question for themselves, and without reference to the back benches, they would say that these people were not prepared for individual title."⁴⁸

The Cape Hansard reports are not complete, verbatim accounts of what was said in the House. They are couched in indirect speech and are sometimes compressed. It seems that the short-hand writers had little knowledge of Dutch, as the reports of speeches by Afrikaners are often brief, sometimes no more than "Messrs. Van der Walt and De Waal continued the debate."⁴⁹ On this occasion in 1893 the report reveals only that

⁴⁴ See Russell Ally The development of the system of individual tenure for Africans, with special reference to the Glen Grey Act, c 1894 to 1922 M.A. thesis, Rhodes University, 1985. Pages 208-226.

⁴⁵ DHA 1893 p 255 col 1.

⁴⁶ DHA 1893 p 255 col 2. The people referred to were poor whites.

⁴⁷ DHA 1893 p 255 col 1. Solomon did not have only the interests of whites at heart. He also said "individual title ... would have the effect of introducing Europeans, to the certain degradation of natives." (DHA 8193 p 255 col 2. Emphasis added.)

⁴⁸ DHA 1893 p 255 col 2. The treasurer, Sir Gordon Sprigg, replied immediately "I would not." Sprigg was believed to be in favour of land under the Glen Grey Act being alienable in the usual way. (See DHA 1894 p 436 col 2, 6 August 1894, remark by Merriman.) For the Cape Times view of the Bond as "the power behind the throne" see Cape Times editorial, 7 August 1894, p 4.

⁴⁹ DHA 1894 p 391 col 2.

"Mr. M. du Plessis strongly supported the motion."⁵⁰ The next speaker was Innes, who said that he would like to propose an amendment, but at a later date. Accordingly, he moved the adjournment of the debate, which was agreed to.⁵¹ (That was on 4 August.) The Innes amendment was that a Bill be introduced, rather than a resolution.⁵² On 5 September, with parliamentary time running out, a number of motions were struck off the order paper, Innes's included.⁵³ It is not known why Frost introduced a resolution rather than a Bill in the first place, nor is it clear why no definite action was taken in 1893 as contemplated. Perhaps Rhodes wanted his own Bill, rather than one that might have flowed from Innes's resolution.

Another mystery is why the size of the Glen Grey lots should have been reduced from the commission's recommendation of 55 morgen to the Act's stipulated four morgen. A 55 morgen lot would have been a small farm and worth a white commercial farmer's purchase. A four morgen lot was much less attractive to a white potential buyer. If we assume that Rhodes did want to keep the locations intact as labour reserves, then the four morgen lot might have been a way of keeping whites out. Rhodes said

If they were to submit to him the proposition of amalgamating the diamond-mines or buying out the owners of seventy allotments on one of the farms, he would say give him the amalgamation of the diamond-mines or the Northern question, but do not submit to him the task of buying out seventy owners and making one farm.⁵⁴

which seems to bear out the contention that whites would have been discouraged by the smallness of the lots. On the other hand, far more people would have been rendered landless, and thereby proletarianised, had the 55 morgen provision been enacted. It seems that the "migrant labour" vs "complete proletarianisation" debate cannot be satisfactorily

⁵⁰ DHA 1893 p 255 col 2.

⁵¹ *ibid.*

⁵² It read: "That in the opinion of this House it is desirable that legislation should be introduced with regard to Glen Grey, and other Crown lands, to secure to individual Natives the right of separate occupation of defined portions of land thereon, to regulate the disposal during life, and the devolution after death, of such defined portions, to prevent over-crowding by squatters, to define commonage rights, and to provide for the regulation and good government of the locations." James Rose Innes Autobiography edited by B.A. Tindall. Cape Town: Oxford University Press, 1949. Page 104.

⁵³ DHA 1893 p 378 col 2. See also Innes Autobiography p 104.

⁵⁴ DHA 1894 p 368 col 1.

concluded one way or the other. It may be that Rhodes looked forward to an eventual complete proletarianisation, but expected that there would continue to be migrancy for some time to come.

(ii) Rhodes's political position in the 1890s

It is the contention of this thesis that the Glen Grey Act was a measure intended for the benefit of the farmers of the Western Province. However, the Act was introduced by Cecil Rhodes, so his political position has to be considered. It is evident that he was in a strong but not an unassailable position in the Cape Colony. The support of the Bond was not unconditional, and the criticism of the Opposition could not always be appeased. Rhodes's interests outside the Cape made him aware of the importance of placating metropolitan opinion.

Sir Thomas Fuller wrote in his memoir of Rhodes that Rhodes's government was kept in office by the Afrikaner Bond; he also said that the same was true of any Cape government in the twenty-three years he was in parliament.⁵⁵ Davenport bears out the claim that Hofmeyr and the Bond put Rhodes in office.⁵⁶ The Sprigg government of 1887-90 was kept in power by the Bond and fell when it lost the Bond's support over a grandiose railway Bill.⁵⁷ In the cabinet crisis that followed, the governor offered the premiership, logically enough, to J. W. Sauer, the leader of the Opposition. Sauer declined to form a ministry because he did not enjoy the support of the Bond, and recommended Rhodes, who did.

It is clear then that Rhodes governed with the support of the Bond. He shrewdly bought off his most damaging opponents by including them in his cabinet: James Rose Innes, John X. Merriman and J. W. Sauer were some of the most talented MLAs in the House and not obviously sympathetic to Rhodes's politics -- although Merriman and Sauer were personal friends of his. Sprigg became the disconsolate leader of the Opposition.

⁵⁵ Fuller Reminiscence pp 165-6.

⁵⁶ T.R.H. Davenport The Afrikaner Bond: the history of a South African political party 1880-1911 Cape Town: Oxford University Press, 1966. Pages 132, 139-40.

⁵⁷ Rotberg Founder pp 340-2; Davenport Afrikaner pp 131-2.

That was the position in 1890 when Rhodes was sweeping all before him. That was the year that his pioneer column reached Fort Salisbury; he had amalgamated the diamond fields into his own De Beers Consolidated Mines two year before; he was joint-managing director of Goldfields of South Africa; and in addition to this he was a wealthy man with a wide range of other business interests, among them investments in pro-Bond newspapers. By 1894 things had changed somewhat. The commissioner of crown lands and public works, Sir James Sivewright, had awarded a very lucrative contract for the catering on the Cape Government Railways to a business associate, one J. D. Logan, without a tender. Since this was a monopoly contract, and for a lengthy term of years (some sources say fifteen, others twenty), the corrupt nature of the transaction was obvious. Innes as attorney-general had not been consulted; when he learned the truth he was amazed. He, Merriman and Sauer threatened to resign in protest against such jobbery.

Rhodes played a canny game, insisting that they delay their resignations. Then, when he was prepared, Rhodes himself resigned, and reconstructed his cabinet, excluding both Sivewright, on the one hand, and Merriman, Sauer and Innes on the other. Sir Gordon Sprigg, the former leader of the Opposition, came in as treasurer. The wind had been taken out of the sails of the liberal trio. Rhodes was able to present himself, not as a man who had winked at corruption, but as a premier whose colleagues had fallen out among themselves, and whom he had, reluctantly, to abandon. The "Three Musketeers" as they were called had not made their objections to the Logan contract public, out of loyalty to Rhodes. Rhodes had managed to make them look like petty squabblers instead of men of principle.

After this change in the ministry, Rhodes tried to buy off the Opposition. He offered Innes a judicial appointment, wanted to send Merriman to London as the agent-general of the colony, and had tried to persuade Sauer to remain in his cabinet. Sauer declined. While there was now more debating talent on the Opposition benches, Rhodes's position was not materially threatened.

In the early part of 1894 there was a general election. The Bond won 35 of the 76 seats in the House of Assembly,⁵⁸ not a majority in

⁵⁸ Davenport Afrikaner p 309.

itself, but with support from Rhodes's personal adherents the ministry had a comfortable majority. The Opposition did not oppose on every issue; Innes estimated the hard core of the Opposition at no more than fifteen members.⁵⁹

Rhodes's "constituency" then was the Afrikaner Bond, i.e. the agricultural interest of the colony. He had to be seen to be doing what they wanted. There was of course give and take. Rhodes was not wholly reliant on the Bond, and his every action did not have to have their approval, but in general the Bond was his power-base.

It has been pointed out that the first inquiries into the Glen Grey district were carried out at the request of the Bond. The interest of the Bond congresses in making Glen Grey land available for white purchase has been noted. But this was not all that Rhodes did for his supporters. He maintained the protective tariff on agricultural produce. He offered them land in Rhodesia. In 1893 he set up a ministry of agriculture at their request. He appointed the Labour Commission of 1893-4 to see to the labour needs of the agricultural interest in particular. The Glen Grey Act was another instalment of policy intended to benefit the farmers.

It must be acknowledged, however, that Rhodes sometimes gave his supporter what they needed rather than what they wanted. He was not simply a cynical politician buying support. He had ideas about the economic development of Southern Africa, and believed that agriculture had to be fostered to achieve that development. Secondary industry was not yet a realistic proposition. For that reason he brought in the Scab Act in 1894, despite the opposition of some of his own supporters.

The Scab Act was intended to suppress the scab insect, which gave sheep a disease that reduced the value of the Cape's wool clip. The Act was very unpopular with certain farmers, and many of the Bond MLAs voted against it at successive divisions. They succeeded in having the Bill much watered down. Their opposition to the measure was based on a

⁵⁹ "...There are nine or ten members who will always go solid with us. By 'us' I mean Merriman and myself. That is a moderate computation and includes only those about whom there is no doubt." James Rose Innes Sir James Rose Innes: selected correspondence (1884-1902) Edited by Harrison M. Wright. Cape Town: the Van Riebeeck Society, 1972. Page 111.

reluctance to being regulated by the state, even when there were greater profits to be made. Religious belief also played a part: some of the farmers genuinely believed that the scab insect was a plague sent by God, and that to attempt its eradication was an act of impiety. Finally, ignorance was a factor: some backwoodsmen really did not know that the scab problem was soluble.

The Glen Grey Act was a measure that gave Rhodes's supporters some of what they wanted. It offered them labour, both from Glen Grey itself and from the other districts to which it might be applied. But it did not give them land, a fact that made some of them threaten to withdraw their support from Rhodes. (Rhodes was able to deflect that challenge, but it must have given him some concern.) The possibility of land for whites at a later date was preserved in the Glen Grey Act, which may have helped to mollify the reluctant Bond.

The Glen Grey Act was devised with Cape interests in mind. Rhodes's political position required that he give the Bond a considerable part of what they wanted, and as has been shown in chapter three, one of the things that they dearly wanted was labour.

Rhodes himself had drawn attention to the power of the agricultural interest in parliament. In 1893 he had introduced a Bill to create a new cabinet portfolio, that of secretary of agriculture. This was something the Bond wanted, and by giving it to them he was rewarding them for their support. Whether having a separate minister of agriculture would be useful to the farmers was a moot point; Merriman said "if agriculturists thought they were going to get any good out of a Minister they were mistaken."⁶⁰ Whether actual advantage flowed from the appointment of such a minister is not relevant here. What matters is that the influence of the Bond was clearly demonstrated by the appointment. Rhodes said

it was evident the feeling of the country was in favour of this additional Minister. They must take the representative institutions, the Afrikaner Bond and the Farmers' Congress, as representing the opinion of farmers, and they were in favour of the proposition.⁶¹

⁶⁰ DHA 1893 p 116 col 1.

⁶¹ DHA 1893 p 115 col 1.

... some human being in the country should be responsible for the politics of the land upon which the prosperity of the country greatly depended.⁶²

Perhaps most significant of all, the premier remarked that "The wine industry again demanded attention. He found that twenty-six members in the House represented wine districts."⁶³ Twenty-six members (in a House of seventy-six) representing a single interest is a powerful bloc, being 30% of the total. This does not take into account the other farming interests represented in the House of Assembly.

It must also be borne in mind that Rhodes was intending to travel to London later in the year to negotiate for the administration of the Bechuanaland Protectorate. As he had remarked in 1893 when the post of secretary of native affairs was combined with that of prime minister "there was a considerable section of the population, not only here but at Home, who watched the course of policy with reference to the natives".⁶⁴ It would stand him in good stead to have a piece of "native" policy enacted that would appear just and progressive. That would reassure the Colonial Office and the British humanitarians that he was to be trusted with the administration of Bechuanaland, which he wanted to obtain for the Chartered Company.⁶⁵ It is interesting in this regard that Rhodes's speech in the second reading debate was seen at the time as considerably more enlightened than the Act itself. Sauer said "there was a very considerable difference between the speech of his hon. friend and the Bill."⁶⁶ William Hay, MLA for Victoria East, said he "was going to vote for the second reading of the Prime Minister's speech (laughter) not for his Bill, because that was not in accord with the speech."⁶⁷

Another consideration that historians have emphasised is

⁶² DHA 1893 p 217 col 1.

⁶³ DHA 1893 p 115 col 2.

⁶⁴ DHA 1893 p 218 cols 1-2.

⁶⁵ Lord Ripon, the secretary of state for the colonies in the Liberal government of 1892-5, wrote to the prime minister, Lord Rosebery, as follows: "I told Rhodes when I last saw him [in late 1894] that I did not think that the moment for giving the Protect. to his Co. had yet arrived, and while I admitted that it must ultimately go to them, I declined to give any pledge as to the date of the change.... I think that we want somewhat more experience of the way in which the Co. manages the natives under its administration...." Anthony Denholm Lord Ripon 1827-1909: a political biography London: Croom Helm, c. 1982. Pages 213-4.

⁶⁶ DHA 1894 p 380 col 1.

⁶⁷ DHA 1894 p 383 col 2.

Rhodes's desire for the federation of the southern African states and colonies, which could better be achieved with a Cape "native" policy more in line with that of the other states: hence the assault on the non-racial franchise contained in the Act.⁶⁸ Rhodes had made known his desire for federation, and his opinion of the Cape franchise, as early as 1887 when Sprigg's Registration of Parliamentary Voters Act was being debated. D. P. Faure, a contemporary of Rhodes and minister of the Free Protestant Church of Cape Town, and sometime editor of the Volksblad, recorded his opinion in his memoirs:

and as to Mr. Rhodes, I lost all confidence in him as a politician when he declared in the House of Assembly, in 1887, that if Confederation was ever to become an accomplished fact, the Cape should assimilate its Native Policy to that of the Transvaal, for the latter would never consent to confederate with a Colony in which Natives had the right to vote.⁶⁹

Local Cape politics and broader southern African considerations played their part in the enactment of the Glen Grey Bill, but the Transvaal gold mines were not a direct concern.

(iii) Rhodes's haste over the Glen Grey Bill

Numerous writers have pointed out that Rhodes was in a hurry over the Glen Grey Bill and was impatient of opposition.⁷⁰ Lewsen notes that he had been "inordinately patient" with the Bond over the Scab Act earlier in the session, but now showed the "arbitrary, dictatorial side of his nature by refusing to permit full discussion of the highly important Glen Grey Bill" and by rushing the committee stage through the House in one day.⁷¹ His resolve to have the Bill enacted speedily seems to have

⁶⁸ John Marlowe Cecil Rhodes: the anatomy of empire London: Elek, 1972. Page 196.

⁶⁹ D.P. Faure My life and times Cape Town: Juta, 1907. Page 101.

⁷⁰ Innes Autobiography pp 105-6; S. J. Jenkins The administration of Cecil John Rhodes as prime minister of the Cape Colony (1890-1896) M.A. thesis, University of Cape Town, 1951. Page 101; Lewsen Merriman p 170; Brian Roberts Cecil Rhodes: flawed Colossus London: Hamish Hamilton, 1987. Page 193; Rotberg Founder p 473.

⁷¹ Lewsen Merriman p 170. In fact the Bill was in committee on two days, Friday 3 and Monday 6 August. The latter was the famous all-night sitting, which ended at 7.15 a.m. on Tuesday 7. (See DHA 1894 pp 423 col 2, 425 col 2, 432 col 1, 444 col 1.)

hardened at the end of July 1894. On Thursday 26 July, while envisaging that the Bill might not pass through all its stages in that session, he announced that if the second reading had been completed he would apply parts of the Bill by proclamation to Fingoland.⁷² By Monday 30 July he had decided that the Bill had to be enacted before the end of the session. This emerged when Innes said that he intended to suggest that "the Bill lie before the country for a year."⁷³ Rhodes replied that "the question could not wait. It was the intention of the Government to keep the House sitting until the Bill was passed."⁷⁴

While Rhodes was always impatient, his methods of trying to dispose of opposition seem to have changed from the conciliatory to the dictatorial. The transition is difficult to understand except on the hypothesis that the Bond had brought pressure to bear on him. His attitude changed in regard to the question of the district councils and that of compensation for the loss of liquor licences.

Speaking towards the end of the second reading debate, Rhodes indicated that he would agree to Innes's proposal that the approval of the district council as well as that of the governor be required for title-holders under the Glen Grey system to be allowed to sell their land.⁷⁵ The premier also said that he would leave the House to decide whether or not compensation should be paid for the liquor licences that the district council would have the power to terminate. "It would be for the House to consider whether these people should be compensated at all, and he had merely shown them that if they desired to pay compensation there were funds available for that purpose."⁷⁶ The following day, just before the House went into committee on the Bill, Rhodes said that the government would accept Sauer's proposal that the district council be elected rather than appointed; that the government "would offer no objection" to the opposition pressing its point that no compensation should be paid for cancelled liquor licences; and that he himself had no objection to the approval of the council being required for the alienation of lots.

⁷² DHA 1894 p 363 col 2.

⁷³ DHA 1894 p 392 col 2 (Monday 30 July 1894).

⁷⁴ *ibid.*

⁷⁵ DHA 1894 p 419 col 2 (Thursday 2 August 1894).

⁷⁶ DHA 1894 pp 419-420.

"He found, however, that this would lead to considerable discussion and opposition. His desire was to see the Bill pass through and become law. Therefore he expressed the hope that the Opposition would not press that point.... [I]t would lead to discussion and then he could not hope for the passage of the Bill.⁷⁷

Jenkins holds that there had been a caucus meeting in the interval at which Rhodes had been forced to move away from allowing any extra protection for Glen Grey land, and he cites a speech made by Innes and reported in the Cape Times the following year.⁷⁸ A comment of Sauer in the House corroborates Jenkins's view:

Mr SAUER said he was obliged to say that was one of the most extraordinary statements ever made by a Minister. It simply meant the hon. gentleman had received his orders and taken them -- they were marching orders. ... He [Rhodes] told the House he wanted no discussion. If they were to come there and simply register what had been done in a caucus or in the lobby, then for God's sake let them go home. (Hear, hear.) It was an insult to that House to tell them to come and pass a measure "to sit in judgment on Africa" without any discussion.⁷⁹

Sauer believed, probably correctly, that Rhodes was doing what the Bond wanted him to do and had no choice in the matter. It seems a reasonable inference that the Bond caucus told Rhodes that they would oppose the proposal to give the district council the right to forbid the sale of land, because this stipulation would diminish the possibility of whites being able to buy land in Glen Grey itself or in any district to which the Act was applied. If this is in fact so, Rhodes was clearly in an embarrassing position as he had to withdraw what he had conceded to the opposition in regard to the consent of the district council. Prolonged discussion would expose more clearly that he had reneged on his undertaking, and this was probably one reason why Rhodes sought to thwart discussion and shorten debate.

Rhodes's dilemma over the issue of whether or not Glen Grey land should be available for purchase by whites went beyond dealing with the opposition of dissident MLAs in the House of Assembly. The Glen Grey Act would require the assent of the secretary of state for the colonies of the Liberal government, Lord Ripon. That government, precariously placed

⁷⁷ DHA 1894 p 424 col 1 (Friday 3 August).

⁷⁸ Jenkins Administration p 100 n 115. The reference is to the Cape Times 29 January 1895 p 7 "Politics at Mowbray".

⁷⁹ DHA 1894 p 424 cols 1-2.

in the British parliament, would not wish to offend humanitarian supporters. Rhodes needed to show them that there would be no danger to black possession of land in areas which came under the Act. At the same time he needed to convince his Bond supporters that the door to white acquisition of land in Glen Grey was not quite closed. His solution was to leave it to the governor to decide whether or not such land could be sold to whites. It was known and accepted among Cape politicians that in time to come a cabinet might advise the governor to permit such sales.⁸⁰ At the same time the need for the governor's consent could be represented as a safeguard for black possession of land, a point which Rhodes reinforced by emphasising his personal opposition to white purchase in Glen Grey areas.

The Glen Grey Bill received the governor's assent on 15 August 1894. The next day W. H. Milton, the secretary to the prime minister, wrote to the undersecretary for agriculture and to the under colonial secretary⁸¹ that the prime minister wanted the Act to come into force at once and "immediate steps taken for survey."⁸² A letter of 20 August to the chief magistrate of Tembuland and the Transkei shows that Cape Town and Umtata had been in touch on the 16th by telegram on the subject of establishing district councils in Tsomo, Nqamakwe, Butterworth and Idutywa [i.e. Fingoland].⁸³ It is true that the practical difficulties of carrying out a survey made the whole process a lengthy one: but Rhodes nevertheless set things in train as soon as he could.

District councils were set up in Fingoland in terms of the Act

⁸⁰ Cape Times editorials of 13 July 1894 p 4; 16 July 1894 p 4; 28 July 1894 p 2. See also DHA 1894 p 380 col 1 ("...last session the Treasurer-General [Sir Gordon Sprigg] stated that what he wanted was that there should be no conditions attached to the land at all as regards alienation.) and 468 col 1 ("...so long as the present Premier advised the Governor there was no fear that these land would pass out of the hands of the natives. But political changes might happen ... and if they had a Premier like the member for East Griqualand [Sir James Sivewright], it was quite possible that the opposite view would be taken.)

⁸¹ The "under colonial secretary" was the permanent official at the head of the Cape's Colonial Office, or ministry of the interior. The department's minister was known as the "colonial secretary". To avoid confusion, the British minister for colonies has been referred to through-out as the "secretary of state for the colonies".

⁸² CA PMO 381 16 August 1894.

⁸³ CA PMO 381 20 August 1894.

(even before there was one in Glen Grey itself⁸⁴) by Proclamation 352 of 4 October 1894. The land tenure provisions were not applied yet: it was intended to wait until the district councils recommended individual tenure.⁸⁵

(iv) The opposition to the Bill:
the Cape 'liberals' in and out of parliament

It is a truism to say that liberalism is a word that resists precise definition. In different times and places it has had different meanings, and even liberals who were contemporaries of one another have had different ideas of what liberalism was. An eighteenth century liberal such as Adam Smith would find little in common with a modern liberal in the United States; the liberals there today are the party of "Big Government", not the night-watchman state. Modern free-marketeers in the western world have taken to calling themselves libertarians to distinguish themselves from liberals. At the present time dissident members of the Communist Party of the Soviet Union are referred to as liberals. W. E. Gladstone, the greatest Liberal prime minister of the United Kingdom, was a different kind of liberal from John Stuart Mill, the best known philosopher of nineteenth century British liberalism. Marxist writers often use liberal as a term of abuse, synonymous with bourgeois, and see liberalism as a merely bourgeois ideology.

Given such intellectual difficulties of definition, it is proposed here to cut the Gordian knot. In the present context "liberals" are those who were known at the time as "the friends of the native".

When writing about liberals at the Cape one has to deal with some controversy over the "Cape liberal tradition". The Cape had certain liberal institutions, most notably a non-racial franchise. But the liberals of the Cape were, certainly by the time of responsible

⁸⁴ W.J.G. Mears A study in native administration. The Transkeian Territories 1894-1943 D.Litt. thesis, University of South Africa, 1947. Page 38.

⁸⁵ DHA 1894 p 363 col 2 "...he should apply most of these clauses to Fingoland. He would not give the natives individual title until the District Council recommended..."

government in 1872, in a minority. From the first there was a repressive movement among the colonial legislators against black persons. Therefore to speak of the "Cape liberal tradition" is a mistake, unless one concedes that it was a minority tradition.⁸⁶ Certainly it is an error to denigrate the Cape liberal tradition as Bundy and Lacey do by pointing to the illiberal legislation enacted there and saying that therefore liberalism is really just another form of oppression.⁸⁷ Those responsible for illiberal legislation would not have described themselves as friends of the natives. They would have (and did) distinguish themselves from MLAs like Saul Solomon and James Rose Innes. The present thesis describes the fight of the liberals (however confused, paternalist or ambivalent they may have been) against an important piece of anti-black legislation.

There is also the problem of terminology. Professor Edgar Brookes may have been the first to use the expression "Cape liberal tradition" in the 1920s; certainly Professor Alfred Hoernle used the term in the 1930s. But there was little mention made of liberals or liberalism at the Cape even as late as 1894. James Rose Innes uses the term liberal in his memoirs, but did not use it in the debate on the Glen Grey Act, and neither did the government. John X. Merriman had apparently used the term when proposing the founding of a Liberal Party in 1886,⁸⁸ but the proposal had come to nothing. It was only in 1904 that Merriman founded the Cape Liberal Association.

⁸⁶ See for example Olive Schreiner and S. C. Cronwright-Schreiner The political situation London: Unwin, 1896. Pages 86-87. "Small but united, there was a Progressive Party of which no advanced European people need have been ashamed. From the days of Pringle and Fairbairn to the days of Sir George Grey and Saul Solomon, not only was South Africa not wanting in liberal and advanced individuals, but these men had their influential following." (Emphasis added.) Lewsen emphasises the small number of liberals in parliament during the second Rhodes ministry in Merriman p 169. James Rose Innes refers to "the little knot of Liberals who composed the official Opposition" in the session of 1896 in his Autobiography p 138.

⁸⁷ "[T]he institution of individual tenure would offer to 'barbarians' those very habits of industry and civilization long praised by the liberal tradition". Colin Bundy The rise and fall of the South African peasantry London: Heinemann, 1979. Page 135. (See also pp 78-9.) "Rhodes in the 'liberal Cape' had pushed through his far-reaching 'Bill for Africa' with its provisions for segregating Africans in demarcated reserves and its added proviso of uneconomic individual allotments." Marian Lacey Working for boroko: the origins of a coercive labour system in South Africa Johannesburg: Ravan, 1981. Page 16.

⁸⁸ Lewsen Merriman p 129.

Nevertheless the term liberal is a useful one, and has been used by such historians as Lewsen, Davenport, Wright and Rotberg.⁸⁹ Lewsen has pointed out the shortcomings, ambiguities and paternalism of Cape liberalism in general.⁹⁰ In particular she has noted that James Rose Innes was more consistently liberal⁹¹ than was John X. Merriman, whose views moderated over the years. Merriman had, in 1869, on his second day in parliament proposed an unsuccessful amendment to make flogging a punishment under the Masters and Servants Act.⁹² In 1876 he criticised the historian J. A. Froude, then touring South Africa to drum up support for Carnarvon's federation scheme, for saying that South African "natives" should be treated as the aboriginal people of Canada and Australia were, which John X. said meant to "improve them off the face of the Earth!!".⁹³ By 1894 his views had changed to the extent that his speech on the Glen Grey Bill wiped out his previous ambivalence on racial matters.⁹⁴

Cape liberalism was never a coherent body of opinion. Merriman is known today as a liberal, but not because of his application of stringent economy in public finance, which would have been a good reason to regard him as a liberal. Jan Smuts teased Merriman with being a Tory when Merriman suggested that Smuts's policy of "manhood suffrage" for whites was a mistake because "the poor white will be as venal as any Native."⁹⁵ The essential core of Cape liberalism was a defence of the non-racial franchise. It is that defence of the non-racial franchise more than anything else which marks out the liberals as "friends of the native", which is why the two expressions are used synonymously in the present work. The MLAs who are identified in this thesis as liberals are William Bisset Berry, William Hay, Charles Hutton, James Rose Innes, John

⁸⁹ See the bibliography.

⁹⁰ Phyllis Lewsen "The Cape liberal tradition -- myth or reality?" Race XIII(1) July 1971 pp 65-80. "Cape liberalism in its terminal phase" in D. C. Hindson (ed.) Working papers in Southern African studies, volume III, Johannesburg: Ravan, 1983. Pages 33-50.

⁹¹ Lewsen Merriman p 149.

⁹² ibid p 26.

⁹³ ibid p 55.

⁹⁴ ibid p 171.

⁹⁵ Jan Smuts Selections from the Smuts papers volume two, June 1902-May 1910. Edited by W. K. Hancock and Jean van der Poel. Cambridge: the University Press, 1966. Pages 241-2. See also p 526 where Smuts, expecting Merriman to object to "equal voters' areas and automatic redistribution", made the same teasing charge: "such an old-fashioned Tory."

X. Merriman, John Charles Molteno, and Herbert Travers Tamplin. Joseph Millerd Orpen might have fallen into this category, but he voted for the third reading of the Act.

(v) The debate on the Act

The Cape Times of Wednesday 11 July 1894 made the following wry comment in its political column:

The Grey Cat is to come out of the bag on Friday. Mr. Rhodes will ask leave on that day to introduce a Bill to provide for the disposal of lands and the administration of affairs in Glen Grey and other proclaimed districts. That administration of affairs is a blanket that can be stretched to cover almost anything.⁹⁶

The Cape Times was referring to the Glen Grey legislation promised in the speech from the throne at the opening of the parliamentary session of 1894, which was at last about to appear.⁹⁷ That speech had been made on 17 May, nearly two months earlier. Since the members of parliament were only paid an attendance allowance for ninety days, the sessions were seldom more than three months long. Here was an important Bill, on which considerable debate could be expected, being introduced nearly two months into a three month session. The point is not only that the Bill was being discussed late in the session, with the budget (a crucial and time-consuming procedure) still to be delivered, but also that the Bill was being made available to the legislators for the first time only now.

The Cape Times was not at this stage highly supportive of Rhodes. The imperialist Edmund Garrett did not become editor until mid-1895.⁹⁸ A string of critical editorials followed its comment of 11 July. The lateness of the Glen Grey Bill's introduction was at first remarked upon⁹⁹ and later severely criticised.¹⁰⁰ The editorial opposition to the Act grew over time, but from the very first the paper pointed out

⁹⁶ "Notes in the House" p 5. In fact the Glen Grey Bill was introduced a day earlier, on Thursday 12 August 1894.

⁹⁷ DHA 1894 p 4 col 1.

⁹⁸ Edmund Garrett The Garrett Papers edited by Gerald Shaw. Cape Town: the Van Riebeeck Society, 1984. Pages 15-18.

⁹⁹ Cape Times 13 July 1894 editorial p 4.

¹⁰⁰ Cape Times 3 August 1894 editorial p 4.

that alienation of land in Glen Grey being permitted subject to the governor's consent could lead to that land being taken over by white speculators.¹⁰¹ The Cape Times was quick to provide a summary of the measure¹⁰² and criticism of it. The Bill had only been in print for a day when the newspaper said of the labour tax as it applied to lot-holders: "We have heard of a tax on absentees; but a tax on staying at home is a novelty..."¹⁰³ The idea of taxing the idle was not much resented, even by those opposed to Rhodes, but taxing landed proprietors, be they never so humble, was anathema to the Victorians.

The week after the Bill made its first appearance, the Cape Times published a longer and more detailed criticism. The editor referred to a remark that Rhodes had apparently made with respect to blacks in the Cape Colony: "No liquor, no vote."¹⁰⁴ What Rhodes meant by this was what Die Afrikaanse Patriot [see p 134] meant too: prohibiting the sale of "white man's liquor" to blacks "was to deny recognition of adulthood"¹⁰⁵ and therefore to deny entitlement to the vote. There was a great deal of opinion in favour of some restriction to protect blacks from the serious harmful effects of liquor, particularly distilled liquor. Those in favour of restrictions often also supported the Cape's non-racial franchise. James Rose Innes, a leading liberal, had proposed just such a restriction in the Liquor Law Amendment Bill in committee in the House on Wednesday 11 July.¹⁰⁶

On the other side of the question were those who wanted a colour bar franchise. These tended to be also attached to the considerable liquor interest in the colony. To these people, many of whom were represented by the Afrikaner Bond, it seemed that the liberals wanted to

¹⁰¹ 13 July 1894 editorial p 4.

¹⁰² 13 July 1894 "The Glen Grey Bill" p 4. This summary appeared on the same day as the Bill was published in the Government Gazette.

¹⁰³ 14 July 1894 editorial.

¹⁰⁴ Cape Times Monday 16 July 1894 editorial p 4. The paper provides no reference to the occasion of Rhodes first making this utterance, and the present writer has been unable to trace it, but the remark was fairly well known in the Cape at the time.

¹⁰⁵ T.R.H. Davenport, South Africa: a modern history (Johannesburg: Macmillan, third edition, 1987.) Page 120.

¹⁰⁶ Cape Times 12 July 1894 "House of Assembly" p 7. Rhodes had asked him to withdraw his motion until he saw "what was in the Native Bill. There were clauses relating to liquor." Those clauses included requiring the district council to pay compensation for any liquor licences they might cancel.

have their cake and eat it: they wanted to protect their native voters from drink, but they also wanted those voters to remain enfranchised. The repressionists'¹⁰⁷ argument was not illogical. A man who needed to be protected from liquor by special legislation (because he could not make a rational choice in the matter of liquor for himself) could not in all respects be regarded as an adult. Why then should he be entitled to vote? And why should the predominantly Afrikaans liquor interest be penalised firstly by having its market restricted by such differential laws and secondly by the enfranchisement of a class of persons known to be antagonistic to Afrikaners? The Bond argued that no liquor should mean no vote, and Rhodes had aphoristically expressed their feelings.

The Cape Times further criticised the Bill for its disenfranchising effect¹⁰⁸ and especially for the legal fiction by which it was achieved -- treating land held on individual tenure in terms of the Act as if it were communally held.¹⁰⁹ The paper was doubtful whether the local option provisions would be effective in stamping out liquor, with government nominees on the licensing court. The Cape Times was in favour of compensation being paid for cancelled liquor licences generally, but said that it was unfair to require blacks to pay such compensation when no one else had to. The leading article concluded by saying that the Bill did not so much provide for "No liquor, no vote" as "No vote, and liquor at discretion."

When the Cape Times adverted to the liquor question again in a later issue the editorial noted that blacks had often said that they did not want the "curse of liquor" spread among them.¹¹⁰ In 1893 William Hay had presented to the House a petition "from a meeting of 1,518 natives, at which a resolution was passed that the Government should be

¹⁰⁷ Liberals referred to their opponents as "repressionists". The non-liberals used "negrophilist" as a term of abuse, of the more enlightened liberals at least. The more conservative liberals escaped that particular epithet.

¹⁰⁸ Cape Times Monday 16 July 1894 editorial p 4.

¹⁰⁹ Land held on communal tenure had ceased to count as a qualification for the franchise since Sir Gordon Sprigg's Registration of Voters Act, 1887. The purpose of removing communal land from qualification was to disenfranchise the "blanket Kaffir", i.e. those blacks who had not become assimilated to European culture. Many white voters feared that since so many unacculturated blacks had been included in the colony by the annexation of the Transkei they would be outnumbered ("swamped") by the "Blanket vote."

¹¹⁰ Cape Times 28 July 1894 editorial p 2.

requested to stop the sale of brandy to natives."¹¹¹ Examples of similar petitions to parliament from black people could be easily found. How representative they were, what the social class of those who held such views was, and how these attitudes related to education and Christianity have not been considered here. All that can be said in the present work is that a not insignificant number of Cape blacks were opposed to liquor; the opposition to selling liquor to blacks did not come from white paternalists alone.

On the subject of the temperance movement among whites no detailed investigation has been attempted here. It seems clear however that there was a fairly significant temperance movement among whites. A "united temperance demonstration" was held in Cape Town on 9 August 1894. Among the organisations present were the Salvation Army, the Young Women's Temperance Union, the Good Templars, the True Templars,¹¹² the Women's Christian Temperance Union and the Rechabites.¹¹³ The singing was led by the YMCA string band, and the meeting was addressed by Miss Jessie Ackerman, apparently an American temperance enthusiast. Chairing the meeting was one Alexander Wilmot, MLC for the South-East Province, who said that the appointment of the 1890 Liquor Commission and the passing of James Rose Innes's Liquor Amendment Act, which gave local option, were two of the movement's greatest achievements.¹¹⁴

Turning to other aspects of the Bill, we find that the Cape Times saw it as a labour measure which flowed from the Labour Commission of 1893-4. This, as well as the paper's unease about Rhodes's second reading debate speech not being in harmony with his Bill, can be seen in the following quote:

¹¹¹ DHA 1893 p 101 col 2.

¹¹² One of these was a black organisation. Ngcongco describes John Tengo Jabavu encouraging black Templars to register as voters. Leonard Ngcongco Imvo Zabantsundu and Cape :native" policy 1884-1902 M.A. thesis, University of South Africa, 1974. Page 82.

¹¹³ The Rechabites were named after a group of Israelites who for religious reasons clung tenaciously to a nomadic way of life even after most of their countrymen had settled in Canaan. The Rechabites pledged not to drink wine, own vineyards, till the soil, or build houses. They lived in tents as their ancestors had done. William J. McDonald, et al. (eds.) The new catholic encyclopedia Washington, D.C.: the Catholic University of America, 1967, reprinted 1981. Vol 12, p 127.

¹¹⁴ Cape Times 6 August 1894 "The News of the Day" p 5; and 10 August 1894 "Temperance Meeting" p 5.

If there are points at which the Glen Grey Bill seems to be neither in complete touch with the recommendations of the Labour Commission, nor even adapted to the end avowed by Mr. Rhodes himself, it is at least entitled to the credit of a resolute attempt to deal with a question which has been too long left to the shaping of chance and circumstances.¹¹⁵

It is possible that the editor was simply following Rhodes's lead in ascribing the origins of the Act to the recommendations of the commission, as Rhodes had said that the Bill contained ten recommendations of the Labour Commission.¹¹⁶ There were fewer similarities between the Glen Grey Act and the commission's report than Rhodes claimed. The prime minister's apparent disingenuousness may have been an attempt to give his measure the greater prestige that would accrue from association with the considered findings of the Labour Commission.¹¹⁷

Whether the Bill was inspired by the commission or not, it is clear that contemporaries associated "native" affairs with the labour question. The Cape Times went on to note a close connection between the Bill and the labour needs of the Western Cape farmers in particular (and to demonstrate some unease about the number of blacks in the Western Province):

For if the Labour reservoirs of the Transkeian territories are to be freely tapped for the use of Western agriculture, it would be only prudent to provide a continuous ... reinforcement of the industrious white element, lest the ethnic chart of the country should become more darkly hued than is good for us.¹¹⁸

The paper's editor was not alone in his view of the labour implications of the Act. Richard Rose Innes, brother of James and editor of the Cape Mercury at King Williamstown, thought so too. He wrote a pamphlet on the Act in which he said that

Mr. Rhodes was kept in power by the support of the Bond members who voted solid for the measure ... on account of the 'labour tax' which

¹¹⁵ Cape Times 28 July 1894 editorial p 2.

¹¹⁶ DHA 1894 pp 368 col 2 and 381 col 2.

¹¹⁷ Commissions had a certain reputation for sound judgement in the colony, although the Cape Times found the Labour Commission's report a less useful document than the Barry Commission Report on Native Laws and Customs of 1883. (Cape Times 18 July 1894 p 2).

¹¹⁸ 28 July 1894 editorial p 2.

was a provision after their own heart, and one which they fondly believed would drive the Native from his locations, westwards. The brandy-making farmers crying aloud for cheap labour rose in a body and blessed the Bill....¹¹⁹

Richard Rose Innes was, unlike his brother, an enthusiastic supporter of the Bill, as a reading of his pamphlet will confirm.

It was possible for a supporter of the Bill, such as R. W. Rose Innes, to agree with a fierce opponent of it, such as J. J. Kelly, that one of its objects was labour for the Western Cape farming interest. Kelly was a law agent in the Queenstown district who represented several Glen Grey people in their law suits for more land under the Act. He wrote a series of letters to the Queenstown Free Press and the Cape Times. He wrote on 6 August 1894 as follows:

The Bill may secure labour to the western farmer, who as Sir Henry Stockenstrom in his speech on the Labour Commission Report says, force[s] liquor on natives as wages. It may secure herds to the sheep farmers of the [K]arroo, and may be the means of lowering the cost of labour in the Kimberley mines, but more surely it will ruin the natives of the district.¹²⁰

Although Kelly includes mining in his criticism of the Act, the likely beneficiaries he mentions are all Cape Colony interests.

Another contemporary observer was Dr Jane Waterston. She was the first South African woman to qualify as a doctor and was interested in missionary work. Waterston was present in the public gallery during the whole of the all-night sitting on the Bill.¹²¹ Her account is very emotional, but she too believed that Rhodes's policy was for the benefit of the farming interest: "we are given over to the Devil and the Bond."¹²²

The above views all emphasise the importance of the Western Cape

¹¹⁹ R. W. Rose-Innes, The Glen Grey Act and the Native Question Lovedale: the Mission Press, 1903. Page 13.

¹²⁰ J.J Kelly Act 25, of 1894, as applied and its probable consequences for the natives of the district of Glen Grey (No publication details -- Cory Library Ms 17102.) Page 6.

¹²¹ Cape Times 8 August 1894 "Notes in the House".

¹²² Jane Waterston The letters of Jane Elizabeth Waterston edited by Lucy Bean and Elizabeth van Heyningen. Cape Town: the Van Riebeeck Society, 1983. Page 233.

agricultural interest. Olive Schreiner and her husband S. C. Cronwright Schreiner were two contemporaries who took a somewhat different view. They collaborated on a paper on the South African political situation in July and August 1895, which Olive mentioned in a letter of 27 July 1895 to Edward Carpenter, an English socialist, as follows:

Cron and I are preparing a paper he is to read in the Town on 'the political situation'. Of course, it's anti-Rhodes and anti-capitalist. The Political Association are going to reprint it, and distribute it all over the country.

The editor of Schreiner's letters has made the following comment on the above extract:

The paper, which Cron read in Kimberly Town Hall on 20 August 1895, argued that 'Rhodes was using the Bond in the Capitalist interest and keeping it together mainly by retrogressive legislation on the Native Question, that he was deceiving that powerful organization and would throw it aside as soon as it had served his purpose.'¹²³

For the Schreiners, the capitalist interest meant the mining interest. The couple provided a contemporary anticipation of the kind of argument that Cooper was to put forward in 1979: mining capital was hegemonic in that its interests were promoted above, but not to the complete exclusion of, other capitalist interests.

The weight of contemporary evidence, however, suggests that the Schreiners' emphasis on the mining interest is misleading. The primary concern of Rhodes and his supporters in enacting the Glen Grey measure was the labour needs of the Western Cape. Even if one ignores the emphasis in much contemporary opinion on the expected westward flow of labour from Glen Grey, the fact remains that the Glen Grey Act had to pass the Cape House of Assembly. It simply could not have obtained the support of a majority in that House, dominated as it was by the Afrikaner Bond, concerned as it had been over the colony's labour supply for several years, if there had been any expectation that the Act would push labour out of the colony.

¹²³ Olive Schreiner Olive Schreiner: Letters 1871-99 edited by Richard Rive. Cape Town: David Philip, 1987. Page 255 for letter and note.

* * * * *

The passage of the Bill through parliament is of interest for two reasons. Firstly it was introduced late in the session, for reasons that are not clear but may have to do with a delay in drafting, or may have to do with Rhodes's desire to curtail debate: the less said by the Opposition, the more likely that Rhodes's description of the Bill would be the one accepted by the public, in the colony and in Britain. Secondly, it did not pass as smoothly as Rhodes would have liked, which shows that Rhodes's association with the Bond, while crucial, was also vulnerable.

The Bill was read a first time on Thursday 12 July (rather than Friday 13 as the Cape Times had expected) and it was published in a supplement to the Government Gazette the next day. On 26 July the second reading debate was commenced, which was continued on 30 July and 2 August. On the 2nd Rhodes said that he would meet certain of the Opposition's requests over the Bill.¹²⁴ Thus re-assured, the House voted for the measure by 62 votes to three. Merriman Innes and Sauer were among that majority. Those voting against were Hay and Tamplin, the members for Victoria East, and John Charles Molteno (Jun.), MLA for Tembuland.¹²⁵ Victoria East had a considerable number of black voters by 1894. Tembuland was at the time a single-member constituency, but by virtue of its geographical location an important barometer of black opinion. These three men were voting in accordance with the views of the black voters of the Cape Colony.

During the second reading debate Rhodes claimed that the Glen Grey Bill was "a native Bill for Africa."¹²⁶ Merriman criticised him for his grandiose pretensions and also for what he termed the "sketchiness" of the Bill which Rhodes was rushing through parliament:

¹²⁴ District council as well as the governor must approve sale of land; Rhodes would not insist on the district council paying compensation for cancelled liquor licences, he would leave it to the House to decide. (DHA 1894 p 419 col 2). Rhodes: "There was an almost unanimous feeling that with a certain few amendments this was a good Bill, and a right Bill to pass. (DHA 1894 p 420 col 1).

¹²⁵ DHA 1894 p 420 col 2 (Thursday 2 August) For the members' constituencies, see Ralph Kilpin The romance of a colonial parliament London: Longmans, 1930. Annexure E.

¹²⁶ DHA 1894 p 361 col 2.

The Prime Minister said it was a Bill for Africa. That seemed to him to be the very embodiment of the radical member of the House of Commons who took a scamper through India, and then proposed to bring in a Bill by which he was going to settle the whole of our Indian possessions. It seemed to him that the Prime Minister had made a scamper through the Transkei, he had gained a few ideas, put them in a Bill, and thought he was going to settle Africa.¹²⁷

The Opposition directed their attack against three things in particular: against legislation by proclamation; against a Bill being rushed through without adequate discussion; and against a majority being ensured by caucuses and agreements in the lobbies instead of by persuasive argument on the floor of the House. Sauer drew attention to the first clause of the Bill in which

the Prime Minister proposed to legislate by proclamation. This was an entirely new principle as far as the colony was concerned, and he thought it was a dangerous power, and one which he thought the House would not be prepared to grant. By the first clause the Hon. the Prime Minister could even legislate by proclamation in some portions of the Western Province ... [where] conditions were entirely dissimilar ... he had never known that in this colony legislation could take place except by both Houses of Parliament. He would be sorry to see so new and dangerous a principle sanctioned by the House.¹²⁸

Charles Hutton, the liberal MLA for Fort Beaufort, said that legislation by proclamation was an "infringement of the principle of representative Government."¹²⁹ Sauer spoke again, suggesting that if the Act were to be applied outside Glen Grey, it should be by resolution of both Houses. Rhodes proposed as an alternative that the proclamation should be tabled in both Houses for a month before coming into force, and that the proclamation be published in the Government Gazette for a month before being tabled.¹³⁰ Merriman suggested that tabling was objectionable, but admitted that he had been responsible for adopting the procedure himself. "As to legislation by proclamation the only example they had was not an encouraging one. It was the Peace Preservation Act, and had been by no means a happy example."¹³¹ Rhodes's alternative of laying the

¹²⁷ DHA 1894 p 385 col 1.

¹²⁸ DHA 1894 pp 380-1.

¹²⁹ DHA 1894 p 426 col 1.

¹³⁰ DHA 1894 p 427 col 2.

¹³¹ DHA 1894 p 427 col 2. The Peace Preservation Act of 1878 had led to the Gun War with the Sotho of 1880.

proclamation on the tables of both Houses prevailed¹³², but the dangers of giving arbitrary power to the executive had been made clear.

On the issue of haste, Innes suggested that the Bill "Lie before the country for a year."¹³³ Henry Beard, one of the members for Cape Town, said that without any hostility to the measure he thought the "sound constitutional principles of fully debating a subject in the House"¹³⁴ should not be abandoned. Later he spoke more forcefully:

He wanted to point out that ... they might be legislating contrary to the views of the natives and the result might be very unfortunate. The question could not be exaggerated in its importance, and yet the present attempt at solution was to be thrust down their throats at the fag end of the session¹³⁵

By implication such a proceeding was an affront to the dignity of parliament. It is also significant that Beard was aware that they "might" be passing a law which blacks would reject, while not knowing much about black opinion. Such a vague uneasiness about the state of "native" opinion is typical of the well-meaning but ill-informed colonist.

Merriman said that there was a lack of interest in the Bill because it had been settled in the caucus. "That seemed to him to strike at the root of Parliamentary government."¹³⁶ What Merriman referred to as a lack of interest was the curious silence of government M.P.s. Herbert Tamplin, a liberal M.P. for Victoria West, expostulated "Was there logic in one side of the House being dumb while members on the other side were expected to apologise for speaking on the subject?"¹³⁷ Sauer said "It was an insult to the House to tell them to come and pass a measure 'to sit in judgment on Africa' without any discussion."¹³⁸ Henry Beard expressed surprise that government members who had spoken on every subject which had been debated up to that point in the session

were now dumb dogs. It was not reasonable to expect that a gentleman like the member for East Griqualand [Sir James Sivewright] had

¹³² The Glen Grey Act, Act 25 of 1894, section 1. To be found in: Cape of Good Hope. Statutes, 1894-1898 pp 59-79.

¹³³ DHA 1894 p 392 col 2.

¹³⁴ DHA 1894 p 416 col 1.

¹³⁵ DHA 1894 p 434 col 2.

¹³⁶ DHA 1894 p 384 col 2.

¹³⁷ DHA 1894 p 416 col 2.

¹³⁸ DHA 1894 p 424 col 1.

nothing to say on a matter of such importance.

Sir J. SIVEWRIGHT: He entirely agrees with the Government.

Mr BEARD said in that case it was the duty of the hon. member to support the Government with his arguments as well as with his vote

...¹³⁹

Innes said "he thought it was very much to be regretted that so important a measure as this should be debated only on one side of the House."¹⁴⁰

He went on to say that caucuses, while necessary at times,

had been developed of late to an enormous extent, and this session they had seen caucuses carried to an extent which was calculated to fill those who wished to see free debate on the floor of the House with alarm. They saw matters settled out of doors, discussions carried on out of doors, and when they came into the House a Bill was thrown on the floor of the House and left to be debated from one point of view only, without any opportunity ... to reply to anything that might be urged on the other side.¹⁴¹

The Cape Times returned to the attack with a leading article criticising Rhodes for allowing his backbenchers to waste time with trivial speeches earlier in the session. Parliamentary time had been wasted, according to the editor, by rambling speeches on "the humming of the village bee, or the whine of the captive dog, or the abuse of a quarrelsome neighbour." But when the Glen Grey Bill came up for discussion the "babbling was suddenly restrained" and "a splendid lesson was given in parliamentary discipline, not without some detriment to the decencies of parliamentary debate."¹⁴² Rhodes spoke almost alone for the Government side, and the discussion was dominated by the Opposition. The Government won most of the divisions in the committee stage, and the division at the third reading, by sheer force of numbers, not by reasoned persuasion.¹⁴³ The Times said it was "monstrous" to pretend that Rhodes, who could perform this feat of discipline, was blameless for the earlier "confusion and anarchy."¹⁴⁴

But Rhodes's ability to compel his followers to be silent did not mean that he had complete control over the Bond. There are references

¹³⁹ DHA 1894 p 434 col 2.

¹⁴⁰ DHA 1894 p 408 col 2.

¹⁴¹ DHA 1894 p 409 col 2.

¹⁴² Cape Times 3 August 1894 editorial p 4.

¹⁴³ "Was there logic in one side of the House being dumb while members on the other side were expected to apologise for speaking on the subject?" (DHA 1894 p 416 col 2) See also p 408 col 2; p 424 col 1 and p 434 col 2.

¹⁴⁴ Cape Times 3 August 1894 editorial p 4.

in the Debates in the House of Assembly and the Cape Times to an unsuccessful and short-lived attempt by elements in the Bond to oust Rhodes from the premiership and replace him with W. P. Schreiner. The Cape Times of 4 August (reporting the events of Friday 3) wrote that parliament had been asked "to register the decree of a party" and that had caused some anger in the House. This was a reference to Rhodes's sudden change of course from agreeing on Thursday 2 August to accept certain Opposition amendments to refusing to do so on Friday 3. Innes believed that this sudden change of tack could only be explained by a caucus meeting of the Bond (held in the interim) pressuring Rhodes to retract his promise, particularly over the protection of Glen Grey land from purchase by whites.¹⁴⁵

Rhodes's refusal to comply with his undertaking caused the anger in the House mentioned by the Cape Times; but that anger changed to sympathy for Rhodes when it became known -- or at least rumoured -- that a faction within the Bond had tried to oust him: "a wave of sympathetic feeling towards the Premier appeared to have set in. He had been scurvily dealt with in the house of his friends; so at least it was said."¹⁴⁶ In a separate column the Cape Times carried a slightly fuller but still not completely satisfying account as follows:

We are informed that the extraordinary cabal, to the existence of which Mr. Merriman drew attention in the House of Assembly yesterday afternoon, was created with the object of securing a reversion of the Premiership to Mr. Schreiner. The moving spirit of the conspiracy is said to have been Sir James Sivewright, with whom were associated most of the extreme Bond members in the House of Assembly. Venturing outside those sacred limits to secure support for the project, the moving spirits suffered a rebuff, and the scheme became blown.¹⁴⁷

Little more emerges from the Cape Hansard. Merriman was the only speaker to raise the subject, although the reaction of other MLAs shows that they knew what he meant.

Something had taken place that morning. The Prime Minister had found there was a conspiracy of people who were anxious to oust him, and they were going to take this Bill in hand, and they were going to pin the Prime Minister's nose down to the grindstone. ... His foes were

¹⁴⁵ Cape Times 29 January 1895 "Politics at Mowbray" p 7.

¹⁴⁶ Cape Times 4 August 1894 p 4.

¹⁴⁷ Cape Times 4 August 1894 "The News of the Day" p 5. (The news item has been reproduced in full.)

those of his own house. (Opposition hear, hears.) Who was stabbing him? Brutus! Brutus! in the back. (Opposition cheers.)

Innes in his memoirs describes this as a pointed reference to Sivewright.¹⁴⁸ What cannot be discerned is how close to success the attempt to oust Rhodes had been. It blew over so fast that the Cape Times may have been exaggerating its importance. What the dissident Bond members wanted may have been not to oust Rhodes but to bring him into line.

The Monday 6 August edition of the Cape Times referred to the plot again, but only to vindicate Schreiner. He was not involved in the manoeuvre, and would merely have been the faction's candidate for prime minister if they had been successful. The Times again clearly blamed Sivewright.¹⁴⁹

It was on the night of Monday 6 August that the House had its famous all-night sitting on the Bill. The Opposition's sympathy for Rhodes, aroused by the attempt to oust him, evaporated in the face of his continued intransigence. What the Cape Times's parliamentary correspondent referred to as the entente cordiale between the prime minister and the Opposition was gone. Rhodes had consulted with "the power behind the throne"¹⁵⁰ and refused to budge.

Snide references to the Bond as "the power behind the throne" indicate that the Cape Times adhered to British constitutional ideas. The Bond, as the strongest party in the House of Assembly, was in an anomalous position under a responsible government constitution because it refused to take office as a party. (Although individual Bondsmen did take office from time to time.)

Rhodes felt he had to offer some kind of defence to the charge that he had cooked up the Act in the caucus (and perhaps also try to show that he, and not the Bond, was in charge) but his remarks only made matters worse.

With reference to the remarks which had been made about the

¹⁴⁸ Innes Autobiography p 106.

¹⁴⁹ Cape Times Monday 6 August 1894 "Notes in the House" p 5.

¹⁵⁰ Cape Times 7 August 1894 "Notes in the House" p 5.

composition of the Bill, that was due to himself and his private secretary without reference to any caucus or party, and afterwards submitted to his supporters who accepted it.¹⁵¹

If Hofmeyr's biographer is correct about Rhodes pacifying restive Bond members by showing them a draft of the Bill in Hofmeyr's own handwriting, then Rhodes was lying here. But there was more immediate embarrassment for Rhodes. Innes spoke directly after Rhodes:

it was rather hard on his hon. friend the Attorney-General [Henry Juta] that the Prime Minister should ostentatiously come and say that the Bill was his own composition, and that of his private secretary, implying that the chief law officer of the Crown was not consulted in the drafting of the principal Bill of the session.

Mr. RHODES: He was subsequently.

Mr. INNES: Oh! subsequently. (Laughter.) He was sorry for his hon. friend the Attorney-General. (Laughter.)

Mr. JUTA: I don't see why.

Mr. INNES: My hon. friend is the only man in the House who does not see why! (Laughter.)¹⁵²

The private secretary referred to was Milton, a man Rhodes trusted, and whom he made administrator of Mashonaland after Jameson in 1898. Milton had been the principal finance officer in the Colonial Secretary's Office until Rhodes re-arranged the Prime Minister's Office in April 1894, centralising the control of the machinery of government more effectively in his own hands.¹⁵³ Milton was in the gallery during the all-night sitting, as an official unable of course to speak in the debate, although his presence was noted by the Opposition and remarked upon. The Cape Times correspondent describes him "sitting the while in the gallery exposed to the shafts from below but helpless to reply, a mute but not inglorious, indeed quite disagreeably glorious, Milton."¹⁵⁴ Clearly the Times was expressing its dislike of another power behind the throne.

¹⁵¹ DHA 1894 p 432 col 2 (Monday 6 August).

¹⁵² DHA 1894 p 432 col 2.

¹⁵³ P. Venter Thesis on Cape administration, 1806-1910 [No title page] Microfilm, Cory Library, Rhodes University. 1949? Pages 53-4. See also Philip Jourdan Cecil Rhodes: his private life by his private secretary London: John Lane, 1921. Page 22. Jourdan was the chief clerk of the Prime Minister's Office. Jourdan writes "This [Prime Minister's] Department, I may mention, was established as the medium through which Ministers were to send all communications to the Governor and High Commissioner as well as to the the neighbouring Colonies."

¹⁵⁴ 7 August 1894 "Notes in the House" p 5. See Thomas Grey "Elegy written in a country churchyard". While the Cape Times said that he was mentioned more than once, Hansard reports only Merriman's single reference to the prime minister's secretary.

Merriman was unable to resist some satire:

The Prime Minister had said that the Bill was the composition of himself and his private secretary. Well they might dismiss the Parliament (laughter) and the Prime Minister and his private secretary might represent the Parliament of the Cape of Good Hope. (Laughter.) The hon. gentleman was fond of Latin. He would say to him, Sic volo, sic jubeo; stet pro ratione voluntas. (Laughter.) That was a quotation from the "Delectus" -- that mine of lore -- (laughter) and without any false quantities. (Laughter.)¹⁵⁵

The Cape Times editorial of Tuesday 7 criticised Rhodes for not working with, and for being "insolent" towards, the Opposition.¹⁵⁶ Under the circumstances, the editor wrote, the Opposition's obstructive behaviour was understandable. That was probably a reference to the following exchange:

Mr. MERRIMAN complained of the attitude taken up by the Prime Minister. The Opposition had met the hon. gentleman in a very fair way.

Mr. RHODES: What's the time?

Mr. MERRIMAN: I do not understand. What do you mean by "time"? The date is the 6th August.

Mr. RHODES: It is obstruction. (Laughter.)

Mr. MERRIMAN: Obstruction! Does the hon. gentleman call it obstruction to discuss the matter? ...¹⁵⁷

More genuinely obstructive tactics were tried later. At 12.45 a.m. on Tuesday 7, J. C. Molteno (Jun.) began talking on a particular clause and during a 45 minute speech was repeatedly reminded by the chairman that he had to confine himself to the subject matter of the clause.¹⁵⁸

Sometime towards 2 a.m. another Molteno, James Tennant Molteno (his memoirs are quoted in chapter one) Merriman's colleague for the Namaqualand constituency, spoke for 40 minutes on a motion he had proposed that the chairman leave the chair. At 2.05 a.m. Sivewright said

¹⁵⁵ DHA 1894 p 433 col 1. The correct words are "Hoc volo, sic jubeo, sit pro ratione voluntas", meaning "This is still my wish, my command; Warrant enough that I will it." It comes from sixth Satire of Juvenal, line 223. See Juvenal: The sixteen satires Translated by Peter Green. Harmondsworth: Penguin, 1967. The Delectus has not been identified. Since the word implies a selection, it may have been a dictionary of Latin quotations. (I am grateful to Mr Andrew Cook for his kind help.)

¹⁵⁶ Cape Times 7 August 1894 editorial p 4.

¹⁵⁷ DHA 1894 p 433 col 2.

¹⁵⁸ DHA 1894 p 441 col 2.

"You are making a poor show. It is simple obstruction. You know it well."¹⁵⁹ At 2.20 the chairman again asked Moltano to confine his remarks to the subject of the motion. Moltano withdrew his motion at 2.30 and substantive discussion of the details of the Bill continued.

The members ploughed gamely on. Some of them stretched out on the benches of the House and fell asleep. Some sustained themselves with beef tea from the parliamentary kitchen -- which was offered only to members of the Government side! Quite a few appeared to enjoy the novelty of the experience.¹⁶⁰

The committee stage of the Bill was finally concluded "amidst cheers" at 7.15 a.m. on Tuesday 7 August. Only minor changes had been made. Some desirable changes had not been made as might have been hoped: the district council was not to be elective; its permission was not required for Glen Grey land to be sold; and it still had to pay compensation for any liquor licences it cancelled.¹⁶¹ (Although that requirement was shortly to be deleted from the Bill.)¹⁶²

Investigation into matters relevant to the consideration of the Bill by the Cape parliament shows strong, almost exclusive, emphasis on Cape concerns, viz. Cape interests and the conflicting views of Cape politicians on what was seemly political conduct. The Cape legislature was apparently insulated from the predicaments of the Transvaal mining industry by its preoccupation with its own concerns.

¹⁵⁹ DHA 1894 p 442 col 2.

¹⁶⁰ Cape Times 8 August 1894 "The News of the Day" for the comic detail about the sitting.

¹⁶¹ Cape Times 8 August 1894 p 4. See also DHA 1894 pp 432-444 for amendments made in committee of the whole House.

Chapter Five

The mentalité of the settlers of the
Cape Colony
as revealed by the debate on the Glen Grey Act

The elected parliament of the Cape colony was a crucial place where interests were articulated, where constitutional principles that had been developed in Britain were respected, and House of Commons procedure followed. Though none of the colonial legislatures could claim to be sovereign, they had considerable powers. In investigating the Glen Grey Act, it seemed worthwhile to give some attention to the values that the MLAs expressed in the course of the debate on that Act, and on other occasions.

The members of the Cape parliament represented settler opinion in their colony, but they also shared in a wider mentalité, that of the Victorian world. They were enthusiastic about the empire, and well-informed about events in the world at large. It is interesting that analogies were drawn to those parts of the empire where the British governed either against the wishes of the elected representatives (Ireland) or without such representation (India). For example, when Rhodes referred casually to the situation in Ireland, the House understood the allusion:

[T]he masses against the classes, the former claiming what they termed their rights, or to put it in plain language, those who had not took from those who had. If they could not get it by what they might term Irish legislation (laughter) they would get it by physical force. His hon. friend had said he was a Home Ruler (hear, hear) but that was another aspect of the question with which the Government was not then called upon to deal. (Laughter.)¹

Awareness of current conditions did not stop at Britain. Nor were they confined to political questions. Rhodes claimed to be informed of agricultural conditions elsewhere in Africa, and other members were able to contest his opinions on the subject. In Rhodes's opinion cheap labour made for successful agriculture; he also believed that African workers who were paid even less than labour in the Cape had an equivalent standard of living.

He [Rhodes] had observed that the country that grew the most grain to export paid 2d. a day for labour. In Nyassaland where they produced good coffee the wages were 4s. a month.... [O]ur labour supply was on the basis of at least 2s.6d. per diem, as against 2d. per diem in other parts of the world. He was now speaking of those countries that went in for corn-growing. He had seen how those people lived; the

¹ DHA 1894 p 362 col 1.

food of the Egyptians was no worse than that of our Kafirs....²

J.W. Sauer, MLA for Aliwal North, disagreed, saying that the prime minister could not claim that cheap labour made possible the export of grain in large quantities from Egypt and India. "[N]o grain was exported from Egypt, and as regarded India, the conditions were different from those obtaining in any other country." Sauer ascribed the export of Indian grain to its being transported by rail at a very low charge, which he regretted was not the case in the Colony. Apart from the reference to railways, he said that in Australia workers were paid 5s. or 6s. a day (about twice as much as at the Cape) but Australian grain could undersell local grain at Cape Town. "It was not, therefore, merely a question of cheap labour, but that there were other considerations which accounted for it." He did not suggest what these were.³ The point is not whether Rhodes or Sauer was right, but that both were able to put the Cape's situation into a comparative colonial perspective.

Merriman's enthusiasm for empire, as well as his wide reading, is brought out by his remarks about India:

Take India for example, and we have a more difficult task than the British Government in India, because there they succeeded to a well-organised Government. They had all the threads of revenue and everything else their predecessors, the [Mughal] emperors, had got in order for them How did the British deal in India? Their administration has been the work not of an Act of Parliament, not of a great Act which was going to settle the whole of India at one stroke; but of an infinite series of laborious patient men, who toiled without any newspaper or Parliamentary representation, but who went far away and did their work, and their names are perhaps forgotten now, and built up a system which is probably one of the greatest glories of the English race. (Cheers.)⁴

Merriman's remarks and their enthusiastic reception show how popular imperialism was, and how well regarded were the men of the Indian Civil Service. We notice also that the virtue of hard work is praised, a very Victorian value, and administration (something practical) was more highly valued than legislation (something seemingly theoretical).

The general approbation for British virtues, or what the Cape

² DHA 1894 p 363 col 1.

³ DHA 1894 p 380 cols 1-2.

⁴ DHA 1894 p 391 col 1.

legislators thought the British virtues were, may be summed up by the remark of Charles Hutton, the liberal member for Fort Beaufort, when he found that the government members were refusing to pay attention to his speech:

He thought it very unfair that when a most important matter deeply concerning his constituency was before the House members of the Government deliberately turned their backs on him and refused to listen.... No one was paying the slightest attention Well, if they threw down the challenge they must expect him to pick it up, that was all he could say. He had something of the Briton in him (hear, hear) and if he thoroughly understood that a challenge was thrown down by the Government to him he had something of the bulldog in him and would try to hold his own. (Cheers.)⁵

The question of the political relations between black and white was an important one for the Cape colonists, probably the important question. In the eyes of some it was too important a matter to be left to party politics. What this really meant was that whites should present a united front. Bound up with this notion was the idea that blacks could legitimately be excluded from politics. While they talked piously about keeping this or that matter "non-political", it did not occur to them that they were acting politically by trying to keep such things off the agenda, as it were.

The "native question" as it was called was bound up with the "labour question". In colonial societies this was usually the case. While the notion that "the coloured classes are destined to be the labouring classes" was common to both sides of the House, there were nevertheless real differences of opinion between government and opposition. Perhaps the essential difference was between those who felt confident about the future of whites in Africa, despite the disparity of numbers between white and black, and those who were fearful of the future.

Whites were by no means uniformly confident of their continued supremacy. It is common to think of the Victorians as complacent imperialists, buoyed up by the idea of their own innate superiority as expressed in social Darwinism.⁶ There were also those who were not complacent. Charles Pearson, for example, believed that "We [whites]

⁵ DHA 1894 pp 434-5.

⁶ Christine Bolt Victorian attitudes to race London: Routledge, 1971. See especially pp 26-8.

shall awake to find ourselves elbowed and hustled, and perhaps even thrust aside, by people whom we look down upon as servile".⁷

The confident tone was expressed by the prime minister. He mentioned the anxiety felt by many whites in the colony but said that he "took a different view." He expressed confidence in the superior position of the white race and believed that the blacks could be kept in a subordinate position. He drew a contrast with Europe and America where, because the working classes were white, they had to be treated better than blacks were.

... when he saw the troubles that were going to occur with the English people in their own country with regard to the social and labour questions, really sometimes he felt rather glad that the labour question was in this country in connection with the native question, for, he said, at any rate they would not have happening here what had lately happened in Chicago where, on account of some questions of the management of a Pullman car, the whole of the labour parties broke out, and utterly wrecked the city.

... he did not feel that the effect of having one million of natives in that country [the Cape] was a reason for any serious anxiety. Properly directed and properly looked after, he thought the natives would be a great source of assistance and wealth.⁸

Blacks, in short, could be exploited economically and dominated politically and that was satisfactory to Rhodes. We cannot now know whether Rhodes was a racialist, who believed that whites simply were superior to blacks and destined to remain so; or whether he believed that the differences between white and black were ones of culture and outlook, not inherent in race. He seems to have expressed both views at different times. He made a famous remark to the effect that he believed in "equal right for all civilised men south of the Zambezi". That was said in the context of the Cape general election of 1898, when he was hoping to return to office with the help of the black vote, having lost the Afrikaner vote because of the Jameson Raid. Even then, he first said "Equal rights for all white men", only later correcting it to "civilised men". What he said in 1894 was:

... so long as they accepted the native as he was they would be all

⁷ Charles Pearson National life and character, cited in Benjamin Kidd Social evolution London: Macmillan, 2nd ed., 1895. Page 337.

⁸ DHA 1894 p 362 col 1.

right. But when they departed from that position, and put him on an equality with themselves they would go astray. What the future would be in a hundred years time he did not know, but he was fully acquainted with the present position. The member for Fort Beaufort was continually driving at that point, wanting to make the natives as themselves. It was not a tenable position.⁹

He had based all his replies on the understanding that, in so far as brains, the natives were different. Rightly or wrongly, he had been brought up to think that those people were different. He did not despise them -- far from it; but they were, he thought, built differently.¹⁰

Later in the course of the same debate Rhodes suggested in passing that there were stages of barbarism and that blacks could be the equals of whites.

If they passed a good Bill here in connection with the second stage of the natives -- that was, when they were emerging from pure barbarism, as compared with the third stage, when they were, apart from colour, apparently the same as the whites -- the legislation might be followed [elsewhere in Africa].¹¹

It is possible that Rhodes was not clear in his own mind what he thought about blacks, or it may have been that he was trying to conciliate the opposition in parliament and disarm his humanitarian critics in England by professing some idea of possible equality.

The liberals in parliament were often referred to as "the friends of the natives" or contemptuously as "negrophilists"¹² These men shared certain views, but did not always hew to a common party line. Their differences among themselves are as illuminating as their differences with the government.

While Rhodes referred to blacks as "barbarians"¹³ or "savages just emerging from barbarism"¹⁴ he showed no fear of them. (Even Tengo

⁹ DHA 1894 p 364 col 2.

¹⁰ DHA 1894 p 369 col 1.

¹¹ DHA 1894 p 418 col 1.

¹² "The word, 'negrophilist', seems to have long been a term of contempt." W.E. Gladstone Solomon, Saul Solomon: 'The Member for Cape Town' Cape Town: Oxford University Press, 1948, p 13.

¹³ "If ... white men came and lived and brought up their children in the midst of those locations, surrounded by barbarians, he dared not speak of the future." DHA 1894 p 368 col 1.

¹⁴ DHA 1894 p 368 col 1.

Jabavu was to Rhodes "this barbarian or this gentleman who had just emerged from barbarism".¹⁵) By contrast Merriman feared the black people.

John X. looked at two issues: the emergence of an elite of educated blacks, and the increase in the black population. While not wanting to deny this black elite its rightful place, Merriman was nervous of what its emergence portended:

He did not sneer at Tengo Jabavu as the Hon. the Prime Minister did. On the contrary, he looked upon him as indicating one of the greatest dangers to the whites of this country. If they had 10,000 Tengo Jabavus here where would the whites be then? Tengo Jabavu was a most talented man. His articles did him credit. They were very much better than most of the articles he read in the press of the Colony generally.... The whites were deteriorating in this country, and these [black] people were rising in the social scale. Where were the whites going to be unless they treated them justly and firmly? ... The hon. member then referred to what he termed the eminently alarming increase of the native population in the Border districts.¹⁶

Merriman wanted to keep the numbers of blacks in the Western Province low.¹⁷ This was in sharp contrast with the opinion of David De Waal, MLA for Piquetberg, a Bondsman, who wanted more blacks in the West as labourers.¹⁸ Merriman feared that this would drive "the Europeans clean out of the country."¹⁹

He noted that "the natives were improving and demanding equal social rights.... Those people would improve themselves and they had got

¹⁵ DHA 1894 p 369 col 1.

¹⁶ DHA 1894 p 385 col 2.

¹⁷ It has been shown in chapter three that as early as 1879 Merriman and Saul Solomon had expressed fears about the future of whites in the Cape. Merriman's fears may have persisted into later years. In the 1920s he bought two books, written by one Lothrop Stoddard, which gave gloomy warnings about the future of the white race in general. (Lothrop Stoddard The rising tide of colour against white world-supremacy New York: Scribner's, 1920; The revolt against civilization: the menace of the under-man London: Chapman and Hall, 1922.) Copies of both of these, with Merriman's signature and the date on the fly-leaves, are in the Rhodes University library.

¹⁸ DHA 1894 p 386 col 1. De Waal was one of those Bondsmen who, unlike Hofmeyr and the great majority of the party, did not repudiate Rhodes after the Jameson Raid. He also accompanied Rhodes to Rhodesia and wrote a book about his experiences published in English as With Rhodes in Mashonaland. (See De Waal's entry in the DSAB vol 2).

¹⁹ DHA 1894 p 386 col 1.

to face the position. They could not improve things by driving them off the locations."²⁰ Merriman mentioned two oppressive measures against blacks that had recently been proposed in parliament. One would have forbidden them to walk on the pavements in East London, and the other would have prevented black children going to school. He dismissed both of them as farcical. As noted above, while Merriman feared both the numerical superiority of blacks and the threat posed by the black elite, he did not want to deny that elite its place in society, or to oppress the non-elite; hence his opposition to such discriminatory measures.

Merriman looked at the few blacks who had become acculturated to the European way of life and saw them as the wave of the future. Rhodes looked at the many who were not acculturated and wanted to keep them that way.

James Rose Innes, MLA for the Cape Division, did not see the general rate of increase of the black population as a problem. He said:

They should take the figures for the whole country and the Transkei, and they would then find that the rate of increase of the natives during the period 1875-90 was not very much in excess of the rate of increase of the European population.²¹

He did think that the numbers of blacks on private locations might have increased. Innes pointed out that if there were a danger from the black population, it was a mistake not to increase European immigration. The agricultural interest was opposed to white immigration; what they wanted was black labour, and not whites who might become competitors. "What astonished him was the position taken up by the hon. member for Colesberg (Mr. Van der Walt), was the horror with which he appeared to look upon upon white immigration. (Laughter.)"²²

Numbers aside, there was the problem of inducing blacks to work for whites. There was much disagreement as to whether the blacks were inclined to work or not. Certainly a racist view that blacks, and particularly black men, were lazy was widespread among the colonists. The notion that higher wages might make people more inclined to work for them

²⁰ DHA 1894 p 386 col 1.

²¹ DHA 1894 p 414 col 2.

²² DHA 1894 p 415 col 1.

had not occurred to many colonists. Rhodes himself was not consistent on the point of black industry: "All he could say was that while a good many did go out to work, the statistics showed that about one-fifth of the males did nothing. With this class of Kafir mashers he wanted to deal."²³ A little later he remarked: "The statement has been made that already these natives went out to work. On careful examination he found that such was not the case, and that there were large masses who never did any work at all."²⁴

Another speaker, Dr Bisset Berry, MLA for Queenstown, contradicted the view that blacks were inherently lazy, and made a point not often seen by the colonists: higher wages would solve the labour shortage. Berry

found on reference to the Census returns that in the Colony there were 81,000 adult labourers employed as farm servants, herdsmen, shepherds, and town hands, while 49,000 were employed in the Kimberley district alone. What right had the Prime Minister ... to say that a gentle stimulus was required to send these boys out to work? The only stimulus required was fair treatment and fair wages ...²⁵

Berry next made a casually Draconian suggestion: "A better solution of the difficulty would be to prohibit any but owners of huts from living in native reserves and retain the hut tax." (Emphasis added.) This contrasts sharply with his earlier generous sentiments.

Merriman said it "was contrary to the whole evidence of the Labour Commission to say that they were unwilling to go out and work." Even if they were lazy, he went on, there were many Europeans in the country who would not work.

To the Victorian mind labour was dignified; it was forced labour that was objectionable. Rhodes reacted more than once to the charge that the labour tax was tantamount to slavery, saying that the overall tax burden would be less under the Act than it had been before. He calculated as follows:

²³ DHA 1894 p 418 col 1.

²⁴ DHA 1894 p 419 col 2.

²⁵ DHA 1894 p 384 col 1-2. It is interesting to note that a man who was sympathetic to blacks could use the demeaning term "boys" for adult black men.

15s.	quitrent for a four morgen lot
5s.	district rate
<u>10s.</u>	labour tax
<u>£1.10s.</u>	total

A man who had two huts would have been paying £2 in hut tax and stamp duty before the Act.²⁶ But individual tenure did away with hut tax, so the new position would be that ten shillings less had to be paid. [See pp 147-8]

By arguing in this way Rhodes was, however, avoiding the issue. The question was not so much the overall sum demanded by the government (and even here he was disingenuous because he left out of account the £5 payable to cover the cost of the survey) but the objectionable fact that men were compelled by law either to pay a tax or to work outside the district. Such work could only have been for white employers, for whom many of the Glen Grey people had no desire to work.

In this regard it is interesting to notice the Colonial Office endorsement of the white colonial view. Fiddes noted that "To speak of the labour provisions (as the Petitioners do) as qualified slavery is absurd. Three months labour per annum for 12 years won't hurt any of them ..."²⁷ Fairfield noted that "Slavery consists in confiscating the fruits of a man's labour rather than in stimulating him to labour."²⁸ The Colonial Office was anxious to agree with Rhodes, because they had to be able to deal with the white colonists. Fairfield later put a more generous construction on Rhodes's motivation:

If the Division Lists in the Papers are looked at it will be clear what a terrible phalanx of Boers Mr Rhodes has at his back, and it is no wonder therefore that he had to throw a sop to Cerberus in the shape of the labour tax.²⁹

At the Cape, Sauer was more critical. He accepted the idea that "idle young men"³⁰ should go out to work, but objected to lot-holders facing the same compulsion. Rhodes had earlier argued that if a lot-holder grew only mealies, that would take up about four weeks of his time

²⁶ DHA 1894 p 366 col 1.

²⁷ PRO CO 48 524 f 130-1.

²⁸ PRO CO 48 524 f 130.

²⁹ PRO CO 48 524 f 132.

³⁰ DHA 1894 p 382 col 1.

per year, and that there was no reason for such a man not to go out to work for three months.

Mr SAUER ... The Premier said a native could sow his mealie patch within a few weeks. Mealies required far more attention than that.

Mr RHODES: There are his children.

Mr SAUER: But a man may have no children.

Mr RHODES: There are the women.

Mr SAUER said a man might not have a wife, but at any rate he hoped that the father of the native population [Rhodes] was not going to say that the native women should be made to work.³¹

From this exchange it emerges clearly that Rhodes did not think of blacks as individuals who might object to being compelled to work for others, but merely as the "native problem", beings who, because they were black, it was justified to coerce. Sauer's ironic reference to Rhodes as the father of the native population probably arose from Rhodes's remark the previous year in the debate on the Minister of Agriculture Bill (which attached the native affairs portfolio to the prime minister's office) that "some Minister should be the father of the natives, for the majority of these were merely children".³² Rhodes never lived that down. William Hay said

he was a plucky man who would set himself up as the father of a native child (laughter) but when they found a man willing to become the father of a million natives, as the Prime Minister was, he was a bold man indeed (Laughter.)³³

Rhodes was anxious to portray himself as well-disposed towards blacks, whatever the reality may have been:

It happened that at the rearrangement of the Cabinet he was give charge of the natives.... It also happened that in another direction this side of the Zambesi he was responsible for another half-million, and he believed another half-million beyond the Zambesi. So it might be said that through the instrumentality of Responsible Government, and also by another position which he held, he was responsible for about two millions of human beings....³⁴

³¹ DHA 1894 p 382 col 1.

³² DHA 1893 p 217 col 2.

³³ DHA 1893 pp 220-1.

³⁴ DHA 1894 p 362 cols 1-2.

* * * * *

"The liquor question" was another issue that exercised the minds of the colonists. It was bound up with the issues of race and labour. Many wanted to protect blacks from alcohol, and especially from distilled liquor. In some cases this was a genuine philanthropic urge. To others it was a matter of not wanting their labour force to be disabled by drink. Some employers did not find that drink among workers was a problem -- blacks who were addicted to liquor were more likely to return to work for them so that they could earn the money to buy more liquor. And there were also the grape farmers, distillers and canteen keepers to think of, in whose interests it was to sell as much liquor as possible. (The farmers of course were also employers of labour and might not have wanted their workers to be incapacitated by alcohol -- but these were probably a minority given the ubiquity of the "tot" system.) Finally it must be borne in mind that it was not respectable to be in favour of liquor, especially liquor for blacks. So some may have been inclined not to make their true opinions known.

In his statement of the four principles underlying his Act, Rhodes included a commitment to stamping out the "evil" or "pest" of liquor among blacks. "[T]hey had placed canteens in their midst, and naturally a man who had nothing to do and was idle turned to the canteen ..."³⁵ The prime minister "knew the curse of liquor."³⁶ He went on to say

Personally at the Diamond-fields he had assisted in making 10,000 of these poor children hard-working and sober. They were now in compounds healthy and happy. In their former condition the place had been a hell upon earth. Therefore his heart was thoroughly with the idea of removing liquor from the natives. But if licences were taken away and no compensation given it would be unfair.³⁷

He suggested that compensation be paid out of the district's tax revenue. In this way "they would be able to pay the compensation and not feel the

³⁵ DHA 1894 p 362 col 2.

³⁶ DHA 1894 p 367 col 1.

³⁷ DHA 1894 p 367 col 1.

want of it. (hear, hear.)"³⁸ Rhodes never adequately explained why he wanted compensation to be paid in Glen Grey. Probably it was meant to be a concession to the liquor interest, as represented by the Afrikaner Bond.

There were further ramifications to the liquor question: some, like William Hay, MLA for Victoria East, advocated the prohibition of liquor for blacks.³⁹ This was intended to protect them from the harmful effects of alcohol, and has been identified as part of the liberal programme.⁴⁰ But the view of a Bond-supporting newspaper like Di Afrikaanse Patriot was that this was inconsistent with other liberal ideas.

[A]s an 'n Naturel di drank moet onthou worde net soos an 'n kind, wat nog ni weet wat ver hom goed of kwaad is ni, dan is 'n Naturel oek ni werd om di stemreg te he ni.... Waarom moet 'n persoon in di een geval soos 'n eenvoudige kind behandel worde; maar in di ander geval kan hy soos 'n grootman ver homself handel. Di Jingoos en negervrinde weet waarom.⁴¹

Di Patriot was right about one thing: the two positions were inconsistent with each other; but it was mistaken in lumping together the Jingoos and the negrophilists. The Jingoos in 1894 were represented by the Progressive Party of Thomas Fuller; the "friends of the natives" were for the most part in the much smaller Innes camp.

The view of Di Patriot may be summed up as "no liquor, no vote". Rhodes used that phrase in connection with his proposal to give the people of Glen Grey powers of local government while excluding them from wider politics.⁴² Sauer said at an early stage

It was not a Bill laying down the principle "No liquor, no vote," but it really meant "No vote, no liquor," because under this Bill they

³⁸ DHA 1894 p 367 col 2.

³⁹ See Hay's entry in the DSAB vol 4.

⁴⁰ T.R.H. Davenport South Africa: a modern history Johannesburg: Macmillan, 3rd ed., 1987. Page 120.

⁴¹ Di Afrikaanse Patriot 26 July 1894 "Di Glen Grey Kwessie." [I]f drink must be withheld from a Native, just as from a child who does not yet know what is good or bad for him, then a Native is also not worthy of the franchise.... Why must a person in one case be treated like a simple child, but in the other case he can deal for himself like an adult. The Jingoos and the negrophilists know why.

⁴² DHA 1894 p 363 col 1.

would destroy local option and set up a Board constituted entirely by the governor which could issue as many licences as they chose irrespectively [sic] entirely of the state of public opinion on the subject.⁴³

He went on to say that the prime minister's speech was at variance with his Bill, because in his speech Rhodes had declared that "the people would have the right to drive liquor out of their midst."⁴⁴ In the event, the 64th clause of the Bill, providing for compensation, was not included in the Act, so Rhodes did not have his way in that regard.

There was widespread support for giving the people of Glen Grey "local option" as Rhodes proposed. This meant the right to refuse to grant new liquor licences, or to renew existing ones. What was obnoxious to many was that compensation had to be paid to licensees under the Glen Grey Bill, but not under the ordinary liquor legislation. The compensation clause was eventually removed. Another and more subtle point against the local option provision was that it was not true local option as understood in the Colony proper. In Glen Grey a mere nominee council would have the power of decision over liquor licences, a council that could, it was feared, be influenced by the resident magistrate. In the colony that power was held by a majority of any local community.

Sauer said that he did not object to class legislation (i.e. laws that applied differently to different races) "if the legislation was in accordance with the condition of the class referred to, and as far as possible to promote their interests." But the Glen Grey Bill was class legislation in the wrong direction: compensation was not paid for the cancellation of a liquor licence in England or in the Colony and "the principle of compensation was a very bad one."⁴⁵ Innes expressed his opposition to the Glen Grey people being burdened with the cost of compensation.⁴⁶

It was not only the liberals who were opposed to compensation. Colonel Schermbrucker, the member for King William's Town and a director of the Indwe Company, said that he "did not go to the length of providing compensation, but he thought they ought to give a certain notice to the

⁴³ DHA 1894 p 381 col 2.

⁴⁴ DHA 1894 p 381 col 2.

⁴⁵ DHA 1894 p 381 col 1.

⁴⁶ DHA 1894 p 412 col 1.

holder of the licence which was to be taken away."⁴⁷ Joseph Orpen, the member for Wodehouse, described by Merriman as "a great friend of the natives", although he sat on the government side,⁴⁸ was "rather strongly"⁴⁹ against the compensation clause. When debating whether the Glen Grey lots should be attachable for debt Rhodes said

With regard to the proposal that when a man got into debt he should not be exposed to the risk of having his land taken from him, he had thought the matter carefully out, and he had come to the conclusion that if they allowed a man to snap his fingers at his creditors it would be grossly unfair. He said that if a man got into debt for liquor or anything else --

Col. SCHERMBRUCKER: No, not for liquor.

Mr. RHODES said he would say then for goods of various kinds. He considered that such a man should be compelled to pay his debts, and it was surely in the interest of the native community that a ne'er-do-well should be turned out of the location.⁵⁰

Schermbrucker's interjection shows that concern about liquor crossed party lines.

* * * * *

On the question whether the Glen Grey Act was intended to produce migrant labour or completely to proletarianise the black people to whom it was applied, the evidence is not entirely clear. On the one hand Rhodes spoke of the blacks earning their living by labour as the people of Europe did; on the other he spoke of them having a place to return to in Glen Grey after they had finished working. It is important, however, to note two things: (i) the Glen Grey Act was a preliminary measure. (Rhodes had said it would "take years to carry out."⁵¹) It required only three months labour a year, after all. Rhodes was not pushing on too fast. (ii) Rhodes did not talk in terms which suggest "a partial subsistence base" in the locations. These were to be homes, rather than farms, for the migrants.

⁴⁷ DHA 1894 p 392 col 2.

⁴⁸ DHA 1894 p 434 col 1.

⁴⁹ DHA 1894 p 379 col 2.

⁵⁰ DHA 1894 p 466 col 2.

⁵¹ DHA 1894 p 366 col 1

Some of his remarks may be useful here:

They wanted to keep that four morgen intact -- to make it a reserve, where the children who went out to work could come back to. They, therefore, must keep that land belonging to one man, and they had introduced the law of primogeniture, not because of any feeling for the eldest son, but because it was the only way they could work and keep the head of the household over each lot.⁵²

They must recognise that certain parts of the country must be kept the home of the natives. He did not say that everyone must have a piece of land there, but it must be a place where the people could go back after working.⁵³

Rhodes was opposed to private locations.⁵⁴ He proposed to "create in their stead proper native centres, under proper control and furnished with a labour bureau."⁵⁵ Unregulated locations on private farms were difficult of access and were "reserves for stolen stock." (This was a common view.) Later Rhodes said

Referring to private location matters, he would say if they made those reserves they would be able to deal with the locations of private farmers. They would simply say those locations should not exist.⁵⁶

Sauer, in a rather opaque remark, pointed out that there was no machinery in the Glen Grey Bill to deal with locations, and until they were dealt with there would be no satisfactory solution to the labour problem. Exactly what he meant is not clear; perhaps that such locations should be regulated; perhaps that they should be dissolved; perhaps something else altogether.

* * * * *

These then were some of the attitudes which made up the world-view of the

⁵² DHA 1894 p 364 col 2.

⁵³ DHA 1894 p 418 col 2.

⁵⁴ DHA 1894 p 366 col 2 and 418 col 2.

⁵⁵ DHA 1894 p 366 cols 1-2.

⁵⁶ DHA 1894 p 418 col 2.

Cape legislators. The unresolved and perhaps unresolvable contradiction for the Cape MLAs was that they were seeking to uphold the dignity of parliament at a time when they were undermining the asserted claim of parliament to respect: that it represented the community for which it legislated.

Chapter Six

Contemporary reaction to the Glen Grey Act,
and
conclusion

The reaction to the Glen Grey Act of three important classes of people will be considered here: the Africans of the Cape Colony and their local white supporters, the British humanitarians, and the personnel of the Colonial Office.

Black opinion in the Cape was against the Glen Grey Act from the start. One way this opinion was expressed was through Imvo Zabantsundu, one of the first South African newspapers to be edited by a black man (John Tengo Jabavu) for a black readership.

In discussing Tengo Jabavu's political career in a thesis on Imvo Zabantsundu and Cape "native" policy Leonard Ngcongco gives the strong impression that Jabavu's main concern over the Glen Grey Act was the land issue. While Imvo objected to the disenfranchising sections of the Act, and actually welcomed the provisions about local government, it constantly returned to the land issue.¹

Imvo had been alive to the Glen Grey land question for years. In 1889 it had opposed Joubert's motion to force the blacks out of Glen Grey. In 1892 the paper warned of "avaricious Dutch farmers" in Wodehouse, Albert and Queenstown who wanted to force blacks out of their land to claim it for themselves.² In 1893 it expressed concern about the Rhodes ministry dealing with Glen Grey "with a light heart", saying that the government should be guided by the Barry Commission³ of 1883 rather than the Glen Grey Commission of 1892.⁴ Jabavu was one of the educated black elite and so he was in favour of individual tenure, but opposed its being brought about by legislative coercion as the commission of 1892 had recommended. He favoured its gradual introduction as the people felt themselves to be ready for it, as the Barry Commission had proposed. Jabavu was firmly opposed to African-owned land, in Glen Grey or anywhere else, being available to white purchasers,⁵ whom he called "landsharks".⁶

¹ Leonard Ngcongco Imvo Zabantsundu and Cape "native" policy 1884-1902 M. A. thesis, University of South Africa, 1974. Page 95.

² Imvo 12 May 1892, cited in Dorothy Ruth Edgecombe The influence of the Aborigines Protection Society on British policy towards black African and Cape coloured affairs in South Africa, 1886-1910 Ph.D. thesis, University of Cambridge, 1976. Page 90, n 3.

³ AVP G4-'83.

⁴ Ngcongco Imvo p 119 (Imvo 2 August 1894)

⁵ ibid pp 114, 119, 120 (Imvo 26 July, 2 and 13 August 1893).

⁶ Edgecombe Influence p 97 (Imvo 29 August 1894).

Jabavu reported meetings at which the Bill was discussed. Two important meetings were held at the end of July, at which it was decided that other such meetings should be held to despatch petitions, and in the meantime that the prime minister should be "addressed" to prevent the Bill being dealt with in a hurry.⁷

Jabavu's editorial of 15 August 1894 on "The Future of the Bill" argued that the governor should not sign the Bill but reserve it for the signification of the queen's pleasure (as had been done in the same session with the Bill annexing Pondoland) because the Glen Grey measure was inconsistent with Britain's treaty obligations in regard to African land.⁸ The practical effect of such a step as reserving the Bill would be that the British cabinet would decide the fate of the measure, and the queen would act on their advice. At the very least the implementation of the Act in the colony would be delayed.

Jabavu seems to have relied heavily on this notion of treaty obligation. He referred in his editorial of 29 August to an imperial Blue Book⁹ containing treaties between Britain and the tribes of the Eastern Cape

securing the lands they now inhabit to these people. Thus there are Treaties affecting land settlements with Kama, the Peddie Fingos [sic], Ngangelizwe and many other native tribes, Glen Grey inclusive.... After the description of boundaries the following phrase invariably occurs: "Which territory shall be held by the said Chiefs and tribe, their heirs and successors, in perpetuity, never to be reclaimed by, or on behalf of, Her said Majesty, except in case of hostility committed or a war provoked," &c., &c., &c.¹⁰

Jabavu went on to say that the Act violated these treaties by allowing this land to be alienated, and that the governor had the duty under the Letters Patent constituting his office not to assent in the queen's name to any Bill inconsistent with a treaty.

⁷ ibid p 126 (Imvo 1 August 1894).

⁸ For the editorial see Thomas Karis and Gwendolen M. Carter (eds) From protest to challenge: a documentary history of African politics in South Africa 1882-1964 volume one Protest and hope 1882-1934 Stanford University: Hoover Institution Press, c. 1972. Page 17.

⁹ Blue Book 42 of 1884, issued in compliance with a resolution of the House of Lords of June 1883 for "Copies or Extracts of any Engagements subsisting between Her Majesty the Queen and any States or Native Tribes in South Africa".

¹⁰ Imvo 29 August 1894 "Constitutional Agitation".

Jabavu made his point about the land in a letter to Lord Ripon, the secretary of state for the colonies. He referred to "the alienation of the lands of the Natives -- land given or secured them by solemn Treaty engagements between Her Majesty and the people",¹¹ and said that it was the people's intention to approach parliament in the next session on the question of the alienation of land under the Act.

Jabavu's urgent argument in favour of the rights of blacks to hold their land undisturbed emphasises the central importance of land in his view, over and above the franchise. The threat to African-owned land posed by white land grabbers in the Eastern Cape should not be minimised. The policy of the Afrikaner Bond before its amalgamation with the Boeren Bescherminings Vereeniging in 1882 had been "the colonization by Whites [sic] of Transkeian territories and the expropriation of black peasants within the Cape Colony so that their lands could be thrown open for white farmers."¹² White squatters had moved illegally into Engcobo and northern Emigrant Thembuland in the Transkei after the war of 1880.¹³ Determined, but ultimately unsuccessful, efforts were made in 1885 and 1886 to persuade the Glen Grey people to leave their lands.¹⁴ Attention has already been drawn to the parliamentary motions of 1889 and later with respect to the Glen Grey land question. Land, then, was undoubtedly a crucial issue.

A similar emphasis on land is evident in speeches in parliament. Joseph Millerd Orpen said "in order to meet the wishes of the population, not only should no land be sold without the consent of the Governor, but it must not be sold without the consent of the people themselves."¹⁵ Orpen went on to say

that the Glen Grey district was much overcrowded. He believed that the Government would have to remove from that district a number of the natives who were crowding into it and provide for them

¹¹ PRO CO 48 524 pp 710-11 (Jabavu to Ripon 10 September 1894).

¹² Elsie J.C. Wagenaar A history of the Thembu and their relationship with the Cape, 1850-1900 Ph.D. thesis, Rhodes University, 1988. Page 193.

¹³ Wagenaar History p 193.

¹⁴ *ibid* pp 200-6 and James Rose Innes Sir James Rose Innes: selected correspondence (1884-1902) Edited by Harrison M. Wright. Cape Town: the Van Riebeeck Society, 1972. Pages 32-5.

¹⁵ DHA 1894 p 379 col 2.

elsewhere.¹⁶

Sauer said

there were many matters of far more importance to the natives than their getting votes. If the House gave the natives a good land settlement ... they would do something of far greater importance ... than the question of the Kafir having a vote.¹⁷

Pierce Ryan, MLA for Malmesbury, "believed there should be no alienation of land from the natives."¹⁸ James Rose Innes observed in his memoirs that he had voted against the third reading of the Bill because an amendment (requiring the consent of the district council as well as that of the governor for the alienation of lots) had been rejected. If some one became prime minister who had no objection to blacks selling their land, the governor's approval would have been no protection. At the time he wrote his memoirs, Innes's worst fears about the effects of the Act had not been realised because the land was not taken from the people.¹⁹ They had been protected from the imminent threat of white land grabbing.

The Imvo editorial of 15 August 1894 mentioned above was a part of the tactics adopted by the July meetings. Attached to the editorial was the text of a petition already sent from "certain natives of King Williamstown"²⁰ asking that the Bill be reserved for the signification of Her Majesty's pleasure. By publishing the standard form of a petition Jabavu had made it possible for Imvo readers anywhere to get up identically worded petitions that were concise and literate. This led to the Colonial Office receiving "18 or 19" petitions by 3 December 1894.²¹ Unfortunately these failed to impress the Colonial Office, especially as none of the petitions had come from Glen Grey itself, a point emphasised by Edward Fairfield, a senior official and the one most directly

¹⁶ DHA 1894 p 379 col 2. Orpen may have meant that more land should be given to blacks, or he may simply have meant "provide for them elsewhere in the native territories". In any event nothing came of his suggestion, which he did not press very hard.

¹⁷ DHA 1894 p 380 col 2.

¹⁸ DHA 1894 p 384 col 2.

¹⁹ Innes Autobiography p 106.

²⁰ PRO CO 48 524 p 135 (Cameron to Ripon 29 August 1894).

²¹ PRO CO 48 524 p 134.

concerned with the matter.²² A petition did come from Glen Grey,²³ but as Fairfield was unaware of it, it had probably not arrived by the time he wrote his comments. Some thirty-five petitions against the Act were forwarded by the governor of the Cape to the Colonial Office between 29 August 1894 and 16 January 1895.²⁴

Imvo reprinted editorials from other newspapers against the Bill: the Cape Times opined that protection against alienation of land should be written into the law,²⁵ and the Christian Express was opposed to cheap labour being obtained by an Act of parliament²⁶. Ngcongco points out that the Cape Mercury, edited by Richard Rose Innes, said that the measure was intended to provide labour for Bond farmers.²⁷ Imvo expressed its satisfaction with the trend of press opinion in the colony against the Act or parts of it²⁸ and made some further objections to the Bill: too much power was to be delegated from parliament to the executive; the labour tax approached slavery; and "Imvo felt certain that some of the provisions could not fall short of 'disorganizing Native Society'".²⁹ This point about "disorganizing Native Society" seems to be a forerunner of Cooper's ideas in the twentieth century that the Act was intended to disrupt black society with a view to proletarianising its members completely. [See pp 33-36]

Jabavu maintained his criticism despite the abuse of the powerful. Rhodes mentioned Jabavu in parliament, saying that there

was no greater mistake made in South Africa than supposing that the

²² PRO CO 48 524 p 134 (Fairfield wrote on 3 December that "The Glen Grey natives seem loyally in favour of the Principles of the Bill.") and p 137 (General Sir William Cameron had written on 29 August that "up to the present, no petition or remonstrance has been received from the natives of Glen Grey.")

²³ Edgecombe Influence p 98 n 1.

²⁴ PRO CO 48 524 p 128. (Petitions from King Williamstown and Port Elizabeth.) Edgecombe Influence p 98 n 1 lists a further 33 places from which petitions were received. I failed to ascertain a total figure when consulting the documents at the PRO, and so have assumed that no more than one petition came from each of the places mentioned by Edgecombe. Those 33 places, plus the ones from King Williamstown and East London give a total of 35.

²⁵ Ngcongco Imvo p 127 (no date given).

²⁶ ibid p 184 (Imvo 9 April 1895).

²⁷ ibid p 129 Cape Mercury (2 August 1894). R. W. Rose Innes made the same point in his later pamphlet on the Glen Grey Act.

²⁸ Ngcongco Imvo p 128 (Imvo 25 July 1892).

²⁹ ibid (Imvo 18 July 1894).

editor of the native organ had the full confidence of the natives, and represented their views. (Hear, hear.) ... The criticism passed on the Bill by this barbarian or this gentleman who had just emerged from barbarism was ignorant and not worth consideration.³⁰

Here we see something typical of certain white attitudes: a refusal to believe that their black subjects were discontented. That not all whites shared the views of Rhodes and those members who murmured their approval of his remark can be seen from what Hay and Merriman said about the editor of Imvo. Hay

protested against the way in which the Hon. the Prime Minister had referred to Tengo Jabavu, and said he thought the Prime Minister would by and by see that he had done an injustice to a man who deserved better. The time was coming when there would be more Jabavus. These people would educate themselves. Men like Jabavu would come to the front. By and by they would find in Mashonaland and Matabeleland native newspapers carried on by native editors.³¹

Merriman's remarks have been quoted at pp 129-31.

Jabavu's reply to Rhodes's gibe was to point out that Rhodes had been content to treat Imvo as representative of black opinion when it had suited him in the past. Jabavu wrote that he saw nothing to be gained from arguing about

the advantages derived from [sic] the speaker from the fact of having emerged from barbarism earlier than the editor of this journal, so long as it is a matter of history that it is the misfortune of both, and the fault of neither, that the forefathers of the one smeared themselves with a blue dye, while those of the other preferred red

³⁰ DHA 1894 p 369 col 1. Ngcongco Imvo p 129 has a slightly different version of Rhodes's words. Obtained from Vindex p 389 they read as follows: "[T]here was never a greater mistake made than by people who think that the native editor of Invo [sic], the native paper, has the confidence of the native people. And so the criticism and abuse which have been poured upon this Bill by this barbarian, who has just partly emerged from barbarism, are not to be taken any notice of."

Rotberg Founder p 714 n 17 says "As texts, the Vindex and the Debates differ in phraseology, the Debates being in the third person and Vindex in first person. Verschoyle (Vindex) took his materials from the stenographic reports of the reporters and from their published articles. Even though the Debates are the official record, Vindex may be--it is impossible to know--the more accurate if not the more lively record of Rhodes' words in parliament."

³¹ DHA 1894 p 383 col 2. It may be worth mentioning that Herbert Tamplin and Dr Berry wrote a note of apology to Jabavu for the way he had been referred to in the House of Assembly. (DHA 1894 p 488 col 2.)

clay³²

In April the following year Imvo returned to the Glen Grey question, printing the text of a petition from the Anglican bishop of St John's in the Transkei against the labour tax. The bishop criticised the tax on the grounds that no representations from blacks had been considered because of the haste in which parliament had passed the measure. Also, the increase in tax was sudden and extreme³³ (rising from ten to thirty shillings); the system of exemption from the labour tax on production of an employer's certificate was open to abuse; since only labour under white employers qualified black inhabitants for exemption from the tax, blacks were in danger of being reduced to a condition of serfdom.³⁴ Finally he concluded that by giving the tribes a common grievance, the provision was likely to encourage rebellion.³⁵ Jabavu endorsed the sentiments of the bishop's petition.

On the labour question it should be noted that Jabavu was not opposed to blacks working for whites. He congratulated one L. G. H. Tainton on his appointment as government labour agent for the Transkei, and commiserated with him on beginning his career under the shadow of the Glen Grey Act.³⁶ In 1896 the gold mining companies decided to reduce wages with effect from the following year: Jabavu protested that such a step would discourage Africans from going out to work. Clearly Jabavu believed, as white Victorians did, in the dignity of labour. He saw nothing wrong in a black man exchanging his labour for fair wages.

What this chapter has dealt with so far has been the opinion of the educated black elite. The reactions of people more directly affected by the Glen Grey policy will now be considered.

Ally argues that when the Glen Grey Commission investigated

³² Ngcongco Imvo p 130 (Imvo 1 Aug 1894).

³³ Rising in the bishop's view from ten to thirty shillings a year. The Act provided for 10s. labour tax, 15s. quitrent and 5s. local rates, for a total of thirty shillings. Previously there had been a 10s. hut tax. Rhodes had claimed that most black men had more than one wife, thus more than one hut and would pay less under the Glen Grey Act than before.

³⁴ The bishop was not quite correct. With the magistrate's permission labour for another resident of Glen Grey would provide exemption from the labour tax.

³⁵ Ngcongco Imvo p 183 (Imvo 2 April 1895).

³⁶ *ibid* p 184 (Imvo 2 May 1895).

affairs in the district it manufactured a majority opinion in favour of individual tenure by threatening the people with the possibility of losing their land if they did not take titles.³⁷ Even the commission had to acknowledge that there was still a strong minority opposed to the impending new tenure.

Ally distinguishes the resistance to the Act in Glen Grey from the resistance in Fingoland. In Glen Grey itself, where the Act was brought into operation in all its aspects simultaneously, the land issue was immediately important, and opposition to the council less significant. By contrast, in Fingoland the change in tenure was delayed until some years after the council system had been inaugurated. For example in Butterworth, the first district of Fingoland in which individual tenure was introduced, the preliminary survey was begun only in October 1898.³⁸ Hence the resistance in Fingoland was to begin with mainly aimed at the council system.

As far as can be ascertained from the secondary sources available, it seems that, as the Colonial Office noted,³⁹ there was no petition from Glen Grey itself against the Bill between the date of its publication and its implementation. Why this should have been so is not clear. The detailed researches in recent years of Ally⁴⁰ and Wagenaar⁴¹ can shed no light on the matter. The petition which Edgecombe refers to came later, although it is impossible to tell from her footnote in exactly which despatch it was contained.

* * * * *

Black criticism of the Glen Grey Act was supported by humanitarians in Britain. The Aborigines' Protection Society (APS) corresponded with the Colonial Office over the Glen Grey Act. This humanitarian association was an offshoot of the campaign for the abolition of slavery in the British

³⁷ Russell Ally The development of the system of individual tenure for Africans, with special reference to the Glen Grey Act, c 1894-1922 M.A. thesis, Rhodes University, 1985. Pp 113-117.

³⁸ Ally Development 124.

³⁹ PRO CO 48 524 p 134.

⁴⁰ Ally Development.

⁴¹ Wagenaar History.

Empire. Emancipation had been achieved in 1833, but it had become apparent to those who had been prominent in the struggle for abolition that former slaves and other subject peoples in the empire were still in need of protection, and the Aborigines' Protection Society was set up in 1837.⁴²

The APS, although nominally non-partisan, had far more Liberal than Conservative MPs prepared to ask question in the House on its behalf. It could reasonably expect more consideration from a Liberal than a Conservative government, particularly a Liberal government with as small a majority as the administration of 1892-95. But the APS was not very popular at the Colonial Office, despite the fact that the ministry was a Liberal one, and despite Buxton's family connections with the anti-slavery movement. (Buxton was the parliamentary secretary to Lord Ripon, the secretary of state for the colonies.)

The royal assent had already been given to the Glen Grey Act when the APS, at Jabavu's prompting, took up the matter with the British government. H. R. Fox Bourne, the secretary to the APS, was aware of the reluctance of the Colonial Office to disallow Acts of colonial legislatures operating under responsible government. Nevertheless the imperial government still had the right to veto such measures within two years of their enactment, and Fox Bourne hoped that some mitigation of the effects of the law might be achieved through the imperial factor. He sought also to rely on the apparent discretion of the governor in regard to the sale of Glen Grey allotments, and wrote to Ripon on the subject.

The Colonial Office reserved its final consideration of the first petitions against the Act, and the APS remonstrance, until Rhodes was in London.⁴³ It was often the practice of the Colonial Office to postpone decisions if they knew that some one whose opinion they wanted was coming from the colonies.⁴⁴

⁴² Charles Swaisland "The Aborigines' Protection Society" Anti-Slavery Reporter series vii 13(3) 1987 p 84.

⁴³ PRO CO 48 524. The petitions had been registered in the Colonial Office on 17 September 1894 (p 127) and a junior official had prepared a minute for Fairfield on 27 September (p 131). Fairfield gave it his attention on 3 December (p 134) when he regretted leaving the matter so long (p 131). Buxton made his comments, which were conclusive, on 8 December after talking to Rhodes (pp134-5).

⁴⁴ I am grateful to Miss Brenda Nicholls of the Department of History, Rhodes University, for this information.

The objections of the APS to the Glen Grey Act were set out in a letter of 4 October 1894. Individual tenure was criticised as "an innovation likely to be much less advantageous to any but a few ... than the communal arrangement based on long established and widespread native institutions." The possibility that the land could be sold to outsiders was raised as a point against the Act. The labour tax was criticised as a "harsh and unwarrantable interference with the liberty of the subject" notwithstanding that it might be "expedient in the interests of the white population of the Colony." In making this point Fox Bourne made the common error of assuming that the tax would not fall on men who held land. No one seems to have corrected him. The council was criticised for being entirely appointive, which vitiated the potential good effects of local self-government. The possibility of the Act being extended widely by proclamation also alarmed the society. In conclusion they expressed the hope that the powers of the governor under the Act would be used to prevent its extension and mitigate its enforcement.⁴⁵

The Colonial Office's reply was surprisingly brusque. Fairfield wrote that

Lord Ripon does not consider that any useful purpose would be served by discussing in detail the various arguments and assumptions of fact set out in your letter, but, with reference to ... the risk of native allotments being alienated to persons who are not natives, he would refer you to the speech made by Mr Rhodes on 26th July in moving the second reading of the Bill.⁴⁶

It seems that the Colonial Office did not take the APS seriously -- at least over this issue. Fairfield minuted that "a rather feather-headed enthusiasm for primitive communism" on Fox Bourne's part was owing to his being "a bran-new [sic] Daily Chronicle man" while the previous secretary had been "an old-fashioned Daily News man."⁴⁷ He suggested that the APS committee was unaware of the sentiments that Fox Bourne was "putting into their mouths".

In a more serious vein, Fairfield advanced the rather specious argument that it was a mistake on the APS's part for them to describe individual tenure as an "innovation" because it had been part of "Cape

⁴⁵ Aborigines' Friend January 1895 pp 442-3.

⁴⁶ *ibid* pp 443-4.

⁴⁷ PRO CO 48 524 p 720.

law for 15 years"⁴⁸ through the Native Locations Act of 1879. It was Fairfield who was in error: the 1879 Act had been applied on a small scale. Individual tenure for blacks was known to Cape law and had been applied in some cases since the 1850s, but in practice it was very little used. In Glen Grey itself it already applied to some of the land of the mission stations, but that was a small portion of the whole district.

The minute that Fairfield wrote on the subject of the APS's letter was longer than the reply he sent to the society. He was particularly critical of its change of front over the issue of tenure: from being in favour of individual tenure in 1878, to being opposed to it in 1894.⁴⁹ The Colonial office was content to rely on Rhodes's assurances as expressed in public in his parliamentary speeches, and in private in his conversations with Fairfield and Buxton. Rhodes's speech being more enlightened than his Bill had served his purpose well.

The society did not let matters rest, but interviewed Rhodes on his visit to London. The delegation objected particularly to the interference with the communal tenure of land and the labour tax. The effect of the individual titles

gave an advantage to some of the natives and forced the remainder to be wanderers from their ancestral homes. In addition the latter were obliged to seek employment outside the district or render themselves liable to fine [sic] and imprisonment.⁵⁰

The delegation recommended that a land commission be appointed by the Cape parliament to report on the working of the Act to the Cape and the imperial parliaments.

Rhodes replied smoothly that the idea was to secure the land to the blacks through individual tenure, and that no government would allow whites to buy Glen Grey land. He mentioned local option over liquor, and that the revenue raised locally would be spent locally. He said that in regard to labour he wanted "to do something for the natives to get them to see the advantages of labour and learn the dignity of work." Three

⁴⁸ PRO CO 48 524 p 720.

⁴⁹ PRO CO 48 524 p 719.

⁵⁰ The Aborigines' Friend 4(11) New Series January 1895 p 447.

months of employment a year for twelve years, or three consecutive years of employment ended the obligation to pay the labour tax. Explicit prohibition against white purchase was impossible because that would be class legislation, Rhodes said.⁵¹

* * * * *

The Colonial Office's support for Rhodes rather than his critics is evident in its reaction to the points made by Tengo Jabavu. The labour tax was described in Jabavu's standard form petition as "at best a qualified slavery", a charge which clearly agitated the Colonial office staff, but which they rejected. [See p 138] It seems that they were more concerned to reject the imputation of slavery than they were to remedy the abuse complained of.

The question of treaty obligations, which Jabavu had emphasised, received short shrift at the Colonial Office. Fairfield looked up the Blue Book in question⁵² and found that Jabavu's point about the reservation of land in the treaties was prima facie correct. He observed nevertheless that "The great [?] number of these treaties must be considered to have been abrogated by the Kaffir Wars of 1847 and 1850 and the annexation of British Kaffraria as a Crown Colony."⁵³ He went on to quote from Theal's South Africa a description of Sir Harry Smith's terminating of the treaty system. Fairfield clearly relished the absurdity of the episode as he recalled that Smith, having summoned a number of chiefs to King Williamstown in 1848 for the purpose of announcing the annexation of British Kaffraria, addressed them as follows:

"Look at the waggon," he said "and hear me give the word fire!" The

⁵¹ Sauer had remarked "that [Glen Grey] Bill, they could not but see, was class legislation, but to that he did not object." (DHA 1894 p 382 col 2). Innes said "They could not logically express any fear of class legislation, because the whole Bill was class legislation, and the proposed labour tax was very stringent class legislation, so that there could be no objection to the making of the strictest provisions with regard to the alienation of land." (DHA 1894 p 411 cols 1-2).

⁵² PRO CO 48 524 p 132. Fairfield quoted the phrase from the treaties and made a marginal note "See for example bottom of p 25 of H[ouse] of L[ords] Papers of 1884".

⁵³ PRO CO 48 524 pp 132-3.

train was lit, and the waggon went skyward in a thousand pieces. "That is what I will do to you," he continued "if you do not behave yourselves." Taking a piece of paper in his hand "Do you see this" said he, tearing it and throwing the pieces to the winds. "There go the Treaties," he exclaimed. "Do you hear? No more Treaties!"⁵⁴

Fairfield continued "ludicrous as this was it substantially represented the policy of HMG." He made another marginal note: "P. S. I found afterwards that he had abrogated the Treaties by a formal proclamation which is in an old Blue Book".⁵⁵

The Colonial Office was not sympathetic towards Jabavu personally. Fairfield thought that the "18 or 19" petitions received "only represent a certain amount of missionary and catechist opposition engineered by Mr Tengo Jabavu"⁵⁶. The Office also showed a distressing tendency to draw the wrong conclusions, not maliciously but from insufficient knowledge: Fairfield gave no weight to Jabavu's submissions because he "noticed in the Report and Evidence of the Glen Grey Commission that the Glen Grey people had repudiated the writer's claim to be their agent."⁵⁷ This was true, but needs some explanation. A letter signed by 22 of the headmen of Glen Grey had been sent to the under-secretary of native affairs in April 1892, which letter said that a delegation to Cape Town, of which Jabavu was part, did not represent them.⁵⁸ That delegation had gone to Cape Town to ask for the issue of individual titles in Glen Grey, but was opposed to individual tenure being compulsory. The repudiation came from those who did not want individual title at all.⁵⁹ If Fairfield had read the whole of the evidence given to the Glen Grey Commission, and not just the outline of the commission's proceedings, he would not have made such a mistake.⁶⁰

But even if the Colonial Office had had more sympathy for Jabavu

⁵⁴ PRO CO 48 524 p 133.

⁵⁵ *ibid*

⁵⁶ PRO CO 48 524 p 134.

⁵⁷ PRO CO 48 524 pp 709-10.

⁵⁸ AVP A1-'93 p 3.

⁵⁹ AVP A1-'93 pp 23-4. There may have been some class differences between Jabavu and the people who repudiated him and his delegation. As a "school native", Jabavu may have been on the side of the more substantial peasant producers, and in favour of blacks being allowed to accumulate more than one lot.

⁶⁰ To be fair to the man it must be said that reading even part of the Glen Grey Commission report was remarkably diligent of him, considering the quantity of work that the Colonial Office had to do.

it would probably not have disallowed the Act, firstly because the relevant treaties had been abrogated, and secondly because the change of tenure would not in itself deprive blacks of their land.

What was crucial in the end was the Colonial Office's reliance on Rhodes. Buxton was obviously re-assured by a conversation that he had had on the subject with Rhodes while the latter was in London, and

minuted

I am clear in my own mind, that (apart from any question as to the expedience or otherwise of disallowing such an act as this passed by a self governing colony) the Act in itself is a good one and should not be disallowed.

It appears to be a generous and bold attempt to deal, and deal humanely, with the native labour question.

Mr Rhodes was very emphatic -- in regard to the possibility of allowing the natives to sell their allotments to the whites -- that such an action w[oul]d not be under any circumstances allowed -- & that it would be entirely contrary to his native policy.⁶¹

Rhodes had clearly satisfied Buxton that African land was safe. The power of disallowance was not exercised. In London only Rhodes's opinion carried much weight; other voices were hardly heard.

Another example of Rhodes's influence over the Colonial Office is to be found when the South African temperance lobby expressed concern to the Colonial Office in 1894 that Rhodes might allow liquor into Khama's country. Ripon assured them that

... Mr. Rhodes has indeed written to the Department to contradict certain rumours which have gained currency on his attitude to the subject, stating in the most positive terms, that he is totally opposed to the introduction of liquor into Khama's country.... Her Majesty's Government are well assured that as far as Mr. Rhodes may influence events in the Protectorate as Promoter of Railway communication, Manager of Industrial Enterprises, or otherwise, his actions and influence will be hostile to the Drink Traffic.⁶²

Clearly the Colonial Office was satisfied that once Rhodes had given his word all would be well.

⁶¹ PRO CO 48 524 pp 134-5.

⁶² Natal Archives. Colonial Secretary's Office volume 1418 minute paper G10 of 1895, enclosing inter alia a copy of Ripon to Loch, South Africa No. 308, of 14 December 1894. I am grateful to Miss Brenda Nicholls for making a detailed note of this exchange and bringing it to my attention.

Conclusion

This discussion of the reception of the Act rounds out the account of how it was passed. It will be seen that contemporaries of the Act, while aware of it as a measure intended to secure labour, did not concentrate exclusively on this facet of it; reserving the land to the people of the district was also a major concern. There were those who wanted to preserve the land to the blacks as a means of making that land into 'reservoirs of labour'; Rhodes and Richard Rose-Innes were among them. There were those who wanted to reserve the land for a mixture of motives: some humanitarian, and some desirous of labour. Those identified as Cape liberals had both kinds of concern in mind. Finally there were those who wanted to take the land from the people: A section of the Bond wanted to do this in the interests of white agriculture.

The labour question did not dominate the Colonial Office discussion, and certainly there was little or no reference to the needs of the gold mining industry in the Transvaal. Although Rhodes was approached in 1892 on the question of securing Cape labour for the Transvaal mines,⁶³ he was not seen in the Colonial Office as primarily a gold mining magnate. In any event, Rhodes's position as premier of the Cape Colony made it far more likely that labour for Cape employers was at stake. The Bill was accepted by the Colonial Office because it was a measure of the Cape parliament, resolutely advocated by the prime minister, who was strongly (but not unanimously) supported in parliament where the Afrikaner Bond, the party of the Cape farmers, was dominant.⁶⁴

Criticism of the Glen Grey measure, whether by the black or the white people of the colony, or by people in Britain, did not dissuade its

⁶³ Lionel Phillips wrote from Johannesburg on 13 August 1892 to Alfred Beit in London as follows: "While in Cape Town I am going to enquire into feasibility of importing Colonial labour." Lionel Phillips All that glittered: selected correspondence of Lionel Phillips 1890-1924 Edited by Maryna Fraser and Alan Jeeves. Cape Town: Oxford University Press, 1977. Page 59.

⁶⁴ Hermann Giliomee "Western Cape farmers and the beginnings of Afrikaner nationalism, 1870-1915" Journal of Southern African Studies 14(1) October 1987 pp 38-63.

supporters or prevent it from becoming law. It was the subsequent popular resistance that had an effect on policy. The resistance of the people on the ground made the labour tax unworkable, and raised doubts in official minds about the advisability of individual tenure, which was extended very gradually under the Glen Grey Act, and was finally abandoned as government policy in the 1920s.⁶⁵ Rhodes's 'Bill for Africa' was much less of a success than he had hoped.

⁶⁵ Ally Development pp 191-261.

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