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THE UNIFICATION OF SOUTH AFRICA

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SELECT DOCUMENTS RELATING TO  
THE UNIFICATION OF  
SOUTH AFRICA

EDITED WITH AN INTRODUCTION BY  
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IN TWO VOLUMES  
VOL. I

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## PREFACE.

THE purpose of the present work is fully explained in the Introduction, and it is here only necessary to express regret that it has been impossible to make a more comprehensive selection from the voluminous mass of official material that is available to illustrate the process of South African consolidation. There is room for wide differences of opinion as to what to include and what to reject, and it is unlikely that any two persons would agree in every particular. My plea in justification of my choice is that the documents here printed seem to me to have a thread of connection and to do something to illumine an episode of the history of the British Empire that has as yet been too little studied in England. Many of the passages might easily be replaced by others of equal aptness, but certain of the principal documents must be printed entire, and these take up so much space that what remains is very difficult to fill. The many extracts from British Parliamentary Papers that are included in these volumes have been reprinted with the permission of The Controller of H.M. Stationery Office, to whom I desire to record my acknowledgments. The source of

every extract that is printed is clearly shown at the head, so as to facilitate reference to its context, and my debt will be best discharged to the editors of the works from which they are taken by the students who are guided to read further. The collection should be supplemented by two books concerning the events of the Convention period, Mr. R. H. Brand's "The Union of South Africa"<sup>1</sup> and Sir Edgar Walton's "Inner History of the South African Convention."<sup>2</sup> Each was written by an actor in the story and both are essential to its study. My thanks are due to two students of my seminar at the Institute of Historical Research, Miss Dora Howard, B.A., and Mr. W. C. Palmer, B.A., who have assisted me in the transcription of documents.

ARTHUR PERCIVAL NEWTON.

UNIVERSITY OF LONDON,  
KING'S COLLEGE,  
*February, 1924.*

<sup>1</sup> Brand, R. H., "The Union of South Africa." Oxford, 1909.

<sup>2</sup> Walton, Edgar, "The Inner History of the South African Convention." Capetown, 1912.

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## INTRODUCTION.

HISTORY is concerned with the recording of human activities, and in its most rudimentary form it is the affair of the annalist or chronicler who does little more than set down an account of events in the order of their occurrence. His choice between the multitude of happenings is guided by his estimate of their comparative interest, and he makes little or no attempt to gauge their significance or trace their connection. He records successively without change of scale the devastation of a province, the appearance of a comet, the birth of a monster and some atrocious crime, and all seem of equal importance in his pages. Narratives showing little more discrimination sometimes lay claim to be history even at the present day, but they should rather be classed with the work of those modern chroniclers who record the events of the day just as they think they will be of immediate interest to their readers. The real work of the historian is radically different. It is concerned not with the mere sequence of events but with a theme, some definite tracing of cause and effect. It relates to ideas rather than to mere facts, for though facts are essential and the ensuring of their accuracy ought to be one of the closest pre-occupations of the historian, only those facts concern him that shape themselves round his idea or chain of ideas. His purpose may\*be infinitely various—to

elucidate the growth of a community or an institution, to glorify a nation or a Church, to justify or castigate the doings of a party, or to investigate the influence of some great concept of human relations—whatever it may be, the historian will see in it some evolutionary process and his idea will dominate the arrangement of his facts. He approaches the heterogeneous mass of information that is available for his chosen period with the definite aim of sifting out relevant facts, and he therefore must engage simultaneously in three closely related actions—the search for promising material, the selection from it of the facts required, and, most difficult of all, the correlation of those facts and their linking together as parts of a single process. The essential faculty for all these actions is imagination, or—to use a word less capable of misunderstanding,—insight, and the disciplining and encouragement of this faculty are perhaps the most important parts of the training of a historical student.

A large part of the historical curriculum must necessarily be concerned with the imparting of information, that is to say, with the results of the labours of past historians. Before he can profitably proceed further, the pupil must be equipped with some knowledge of the broad outlines of political development, the course of great events and the general lines of historical thinking. But at some point of the course it is well to cease the inpouring of other men's ideas, to sink the pupil in the student and turn him loose into the wilderness of irrelevance that provides the stuff out of which history must be extracted. Let the student try his prentice hand upon this raw material, the documents that have come down to us from the past; let him essay the historian's task and endeavour to digest some history of his own finding, instead of continuing to

devote his whole attention to the absorption of history ready digested by others. To some teachers the ideal way of carrying this plan into effect has appeared to be to require from undergraduates as a qualification for the degree some evidence of actual historical research; but to others the time at a student's disposal among his many other tasks seems to be insufficient to make this really practicable, and a compromise is adopted. Training in the search for original historical material is left to the post-graduate stage, and the student's task is simplified by directing his investigation to one of a limited number of "Special Subjects" for each of which a nucleus collection of historical material is provided. The documents on which he is to work must be readily accessible, and, since they must necessarily be limited in bulk, they must have undergone some preliminary selection and separation from the mass of writings that are available. If the selection has been suitably made, what is placed before the student will be a fair sample of the various types of documents that are likely to be met with in a fuller exploration of his chosen field, and in their study, though he will not really be engaged in original historical work, he will be learning the use of the historian's tools in much the same way that a recruit first learns his trade of soldiering, not in a real campaign, but in autumn manoeuvres.

The collection of historical material that is here assembled, is designed to provide a working ground for students who have chosen to specialise in the more recent period of modern history, and are directing their attention more particularly to the development of the British Empire. It deals with the latest application of the federal principle as a remedy for acute difficulties of government in a portion of the King's realms and with the movements that led up to it. The South Africa



Act of 1909 was the result of a long historical process, and gave to the South African nation not a federal but a unified constitution. Nevertheless there is evidence in every part of it of the results of the experience of earlier federation builders, and it is in their labours that some of the most important roots of the Union must be sought. The student must therefore have some familiarity with two particular historical fields to assist him in his work upon these documents. He must know how South African affairs came to be involved in so much difficulty that a drastic political remedy was necessary; he must study the nature of the remedy and the conditions that have governed its successful application in other cases. He will find that its elaboration has been closely coincident with the achievement of political responsibility by the communities to which it has been applied, and he will come to realise that in the British Empire federation and "Responsible Government" have had a common history with which the whole political development of the self-governing Dominions is linked up. His work, therefore, is concerned not with a mere incident, however important, but with the main thread of the Empire's story. When the student has some knowledge of the ills to be dealt with and the nature of the remedy, he can proceed to his appointed task, an investigation of the history of the attempts to apply the remedy to the cure of the ills.

The background of the story is the general history of the British Empire and of South Africa in particular. This may be studied in any of the many narrative histories that have been written, but attention may be specially directed to Sir Charles Lucas' summary in his "Historical Geography" <sup>1</sup> series, and to the articles by Mr. F. R.

<sup>1</sup> Lucas, C. P., "An Historical Geography of the British Colonies," Vol. IV, Parts I and II, "South Africa" (new edition). Oxford, 1915.

Canons on South African history in the Eleventh Edition of the "Encyclopædia Britannica."<sup>1</sup> For guidance on other available books reference may be made in the first instance to my "Select List of Books relating to the History of the British Empire Overseas,"<sup>2</sup> where fuller bibliographies are mentioned and some critical comments on various narrative histories appear. The history of the development of Federalism must be studied in the various federal and unified constitutions that I have reprinted with a Historical Introduction in the companion volume to the present work.<sup>3</sup> In that volume the student will also find various documents relating to Responsible Government which describe the device in the words of those who first applied it in colonial affairs, and therefore are of direct interest to the subject in hand. The documents now reprinted are nothing more than a small selection from the very considerable mass of material of all kinds that exists in print concerning the events that led up to unification. No attempt has been made to explore manuscript sources, though this task will be essential before any definitive history of the movements for closer union in South Africa can be undertaken. The documents have been selected to provide a fair sample of one side of the historical material in printed documents—the official. It may be complained that this is to neglect the vital evidence of struggle and of human perplexities for the dry-as-dust pages of official despatches and the verbiage of legal instruments. In any ideal collection evidence of both

<sup>1</sup> Cape Colony, Transvaal, Orange Free State, South Africa—History.

<sup>2</sup> Newton, A. P., "A Select List of Books relating to the History of the British Empire Overseas." Historical Association Leaflet No. 46 (revised).

<sup>3</sup> Newton, A. P., "Federal and Unified Constitutions," University of London Historical Series, No. ii. Longmans, 1923.

sorts should, of course, be included, but where conditions of space necessarily enforce a choice, there can be no doubt whatever that that choice must be in favour of the official material. It would be extremely interesting to reprint long extracts from controversial pamphlets, electioneering literature, private correspondence and the newspaper press, but space absolutely forbids, and to the student such material is confusing and useless until he is certain of the main current of affairs. That accomplished, he can pass into the uncharted backwaters to find colour with which to fill in the hard outlines of his story. But even from the beginning he may be urged to read round his subject and not confine his attention solely to the prescribed documents. The official material affords few glimpses of the personalities of the actors in the struggle, but without some knowledge of this sort the subject is unnecessarily dull, and the successive steps that were taken are often inexplicable. History is made by men and not by automata, and an attempt to realise something of the personalities of men like Grey, Carnarvon, Molteno and Froude, and of the makers of the Union and their contemporaries like Rhodes and Hofmeyr, Botha, Merriman and Jameson, cannot fail to be repaid with a deeper understanding of the despatches that they penned or the speeches that they made.<sup>1</sup>

The documents selected relate in the main to political difficulties and developments; economic and labour conditions played a very important part in bringing about closer Union, but their detailed study is only accessory

<sup>1</sup> For the biographies of deceased statesmen reference should be made in the first instance to the "Dictionary of National Biography" and its Supplements. The lists of authorities given at the end of the articles will facilitate further reading. For the careers of living persons of eminence the most accessible source of information is to be found in the articles in the Eleventh Edition of the "Encyclopædia Britannica."

to that of the main line, which is political and constitutional. The attention devoted to economic matters in the propagandist and periodical literature of the time must not blind us to the fact that for the historian they are secondary and contributory causes to the working of deeper political causes which are the primary objects of his investigation. Native affairs are, of course, not included in this statement, though they often have an economic bearing. In the history of South Africa the native question is of fundamental political importance, and it must demand a very considerable share of the student's attention.

The most convenient order of arrangement for a miscellaneous collection of historical documents is undoubtedly chronological, and that plan is adopted here; but the student who patiently plods through the volumes page after page, will find himself at the end of his labours with a surfeit of "facts" but very little history. He should follow the example of the trained investigator and search his material rapidly for a point from which to take his departure backwards and forwards. Somewhere or other in a long official correspondence or a series of debates upon a subject there will usually be found a historical resumé of the events with which it is concerned and a succinct statement of the points at issue. The occasion on which this resumé was made often forms an excellent starting-point and the resumé itself an invaluable aid to find a way through the chronologically arranged material. A preliminary survey of the documents with the resumé at hand will permit of their arrangement in some logical order. The student will thus begin to discern the relationship of the documents with one another and hence be better prepared to appreciate the character of their contents.

It would be unprofitable and even harmful to attempt

to prescribe some one method of handling the material as the best, for after a time every capable student will evolve a method of his own. It is an essential feature of this sort of historical training to allow students to flounder about for themselves and not to try and hold them up from every tumble. It is only by experience that they will learn that the historian must make use of the method of "trial and error" much as do the physicist and the mathematician. There is only one fundamental difference. Their problems usually admit of exact solution, the historian's do not. He can merely arrive at a correlation of causes and effects by a balancing of probabilities, and his results will always admit of doubt. The mathematician, is dealing with abstractions, and he can make his facts as sharp-edged as he pleases, the historian with realities involving all sorts of unknown or only vaguely perceived factors, and none but the very simplest of his facts are definite and clear-cut. On the other hand, the terms employed by the historian or political scientist ought to be capable of fairly accurate definition like those of the lawyer, and one of the most important lessons a student will learn in the handling of official instruments such as are to be found in this collection, is that they are capable of exact interpretation. This is a difficult lesson to learn at first, for in working through a long series of historical documents the student will be baffled by his discovery that the implication of the terms employed changes as time goes on, and that a word of exact meaning in one official instrument may need a much wider or different interpretation in a similar document of a different period. This applies to some extent to comparatively simple terms like "colony" or "executive," but in relation to the more difficult phrases of political science like "responsibility," "sovereignty" or "federation"

the change of meaning with the lapse of time has been of cardinal importance. Historical evolution has taken place, and it is his realisation of the possibility of this that differentiates the interpretation of the historian from that of the constitutional lawyer who tends to read the meaning of the present day into the terms of earlier periods. The lawyer looks backward at documents from the standpoint that his own age has reached, the historian tries to imagine himself into the mental position of an earlier age so as to look forward at the meaning the writers are trying to express and the purpose they are aiming to achieve. To attain this mental attitude it is essential that the student shall do as much reading in the writings of his period as he finds it possible to accomplish.<sup>1</sup>

As a rule those who work on this collection will try first to construct a consecutive narrative of events from their reading, and this is the most obvious purpose for which the documents may be used. But if this be all he does, the student has missed many of the advantages to be derived from his training. He ought to try and perceive something of the growth of governmental institutions in his period, and he should endeavour to discover the different means that constitution-makers have invented to accomplish similar ends. The comparison of constitutions and of Acts of Parliament is a much sounder way of acquiring insight into the principles of political science than the absorption of

<sup>1</sup> Old newspapers are an admirable source in which to find background for a modern period, but their files are rarely accessible, and out-of-date editions of the big encyclopedias provide a passable substitute and are easier to get at. Every one should be advised as a relaxation from closer study to browse in two readily accessible sources, the contemporary volumes of "The Annual Register" and "Punch." They are to be found in most English libraries and well reflect the point of view of the time.

pages of text-books. It involves an active training of the critical faculty, and is not merely an addition to the memory drudgery with which the historical curriculum is sometimes taxed. The "special subject" will largely fail of its purpose, if it is regarded as something separate from the other parts of the student's work. At every turn he will find that they are in intimate contact, and just as he uses the knowledge gained from his lectures in English or European history to explain the setting of the facts he discovers in his investigations, so he will tend to choose from those facts his illustrations of the meaning and application of political ideas.

The history to be learned from a series of official documents is not only derived from the facts and statements that they contain, a study of their form is also of interest. In a civilised society the machinery of government takes action by means of written instruments, and these are preserved as records of the action, and so remain to become material for the historian. The records that are produced by one part of the governmental machinery in performing a particular action are all characterised by a certain structure of words within which only certain parts are variable to suit different cases. That is to say, these instruments have a "common form," and the study of this common form is of value as indicating something of the history of the institutions from which the documents emanate. The study is known as "Diplomatic." In simple governmental instruments like a jury summons, an election writ or the precept for a local rate the common form is, as a rule, printed and makes up almost the whole document, only a few variable particulars being inserted by hand, such as the date, place, person addressed and so on. In the most important governmental instruments like Acts of Parliament and Orders

in Council the effective and variable part makes up almost the whole document, but still it is fitted into a structure of common form and is thus recognisable as having authority. It is a frequent blunder on the part of inexperienced investigators to mistake for important material what is merely common form, and the student should, therefore, devote some attention to the classification of his documents according to their nature and independently of their effective contents. He will derive help in his task by consulting some work on Diplomatic such as Mr. Hubert Hall's *Formula Books for English official documents*.<sup>1</sup> As he studies the form of Letters Patent or of a Sign Manual he will see something of the way in which the doings of the *Curia* of the mediæval kings still have an influence upon our governmental methods, and how a democratic state carries on a large part of its business with the formulas of a personal monarchy.

The incidental benefit to be derived from the handling of a mass of historical material is very varied, and every student will profit by his training in his own way. He should think not only of what he is doing, but of how he is doing it so as to test his own "historic method" against that of professed historians. But behind and above all such incidental benefits to be derived from his training he will become interested in his subject for its own sake, for no one can fail to realise that in working through these documents he is in touch with evidence for vital things in our Imperial development. The events dealt with are not merely of local importance for South Africa, and their course is not influenced by happenings in the Sub-continent alone. The subject is an integral part of modern Imperial history, one eddy

<sup>1</sup> Hall, Hubert, "*Formula Book of Diplomatic Documents*." Cambridge, 1908.



in the current of the political progress of the English-speaking peoples that in the last century has influenced the whole world. As the student's insight deepens and his historical imagination quickens, so he will get behind the surface phrases and the irrelevances of his documents to the movements at work beneath. In the constitutions that he has studied as an introduction to the present volumes, he has marked the strivings of freedom-loving peoples towards responsibility and self-rule, their progressive emergence from the kindly but irksome tutelage of the Home Government, their relinquishment of the assistance afforded them during early colonial struggles, and their gradual adaptation of governmental machinery to fit their local circumstances. The process ultimately leads to the federation or union of contiguous colonies into a dominion, and this final stage is the one here to be studied in detail in a particular case.

Nowhere but in South Africa were there so many false starts, and nowhere such bitter controversy. The Imperial Government has been accused of every fault a ruler can display, from downright tyranny to meddling fussiness, the colonists of British stock of ingratitude, and on one side of neglect of native interests, on the other of a desire to advance them unduly. The men of Dutch descent have been stigmatised wholesale as wilfully blind to the necessity of progress and as obsessed with the narrowest of particularism. Such a welter of accusations should warn the student that he is not likely to arrive at historic truth by taking sides; he will be on safer ground if he stands quite aside from the controversy and tries sympathetically to appreciate the different points of view of all the parties concerned. It is the business of the historical investigator to investigate and endeavour to interpret, not to sit in judgment. The

men whose actions he is studying were in the vast majority of cases animated by worthy motives, and were doing their best according to their lights. They often blundered, and what they did produced results they had never foreseen; their devices were sometimes abortive and sometimes achieved success, but rarely along the exact lines that had been planned. Failure may be as important as success in the long run, and, if any historic equation can have a solution, it is certainly not to be arrived at by a simple process of addition and subtraction. There is only one mathematical axiom that applies in politics and history—"The whole is greater than any of its parts."

The destinies of South Africa have been moulded within the British Empire, and their shape has been altered by forces that have affected the whole. The formation of the Union cannot adequately be studied by anyone, if his attention is solely directed to affairs in South Africa after the fashion of a particularist partisan. But the converse is also true. The influence of South African affairs and of South African experience has spread far beyond its shores. They have taught unforgettable lessons to the statesmen of the Empire-Commonwealth. The flexibility of British rule has been attained by long experience of the complexities of the task of colonial government, and there have been few such laboratories of experience as South Africa. The idea of a trusteeship entrusted with the task of uplifting and fostering the well-being of primitive native peoples has emerged from the long and painful struggle between the cruder earlier notions of planters and missionaries. It was in South Africa that this struggle saw its bitterest phases. The influence of complex economic factors upon national prosperity has demanded deeper practical study during the last fifty years in that

part of the Empire than in most others. Only there could be found such acute and insistent problems as were set by the existence of a great industrial area like the Witwatersrand in the midst of a predominantly agricultural people. Many of the economic problems of the modern world have been presented to South Africa in an acute form in the course of the last two generations, and so clear-cut that a study of their treatment is facilitated. The story of the Unification of South Africa, in fact, is peculiarly fitted to be a training ground for the student of modern history, and it is with the purpose of making its study more accessible that this collection of documents has been prepared.