

Imperialism, White Nationalism, and Race:
South Africa, 1902-1914

by

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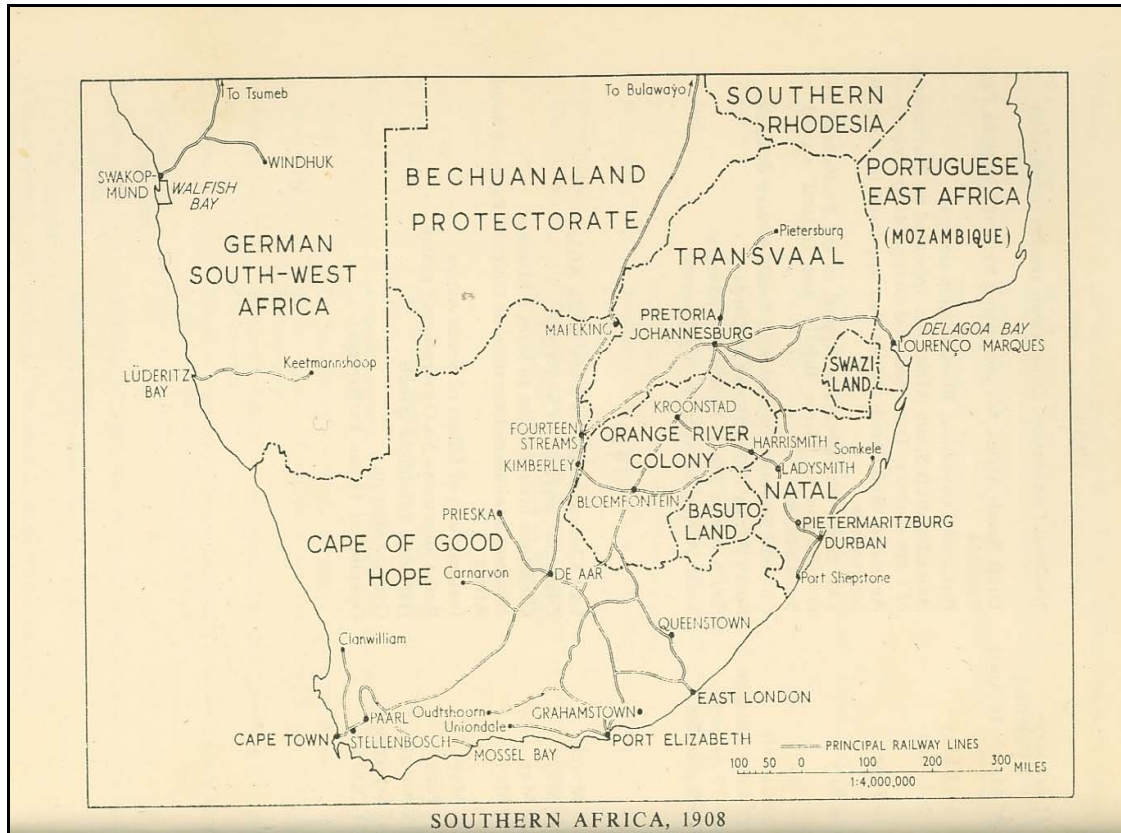
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Note on Terminology

The vocabulary of race, particularly in contemporary South Africa, is constantly evolving. Because of this—and because many of the expressions used by early twentieth century South Africans to talk about race and race relations are considered completely unacceptable in today’s world—a brief note about language is necessary. When discussing racial groups in this thesis, I have tried to use language that is considered appropriate in present-day South Africa. African and black are used interchangeably; Coloured (a jarring word to most Americans, but appropriate in the South African context) refers to those South Africans of multiracial backgrounds; Indian refers to people whose ancestors were from the Indian sub-continent; and white refers to all South Africans of European descent. Non-white and persons of color are both used to collectively describe all persons who were African, Coloured or Indian. Occasionally, I will use expressions that were commonly used in early twentieth South Africa, but are no longer considered acceptable (such as “Native” to refer to Africans or “Asiatic” to refer to Indians). This is no way done to cause offense, but rather to preserve the meaning of the historical context.

Political Map of Southern Africa, 1908¹



¹ From Leonard Thompson, *The Unification of South Africa* (Oxford: Oxford University Press, 1960), facing page 1.

Introduction

On May 10, 1994, millions, both in South Africa and around the world, joyfully celebrated the inauguration of Nelson Mandela as the first African president of the Republic of South Africa. Since 1948, South Africans had lived under a rigid system of racial oppression known as apartheid, under which the South African population had been systematically divided into four main racial categories—white, Indian, Coloured, and African. Apartheid laws and police brutality kept the four races residentially and socially segregated from one another, and ensured that most persons of color, particularly Africans, were kept impoverished and under-educated. The birth of a nonracial South Africa from the ashes of the apartheid regime captivated the world, especially after Nelson Mandela’s release from twenty-seven years in prison in 1990. To the millions who supported the liberation struggle and closely followed South Africa’s transition to a nonracial democracy, the inauguration of Nelson Mandela marked a crucial turning point in South Africa’s bitter narrative of racial oppression and white supremacy.

This narrative of black versus white dominates both popular and scholarly understandings of South African history. At its most simplistic, this narrative describes the oppression of the black African by the white European during the twentieth century—an oppression which culminated in the creation of apartheid in 1948—and, after years of violent struggle, the birth of a new, “nonracial” South Africa in 1994. This understanding of South African history has resulted, to some degree justifiably, in a vilification of white South Africans. Even today, white South

Africans continue to epitomize the European legacy of colonization and white supremacy. For the second half of the twentieth century, particularly after the advent of postcolonial history, historians systematically avoided studying the history of white South Africa, believing that it had dominated research for far too long. Some historians, of course, have undertaken a more nuanced examination of South Africa's white history, but for the most part, "white South Africa" remains a suspect subject in academia.

Knowing what we know now about South Africa's long liberation struggle, it is easy to forget that the apartheid regime is only a small piece of South Africa's brutal and complicated racial history. The National Party, the political party that implemented apartheid, did not come into power until 1948—the year after India gained independence and the year Israel became a state. One reason, in fact, why South Africa's experience under apartheid remains so captivating is because the system seems so out of place in the Western world during the second half of the twentieth-century. South Africa, after all, was not the only Western nation to have endured a system of racial oppression. For over ninety years, the American South upheld a legalized system of racism that was similar to apartheid. Yet unlike the American South, South Africa's apartheid regime flourished while ideas of European colonization and white hegemony were collapsing across the globe. How, then, did apartheid happen? For many historians, this is the most intriguing question about South African history. How, in the face of twentieth-century decolonization and the United States Civil Rights movement, did South Africa—a nation that, like so many others, was a product of white European colonization—evolve into a nation

dominated by white supremacy and racial violence? And how was this system sustained for over forty years?

For twentieth-century South African historians, this question has demanded the most historical attention. Since the 1960's, South African scholars have directed an enormous amount of energy into figuring out how and why apartheid came into existence. These South African historians can be loosely divided into two academic camps: the neo-Marxists and the liberals. Liberal historians such as Eric Walker, W.M. MacMillan, and Sir Keith Hancock dominated South African historiography until the 1960's, and put a strong emphasis on the unique characteristics of the Afrikaner culture.¹ While not entirely exonerating the British settlers, the liberals believed that the racism of South Africa was due in large part to the racist "frontier mentality" of the Afrikaners (the name given to those white South Africans who were descendent from Dutch, not English, settlers). In the late 1960's and early 1970's, this liberal interpretation was challenged by the neo-Marxists, who accused the liberals of ignoring the structural connections between capitalism and racism in South Africa's racial history. The neo-Marxists believed that the rise of racism in South Africa needed to be contextualized first and foremost within twentieth-century industrialization and imperial capitalism.

Neo-Marxism dominated South African historiography through the 1980's and the early 1990's. Though liberal historians never fully abandoned their earlier

¹ A number of South African historians have chronicled the liberal versus neo-Marxist debate within South African historiography. This analysis of these competing interpretations is drawn primarily from the following works: John W. Cell, *The Highest Stage of White Supremacy: The Origins of Segregation in South Africa and the American South* (New York: Cambridge University Press, 1982), 1-20; Merle Lipton, *Liberals, Marxists, and Nationalists: Competing Interpretations of South African History* (New York: Palgrave Macmillan, 2007), 7-32; Christopher Saunders, *The Making of the South African Past: Major Historians on Race and Class* (Totowa, NJ: Barnes and Noble Books, 1988), 167-186.

interpretations, most began to pay more attention to the economics of racism as a result of the neo-Marxist argument.² Since the early 1990's, however, the neo-Marxist interpretation has faced accusations of oversimplifying South Africa's racial past.³ Most contemporary historians now believe that neither the neo-Marxist nor the liberal perspective can adequately explain South Africa's racial past on its own. Instead, most now choose to borrow from both intellectual traditions when analyzing South African history, though there are some historians who still strictly adhere to the neo-Marxist interpretation.

Yet as varied as their opinions are, the one thing that unites almost all contemporary historians of South African history is their desire to contextualize apartheid within a long continuum of racial oppression. Although no historian would claim that the emergence of apartheid was inevitable, most place it as the culmination of a long progression of racism that began as soon as white settlers arrived in southern Africa in 1652. This assumption becomes even more pervasive outside the realm of professional history. While most serious historians provide some nuances to South Africa's racial past—particularly when it comes to the dynamics of South Africa's white population—popular understandings of South African history assume that from the day whites arrived on South African shores, white South Africans monolithically and deliberately worked to oppress the African majority.

This thesis challenges these conventional understandings of South Africa's racial past by taking a careful and critical look at a period of South Africa's history that is often forgotten: the period from the end of the Anglo-Boer War in 1902 to the

² Saunders, *The Making of the South African Past*, 167-176.

³ Lipton, *Liberals, Marxists, and Nationalists*, 7-32.

beginning of the First World War in 1914. It also focuses on a topic that most historians now tend to shy away from: white male politicians. My central claim is that the years 1902 to 1914 represent a period of crucial state building for the white nation of South Africa, a time when South Africa's white population began to look beyond the British Empire in an effort to define South Africa on its own terms. This was also a period when a number of major legislative decisions were made about the status of non-whites, decisions that would later become cornerstones of the apartheid regime. Both of these narratives—the narrative of white colonial nationalism and the narrative of racial oppression—have been told many times by many historians. However, except in very broad surveys of South African history, rarely are they told in conjunction with one another.

My goal is to examine race in South Africa during this period from the perspective of contemporary white male politicians; men who were responsible for the foundations of the apartheid regime, but whose primary concern was not, in fact, race relations at all. Above all else, these white politicians were focused on creating a unified white South Africa as a self-governing dominion of the British Empire. They envisioned a twentieth-century South Africa comparable to Canada, Australia, or New Zealand. The white politicians who held power in South Africa from 1902 to 1914 wanted to see South Africa's ethnically and regionally fractured white population unite as one nationality, under the flag of a united South Africa.

This was a relatively new vision for South Africa. During the nineteenth century, southern Africa was a hodge-podge of colonies, republics, protectorates, and lands under African rule. The “White South African” identity did not exist. The

white population in no way saw itself as a unified group; like the African population, the whites of South Africa were fractured along a number of ethnic, geographic, religious, and linguistic lines. The most virulent division during the nineteenth century was between the region's two white ethnic groups, the English and the Dutch. The Dutch settlers of South Africa (who would eventually adopt the name Afrikaners) had first come to southern Africa in the seventeenth century, when the Dutch East India Company settled the Cape peninsula—often (inaccurately) thought of as the southern-most tip of Africa—as a trading post in 1652. The British did not permanently acquire the Cape from the Netherlands until 1814, and it was after this date—and particularly after 1820—that English settlers began immigrating in larger numbers to southern Africa.

The tensions between the two white groups were palpable from the beginning, particularly since the English quickly came to dominate the economic and political institutions of the region. As a primarily rural group, the Afrikaners resented the power of the urbanized and educated English. The English, for their part, looked with contempt upon the “backward” Afrikaner, and a relationship emerged that both sides perceived as one of “colonizer and colonized.”⁴ For the entire nineteenth century and for the first half of the twentieth century, the term “race,” in fact, was used not to describe the relationships between whites and non-whites, but to describe the bitter ethnic conflict between the English and Afrikaners.

⁴ Numerous historians have commented on the “colonizer-colonized” relationship that emerged between the British and Dutch in South Africa. See Vernon February, *The Afrikaners of South Africa* (London: Kegan Paul International, 1991), 73. February writes: “It is almost a stroke of supreme irony that the views of Frantz Fanon on language, as expressed in his book *Black Skin, White Masks* (1967), would have found an equally willing response among Afrikaners if written by an Afrikaner between 1854 and 1899.”

The white population also quickly became fractured along geographic lines. For the most part, whites were clustered in four main geographic areas: two British colonies—the Cape Colony (also known as the Cape of Good Hope) and Natal—and two relatively independent Afrikaner republics, the Transvaal and the Orange Free State. Inhabitants of each colony and republic had their own histories and loyalties that could not be easily undermined. Most English immigrants settled in the Cape Colony, the largest—and oldest—of the South African colonies, and most chose one of the Cape’s cities (most often, either Cape Town or Grahamstown) as their home. The Cape Colony’s territory was larger than all three other colonies combined, stretching along the southern and western coast of Africa.

A smaller population of English settlers settled in the Natal colony, located along a narrow strip of land between the sea and the Drakensburg Mountains on Africa’s south-eastern coast. Both of these two coastal colonies—the Cape Colony and Natal—were dominated primarily by English-speaking settlers (though the Cape in particular had a substantial population of rural Afrikaners) who held fast to their connection with the British Empire. While it is easy to lump these two colonies together because of their imperial loyalties, the Cape Colony and Natal had dramatically different political and economic histories.

The two northern inland republics (the Transvaal and the Orange Free State) were populated primarily by Afrikaners of Dutch descent who had fled the Cape of Good Hope in the 1830’s to escape living under British rule. This northern migration of Afrikaners (sometimes referred to as Boers) became known in South African history as the “Great Trek.” For most of the nineteenth century, both republics were

nothing more than economic backwaters, of little interest to either the British or anyone else. But after a seemingly unlimited supply of gold was discovered in 1886, the Transvaal quickly became the economic powerhouse of South Africa, while the Orange Free State remained dominated by conservative Afrikaner farmers.

The geographic divides between the four colonies and republics are often wrongfully written off as nothing more than an extension of the English-Afrikaner ethnic conflict. Certainly, ethnic conflict played a part, but by the end of the nineteenth century, there was a sizeable population of Afrikaners in the Cape who identified far more with the British Empire than with the northern republics. On the flip side, the gold mines of Johannesburg in the Transvaal had attracted thousands of English settlers who felt no allegiance to either the Cape or Natal. For most of the nineteenth century, this lack of unity among southern Africa's white population was of little concern to politicians. The four colonies were content to operate independently of one another.

All this changed in 1899, when the British government—charged by a reinvigorated sense of imperial enthusiasm in England—went to war against the two Afrikaner republics in an effort to unite all of southern Africa firmly under the British Crown. The British eventually won the war, but victory was not nearly as fast or as simple as imperial officials had imagined. The war pitted white South Africans against each other and dragged on for three bloody years. By the time the war ended in 1902, many white South African politicians—both English and Afrikaner, from all of the provinces—had come to resent the aggressive imperialism espoused by British officials. Out of this shared resentment, leading politicians began calling for the

unification of the four southern African colonies, believing that unification would protect them from further imperial aggressions.

The geopolitical region that is today known as the Republic of South Africa first emerged in 1910, when these four separate white colonial territories finally came together to form the Union of South Africa as a self-governing dominion within the British Empire (see page iv for a pre-unification map of the four colonies). Occurring less than eight years after the end of the Anglo-Boer War, the unification of South Africa was thought of as a remarkable turning point for both white South Africa and the Empire. The white political elite in South Africa—both English and Afrikaans-speaking—believed that this was South Africa’s moment to show Britain and the world that South Africa was now on par with the other white English settler colonies.

Black South Africa was not something most of these men could even understand. In 1910, the South African population consisted of approximately four million Africans, one million whites, as well as 500,000 Coloureds (a racial group that included Cape Malays and persons of multi-racial backgrounds), and 150,000 Indians.⁵ The interaction between whites and blacks varied greatly. Although there was a growing urban black elite, most Africans were not formally educated and lived in traditional homes in rural areas. Some whites in rural areas had friendly relationships with neighboring Africans, others believed that Africans were good for nothing more than manual labor, and there were certainly others—particularly in the western part of the Cape of Good Hope—who rarely ever saw or interacted with

⁵ The first official census of the Union of South Africa was taken in 1911. According to the 1911 census, the population of South Africa consisted of 1,276,319 whites and 4,018,878 Africans. In the same year, there were also 525,466 people classified as Coloureds and 152,094 classified as “Asiatics,” most of whom were Indians. 1911 census, from the 1951 Census, Union of South Africa, A-3.

Africans. There was simply no consensus among whites on what the ideal relationship between non-whites and whites should be. All whites, however, knew that they were overwhelmingly outnumbered by Africans and that, at some point in time, a resolution would have to be found.

For the white politicians, the “Native Question” (as it was called at the time) loomed far off in the distance, something too complex and enigmatic to be fully understood; their fundamental concern in 1910 was not Africans or racial policy, but the establishment of a unified white nation. From our postcolonial perspectives, we might say that this desire for a white nation was fundamentally a desire to perfect a system of racial oppression. In fact, in many ways, the men at the center of this thesis represent the worst of European colonization. They were racist, Eurocentric, culturally insensitive, and economically exploitative. However, because they were so crucial to the formation of white South African national identity and the Union’s early racial policies, they cannot be relegated to the dark corners of history. This thesis acknowledges the devastating ways in which European colonization destroyed the lives and livelihoods of millions of Africans, but it also insists that those who held political power at this time be understood on their own terms. Despite their self-important ideologies, these were smart and insightful men who were first and foremost a product of their times. Though racist by our standards, their attitudes toward race were not monolithic, nor were they particularly conservative by the standards at the time. They believed in South Africa as both a political institution and as a national idea. They wanted to see the disparate factions of white South Africans unite with pride under the identity of “South African.” And in ways that they could

never have understood and certainly did not intend, they laid the groundwork for what would become the twentieth century's most brutal system of racial oppression.

This thesis consists of four main chapters, each addressing a specific way in which the relationship between race, imperialism, and white politics manifested itself between 1902 and 1914. Though unification of the four colonies did not officially occur until 1910, the unification movement began almost immediately after the end of the Anglo-Boer War in 1902. The first two chapters function symbiotically with one another by dealing with the white unification movement in the first decade of the twentieth century from two different perspectives. The first chapter therefore explains why the political elite in each of the four colonies found the prospect of unification so desirable in the years following the war. It does so from the perspective of Cape politicians, particularly that of John X. Merriman, a prominent English-speaking politician who would become the prime minister of the Cape in 1908. Unlike any of the other southern African colonies, the Cape enjoyed a strong liberal tradition that gave all non-white persons who met certain educational and economic qualifications the right to vote. As desirable as unification was for the Cape politicians in the years following the Anglo-Boer War, many were uneasy about the blatant racism of the other three colonies.

The second chapter picks up where the first leaves off, but focuses on the movement toward unification in the Transvaal from the perspective of Jan Smuts—one of the great Afrikaner leaders of the twentieth century and a central figure in the South African unification movement. The second chapter follows the unification movement up to the South African National Convention in 1908, when delegates

from the four colonies met in Natal to officially create a South African constitution. The Cape wanted the new nation to have an entirely nonracial franchise, but the delegates from the other three colonies—particularly Smuts—adamantly refused. As a compromise, the Act of Union of 1909 kept the nonracial franchise at the Cape, but made the franchise in the other three colonies open to whites only. The Act of Union set a clear precedent for the exclusion of non-whites from politics in the new Union and also provided a legal provision for overturning the Cape's nonracial franchise—a provision that would be eventually used to remove Africans from voting registers in 1936. Together, chapter one and two illuminate the complex clash between the desire for white unification on the one hand and the Cape's desire for a liberal approach to race relations on the other.

The third chapter is centered upon the new Union's first major piece of racial legislation: The Natives Land Act of 1913. At the heart of the Act were the systematic elimination of African's landownership rights in most of the Union and the creation of African reserves. The Act not only validated geographical segregation, but it provided both a legal precedent and an ideological foundation for future land legislation that would eventually force all Africans onto overcrowded land reserves. This chapter seeks to contextualize the Act within two major narratives that were unfolding at the time: the first being a general trend in support of segregation among both the white *and* black elites; and the second revolving around ethnic struggles among white politicians.

The fourth chapter focuses on another racial group in South Africa: Indians. From 1907 to 1914, the small Indian population in South Africa—led by none other

than Mohandas Gandhi—launched a series of passive resistance campaigns in both the Transvaal and Natal, demanding better treatment for Indians. For South African whites struggling to define what exactly it meant to be a “South African” and how non-whites fit into this new identity, the Indian agitations presented an impossible problem. Indians were not Africans, but they certainly were not white. Furthermore, at a time when the white South Africans were desperately trying to assert their ability to govern on their own, the Indian agitations attracted the uncomfortable attention of both the British and Indian governments. After eight years of Indian passive resistance campaigns, a long-term compromise was found in the Indian Relief Act of 1914, which addressed many of the Indians’ chief complaints. The Act provided some relief to Indians, but it also set a precedent for a racial hierarchy in South Africa—a hierarchy that put whites at the top, Indians and Coloureds in the middle, and Africans at the bottom.

Together, these four chapters serve to show the uneasy origins of South Africa’s twentieth century racial narrative. Between 1902 and 1914, as white South Africa struggled to prove to itself and the world that it was capable of unified self-governance, a number of different narratives—narratives of race, ethnicity, and imperialism—began to collapse into one another. Although the narrative of race would emerge as the most important by the middle of the century, this was not apparent to contemporaries. The goal of this thesis is to contextualize race, imperialism, and politics in early twentieth-century South Africa through the minds of those who were alive at the time. It treats South Africa as it was—a very ethnically, regionally, and ideologically fractured colony of the British Empire, not as the nation

it would become in the 1950's, defying the whole world in defense of a vicious racial system.

Chapter One

John X. Merriman and the Cape Nonracial Franchise

In February of 1907, John X. Merriman, one of the Cape of Good Hope's most popular and influential white politicians, was invited to speak to a crowd gathered for the University of the Cape's annual degree day. In his speech, Merriman engaged the audience in a lecture on history and civilization, focusing particularly on past African civilizations such as Timbuktu. Directly comparing the European civilization at the Cape with African civilizations before him, Merriman declared that

In the brilliancy of their intellectual culture, our predecessors, judging by their recorded achievements, were in advance of ourselves, but there must have been something lacking to have made it perish with so little permanent result on Africa itself. It would be well for us, when we are laying the foundations of our national culture, sometimes to reflect on these brilliant failures, and to remember that the formation of character is at least as important as the acquisition of knowledge.¹

It was a speech that could only have been given at that place and at that time. In 1907, South Africa was on the brink of nationhood. The “national culture” that Merriman spoke of did not yet exist. Though there was a strong movement for unity among the white political elite during the years 1907 and 1908, there was no guarantee that the four separate colonies of southern Africa—the Cape Colony, Natal, the Orange Free State, and the Transvaal—would be able to put aside their ideological and ethnic differences and unite as one.² In 1907, there were still so many uncertainties that had yet to be resolved.

¹ Quoted in *The Life of John Xavier Merriman*. Sir Perceval Laurence, *The Life of John Xavier Merriman* (New York: Constable and Company, Ltd., 1930), 236.

² In addition to the four main white colonies, the British government controlled three areas of southern Africa known as the British Protectorates or the High Commission Territories. The High

For Merriman and other Cape politicians, the most profound uncertainty concerned the status of non-whites in this hypothetical new nation. Underlying Merriman's speech was an assumption about the potential of Africans—an assumption that cut to the heart of a question that loomed high over the heads of white South Africans in the year 1907: In the context of a unified white South Africa, where did non-whites belong? Did Africans have any right to be considered part of a new, unified South African nation?

For many of the white political leaders in the Transvaal, the Orange Free State, and Natal, the answer was simple: Non-whites were at the bottom of the political and social hierarchy, far removed from the sphere of whites. However, for Merriman and other white politicians from the Cape of Good Hope (also referred to as the Cape Colony), the answer was greatly complicated by the Cape's unique political and ideological approach to race. In no other colony would a prominent white political figure such as Merriman have given a speech which assumed that Africans were not only capable of being "civilized," but had, at one point in history, been intellectually and culturally superior to white Europeans.

The Cape liberal tradition was held not just by the Cape's English elite, but rooted deep in the hearts and minds of many Cape politicians—Coloured, African, and Afrikaans-speaking whites. While northern Afrikaners—that is, Afrikaners who were citizens of either the Transvaal or the Orange Free State—systemically denied

Commission territories—Basutoland (now Lesotho), Bechuanaland Protectorate (now Botswana) and Swaziland—were governed by the British High Commissioner for South Africa and populated almost exclusively by Africans. The British also controlled Rhodesia (now Zimbabwe), which was governed by the British South Africa Company. For a variety of reasons, neither Rhodesia nor the High Commission Territories were part of the unification movement in 1907 and 1908, though white South Africans assumed that both would eventually become absorbed into the Union of South Africa. Leonard Thompson, *The Unification of South Africa, 1902-1910* (Oxford: Oxford University Press, 1960), 269.

Africans the right to participate in politics, Jan Hofmeyr, the Afrikaner leader of the Afrikaner *Bond* (the Cape's most prominent political party in the late nineteenth century) was one of the biggest supporters of the Cape's nonracial franchise in the early 1900's. He was joined by the most significant and influential white politicians in the Cape, including W.P. Schreiner, J.S. Sauer, and, of course, John Merriman. Though not every white in the Cape Colony could be called "a liberal," a liberal approach to understanding race relations dominated Cape politics for most of the nineteenth and early twentieth centuries.

It would be misleading to suggest that Cape liberalism held the promise of absolute racial equality for South Africans. Cape liberalism was far from a radical doctrine of nonracialism. For all their ideological musings, very few Cape liberals had much direct interaction with non-whites. Many, in fact, harbored sentiments that would be considered highly racist by twenty-first century standards. Residential and social segregation in Cape Town was pervasive, and only a small percentage of non-whites had access to the vote. However, in comparison to the dominant attitudes of the northern Afrikaner Republics (the Transvaal and the Orange Free State) and Natal, the Cape's approach to understanding democratic participation stands out defiantly. All citizens of the Cape—regardless of their skin color—had equality before the law and were eligible to vote, provided they met certain educational and economic qualifications. For the Cape liberals, the qualified nonracial vote was the best option for a place like South Africa, where the white population was a small minority. It was, in their minds, the only way to avoid racial antagonism between the two racial groups. When the four southern African colonies began to discuss the idea

of joining together as one, most Cape politicians believed that this new nation should allow all qualified non-whites the right to vote in both local and national elections.

As the unification movement gathered momentum in 1907 and 1908, conflict between the Cape Colony (the largest and most established of the southern African colonies) and the other southern African colonies over the political status of non-whites was inevitable. How and why had the Cape become so committed to the nonracial franchise in the first place? Why was the Cape so different from the other colonies? If the Cape thought so poorly of the other colony's racial policies, why pursue unification in the first place?

This chapter sets the stage for the conflict between the Cape and the other southern African colonies at the National Convention of South Africa in 1908 by examining the connection between the nonracial franchise, imperialism, and white politics at the Cape during the years leading up to and immediately following the Anglo-Boer War. This period of time was, in the word of Sir Hercules Robinson (the British High Commissioner and Governor of the Cape Colony in the 1880's), defined most clearly by the brewing conflict between three competing influences: "Colonialism, Republicanism, and Imperialism."³ As this conflict came to a head during the Anglo-Boer War, the issue of race—and, in the Cape, the nonracial franchise—would unintentionally get pushed aside by these internal power struggles within the white population.

The importance of the nonracial franchise to the Cape liberals, however, cannot be underestimated, even as their attention became increasingly focused on war

³ Quoted in *The Afrikaners: Biography of a People*. Hermann Giliomee, *The Afrikaners: Biography of a People* (Charlottesville, VA: University of Virginia Press, 2003), 277.

and imperialism. Though the question of franchise rights simmered underneath the surface of white politics in southern Africa during the years leading up to and immediately following the Anglo-Boer, it became the most divisive issue facing South African leaders during the unification movement of 1905-1908, as will be seen in Chapter Two.

The Origins of the Cape Liberal Tradition

Though the British Empire first occupied the Cape Colony in the late eighteenth century, English-speaking settlers did not begin to exert significant ideological or political dominance over the colony until after 1820. After this date, English-speaking liberals began to play an increasingly active role in the formation of key economic and political institutions at the Cape. The particular thread of liberalism that the English brought to the Cape drew upon the same humanitarian and philanthropic impulses that would lead to the English Reform Bill of 1832 and the abolition of slavery in the British Empire in 1834.⁴

While Cape liberalism's most prominent political manifestation was the nonracial franchise (which had come into existence in 1853, when the Cape had first been granted an elected assembly by the British parliament) the Cape liberal tradition extended back even further. The original push towards liberalism at the Cape resulted from the efforts of early Protestant missionaries, particularly John Philip, a Scottish missionary, who had come to the Cape in 1819.⁵ The momentum only grew after

⁴ Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 1995), 57-59.

⁵ Phyllis Lewsen, "Cape Liberal Tradition—Myth or Reality?" *Race and Class* 13, no. 65 (1971): 70.

Philip's arrival, and in 1828 the governor of the Cape—acting in response to Philip's agitation with the British government—signed Ordinance 50, giving all non-whites full equality before the law. In the following decade, the British government continued this trend by abolishing slavery throughout the entire British Empire, including South Africa.

This new liberal trend caused great anxiety among the large populations of conservative, rural Afrikaners at the Cape, leading to the great “treks” of Afrikaners to the north in the 1830's and 1840's. Descendants of the original Dutch settlers, the Afrikaners were overwhelmingly a rural, uneducated people, who relied heavily on black farm labor. Almost all were members of the Dutch Reformed Church, a religion that preached a conservative Calvinism. Settling down in what would become the South African Republic (the Transvaal) and the Orange Free State, northern Afrikaners (also known as Boers) were left largely alone by the British until the discovery of gold in the Transvaal's Witwatersrand in the 1880's.

Those Afrikaners who remained in the Cape Colony also lived predominantly in rural areas. Though they made up over half of the Cape's white population (some historians even estimate that they outnumbered the English at the Cape by a margin of two to one), it was the urban English—along with a small number of Jews—who held all political and economic power.⁶ The ethnic tensions between the two white groups in the Cape Colony were pervasive throughout the first part of the nineteenth century, as many Afrikaners grew resentful of the English's economic and political dominance. By the mid-nineteenth century, however, Afrikaner farmers and traders had begun to benefit from the economic opportunities offered by the British Empire.

⁶ Giliomee, *The Afrikaners*, 194.

A “Cape Afrikaner” identity began to emerge, which sought to locate the Afrikaner identity securely within the British Empire. Although the Dutch Reformed Church remained the foundation of most of their lives, many Cape Afrikaners spoke English and became gradually anglicized in culture throughout the nineteenth century.

Tensions between the English and the Afrikaner never subsided completely—most English continued to feel superior to the Afrikaners, and the Afrikaners were acutely aware of it—but there was an uneasy understanding between the two groups at the Cape by the late 1880’s.⁷

The Afrikaners kept their distance from politics at the Cape until the formation of the first Afrikaner political party, the Afrikaner *Bond*, in 1879. Jan Hofmeyr, an Afrikaner who had his beginnings as a journalist, soon emerged as its very capable leader. The Bond, whose political views tended to reflect the interests of the Cape’s farming community, was to play a decisive role in Cape politics until well into the twentieth century. No political leader at the Cape could secure a majority without the support of the Bond.⁸ While many Afrikaners were skeptical about Cape liberalism, Hofmeyr himself ardently supported both the nonracial franchise and the Cape’s imperial connection. Though non-white voters tended to support English candidates (believing, from experience, that the British were more prone to protect the interests of nonwhites than Afrikaners), Hofmeyr was fairly successful in getting support for the Bond from black and Coloured voters in certain districts, particularly in the western Cape. Unlike many English liberals, Hofmeyr did not believe that nonwhites were capable of being integrated into European civilization, and he thought

⁷ Giliomee, *The Afrikaners*, 194-225.

⁸ D.R. Edgecombe, “The Non-Racial Franchise in Cape Politics, 1853-1910,” *Kleio* 10, no. 1 (1978): 22.

that blacks should be kept well outside of the white sphere.⁹ Yet, like the English-speaking Cape liberals, he saw both the political advantage and moral imperative in protecting the nonracial franchise.

While the franchise at the Cape was nonracial, it was in no way universal; only males who met a number of specific economic and educational qualifications were eligible to register to vote. Although very few non-whites met these qualifications when the Cape was first granted a representative assembly in 1853, the number of educated non-whites at the Cape grew substantially throughout the nineteenth century, due in large part to the success of missionary schools. By the beginning of the twentieth century, non-whites who met the educational and economic requirements were voting in significant numbers. In 1909, 85% of the registered voters in the Cape Colony were white men, 10% were Coloured (a racial group which included Malays, Indians, Khoisan, and Chinese), and 5% were black Africans.¹⁰ While this meant that whites still had the overwhelming majority of the vote, the 15% of voters who were non-whites constituted a powerful minority, particularly because they were clustered in several voting districts.

Although the Cape was liberal in comparison to the other colonies, Cape liberalism was not based on the belief that blacks and whites were equal. Instead the Cape liberal tradition was based on two principal ideals: equality before the law and

⁹ Giliomee, *The Afrikaners*, 289.

¹⁰ The Coloured population at the Cape was comparable to the size of the white population, but, because the Coloured population was so culturally similar to Afrikaners during this time, very few Cape liberals thought of them as being a threat. While the Coloured culture and identity would change significantly throughout the twentieth century, they did not garner significant attention during the early part of the twentieth century. Thompson, *Unification of South Africa*, 110-113.

the nonracial franchise.¹¹ The tradition represented a uniquely British approach to understanding liberal democracy that defined democratic participation as a privilege, not a right. Access to the franchise was based on educational and economic qualifications, not on skin color, which meant that “poor whites” were excluded both in principle and in practice.

The Cape liberal tradition was rooted primarily in a legal rather than a social or economic understanding of racial equality. As noted earlier, residential segregation existed in Cape Town throughout the entire nineteenth century, and no historical evidence exists to suggest that white Capetonians ever saw blacks as their social or intellectual equals. Racism was always a fact of life in Cape Town.¹² Some historians have even suggested that the Cape liberal tradition was nothing more than an elaborate myth. Although several scholars made this claim during the early twentieth century, it first gained serious momentum with Phyllis Lewsen’s 1971 article “The Cape Liberal Tradition—Myth or Reality?” Lewsen showed the various ways in which the Cape culture was inherently anti-liberal, pointing particularly to the ideological gap between political leaders at the Cape and the average white citizen. While many of the most intelligent and influential Cape leaders in the late nineteenth and early twentieth century, such as Merriman, W.P. Schreiner, J.W. Sauer, and Saul Solomon, were adamantly liberal in their attitudes toward race, Lewsen believes that “[t]he strength of liberalism was much less a matter of numbers than of the caliber of

¹¹ Vivian Bickford-Smith, *Ethnic Pride and Racial Prejudice in Victorian Cape Town: Group Identity and Social Practice, 1785-1902* (Cambridge: Cambridge University Press, 1995), 27.

¹² The prevalence of racism in nineteenth century Cape Town is effectively demonstrated by Bickford-Smith at various points in his book. As he declares in his introduction, “many parts of what was to become South Africa, including Cape Town, practiced forms of segregation in the nineteenth century and generated racism.” Bickford-Smith, *Ethnic Pride*, 7.

its adherents and their leading role in Cape affairs. The result was that whenever the colour-blind legal tradition was challenged—as it not infrequently was—the liberals could put so forceful a case that they very often won.”¹³

Lewsen is correct to point out that various parties did attempt to erode the nonracial franchise in the last part of the nineteenth century. Despite Hofmeyr’s commitment to the nonracial franchise, Bond members tried to pass legislation that would limit the franchise on several occasions throughout the nineteenth century. This was not so much the result of racist feelings among Bond members, but because of the political reality that non-whites, more often than not, tended to vote for non-Bond candidates. Most of the Bond’s attempts to limit the franchise were, as Lewsen points out, blocked by English-speaking politicians who sought to protect their own political predominance among non-whites.

Many contemporaries in fact shared Lewsen’s belief that the nonracial franchise only survived in the Cape because of the political tensions between the Afrikaner Bond and English politicians.¹⁴ Cecil Rhodes—who served as the Cape Prime Minister in the 1890’s—declared in 1887 that “[i]f there had been none but English in [the Cape Parliament] the native question would have been settled long ago.”¹⁵ He pointed to the fact that in no other British colony was the nonracial vote even contemplated. While Rhodes’ argument has some truth, it does not adequately explain why so many Cape politicians—both English and Afrikaner—would so

¹³ Lewsen, “Cape Liberal Tradition—Myth or Reality?” 72.

¹⁴ Numerous other historians share this belief, although there certainly is no historical consensus. D.R. Edgecombe for example concluded his 1978 article on the Cape nonracial franchise by proclaiming: “By the time of the National Convention in 1908, the principle of the non-racial franchise had survived, more for reasons of expediency and less the result of strongly-rooted beliefs.” Edgecombe, “The Non-Racial Franchise in Cape Politics,” 37.

¹⁵ Quoted in *The Afrikaners*. Giliomee, *The Afrikaners*, 286.

strongly support the extension of the nonracial vote to other South African colonies during the unification movement in 1907 and 1908. Despite what Lewsen and other historians believe, the ideological roots of the nonracial franchise at the Cape went far deeper than the political divide between the English and the Afrikaners.

The true ideological limitations of Cape liberalism became most noticeable not in politics, but when white supremacy itself was potentially undermined. The Parliamentary Registration Act of 1887, for instance, was a direct response to the Cape's annexation of the Transkei lands (a large block of land between the Cape and Natal that was populated almost entirely rural Africans), a move that had massively increased the size of the Cape's African population. The Registration Act raised the minimum requirements needed to register to vote and specified that an individual's share in communally owned African tribal lands did not count towards the minimum property requirement.¹⁶ Further legislation to impede non-whites from gaining the vote was passed in 1892 with the Franchise and Ballot Act (No. 9), that raised the economic and educational qualifications needed for the franchise—a move that penalized blacks more than whites.¹⁷

It is unclear whether these laws were in response to a general fear among whites that black Africans would outnumber them at the polls, or a more localized fear that previous voting legislation did not ensure that the “civilization” bar was kept high enough. That is, were whites afraid of blacks in general or just “uncivilized” blacks? The answer is probably a combination of the two. While the annexation of the Transkei had greatly increased the number of Africans in the Cape Colony, most of

¹⁶ Edgecombe, “The Non-Racial Franchise in Cape Politics,” 25.

¹⁷ *Ibid.*, 34-35.

the Africans who lived in the Transkei lacked Western education and lived in traditional societies. It is unknown how many would have been eligible to vote had the Cape Parliament not approved the Parliamentary Registration Act of 1887, but it would probably not have been many. What is known is that just before Union in 1910, the franchise was far narrower than it had been in 1853. By 1910, only men who could sign their name and write their address, and who either had an annual salary greater than £50 or owned property worth more than £75, could register to vote.¹⁸

Even the most dogmatically liberal Capetonians were frequently inconsistent in their attitudes toward non-whites during this period. One of the most dramatic examples of this inconsistency was John X. Merriman. Born to an English missionary family that moved to Grahamstown when he was a young boy, Merriman had been indoctrinated with liberal beliefs by both his family and his British education. Like his fellow liberal politicians at the Cape, Merriman staunchly defended the nonracial vote throughout his entire political career, and would be one of the most vocal supporters of extending the nonracial vote to other provinces during the South African National Convention in 1908. There is no evidence, however, to suggest that Merriman thought of the non-white population in South Africa as anything more than a burden. It is one of the many paradoxes of the liberal colonial mentality at the Cape that Merriman could believe in the legal rights of all people and still write in a 1906 letter to Jans Smuts (one of the most prominent political figures in the Transvaal and

¹⁸ Thompson, *Unification of South Africa*, 110.

the primary architect of the 1910 South African Constitution): “I do not like the natives at all and I wish we had no black man in South Africa.”¹⁹

Like many of his fellow Capetonians, Merriman’s main defense of the nonracial vote had to do with the protection of the white population. He believed in the moral importance of allowing non-whites, but, in his mind, the most important reason for having a nonracial vote was to prevent an uprising of blacks at some point in the future. A nonracial vote would, in Merriman’s words, serve as a “safety valve” for the future. His views can be seen in a letter written to his friend Goldwin Smith in the late nineteenth century. Merriman writes:

Our natives have increased both in wealth and in habits of industry and civilization. They give us little or no trouble, though of course they require careful and above all just management. So, though having like most white men who live under South African conditions, a great distaste for colour, I must confess that viewed merely as a safety valve I regard the franchise as having answered its purpose.²⁰

Merriman also had a moral reason for advocating the nonracial franchise that was based upon a concept of race referred to by some historians as “evolutionary racism.”²¹ Like many other nineteenth century white English liberals, Merriman believed that, given enough time and enough contact with white Europeans, Africans could become “civilized” and participate in the political system on the same terms as whites. Although historian Vivian Bickford-Smith suggests that the popularity of “evolutionary racism” declined among the general white population of the Cape

¹⁹ Merriman to Smuts, 4 March 1906, W.K. Hancock and Jean Van Der Poel, eds., *Selections from the Smuts Papers* (Cambridge: Cambridge University Press, 1966), vol. 2, 239.

²⁰ Merriman to Smith, 26 October 1907, Phyllis Lewsen, ed., *Selections from the Correspondence of J.X. Merriman* (Cape Town: The Van Reibeek Society, 1969), vol. 2, 52.

²¹ Vivian Bickford-Smith writes that the Cape Liberals were evolutionary racists in that “they racialised the Cape’s population and believed in the superiority of European civilization. Without agreeing on the time-scale involved, they believed that Blacks could change and become like Whites, and that such change was necessary for the economic development of the Colony.” Bickford-Smith, *Ethnic Pride*, 26-27.

during the late nineteenth-century, most white liberal politicians at the Cape still subscribed to its basic tenets in the early twentieth century. This mentality was a hold over from the nineteenth century Victorian era, during which the Anglo-Saxon “race” had believed firmly in the idea of the imperial civilizing mission. Throughout his life, Merriman referred to the moral duty of white Europeans to “civilize” the black African. In his 1903 testimony to the South African Native Affairs Commission (SANAC), Merriman, drawing upon his Victorian beliefs in the importance of duty, discipline and hard work, declared that

[T]he whole object of our raising and elevating the Natives is to give them the same rights and teach them that they have the same obligations as we have. . . . I think they are as fit for self-government as any people who have ever had it before. You cannot swim until you jump in the water. You cannot manage self-government till you have got self-government.²²

Other prominent Cape liberals, such as J.W. Sauer and W.P. Schreiner, expressed similar sentiments to Merriman.²³ Despite the highly patronizing aspects of their tradition, these politicians were the most liberal political leaders in southern Africa. The letters and personal accounts of Cape liberals from the early twentieth century reveal that, although they were not homogenous in their thinking, they believed fervently in a definition of liberalism that allowed anyone who was qualified to participate in the political system. The Cape leaders were not afraid of African voters, but rather of those whom they deemed to be “uncivilized,” including poor whites. Though their motives were not always pure (many, such as Merriman, believed in the nonracial vote because they thought it ultimately protected white

²² SANAC testimony reprinted in *John X. Merriman: Paradoxical South African Statesman*. Phyllis Lewsen, *John X. Merriman: Paradoxical South African Statesman* (New Haven: Yale University Press, 1982), 273.

²³ Saul Dubow, *A Commonwealth of Knowledge: Science, Sensibility, and White South Africa, 1820-2000* (Oxford: Oxford University Press, 2006), 140-145.

hegemony), their ideological framework was unique in the context of turn of the century southern Africa.

The Cape's approach to race was significant not only because it was unique, but because of the Cape's preeminent position among the southern African colonies and republics up until the turn of the century. For the entire nineteenth century, the Cape Colony was, in the words of historian Saul Dubow, the "largest, longest established, wealthiest, and by far the most populous element of the subcontinent, as well as the region's most developed political entity and home to some of its most important and enduring institutions."²⁴ Though the discovery of gold in the Transvaal in the 1880's represented a significant shift in the southern African economy, the Cape remained the most politically powerful and influential of the colonies until the end of the Anglo-Boer War.

The Cape in Comparison

Historians often point to the bitter ethnic and cultural divide between the English and the Afrikaner as the most significant source of tension within southern Africa's white population. Ethnicity was, in fact, only one of many lines upon which the white population of South Africa split, and was actually only a minor factor in discussions about the nonracial franchise. More than anything else, geography mattered. The four colonies of southern Africa differed drastically in their approaches to understanding race, a fact that carried with it enormous implications. Referring to the first decade of the twentieth century, Nicholas Mansergh wrote in his 1962 book, *The Price of Magnanimity*, that:

²⁴ Ibid., 121.

There is no greater illusion than to suppose that at this time English opinion outside the Cape—where the liberal tradition was cherished by Boer and Briton alike—was readily distinguishable from Boer opinion in regard to political or social rights for natives.²⁵

No southern African colony or republic compared to the Cape's liberal tradition. Even Natal, southern Africa's other British colony, had no liberal movement. Natal's white population was perhaps the most homogenous of the southern African colonies, as most of its white population were of English descent.²⁶ Yet with poor political leadership and a large African population, Natal whites lived in a constant state of anxiety. Despite their fierce loyalty to the British Empire, Natalians had rejected any semblance of liberalism early in the nineteenth century. While theoretically non-whites in Natal had access to the franchise, the political leaders of the colony had enacted a series of laws at the end of the nineteenth century that made it virtually impossible for anyone other than whites to register.²⁷

The two northern colonies were even more committed to white supremacy. The migration of many Calvinist Dutch settlers to what would become the Afrikaner republics of the Transvaal and the Orange Free State during the 1830's and 1840's had created a fiercely conservative frontier mentality among the northern Afrikaners. The Transvaal and the Orange Free State completely denied non-whites access to the dominant political, social, and economic worlds, but imposed no educational or

²⁵ Nicholas Mansergh, *South Africa 1906-1961: The Price of Magnanimity* (London: George Allen and Unwin Ltd., 1962), 70.

²⁶ Thompson, *Unification of South Africa*, 41.

²⁷ *Ibid.*, 42-43.

economic qualifications for white voters, making them, in one sense, *more* democratic than the Cape.²⁸

The northerner Afrikaners believed in the absolute separation of blacks and whites. The original constitution of the South African Republic (the Transvaal) declared: “the people desire to permit no equality between coloured people and the white inhabitants of the country, either in Church or State.”²⁹ While in the Cape the franchise was based on a notion of “civilized” versus “uncivilized,” the franchise in the Transvaal and the Orange River Colony was, in the words of historian Leonard Thompson, “based on the [Afrikaner] concept of a privileged white community, ‘democratic’ within itself, but permanently distinct from and dominant over the rest of the inhabitants—a convenient adaptation of the Calvinist doctrine of the elect.”³⁰

Demographics played at least some role in both the origins and the resiliency of the Cape liberal tradition. Though a crude racial breakdown of the Cape and the Transvaal in 1904 reveals that both colonies had roughly equal proportions of whites and non-whites (about 75% non-white and 25% white), the Cape peninsula itself—the economic, cultural, and political heart of the Cape Colony—had a very small number of black Africans.³¹ Furthermore, the large Coloured population that lived at the Cape was so culturally similar to the Afrikaners that they were of little concern to most

²⁸ It is worth noting that the treatment of white women in northern Afrikaner communities was far more egalitarian than in British colonies. Afrikaner women were educated at the same rates as men, could own property and played very active roles in their communities. Giliomee, *The Afrikaners*, 37-38.

²⁹ In this context, “coloured” refers to all non-whites, including Africans. Quoted in *South Africa*. Mansergh, *South Africa*, 61.

³⁰ Thompson, *Unification of South Africa*, 112.

³¹ 1904 Census, from the 1951 Census, Union of South Africa, A-3.

whites.³² As an anonymous commentator called “Johannes” wrote for the journal *The New Nation* in 1910,

In the Cape Peninsula there is no native problem, in the sense of the term that is understood in the Transvaal, the Orange Free State, Natal, and Rhodesia. There are natives in the Peninsula, pure-blooded fellows, possessing the pride of race which keeps their lineage clean and undiluted, but the smallness of their present numbers removes them from inclusion in the category of a ‘problem.’³³

The regional tensions between the four colonies’ racial policies were pervasive. The Cape thought that the other colonies’ policies towards non-whites were not only morally wrong, but a practical time bomb. The Cape liberals believed that sooner or later, the African elite would demand access to white politics. Repeatedly, Cape liberals used the “safety valve” argument to defend the nonracial franchise to white South Africans from other colonies. From their liberal perspectives, there was no other option for South Africa’s future.

Empire, War, and the Nonracial Franchise

For most of the nineteenth century, the four colonies developed fairly separately from each other. Each had its watershed moments that impacted the others: the discovery of gold in the Transvaal in 1886, the Zulu Wars in Natal in 1879, and the annexation of the Transkei in the Cape Colony in the 1870’s. Yet, for the most part, the colonies stayed out of each other’s way. Each colony had its own struggles

³² Thompson is one of a number of historians to note that the Coloured population was of little concern to whites during this period. See footnote on page 21. Thompson, *Unification of South Africa*, 113.

³³ *The New Nation* was one of a handful of magazines (including *The State* and *The African City*) that emerged during the first decade of the twentieth century to support the idea of a unified South Africa. *The New Nation* had no political affiliations, and was solely focused on issues “dealing with South African life and affairs.” “White and Black: Northern Colonies’ Attitude,” *The New Nation*, 16 September 1910, 8.

and its own methods of dealing with them. While unification of the colonies was occasionally mentioned, it was never seriously pursued by colonial leaders.

The ambitions of the British government at the turn of the century changed everything. While the Cape had been granted responsible self-government in 1872, it was still a colony of the British Empire and was technically subject to the whims of imperial authorities, particularly when it came to foreign affairs. The Cape had, however, been given a great deal of autonomy for most of the nineteenth century, having been seen by most British politicians as little more than a stopping point en route to India. Natal had also operated fairly autonomously. Although less politically sophisticated than the Cape Colony, the Natalians had never given the British government any cause for intervention.

The situation of the Boer republics was slightly different from the two British colonies. From 1852 to the 1870's, the two northern republics had been fully independent nations, with no direct control by the British government. In the 1870's, the British government had annexed the provinces as part of a short-lived attempt to conquer all of southern Africa, only to be met by armed rebellion by the Afrikaners—galvanized by the religiously charged nationalist rhetoric of Paul Kruger—in 1880. The British government decided that the Boer territories were not worth the amount of manpower necessary to suppress the uprising, and the Orange Free State and the Transvaal gained quasi-independence in the early 1880's.³⁴

The British opinion of the Transvaal's worth changed dramatically in 1886, when vast gold revenues were discovered in the Transvaal's Witwatersrand. The economy of southern Africa was transformed virtually overnight. Thousands of white

³⁴ Giliomee, *The Afrikaners*, 234-239; Thompson, *A History*, 110-153.

immigrants—mostly capitalists, speculators, and workers from Britain—flocked to the Transvaal in search of gold. On the site of the gold mines, the city of Johannesburg was born out of thin air and quickly boomed into a large city whose white population consisted almost entirely of immigrants. By the late 1890s, only 6,000 of the 50,000 whites that lived in Johannesburg were Afrikaners.³⁵

Both Afrikaner and English-speaking politicians at the Cape watched apprehensively as the economy of the Transvaal began to boom. Their concern about the Transvaal's growing economy was compounded by an emerging fear of an ominous jingoist mentality in Britain. At the end of the century, a renewed interest in aggressive imperialism was gaining popularity among both the English public and government. The rise of this imperial rhetoric in Great Britain was seen as a great political threat to many Cape politicians, particularly when figures such as Joseph Chamberlain (who would become the Colonial Secretary under Salisbury's Unionist government in 1895) and Cecil Rhodes (an ardently imperialist mining magnate who rose to political power in the Cape in the 1880s) took a renewed interest in unifying all of southern Africa under the British Crown. The election of a pro-imperial Unionist government in Great Britain in 1895 only put Cape politicians further on edge. While some Cape politicians threw their support behind Rhodes—who was elected Prime Minister of the Cape in 1890—many were concerned over the growing imperialist sentiments expressed by whites both in South Africa and in Great Britain.³⁶

³⁵ Giliomee, *The Afrikaners*, 236.

³⁶ Lewsen, *John X. Merriman*, 169-190.

While the Afrikaners had easily discernable reasons for disliking the British Empire, it is slightly more difficult to understand why the *English* at the Cape were so wary of the new imperial sentiment. The answer, simply put, lies in the emergence of colonial nationalism. The late nineteenth century saw the British Empire's settler colonies—Australia, Canada, South Africa, and New Zealand—begin to cultivate their own unique national identities within the Empire.³⁷ Unlike British colonies with no permanent white population (such as India or Egypt), the white settler colonies were often homes to generations of colonists. For white English colonists, the colony was more than just an economic or geographic extension of the British Empire—it was their *home*, even if the land had been taken from others. While they recognized the important link that existed between the British Empire and the colonies, many white colonists did not want imperial authorities to play an active role in the day-to-day colonial affairs. Despite their loyalty to the British Empire, their primary national attachment was to their colony.

Most of the time, the British government allowed or even encouraged white colonial nationalism. Particularly after 1857, when the British government became more active in the running of India, and after the 1870's, when it rapidly acquired more colonies in Africa and other parts of the world, imperial authorities' time and energy were focused on colonies with no permanent white population. It was therefore logical to allow the settler colonies to have the responsibility of dealing with their own domestic affairs. This trend had already led to the granting of self-governance to colonies in British North America and would be extended to the

³⁷ John Eddy and Deryck Schreuder, ed., *The Rise of Colonial Nationalism: Australia, New Zealand, Canada and South Africa First Assert their Nationalities, 1880-1914* (Sydney: Allen and Unwin, 1988), 2-5.

Australasian colonies and the Cape of Good Hope in the late nineteenth century. Because colonial nationalists were not necessarily opposed to the goals of the British Empire, the potential tension between “imperialism” and “colonialism” was often kept at bay. Yet when the two did collide—such as in South Africa at the turn of the nineteenth century—the ideological schism between these two perspectives became alarmingly clear.

In 1899, the Anglo-Boer War broke out, marking the culmination of the British government’s imperial ambitions in southern Africa. Provoked by a number of imperial figures both at the Cape and in London, the Anglo-Boer War is thought of by many historians as the British Empire’s last great imperial war.³⁸ Latching onto a jingoistic mentality in British popular opinion, the British government sought to unite all of southern Africa neatly under the British Empire by annexing the Transvaal and the Orange Free State. Under the pretenses of protecting the rights of the British residents of the Transvaal, the British attacked, forcing the northern republics into a devastating and costly war.³⁹ The war dragged on for nearly three years and, in the final years, devolved into brutal guerilla warfare as the Afrikaner troops desperately tried to repel the British.

³⁸ As Dennis Judd and Keith Surridge point out: “the Boer War of 1899-1902 was Britain’s last great expansionist imperial war. Its events both symbolized Britain’s unique imperial status, and simultaneously, exposed embarrassing and potentially crippling weaknesses at the heart of her military machine.” Dennis Judd and Keith Surridge, *The Boer War* (London: John Murray Ltd., 2002), 1.

³⁹ Though some historians still claim that gold was the true impetus for the Anglo-Boer War, most historians now believe that the role of gold was only minimal. Before the war broke out, most of the Transvaal gold mines were already owned and directly controlled by British capitalists, and war was not in their economic interest at all. There also seems to be no direct political connection between the mining magnates in the Transvaal and the British imperialists. As Ronald Hyam and Peter Henshaw note, “[t]he truth is that some sort of war might well have broken out in 1899 even if gold have never been discovered in the Transvaal in 1886.” Peter Henshaw and Ronald Hyam, *The Lion and the Springbok: Britain and South Africa Since the Boer War* (Cambridge: Cambridge University Press, 2003), 8-9.

When the war broke out, many of the moderate and liberal political leaders at the Cape—particularly Merriman, W.P. Schreiner, J.W. Sauer, and Hofmeyr—were furious, believing that the imperial ambitions of the British government had destroyed any hope for bridging the ethnic divide within South Africa’s white population.⁴⁰ Although the relationship between the Afrikaners and the English had been somewhat uneasy throughout most of the nineteenth century, the moderate Bond leaders and the liberal English had begun to realize by the end of the nineteenth century that the future of South Africa in general and the Cape Colony in particular could only be secured if the English and the Afrikaner put aside their ethnic disputes. Because of the efforts of men like Hofmeyr and Schreiner, the end of the nineteenth century had seen a strong Anglo-Afrikaner alliance emerge at the Cape. Many were looking forward to a time in which a white Cape “South Africanism” would supersede any ethnic allegiances. When the Anglo-Boer War broke out, the British were pitted directly against the Afrikaners, re-opening a chasm in the white population that the Cape politicians had spent so many years trying to mend. Merriman, Schreiner and Hofmeyr—all supporters of Rhodes during his early years—felt particularly betrayed by the British imperialists.

The Cape politicians had already been put off by the 1895 appointment of Sir Alfred Milner, an openly aggressive imperialist, to the position of British High Commissioner of South Africa. A cold and calculating man, Milner had a very clear vision for South Africa’s future. As early as 1899, he had written that, “[t]he ultimate end [in South Africa] is a self-governing white community, supported by well-treated and justly governed black labour from Cape Town to the Zambesi. There must be one

⁴⁰Dubow, *A Commonwealth of Knowledge*, 144-145.

flag, the Union Jack, but under it equality of races and languages.”⁴¹ By “equality of races,” Milner did not mean equality between whites and non-whites. As noted earlier, the terms “race” and “racialism” in early twentieth-century South Africa were not used to describe the relationships between whites and non-whites, but to describe the ethnic conflict between the English and Afrikaners. In his vision, Milner wanted all of southern Africa to be united as a British colony, with no room for a separate Afrikaner identity.

Though the Cape of Good Hope was very much part of the British Empire, the idea of loyalty to the Crown was a nuanced one among the English-speaking settlers at the Cape. For much of his life, Merriman had been a close friend of Cecil Rhodes, the Prime Minister of the Cape Colony from 1890 to 1895 and one of the Empire’s most notorious imperialists. As Rhodes gained more and more political prominence in the late nineteenth century and became embroiled deeper and deeper in political and economic scandals, Merriman became disillusioned not only by Rhodes, but by the entire imperial mentality in general. By 1895, Merriman was completely exasperated with the jingoistic rhetoric of British imperialism. In fact, some consider him the most outspoken anti-imperialist at the Cape during this time. In a letter to his mother in the early twentieth century, Merriman expressed his frustration with one of his colleagues, W.P. Schreiner, a liberal Cape politician who is often grouped together with Merriman. In the course of his tirade, Merriman wrote: “Schreiner is a pronounced Imperialist: I believe in self-government.”⁴²

⁴¹ Milner to Sir Percy Fitzpatrick, 28 November 1899, Cecil Headlam, ed., *The Milner Papers (South Africa) 1897-1905* (London, Cassell and Company Ltd., 1933), vol. 2, 35-36.

⁴² Quoted in *John X. Merriman*. Lewsen, *John X. Merriman*, 181.

Since most of the battles took place in the Transvaal and the Orange Free State, the Anglo-Boer War did not dramatically affect most of the Cape's civilian population. Still, many white people at the Cape felt that the British attack on the Boer republics was an assault on South Africa's future. While Cape newspapers at the time supported the jingoist mentality, many leading Cape politicians privately expressed the opinion that the British government's decision to go to war had shown a complete lack of respect for the needs of the Cape's white population. The Cape Afrikaners were put in a particularly difficult situation. The northern Afrikaner generals knew that a general uprising of the Cape Afrikaners was their only hope for military success against the British, but most Cape Afrikaners felt a much stronger loyalty to the British Crown than to the Transvaal.⁴³ The common ethnic identity that they shared with the Afrikaners in the north was not enough to unite them with the Boer armies.⁴⁴ Despite the Cape Afrikaners' repeated reassurances, the British doubted their loyalty for most of the war. In 1901, much to the anger of many Cape English and Afrikaners, Milner placed the entire Cape Colony under martial law. The Cape parliament ceased to meet and the activities of the Bond ground to a halt. As a result, many Cape Afrikaners became increasingly angered with the imperial ambitions of the British, though few actively sided with the Boers.⁴⁵

The war profoundly affected the lives of African, Coloured, and Indian people, particularly in the Transvaal. Though the immediate causes of the war had little to do with the non-white populations, the African populations overwhelmingly

⁴³ Giliomee, *The Afrikaners*, 256-259.

⁴⁴ Kenneth Ingham, *Jan Christian Smuts: The Conscious of a South African* (London: Weidenfeld and Nicolson, 1986), 38.

⁴⁵ Giliomee, *The Afrikaners*, 246.

supported the British. In fact, between 10,000 and 30,000 Africans fought in the war as British soldiers.⁴⁶ Ever since the British government had gained permanent control of the Cape in 1814, the Africans had seen imperial authorities as their one source of protection against land-hungry white settlers. In his essay on British loyalism in South Africa, Andrew Thompson explains that “[c]onscious of their rights as colonial subjects, Blacks and Coloureds developed their own strains of loyalist ideology, which saw the British Crown as a source of protection against the machinations of labour-and land-hungry settler politicians.”⁴⁷

Throughout the nineteenth and early twentieth centuries, imperial officials frequently expressed a strong sense of paternalism and protectionism towards Africans, particularly those Africans who resided in one of the British Protectorates.⁴⁸ In general, the British government saw its role most clearly as that of “the trustees” over Africans. Yet the British government was often ideologically and politically inconsistent towards non-whites in ways that Cape politicians could rarely afford to be. Although imperial officials had a superficial notion that their role was to “protect” the African population and elevate them to a more “civilized” state, their interests in southern Africa had little to do with the African population. Whatever their rhetoric, very rarely did imperial authorities intervene in colonial affairs because of concerns over the treatment of Africans.

The nonracial franchise did not even seriously enter the imperial discourse until the end of the war, with the signing of the Treaty of Vereeniging in 1902. The

⁴⁶ Peter Warwick, *Black People and the South African War, 1899-1902* (Cambridge: Cambridge University Press, 1983) 4-5.

⁴⁷ Andrew S. Thompson, “The Language of Loyalism in Southern Africa, 1870-1939,” *The English Historical Review* 118, no. 477 (2003): 635.

⁴⁸ See footnote on page 15 for information about the British Protectorates.

end of the Anglo-Boer War left South Africa bitterly war-torn, and the British humiliated by the length and cost of the war. Yet the Afrikaner republics were soundly defeated and, for the most part, Sir Alfred Milner, the British High Commissioner, dictated the terms of the Treaty of Vereeniging. Looking toward a future where the white population of South Africa was firmly united under the British Crown, Milner demanded that English become the official language of the Transvaal and the Orange Free State and ensured that there was no firm timeline in place for the emergence of civil government in either the Transvaal or the Orange River Colony, as the Orange Free State was forcibly renamed.⁴⁹

During treaty negotiations Milner was, however, willing to compromise on the issue of the franchise. Chamberlain and other British officials had desired a clause in the treaty that would give non-whites in the Transvaal and the Orange Free State the same franchise that they had in the Cape Colony as soon as self-government in the two northern provinces was introduced. The Afrikaners present at the negotiations, particularly the young general Jan Smuts, quickly made it clear that the question of a nonracial franchise could not be negotiated.⁵⁰ The Afrikaners would not sign a treaty that assumed that non-whites would eventually get the vote in the Transvaal or the Orange Free State. Suddenly conscious of the deep divides within the white population, Milner and Chamberlain decided to drop the issue. Thus, article 8 of the Treaty of Vereeniging read: “the question of granting the franchise to natives [in the

⁴⁹ Thompson, *A History*, 143-144.

⁵⁰ Thompson, *Unification of South Africa*, 11.

defeated republics] will not be decided until *after* the introduction of self-government.”⁵¹

Milner and Chamberlain’s decision not to push the nonracial franchise into the Treaty of Vereeniging has been constantly criticized by historians. As W.K. Hancock famously wrote in his biography of Smuts, when “Milner and the British government accepted the new article they threw away their country’s case on what has remained from that day to this the most crucial issue of South African politics. Surrender was not all on the Boer side.”⁵² If Milner’s goal was a unified white South Africa, particularly in the bitterly divided Transvaal, it makes some sense that he would choose not to force the nonracial vote into the Treaty of Vereeniging. However, in doing so, he gave up one of the only opportunities that the British would have to actively force a more liberal policy regarding the political status of non-whites onto the northern provinces. As a result, relations between whites and non-whites did not change in either the Transvaal or the Orange Free State. Several years later, Milner would come to seriously regret Article 8 for precisely these reasons:

If I had known as well as I know now the extravagance of the prejudice on the part of almost all the whites—not the Boers only—against any concession to any coloured man, however civilized, I should never have agreed to so absolute an exclusion, not only of the raw native, but of the whole coloured population from any rights of citizenship, even in municipal affairs.⁵³

In 1905, on the eve of a Liberal victory in a British general election, Milner left South Africa. For the most part, as will be discussed more extensively in the following chapter, his tenure had been unsuccessful. While some credit him for

⁵¹ Quoted in *Unification of South Africa*. Thompson, *Unification of South Africa*, 11.

⁵² W.K. Hancock, *Smuts: The Sanguine Years, 1870-1919* (Cambridge: Cambridge University Press, 1962), 159.

⁵³ Milner to Lord Selbourne, 5 October 1905, *Milner Papers*, vol. 3, 131.

implementing an efficient bureaucracy and infrastructure throughout all of southern Africa, others fault him for causing serious resentment towards the British Empire among both the Afrikaners and the English. He alienated almost everyone but the mine owners and was unsuccessful at creating any movement towards a white “South African” identity.

Stirrings of Unification

On both a personal and a political level, Merriman had detested Milner from the beginning, finding him to be both cold and overly aggressive (though, as will be discussed in the following chapter, the two men were probably closer in their attitudes towards non-whites than Merriman would ever care to admit).⁵⁴ He also had been taken aback by the terms of the Treaty of Vereeniging, particularly in regard to the non-white franchise policies. Though he still considered himself to be a loyal Englishman, Merriman was disappointed by the behavior of the imperial authorities both during and after the war, particularly when Milner had sought to suspend the Cape constitution in the years following the war.

Merriman was not the only South African leader who felt this way. While Milner tried unsuccessfully to tighten imperial control of South Africa after the war, South African politicians within the existing government structures began to discuss how to rid themselves of the imperial burden. Despite the deep ethnic, regional, and economic divides within the white community in the years following the Anglo-Boer War, a search for reconciliation and unity began to emerge amongst those men who were united by their anger toward imperial authorities and who believed, despite all

⁵⁴ Lewsen, *John X. Merriman*, 254.

odds, that white South Africa could unite in a common national identity. Picking up on the strands of colonial nationalism that had first appeared at the Cape Colony before the build-up to the Anglo-Boer war, this group of elite leaders from across the ethnic, regional, and political divides began to talk seriously about the unification of Southern Africa.

Underlying these conversations, however, was a very strong realization that any discussion of the political unification of southern Africa would need to address the political status of non-whites. As the largest and most established colony in southern Africa, the Cape could make a very forceful case for the extension of the nonracial franchise to the rest of the colonies. But the Transvaal, with its never-ending supply of gold, was quickly becoming the most economically powerful of the four colonies. Despite how much the Cape politicians wanted to unify southern Africa on their terms, it became increasingly clear in the years following 1902 that conflict was inevitable.

Chapter Two

The Restoration of the Transvaal: Jan Smuts and the Unification of South Africa

The end of the Anglo-Boer War in 1902 left the Transvaal and the Orange Free State bitterly war-torn. 5,000 Afrikaner men had died in the war—a great loss, to be sure, but only a small percentage of the war's total cost. The British army had indiscriminately ravaged the Transvaal and the Orange Free State during the war, razing thousands of homes, killing livestock, and destroying crops. By the time the fighting ceased, much of the Transvaal and the Orange Free State was in chaos.¹

The destruction did not end there. To ensure that Boer women did not offer aid, supplies, information, or housing to the Boer soldiers, the British army had, at the beginning of the war, established concentration camps for Boer women and children throughout the Transvaal.² The conditions of the camps were terrible, with drastically limited access to adequate shelter, sanitation, food, and medical supplies. By the end of the war, over 4,000 Boer women and 22,000 Boer children had died in the camps.³ Though there is no evidence that the British deliberately sought to kill innocent civilians, the conditions of the camps and the high mortality rate among women and

¹ Hermann Giliomee, *The Afrikaners: Biography of a People* (Charlottesville, VA: University of Virginia Press, 2003), 277.

² Dennis Judd and Keith Surridge remark that, “at least 25,000 Afrikaner concentration camp inmates had died by the end of the war—a bitter legacy for the ensuing era of reconstruction and conciliation. Incidentally, it went barely notice that at least as many blacks also died in their own segregated and even more poorly equipped and managed concentration camps.” Dennis Judd and Keith Surridge, *The Boer War* (London: John Murray Ltd., 2002), 196.

³ As Giliomee points out, the total number of Afrikaners killed in the war represented over 10 percent of the total population of Afrikaners in the northern republics. Giliomee, *The Afrikaners*, 256, 264.

children who lived in them did nothing to mitigate the anger felt by the Afrikaner population toward the British.⁴

In 1902, it would have been impossible to imagine that within five short years, the Transvaal would not only fully recover from the devastation of war, but would become the most politically and economically powerful colony in southern Africa. For most of the nineteenth century, the Transvaal had been an economic backwater, in the shadow of the politically and economically dominant Cape Colony. On more than one occasion in the nineteenth century, the British government had expressed interest in seeing Cape Town emerge as the foundation of a unified British Africa that would stretch across the African continent.⁵ During the nineteenth century, the politicians at the Cape were considered the most politically astute and the most capable of carrying off a unification scheme, particularly in comparison to the political leadership in the other colonies.

Everything changed at the end of the nineteenth century. The 1869 opening of the Suez Canal had already threatened the Cape's role in the global economy by offering British merchants and naval ships an alternative route to India, but nothing could compare to the changes brought about by the discovery of the Transvaal gold mines in 1886. The Cape economy managed to stay competitive with the Transvaal for most of the nineteenth century, but struggled to recover after the war. The Cape government's two main sources of revenue—custom tariffs and railway receipts—

⁴ There is little historical evidence to suggest that the concentration camps were a deliberate attempt on the part of the British Empire to wipe out the entire population of Boer women and children; rather, it seems that the high mortality rate in the Boer concentration camps was based more on poor management, lack of food, and an imperfect understanding of necessary hygiene and sanitation. Judd and Surridge, *The Boer War*, 194-196.

⁵ Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 1995), 148.

both declined dramatically in the years following the war, reflecting a general economic depression facing Cape citizens. This depression was compounded by the serious competition that the Cape ports (and, by extension, railroads) faced from the Mozambique port of Lorenzo Marques, which was geographically closer to the Transvaal gold mines. Furthermore, while gold remained in high demand, the international diamond market collapsed in 1907, serving a further blow to the Cape, which had diamonds, but no gold.⁶

Although the British had won the war, the Transvaal would emerge from the post-war reconstruction with the most political and economic power. And when the colonial leaders of each of the four provinces began to seriously discuss unification, it was not John Merriman at the Cape, but Jan Christian Smuts—a key Transvaal leader—who would take the lead. When delegates from each of the four colonies gathered in Natal for the National South African Convention in 1908 hoping to create a constitution that would unify all of southern Africa, the Transvaal's delegation was easily the most powerful and well organized, with the Cape coming in second.

In spite of the Transvaal's economic strength, the Cape still wielded significant political and economic power, particularly in comparison to the Orange Free State and Natal. However, the economic resurgence of the Transvaal following the Anglo-Boer War decisively changed the power dynamics of white South Africa, and, as a result, changed the way that the subject of race was discussed during the unification movement in 1908. If the Cape still had been the dominant colony, or if the British government had played a more active role in the unification movement, it

⁶ Leonard Thompson, *The Unification of South Africa, 1902-1910* (Oxford: Oxford University Press, 1960), 52-60.

is likely that the extension of the nonracial franchise would have been discussed with far more seriousness. As it was, however, the Cape liberals were forced to concede to the demands of the other three colonies and compromise their dream of having the nonracial vote extended across South Africa.

The Rise of Jan Smuts

At the end of the Anglo-Boer War, Louis Botha and Jan Smuts rose from the ashes of the Afrikaner republics to become two of South Africa's most important leaders during the early twentieth century. Both men had served admirably as generals during the war and had very capably filled the power vacuum left by the Transvaal's former president, the aged Paul Kruger, who fled to Europe during the war. A highly controversial figure, Kruger had been a powerful political and symbolic leader of the northern Afrikaner community during the last quarter of the eighteenth century. He had led the Afrikaners to rebel against the British in 1880 by employing sweeping nationalist rhetoric and a charged sense of religious purpose. A deeply religious man, Kruger believed in a "racial exclusivism" that put Afrikaners in a unique racial category, and he wanted nothing to do with the Afrikaner Bond at the Cape, a political party whose leaders preached a more inclusive Afrikaner identity.⁷

While both men admired Kruger greatly, Smuts and Botha differed from the former president in both background and beliefs. Neither man was as religiously dogmatic as Kruger had been, and both recognized the practical necessity of reconciling with the British government following the war. Though Botha was significantly older than Smuts, the two had emerged as a leadership team during the

⁷ Giliomee, *The Afrikaners*, 234-235.

Anglo-Boer War and would remain politically dependent on each other until Botha's death in 1919.⁸ Botha, however, was more visible and popular of the two. Though Botha had little formal education, both the English-speaking populations and the disparate Afrikaner masses in the Transvaal saw him as a strong and capable leader.⁹

Smuts, on the other hand, tended to work more behind the scenes. He had first emerged as a political figure in the Transvaal as Kruger's State Attorney in the 1890's, and would remain a monumental figure in South African politics until his death in 1950. Born on a farm in the Western Cape in 1870, Smuts was more naturally drawn to the rhetoric of the Afrikaner Bond than to Kruger's doctrine of religious and ethnic exclusivity. Formally educated at both Victoria College in Stellenbosch and Cambridge University, Smuts did not adhere strictly to the teachings of the Dutch Reformed Church, and, unlike both Botha and Kruger, was completely bilingual in both English and Dutch.¹⁰

Smuts' political career began in Cape Town in 1895, when he returned to South Africa after studying law at Cambridge. He was only twenty-five at the time, and found the political dramas that were unfolding at the Cape between the Bond, Cecil Rhodes, and the English-speaking politicians difficult to navigate. Though he never gained a prestigious place amongst the Cape politicians, Smuts was drawn to the imperialist-minded Rhodes, whose vision of a unified white South Africa within the British Empire was highly attractive to him. Like so many other politicians at the Cape, Smuts' faith in Rhodes was quickly destroyed when Rhodes' involvement in

⁸ Kenneth Ingham, *Jan Christian Smuts: The Conscious of a South African* (London: Weidenfeld and Nicolson, 1986), 63.

⁹ Thompson, *Unification of South Africa*, 30

¹⁰ Giliomee, *The Afrikaners*, 243; W.K. Hancock, *Smuts: The Sanguine Years, 1870-1919* (Cambridge: Cambridge University Press, 1962), 192.

the planning of the Jameson Raid—a failed attempt by a British force to invade the Transvaal in 1895—was revealed in early 1896.¹¹

After a visit to the Transvaal in 1896, Smuts—by then completely disillusioned with Cape politics—moved to Johannesburg. As a bright and educated Afrikaner, Smuts quickly rose through the ranks of the Johannesburg legal community and was appointed Kruger’s State Attorney in 1898. Although he had been critical of Kruger’s political and religious beliefs, he soon came to admire the older man’s strength of character, and was deeply upset by the British imperialists in the Cape and the capitalist exploitations of the mining magnates in Johannesburg.¹² Seen by the British government as more reasonable and rational than Kruger, Smuts was called upon constantly to help soothe over the rising tensions between the South African Republic (as the Transvaal was called at the time) and the British government. Although his intellectual potential was never called into question, Smuts was too young and inexperienced to recognize that the determination of the British authorities to crush the Transvaal made his efforts hopeless.¹³ When the inevitable war between the British and the Boers broke out in 1899, Smuts proved to be an able military leader, and rose through the ranks of the Afrikaner army to become a successful general.

Like many other Transvalers, Smuts fell into a prolonged depression after the war, writing letters in 1903 and 1904 that one historian describes as “couched in

¹¹ Hancock, *Smuts: The Sanguine Years*, 158-159.

¹² *Ibid.*, 69.

¹³ Ingham, *Jan Christian Smuts*, 26-27.

querulous tones.”¹⁴ Before long, however, he began to assist in the restoration of the Transvaal. He helped restore self-governance in the Transvaal in 1906 and would go on to spearhead the movement for unification, convening the National Convention of South Africa in 1908 and undertaking all the preparations for the Convention itself. Though Botha served as a symbol of reconciliation, it was Smuts who was the primary architect of the Transvaal—and, inevitably, South Africa—during the post-war years.

Post-War Reconstruction

Though Botha and Smuts were looked to as leaders among the Transvaal Afrikaners when the war ended, it was the British High Commissioner of Southern Africa, Lord Alfred Milner, who held all political power in the Transvaal. The Treaty of Vereeniging, the peace agreement that had ended the war in 1902, had placed harsh limitations on the Transvaal and the Orange Free State (which was forced to reassume its old colonial name, the Orange River Colony). It not only removed all semblances of self-government, but also made English the official language of both conquered republics and gave the Afrikaner leaders little say over the post-war restoration of the region.¹⁵

Like his counterparts at the Cape, Smuts did not like Milner, believing him to be a harsh man who was solely concerned with the destruction of the Afrikaner identity and the economic revival of the Johannesburg gold mines. His assessment of the man was a fair one, though Milner should perhaps be given some credit for having

¹⁴ In his 1903 letters, according to Ingham, Smuts “played the role of the defeated warrior suffering the pains of conquest.” *Ibid.*, 49.

¹⁵ Thompson, *A History*, 143-144.

made the resettlement of the displaced Afrikaners his first major priority following the signing of the peace treaty. Over 130,000 Afrikaners had been displaced as a result of the war, yet by March of 1903 Milner's efforts had ensured that almost all had been resettled and given farming supplies, food, and livestock.¹⁶ However, Milner cared little about Afrikaner culture or identity. An ardent capitalist and imperialist, Milner believed that that the most important step for South Africa's post-war recovery was to bring the gold mines back into full production. The task, however, of restoring Johannesburg in the aftermath of the Anglo-Boer War was no simple one. The city had been built virtually overnight after the discovery of gold in the 1880's and, though the Kruger government had done an admirable job in creating an impromptu infrastructure, the city was in dire need of modernization.¹⁷

Milner's main stumbling block in restoring the mines, however, was lack of unskilled labor. The mines required enormous amounts of manpower, and the African labor that the mines had depended on prior to the war was no longer available because of both mine owner efforts to cut wages and the high demand for African labor in other parts of the Transvaal.¹⁸ Milner at first tried to recruit African laborers from neighboring countries and even experimented with using unskilled white labor, but neither plan succeeded. As a last resort, Milner imported Chinese "coolies" to work the mines at very low wages, much to the anger of many white South Africans, some who thought the plan was economically infeasible and others who believed that the plan would only exacerbate the region's already tenuous race relations. Despite

¹⁶ Thompson, *Unification of South Africa*, 12.

¹⁷ Giliomee, *The Afrikaners*, 236.

¹⁸ Walter Nimocks, *Milner's Young Men: the "Kindergarten" in Edwardian Imperial Affairs* (Durham, NC: Duke University Press, 1968), 36.

the unpopularity of the plan, the importation of Chinese labor did successfully restore the output of the gold mines.¹⁹

For many Afrikaners in the Transvaal, the most destructive part of Milner's plan was his efforts to eliminate Afrikaner nationalism. In 1902, Milner was quoted as saying: "A great Johannesburg—great in intelligence, in cultivation, in public spirit—means a British Transvaal."²⁰ Milner believed in the superiority of the Anglo-Saxon "race," and was worried about the numerical majority that the Afrikaners had over the English in each of the four main colonies but Natal. In Milner's view, the British race was the most advanced and civilized in the world. He wrote in 1900 that "[i]f, in ten years hence, there are three men of British race to two of Dutch, the country will be safe and prosperous. If there are three of Dutch to two of British we shall have perpetual difficulty."²¹ Yet his plans to anglicize southern Africa by instituting English-medium schools and encouraging British immigration were a disaster. If anything, Milner's efforts to anglicize the Afrikaner communities only served to re-galvanize an Afrikaans-language movement that had been brewing in the Transvaal before the war.²² His education policy was offensive to leading Afrikaners in the Transvaal, particularly former teachers. As a result, teachers and religious leaders came together to establish Christian-National private schools for Boer children as an alternative to Milner's British education.²³

¹⁹ Nimocks notes that because of the importation of Chinese labor, "the output of the Rand mines rose from less than £13,000,000 in 1903 to more than £27,000,000 in 1907." *Ibid.*, 39.

²⁰ Quoted in *Milner's Young Men*. *Ibid.*, 30.

²¹ Milner to Major Hanbury Williams, 27 December 1900, Cecil Headlam, ed., *The Milner Papers (South Africa) 1897-1905*, vol. 2 (London, Cassell and Company Ltd., 1933), 242.

²² Hancock, *Smuts: The Sanguine Years*, 178.

²³ Giliomee, *The Afrikaners*, 278.

Milner had made the Transvaal the primary focus of his reconstruction for one simple reason: gold. As soon as the war had ended, he and his advisors worked tirelessly to create a solid infrastructure and bureaucracy for Johannesburg. Milner was an imperial capitalist, and believed that the Transvaal gold mines could become the foundation for a prosperous, unified British South Africa. Undoubtedly, the Transvaal that Milner left behind was more efficient, more productive, and better managed than it had ever been under Kruger. But at what price? Though Milner always believed that his tenure in South Africa was the most prolific and creative period of his life, by the time he left in 1905, he had alienated almost everyone in South Africa except the mine owners.²⁴ Many Cape politicians had been put on edge by Milner's aggressive policies, and only Natal could be counted on to remain thoroughly loyal to the idea of British imperialism. Though he had done everything in his power to resettle displaced Boer families, Milner's anglicization process compounded the humiliation of the defeated Afrikaners. As historian Leonard Thompson wrote, "far from destroying Afrikaner nationalism, Chamberlain [the Colonial Secretary] and Milner. . . were the greatest recruiting agents it ever had."²⁵ The Afrikaner population that Milner left behind in the Transvaal was poor, overwhelmingly rural, uneducated, and fiercely resentful toward British imperialism. While Milner was successful in providing the bureaucratic foundations for a unified South Africa, he was completely unsuccessful in cultivating a "British South African" national identity.

²⁴ Hancock, *Smuts: The Sanguine Years*, 174; Giliomee, *The Afrikaners*, 266-268.

²⁵ Thompson, *A History*, 145.

Ironically, however, anti-Milnerism would become the foundation for a South African national identity—but obviously not one that he would ever have endorsed or even understood. As different and disparate as the four colonies were, many white South Africans from all across the region found common ground in their disgust for Milner and British imperialism. While Milner certainly had his supporters, particularly in the Cape, most leading white South Africans felt that South Africa would be better off without him. As mentioned in the previous chapter, Merriman, the leading white politician at the Cape, had detested Milner since he had first arrived in South Africa. His sentiment was shared by Marthinus Steyn, the former president of the Orange Free, and certainly by Smuts, who had uneasily watched Milner’s pro-capitalist and anti-Afrikaner plans unfold from his home in Pretoria.

In the years following the end of the Anglo-Boer War, Steyn, Merriman, and Smuts began to write extensively to each other about South Africa’s future.²⁶ Their letters reveal a deep intellectual and personal friendship, despite ethnic and regional differences. When Merriman lost his seat in the Cape parliament in 1904, Smuts urged his own father, a prominent Cape politician, to give up his own seat to Merriman. To Merriman following this election, he wrote: “I assure you we up here who have followed your brilliant work in Parliament as leader of the South Africans feel this as a personal blow. . . . We are rapidly going to a great political crisis and I want you to lead the battle in Parliament, as you alone could do it.”²⁷

Despite their different political ideologies, the three men had far more in common with each other than with Milner. Smuts, Merriman, and Steyn believed that

²⁶ Ingham, *Jan Christian Smuts*, 49;

²⁷ Smuts to Merriman, 15 February 1904, W.K. Hancock and Jean Van Der Poel, eds., *Selections from the Smuts Papers* (Cambridge: Cambridge University Press, 1966), vol. 2, 144-145.

Milner's dream of a unified white South Africa, founded upon the Transvaal gold mines and loyal first and foremost to the British Crown, was dangerous. In their minds, it would lead to a South Africa that was little more than a puppet to imperial capitalism. A unified white South Africa based on a common loyalty to South Africa was, however, something entirely different. As much pride as each man had in his own province, both Smuts and Steyn realized that Kruger's republicanism was no longer feasible.

Through a series of extensive letters that began as soon as the war ended, Smuts, Steyn, and Merriman began to realize that the best way to mitigate Milner's imperialism would be to unify South Africa on their own terms.²⁸ Their conversations during Milner's tenure were highly tenuous—all three men knew that unification on their own terms was impossible with Milner still in the picture. They also knew that there were countless obstacles to unification, the least of which was the fact that, without self-government, neither the Transvaal nor the Orange Free State had the political freedom to initiate a scheme as dramatic as unification. Yet the idea was in the forefront of each man's mind during the years following the end of the war. However inadvertently, Milner's policies planted the seeds for a unification movement that would only gain momentum after his departure.

"The Native Question" in the North

The emergence of the Transvaal as the most powerful of the four colonies would have very real implications for South Africa's unification and, by extension, for race relations in twentieth century South Africa. In the context of this thesis, the

²⁸ Hancocks, *Smuts: the Sanguine Years*, 199.

word “race” is being used in the twenty-first century understanding of the term: to describe the relationships between groups of people of different ethnic and racial backgrounds. In early twentieth century South Africa, as has been noted earlier, the words “race” and “racialism” were, however, rarely used to describe anything other than the ethnic tensions that existed between the Afrikaners and the English. Though the two groups were unified by a mutual assumption that whites were inherently superior to blacks, the conflict between the two groups was understood as a racial one. For obvious reasons, the Anglo-Boer War did nothing to mitigate the hostilities between the two groups in the Transvaal. Yet while the Transvaal had the most sharply divided white populations, it was not the only colony that was struggling with the “race” question in the aftermath of the war. John Merriman wrote to Smuts in February 1904 about the Cape parliament elections, saying that “[t]hese elections have been fought on race lines—English v. Dutch. . . . It is curious to notice that the race feeling on the part of English v. Dutch is far more exacerbated than before the war—which is notable result of ‘Milner’s great work.’”²⁹

The relationship between whites and non-whites, on the other hand, was almost always referred to as the “Native Question” in the early twentieth century. Unlike the western half of the Cape Colony, the Transvaal and the Orange Free State (as well as Natal and the eastern Cape) had large African populations intermingled amongst white farmers. Though frontier wars had marked the experiences of early settlers, fighting between Africans and whites had petered out by the end of the nineteenth century, with an uneasy peace settling between the white farming populations and the African communities. For the majority of Afrikaners—most of

²⁹ Merriman to Smuts, 22 February 1904, *the Smuts Papers*, vol. 2, 146.

them uneducated farmers—the Africans were an inferior, child-like race. The Afrikaners believed that they had a religious duty to oversee the Africans and ensure their protection. Unlike their contemporaries at the Cape, who were more economically and politically sophisticated, the northern Afrikaners believed that black Africans should not be allowed anywhere near politics or economic power. The concept of “civilized” versus “uncivilized” was completely foreign to the northern Afrikaners, many of who, somewhat ironically, would not themselves have met the educational and economic qualifications necessary to vote in the Cape. The question of a nonracial franchise in the Transvaal was never even raised—it went without saying that non-whites could not participate in politics.³⁰

The racism of the northern Afrikaners was not unique during the late nineteenth and early twentieth centuries. This was the height of European imperialism, and Darwinism had armed the British with a new justification for racism and the exploitation of non-whites. Yet while scientific racism became prominent in English literature, the Afrikaners rarely rationalized their racism by appealing to biology. Instead, the inferiority of the African was taken as a religious truth. The Boers believed that Africans existed to serve as “faithful servants” for whites. Much like the plantation owners of the American South, many Boers believed that their role was that of a firm master and guardian over the Africans.³¹ Both the Dutch Reformed Church and the government of the South African Republic advocated “just” treatment

³⁰ Bernard Friedman, *Smuts: A Reappraisal* (New York: St. Martins Press, 1976), 23-24.

³¹ Giliomee, *The Afrikaners*, 286.

of the African populations, though there were well-documented instances of black slave trade and indentured servitude of blacks during the nineteenth century.³²

The migration of thousands of non-Afrikaner whites to the Transvaal following the discovery of gold in the 1880's did little to mitigate the region's racism. Like the Boers, the speculators and mining magnates saw the black population of South Africa solely as a source of labor. Though the English language dominated Johannesburg life, the immigrants came from all over the world to make a fast fortune in the gold mines. Their ambitions in southern Africa were simple: they did not come with a political or moral agenda, but to make money. While many were of English descent and there were certainly those who held liberal attitudes toward non-whites, there was no liberal movement comparable to that of the Cape.

After the war, a shortage of African farm labor became a growing concern for Afrikaners in the Transvaal, particularly since many Africans who had once worked as tenant-laborers for white landowners had, during the war, begun to cultivate their own land. Though Milner restored most of the land back to the Afrikaners at the end of the war, the Afrikaners, having been thoroughly defeated, worried that their superior status over the African had been permanently compromised. In a draft of a 1903 memorandum, Smuts expressed the concerns of many Boers by writing that "the Natives squatting on the farms refuse to work . . . they look upon the Boers as a humbled and subordinate race, put on the same level as themselves under the heel of the conqueror."³³ After a 1905 court decision ruled that Africans could legally own their land in the Transvaal, white Afrikaner resentment was heightened as a small

³² Giliomee, *The Afrikaners*, 184.

³³ Memorandum to Labour Commission, 1903, *Selections from the Smuts Papers*, vol. 2, 128.

number of Africans began to own and operate independent farms. For the northern Afrikaners, Africans could never be considered economically or politically equal to whites.

Britain's "Magnanimous" Gesture

A major turning point for the Transvaal—and for white South Africa—came in 1905, when the Liberal party in England defeated the Unionists in a general election. Smuts was ecstatic. Since the end of the war he had waited for this moment, believing that the Liberal party, which was far less aggressive in its imperialist ambitions, would finally grant self-government to the Transvaal.³⁴ He immediately headed to England to meet with the new leaders of the British government, hoping to ease any uncertainties that they might have about granting self-government to a republic that had gone to war with the British government twice in the past thirty years. His trip was, in the eyes of many, a complete success. The Transvaal was granted self-government on December 6, 1906. The Orange Free State followed quickly and became a self-governing colony of the British Empire on June 5, 1907.

Smuts was to regard his meeting with Prime Minister Henry Campbell-Bannerman as one of the highest points of his political career. All of Smuts' biographers feature the meeting prominently, though Smuts probably exaggerated his role in swaying Campbell-Bannerman. The new prime minister and his colleagues had been convinced that self-governance was the right course for the Transvaal since

³⁴ Friedman, *Smuts*, 13-16.

well before 1905.³⁵ Smuts probably allayed some of Campbell-Bannerman's anxiety, but it is unlikely that he single-handedly secured self-governance.

Yet the meeting revealed a great deal about Smuts' thinking at the time. In his conversation with the prime minister, Smuts told Campbell-Bannerman that the primary problem in the Transvaal was not the conflict between British and Boer, but capitalism. The only way that the Transvaal would be protected against the exploitation of mining magnates was through responsible self-governance: the people, not the mine owners, needed to have political control. In a 1906 memorandum to the colonial office in London, Smuts wrote:

It cannot be too strongly insisted that the great practical issue in Transvaal politics, before which the racial issue has receded, is the distribution of political power as between the mine-owners and the permanent population of the land, English as well as Dutch. The struggle by the mine-owners for political domination, which began before the war, but has been enormously accentuated since the war, is obliterating all other issues and is to-day, and will long continue to be, the dominant factor in Transvaal, perhaps in South African, politics.³⁶

The decision of the Campbell-Bannerman government in 1906 forever changed both Botha's and Smuts' perception of the British government. They knew that the decision to grant self-governance to the Transvaal less than five years after the end of the war was an enormous act of faith on the part of the British. A.J. Balfour, the Unionist Opposition leader in the British Parliament, passionately opposed the decision, going as far as to tell the House of Commons that "no human being ever thought of such an experiment before—that of giving to a population equal to, and far more homogenous than our own, absolute control of everything civil and

³⁵ Ronald Hyam, "Smuts and the Decision of the Liberal Government to Grant Responsible Government to the Transvaal, January and February 1906," *The Historical Journal* 8, no. 3 (1968): 388.

³⁶ Memorandum on Transvaal Constitution, 1906, *Smuts Papers*, vol. 2, 217.

military.”³⁷ Smuts and Botha worked fervently to assure the British government that they were steadfastly loyal to the British Crown, and they were true to their word. Smuts—who had been so anti-imperial in the years following the Jameson Raid and had lamented imperialism during Milner’s administration—became one of the staunchest defenders of the British Empire. After self-governance was officially granted, Smuts famously wrote: “They gave us back in everything but name—our country. Has such a miracle of trust and magnanimity ever happened before?”³⁸

In 1907, elections were held in the Transvaal for the first time since the war. *Het Volk*, the political party founded by Botha and Smuts in 1905, knew that it needed support from English-speaking voters, who made up well over half of the electorate, in order to secure a victory.³⁹ The exclusive Afrikaner nationalism preached by Kruger was no longer politically tenable, even if Botha and Smuts had themselves believed in it. The platform of *Het Volk* stressed “conciliation” between the English and the Afrikaner, using anti-capitalism as the unifying thread. The Afrikaners were reasonably anxious about such an alliance, but they had a great deal of faith in Botha.⁴⁰ *Het Volk* won the election and Louis Botha became the first Prime Minister of the Transvaal, thereby beginning the process of active “reconciliation” between the two white groups.

³⁷ Nicholas Mansergh, *South Africa 1906-1961: The Price of Magnanimity* (London: George Allen and Unwin Ltd., 1962), 18.

³⁸ Quoted in *South Africa*. Mansergh, *South Africa*, 15.

³⁹ Though the total Afrikaner population was substantially larger than the English population in the Transvaal, the actual electorate—that is, white men who met certain residential qualifications—was skewed in the favor of the English. Most of the English population was single men who had come to the Transvaal to make money off the gold mines, while a large portion of the Afrikaner population was made up of women and children, who could not vote. Friedman, *Smuts: A Reappraisal*, 18.

⁴⁰ Friedman, *Smuts: A Reappraisal*, 16.

Het Volk—led by Botha, with Smuts as his right-hand man—made grand gestures to prove its loyalty to Great Britain and the English-speaking Transvalers. Although the party had come to power by uniting English and Afrikaner on the issue of anti-capitalism, Smuts quickly realized how crucial the mines were to the Transvaal economy. While he never formally reversed Het Volk’s stance, he did ease up on the mine owners and dropped much of the anti-capitalist language.⁴¹ The party therefore devoted much of its time to pushing the agenda of “conciliation,” downplaying the issue of language and deciding not to continue funding Christian National schools, which were becoming bastions for Afrikaner nationalism. These efforts to reconcile the two white groups were nothing more than an attempt to forge a new type of colonial nationalism among the white population of the Transvaal. Unlike the Cape, however, whose tradition had easily supported the emergence of a Cape colonial nationalist identity within the British Empire, the Transvaal had been fiercely republican for most of the nineteenth century. Smuts’ new vision, however, was to create a white South African identity in the Transvaal based upon loyalty both to South Africa and to the British Crown. In many ways, Smuts and Botha sought to emulate the late nineteenth century Cape model of English-Afrikaner relations.

By late 1907, Smuts believed that the future of the Transvaal was far more secure. The region had received self-governance, the mines were profitable, the tensions between the Afrikaners and the English were under control, and, thanks to Milner, the region had a functioning infrastructure and bureaucracy. And it was not just the Transvaal politicians that felt a new sense of stability. All over southern Africa, the threat of aggressive British imperialism had abated. Milner was gone.

⁴¹ Hancock, *Smuts: The Sanguine Years*, 230-245.

Self-governance had been restored to the defeated republics. In three out of the four southern African parties, political parties had come to power that were eager to see the four colonies united into one dominion under colonial terms (Het Volk in the Transvaal, the South African Party—headed by Merriman—in the Cape, and Orangia Unie in the Orange Free State).⁴² It was not as if the region was entirely stable—the Cape economy was struggling and fighting between Africans and whites had broken out in Natal—but, for the first time since before the Anglo-Boer War began, there was a sense that “South Africa” might be allowed to prosper on its own terms.

Merriman, Smuts, and Steyn saw this moment as a crucial one. For the first time, their plans to unify the four colonies of southern Africa into one dominion had political momentum. Smuts’ motivations had changed slightly since the granting of self-governance, but for Merriman—who would become Prime Minister of the Cape Colony in early 1908—unification was still the only way to protect South Africa from the machinations of the British imperialists. Merriman’s disgust at the British government went beyond that felt by most English-speaking liberals—though he was loyal to the identity of the “Englishman,” Merriman could never forgive the British government for the events leading up to the Anglo-Boer War. Even after the Liberal party had come to power in Britain, he remained staunchly anti-imperialist and thought Botha and Smuts were too forgiving.⁴³ For the rest of his life, Merriman’s loyalty to South Africa went far above his loyalty to the British Crown.⁴⁴

⁴² N.G. Garson, “‘Het Volk’: The Botha-Smuts Party in the Transvaal, 1904-1911,” *The Historical Journal* 9, no. 1 (1966): 103.

⁴³ Thompson, *Unification of South Africa*, 38.

⁴⁴ For instance, even after Milner left, Merriman refused to recognize the intellectual and political capabilities of Milner’s “kindergarten,” a group of young Englishmen who had assisted Milner during his reconstruction and who now sought to help Merriman and Smuts with their own plans for unification. Hancock, *Smuts: The Sanguine Years*, 261.

From Self-Governance to Unification

From 1906 onwards, Smuts and Merriman (and Steyn, to a lesser extent) started talking about unification in more concrete, less hypothetical terms. Their discussions formed the basis for what would become the 1909 Act of Union, though nothing official would be established until delegates from each of the four colonies convened in Durban (Natal's main port city) for the National Convention of South Africa in October of 1908. This was not the first time that unification of the four colonies had been considered, but it was the first time that colonial—not imperial—figures had spearheaded the conversation. It was also the first time that unification had been seriously discussed since the Transvaal's economic and political power had surpassed that of the Cape's.

Merriman was highly aware that the Cape's economic and political importance had dwindled in the aftermath of the war. He knew that Smuts and the Transvaal were going to have the upper hand on any contentious issue. He also knew that, for the most part, he and Smuts shared very similar beliefs regarding what a unification scheme would look like. Both men wanted to see white South Africa—both English and Afrikaner—unite under one common and binding nationality. Both men wanted to protect South Africa from the type of imperial aggression that had led to the Anglo-Boer War, but, perhaps most importantly, both men wanted a constitution based on unionism, not federalism.⁴⁵ This decision was a somewhat peculiar one. The four colonies had such different political histories and population demographics that a federation (which would have allowed each colony to retain a

⁴⁵ Friedman, *Smuts*, 28.

large degree of control over local politics) would seemingly have made more sense. The decision for unification over federation was not universally supported—W.P. Schreiner, a prominent Cape liberal, believed that a federation was essential, as only federation would allow the Cape to fully retain its liberal tradition in any type of union with Transvaal.⁴⁶ But both Merriman and Smuts were adamant about unification.⁴⁷ Merriman, who was nervous about the Cape’s economic situation, believed that unification was necessary for economic reasons while Smuts thought unity would provide more political stability. In his mind was the memory of the American Civil War, which Smuts believed was the result of a rigid and imperfect constitution that supported federalism.⁴⁸ While the question of “union versus federation” was not officially decided until the Convention, Merriman and Smuts had so much collective power that union was all but official by October. As leaders of the two most important colonies, their collective opinions held enormous sway. Merriman knew that he lucky to have a man like Smuts—whose educational background was very similar to his own—in the Transvaal. Though they did not agree on every major issue, both men had great respect for each other’s intellect.

⁴⁶ Friedman, *Smuts*, 26.

⁴⁷ In the very last paragraph of his book, Thompson writes a scathing indictment against Merriman’s and Smuts’ decision to go with the unitary Constitution model—a sentiment that is shared by other historians. He writes: “in following the British example, [the South African founders] had ignored the fact that in so far as the flexible character of the British Constitution met the needs of the British people, that was because they had become a comparatively homogenous people. . . whereas the essence of the problem confronting South Africa was that her people were extremely heterogeneous, and the colour consciousness of most of the whites and the national exclusiveness of most of the Afrikaners were potent enough to override any feelings they mad have had for conventions, for compromise, and for the liberties of others. Since the flexible Constitution provides no legal safeguards against arbitrary government, it was the very worst prescription for such a country. . . . The Constitution of the United States of America would have been a better model than the British Constitution.” Thompson, *Unification of South Africa*, 482-483.

⁴⁸ Friedman, *Smuts*, 28-32.

While Merriman and Steyn both contributed intellectually to the unification scheme, the actual National Convention was very much Smuts' undertaking. While he had the support of the governments in both the Orange Free State and the Cape Colony, Smuts was responsible for almost all the planning and logistics of the National Convention.⁴⁹ With Botha capably running the day-to-day affairs of the Transvaal government and Merriman struggling to sort out the Cape economy, Smuts devoted an enormous amount of time to researching, writing, and planning in the months leading up to the Convention in October of 1908. He consulted frequently with Merriman, Steyn, and Sir Henry de Villiers—the Chief Justice of the Cape—in writing a draft version of the constitution. By the time the Convention began, the major players already had a tacit agreement about the shape of the new South African state. Though the thirty delegates to the National Convention were more than a rubber stamp of a document prepared by Smuts, Steyn, and Merriman, they weren't that far from it. There was some heated debate and many tense moments at the Convention, but very few surprises.

Yet underneath everyone's exuberant attitude toward unification was an obvious unease over the question of the franchise and the status of non-whites in a unified South Africa. For all of their collective brilliance, Smuts, Steyn and Merriman could not even begin to envision a solution for the discrepancies that existed between the four colonies' franchise laws. There were actually two separate, but closely related, franchise issues facing the new union: the first being whether the franchise would be qualified or open to universal manhood suffrage, and the second being the franchise rights of non-whites. In every way possible, the Cape and the Transvaal's

⁴⁹ Thompson, *Unification of South Africa*, 152; Friedman, *Smuts*, 32-33.

franchise laws stood in stark opposition. The Cape had a qualified nonracial franchise that allowed anyone who met certain economic and educational qualifications the right to vote. For Merriman and other Cape liberals, this solution was the political and moral ideal, and should be extended to all of southern Africa. The Transvaal, on the other hand, had universal manhood suffrage for whites only and was determined to keep it this way.⁵⁰

Smuts stood firmly by the Transvaal's franchise laws and never even entertained the possibility of allowing the nonracial vote to extend beyond the Cape. Smuts' *personal* views on the political status of Africans in South Africa are, however, somewhat puzzling. We know from his letters and his writings what his political stance was, but his moral and intellectual views are less clear. As defensive as Smuts was about a white-only franchise, he never invoked the same moral and intellectual language that Merriman used in defending the non-racial franchise. In fact, during the first two decades of the twentieth century, it seems that Smuts did his best to avoid thinking about the black population of southern Africa. He had very little interaction with people of color throughout his childhood in the western Cape and did not remain in the Cape long enough to fully understand the Cape's liberal tradition. Once he reached Johannesburg, he began to absorb the rhetoric of the Transvaal. Unlike in the Cape, there was no room for non-whites in politics in Johannesburg, and Smuts quickly learned that the one thing that united almost all the whites in the Transvaal was a desperate desire to keep it that way.

Politically speaking, Smuts had no choice when it came to the "Native question." As a leader of the Transvaal, Smuts could not advocate any policy that

⁵⁰ Thompson, *A History*, 150-151.

would advance the interests of non-whites without risking political and social suicide. As an Afrikaner representing the Transvaal, he needed to take a paternalistic stance towards the Transvaal's large black population. He had no grand scheme for the future of South Africa's non-whites—they were of little interest to him. At this point in his life, the extent of his policy beliefs was that Africans should be treated with justice and kindness, but should not be allowed anywhere near political power.⁵¹

The problem with Smuts' policy towards nonwhites was that it was unsustainable. Smuts must have known that the nonwhite population of South Africa outnumbered the whites by a majority of four to one. Smuts must also have known that while most Africans were formally uneducated and lived in traditional structures, there was a growing number—particularly in the Cape—who were eager to participate in the political system. Even if he had very little personal interaction with persons of color, a man of his intelligence and background could not have reasonably thought that non-whites could be kept out of the political field forever. His decision to push the issue aside because of its political and social volatility shows an enormous lapse in intellectual and political judgment on the part of Smuts. He wanted so desperately to see unification happen that he deliberately ignored what would become the most explosive issue in twenty-first century South Africa. His attitude towards Africans can best be summed up by a sentence that he wrote to Merriman in 1906: “When I consider the political future of the Natives in South Africa I must say that I look into shadows and darkness; and then I feel inclined to shift the intolerable

⁵¹ Smuts' views on the political rights of African did evolve somewhat throughout the twentieth century, but he never gave the issue an enormous amount of thought. When the National Party came to power in 1948, Smuts did not support the apartheid system, but he certainly did not think that Africans should be given the same rights as whites. Ingham, *Jan Christian Smuts*, 217-220.

burden of solving that sphinx problem to the ampler shoulders and stronger brains of the future.”⁵²

In the years leading up to the National Convention, Merriman relentlessly worked to change Smuts’ mind on the franchise. For Merriman and the Cape liberals, the nonracial vote was a practical necessity for a unified South Africa—without it, the white population would risk racial antagonism that would inevitably lead to violence. Smuts emphasized repeatedly that he wished nothing but “justice” for the African population, writing at one point that, “I sympathize profoundly with the native races of South Africa whose land it was long before we came here to force a policy of dispossession on them. And it ought to be the policy of all parties to do justice to the native and to take all wise and prudent measures for their civilization and improvement. But I don’t believe in politics for them.”⁵³ Invoking the external threat of the British government, Merriman responded to Smuts with vigor: “God forbid I should advocate a general political enfranchisement of the native barbarian. All I think is required for our safety is that we shall not deny him the franchise on the account of colour. We can then snap our fingers at Exeter Hall and Downing St., and experience teaches me that there is no surer bulwark for all the legitimate rights of any class or colour than representation in Parliament. The only alternative is physical force and the volcano.”⁵⁴

Other Cape liberals echoed Merriman’s plea for a racial “safety valve.” W.P. Schreiner, who would become one of South Africa’s biggest advocates for non-white political rights, wrote to Smuts before the convention that “to embody in the South

⁵² Smuts to Merriman, 13 March 1906, *Smuts Papers*, vol. 2, 242-243.

⁵³ *Ibid.*

⁵⁴ Merriman to Smuts, 18 March 1906, *Smuts Papers*, vol. 2, 285-287.

African constitution a vertical line or barrier separating its people upon the ground of colour into a privileged class or caste and an unprivileged, inferior proletariat is, as I see the problem, as imprudent as it would be to build a grand building upon unsound and sinking foundations.”⁵⁵

Smuts, however, would not budge. He wanted nothing less than a white-only franchise that was open to any man. There was no other option. Smuts wrote to Merriman that: “On the question of the Native franchise my mind is full of Cimmerian darkness and I incline very strongly to leaving the matter over for the Union Parliament. . . . To us Union means more than the Native question and it will be the only means of handling the vexed question.”⁵⁶ As much as he disagreed with him, Merriman had no choice but to agree to find a compromise. While he was prepared to fight for the extension of the nonracial vote as much as possible, he knew that without compromise, any hope of union would be destroyed.

The National Convention and the Fight for the Franchise

In October of 1908—less than seven years after the end of the Anglo-Boer War—thirty delegates representing the four provinces and three nonvoting representatives from Rhodesia gathered in Durban (Natal’s main port) for the National South African Convention to hammer out the terms of South Africa’s unification. Out of the four delegations, the Transvaal delegation was the most prepared. Smuts had not only prepped the delegates well beforehand, but had brought

⁵⁵ Schreiner to Smuts, 2 August 1908, *Smuts Papers*, vol. 2, 450.

⁵⁶ Smuts to Merriman, 2 October 1908, *Smuts Papers*, vol. 2, 525.

nineteen experts with him to Durban to serve as advisors.⁵⁷ The decision to hold the Convention in Natal was a response to the apprehension that the Natalian government—historically the least stable, the most conservative, and the most fiercely British of the colonies—had about unification.⁵⁸ Both politically and economically, Natal was the least developed of the colonies and had played only a minor role in the preparations for union. Its leaders knew, however, that the province could not politically or economically survive if it eschewed the union scheme—the Transvaal and the Cape were too strong.

The thirty representatives to the Convention represented a very narrow slice of the South Africa population. Every delegate was white and male, though there was admittedly a wide diversity in their economic, political, and ethnic backgrounds. While there was also a range of opinions on just how attached a unified South Africa should be to the British Empire, all the men believed in some form of a distinct South African national identity.⁵⁹ The British government sent Lord Selbourne, then the High Commissioner of the Southern African region, along with a cruiser squadron to Durban for the duration of the convention as a symbolic reminder of South Africa's subordinate position within the Empire, but there was no direct oversight of the Convention by the British government.⁶⁰ There was also no direct representation for non-whites, much to the disgust of many prominent Coloured and African leaders at the Cape. The closest that South Africa's four and a half million non-whites had to representation at the National Convention in 1908 was a Cape delegate, Colonel

⁵⁷ Hancock, *Smuts: The Sanguine Years*, 262.

⁵⁸ Thompson, *Unification of South Africa*, 165-171.

⁵⁹ *Ibid.*, 143.

⁶⁰ *Ibid.*, 174.

William Stanford, who had been selected by Merriman specifically to represent non-white interests.

The Convention faced a number of controversial issues, including transportation tariffs, the shape of the new parliament, and the location of the nation's capital. Early in the Convention, however, it became clear that the franchise issue would be the most polarizing. Of the twelve Cape Town delegates at the Convention, all supported making the new union franchise a qualified, nonracial one. As soon as the issue of the franchise was raised, the other divides within the white community faded away as the Cape delegates—of all economic, political, and ethnic backgrounds—vigorously defended the Cape nonracial vote. While English and Afrikaners from the Transvaal, the Orange Free State and Natal pushed for a color bar across the Union, the Cape stood firm. A relatively moderate Afrikaner leader from the Cape, F.W. Malan, for instance, believed that “[t]here was no union for South Africa without a settlement of this matter and it was useless to shut their eyes to the fact. . . . This Convention offered them a golden opportunity for coming to an agreement and if the white people were divided there was no Union for South Africa”⁶¹ Of the twenty-four delegates not from the Cape, not one wanted the franchise extended. Most of the twelve Cape delegates knew that Union negotiations would be wrecked if they pushed the extension of the nonracial franchise too far.

How much, then, was each side willing to compromise?

⁶¹ On the first day of the Convention, the delegates agreed to a proposal suggested by Merriman that the minutes from the Convention would be kept forever secret. A few years later, however, one of the Cape delegates, Sir Edgar Walton, published *The Inner Working of the National Convention*, which gave a very insiders look into the convention, including transcripts of various speeches. Merriman was not pleased with Walton's decision to write the book and there are obvious issues of bias; however, Walton's book remains one of the most reliable and insightful primary sources for understanding what really happened at the National Convention. Edgar H. Walton, *The Inner History of the National Convention of South Africa* (Cape Town: T. Maskew Miller, 1912), 143.

After a series of long, drawn out discussions and conversations, it was eventually decided that the nonracial franchise would be protected at the Cape, while a racial bar would be kept in place elsewhere. In addition, a clause was added to the constitution stating that no non-white could be elected to the national parliament and that the nonracial franchise at the Cape could be overthrown by a two-thirds majority vote of the two houses of the South African parliament sitting jointly.⁶² Reaching this decision was not an easy one, but it was clear that this was the only workable solution that would allow for a unified South Africa. General Louis Botha provided the best insight into why the delegates—both from the Cape and elsewhere—ultimately agreed to compromise. In a speech given by Botha during the discussion about the franchise, he declared that “[t]heir first duty as a Convention was to draw up a Constitution for a united South Africa . . . their first duty was to bring about the union of the white races in South Africa and after that it would be possible to deal with the native population.”⁶³

None of the delegates left the Convention with exactly what they wanted, but the resulting document—the draft Act of Union—was close enough. The struggle for unification was, however, not yet over. When the delegates went back to their respective colonies in February of 1909, their next step was to convince their own parliaments to accept a document about which they themselves still had some concerns. While both the Transvaal and the Orange Free State quickly approved the draft Act of Union, the proposed constitution was met with hesitation at the Cape and

⁶² Thompson, *A History*, 151.

⁶³ Walton, *The Inner History*, 136.

in Natal.⁶⁴ Though Natal's concerns would prove to be of little long-term importance, the Cape's response could make or break union.

Merriman, for one, left the Convention feeling very uneasy. The delegation from the Transvaal had dominated the Convention, and Merriman felt that the Cape had been short-changed on many key issues. Yet more so than anything else, Merriman was troubled by the vocal racism expressed by his fellow delegates. While he knew going into the Convention that it would be next to impossible to get the nonracial vote extended, he had no idea how pervasive the hatred towards non-whites was amongst the other three colonies. Writing to a friend after the Convention, Merriman wrote: "Sauer and I had to sit and listen to things that made our blood boil. . . .But the divisions were not [English-Afrikaner] at all. Our own English-speaking countrymen struck me as being the most violent and intolerant as regards the Natives—a very evil omen for the future."⁶⁵

Despite his hesitation, Merriman desperately wanted to see the Act of Union pushed through the Cape parliament. Along with Smuts, Steyn, and Botha, Merriman had been one of the people most responsible for the movement to unification in the first place. Though the final Act of Union was not ideal, he adamantly believed that approving it was the only possible option. Recognizing the very real concerns that the Cape politicians might have, Merriman gave a speech in parliament upon returning from Durban declaring that "to those who would refuse union unless the right to sit in the central parliament was conceded to the native and the Cape franchise extended to

⁶⁴ Sir Perceval Laurence, *The Life of John Xavier Merriman* (New York: Constable and Company, Ltd., 1930), 294-295.

⁶⁵ Merriman to Innes, 1 March 1910, Phyllis Lewsen, *Selections from the Correspondence of J.X. Merriman* (Cape Town: The Van Reibeeck Society, 1969), vol. 2, 173.

the whole country, he said that if union was wrecked on this score the native vote would be swept away in the Cape.”⁶⁶

Yet Merriman’s fears were unrealized. While there was contention about the draft Act in the Cape Parliament, the concerns had little to do with issues of race. Somewhat ironically, a letter from Marthinus Steyn (the former president of the Orange Free State) to Merriman perhaps best reflects the sentiments of those at the Cape. Despite his public opposition to the nonracial franchise, Steyn had, on more than one occasion, expressed sympathy towards the plight of non-whites in South Africa. In the planning phases of the Convention, Steyn had even expressed a desire for a nonracial voting clause sometime in the distant future, and during the Convention, Steyn had admitted that the British Empire had reason for calling into question South Africa’s ability to justly govern the African population in the British High Commission territories.⁶⁷ Therefore, when Merriman was gearing up to defend the draft Act of Union to the Cape Parliament, Steyn wrote to Merriman that:

I do not think they [the Cape parliament] will be mad enough to wreck the Constitution, for the so-called friends of the natives must remember that in that case South Africa will be divided in two distinct Colonies, one with the native vote and the other violently opposed to it, with the result that can be easily imagine. It will be a case of the North versus the South over again. May the experience of America deter the Constitution wreckers. . . . You will understand, I know, that the further extension of the native franchise for the present is out of the question. This is a question that must be left for the future and we must trust to education; forcing will not help.⁶⁸

⁶⁶ Laurence, *Life of Merriman*, 296.

⁶⁷ Most of the delegates had wanted the new Union of South Africa to absorb the three High Commission Territories (see footnote on page 15). Much to the embarrassment of many of the delegates, however, the British government had refused to allow the new Union to gain immediate control over the Territories, claiming that they did not trust the white South Africans to govern the Territories justly. There was, however, a clause built into the Constitution that would allow for the eventual incorporation of both Rhodesia (now Zimbabwe) and the three High Commission Territories. Thompson, *Unification of South Africa*, 275-276.

⁶⁸ Steyn to Merriman, 6 April 1909, *Merriman’s Correspondence*, vol. 2, 122.

Ultimately, W.P. Schreiner, an English-speaking liberal who had been unable to attend the Convention as a participant, was one of only two members of the Cape parliament who voted against the draft Act of Union because of his concerns over the treatment of non-whites.⁶⁹ He managed to convince an old friend, Sir Gordon Spriggs, to vote with him in opposition, but their protest was futile. The draft Act of Union was passed by the Cape Parliament on April 17, 1909.

The draft Act of Union was brought before the British Parliament in the summer of 1909. Outraged over the support that Act had received, Schreiner, believing that the treatment of non-whites in the new South African constitution fundamentally violated the principles of the British government, led a delegation of African and Coloured leaders to London to convince the British Parliament that the Act's treatment of Africans could not be tolerated. In a public statement published in *The Times*, Schreiner declared that the Act of Union was:

. . .no Act of Union, but rather an Act of Separation between the minority and the majority of people of South Africa . . .The Coloured inhabitants are barred from the opportunity to rise and evolve naturally, which is the right of every free man in a free country. We do not base our movement upon the doctrine of the equality of all men, but upon the doctrine of the right to freedom of opportunity—freedom of equality. . .The principles of justice which are associated in our mind with Great Britain and her expansive policy are violated in the proposed Act of Union.⁷⁰

Schreiner's mission was a failure. Though many members of the British Parliament were concerned over South Africa's treatment of non-whites, no one's opposition was strong enough to prevent the Act from being passed. For most in Parliament, there was an implicit understanding that the best people to deal with South Africa's race problems were white South Africans. In stark opposition to the

⁶⁹ Thompson, *Unification of South Africa*, 339-345.

⁷⁰ Quoted in *Unification of South Africa*. Thompson, *The Unification of South Africa*, 404.

aggressive imperialist mentality at the turn of the century, the British Parliament in 1909 was wary of telling white colonists how to run their domestic affairs. On September 20, 1909, it overwhelmingly voted to pass the Act of Union.

The Failure of the Cape Liberals

Ironically, when it came to the question of the political status of non-whites, Merriman and the other Cape politicians were far closer in their political ideologies to the British imperial authorities than to their new friends in the northern republics. Milner, after all, seriously regretted his decision not to force a clause about the nonracial franchise into the Treaty of Vereeniging. Echoing Milner's sentiments, Merriman wrote to a friend in England following the Anglo-Boer War that "I am sure you will agree with me that no sympathy for the Boer cause can ever excuse any sort of departure from a liberal native policy"⁷¹ Yet as much as Merriman may have agreed with the ways in which imperial authorities approached non-white policy, he could not and would not support the political and economic ambitions of the imperialists.

The Cape Colony was the one place where things perhaps could have been different—where liberal attitudes toward non-whites could have been used as a catalyzing force for change. Had imperial authorities been more subtle and thoughtful in their approach to handling the situation in southern Africa at the end of the nineteenth century, race relations in twentieth-century South Africa might have been very different. Had Cecil Rhodes, Joseph Chamberlain, and Alfred Milner not alienated the Cape liberals so dramatically, a powerful political and economic alliance

⁷¹ Quoted in *Life of Merriman*. Laurence, *Life of Merriman*, 217.

between the Cape and the British government could have emerged that would have ensured the legal protection of non-whites. Even though the Transvaal had the gold, an alliance of the Cape and the British would have been a difficult one to resist. Yet the disgust for the imperial aggressions of Milner and Jameson felt by the political leaders in the Cape was too strong for such an alliance to emerge.

At the South African National Convention, it had become emphatically clear that most white South Africans did not want non-whites to play any role in the new government. While it is easy to place blame on the Cape liberals for not having pushed harder for the extension of the nonracial franchise, their situation was a precarious one. Had the Cape pushed the issue of the nonracial franchise too far, the unification scheme would have collapsed. Furthermore, most of the Cape liberals still believed in the inevitability of progress: the nonracial franchise, they believed, would eventually spread to the rest of the new nation, but it might take time.

What stands out about everything else during the years leading up to 1908 was how desperately the white political elite wanted to see the four colonies unite as one. This, they believed, was South Africa's chance to rid itself of the imperialists and secure a prosperous future for the region. Whites must put aside their geographic, ethnic, and ideological difference, or else there would be no South Africa.

Chapter Three

Segregationists, White Politics, and the Natives Land Act of 1913

The 1909 Act of Union provided an uneasy resolution to the debate on the non-white franchise in the new Union of South Africa. Yet other than essentially maintaining the political status quo, the Act provided little insight into what the future held for the Union's four and a half million non-whites.¹ The Act's primary goal was, after all, the creation of a white South African state for white South Africans. The creators of the Act, particularly the Cape liberals, had justified excluding the "Native Question" by claiming that a unified white South Africa was needed before this issue could be addressed.

Yet the nation that was born in 1910 was no more equipped than its predecessors to deal with the overwhelming strains brought about by South Africa's racial and ethnic diversity. Despite Louis Botha and Jan Smuts' rhetoric of unity, the government created in May of 1910—a government consisting entirely of white men—still struggled with a number of ethnic, ideological, and regional cleavages. The government was constantly on the verge of breakdown, with two major cabinet crises occurring within its first two years. Meanwhile, the debate over South Africa's support for the British Empire became an increasingly pressing issue as South African politicians nervously watched the international crisis unfolding in Europe.

¹ According to the 1911 Union of South Africa, there were 4,018,878 blacks, 525,466 Coloureds, and 152,094 "Asiatics" (most of whom were Indians in Natal or the southern Transvaal), and 1,276,316 whites in the nation in 1911. 1911 Census, from the 1951 Census, Union of South Africa, A-3.

In this tumultuous political environment the discussion about the future status of non-whites in South Africa gained increasing momentum. There was, of course, some general agreement among whites on the subject. With very few exceptions, every white person in South Africa—no matter their province or ideology—believed that the four million Africans in the Union were inferior to whites and represented a threat to the stability of the white nation. On more than one occasion, the most prominent white leaders from all the provinces expressed the belief that the country would be better off without any persons of color. Even the Cape liberals—who would staunchly advocate extending the nonracial franchise even after the Act of Union went in effect—believed that Africans were inferior to whites.

However, both the white and black elite knew that by 1910, South Africa's economy had become heavily dependent on low-wage black labor. As troubled as many whites were by the presence of blacks in their communities, the labor provided by black domestics, farmers, and mine workers was essential to the South African economy. The economic, political, and social status of the African in the new South African state was therefore a growing concern to everyone—both blacks and whites.

The Natives Land Act of 1913, passed with overwhelming support by the Union Parliament in June of 1913, was the first major piece of Union legislation that explicitly addressed the social and economic future of Africans at a national level. Although the Act had different implications for each of the four colonies, its most important provision was the creation of a number of reserves (called “scheduled areas”), where only blacks could buy or own land. In total, the land allocated for reserves represented less than seven percent of South Africa's land. No black could

buy or lease land outside of these reserves, except in the Cape Colony, where the Department of Native Affairs declared the Act invalid, since land ownership was a prerequisite for franchise eligibility in that province.²

Although the Act was not immediately enforced outside of the Orange Free State, the long-term consequences of the Natives Land Act were devastating for black South Africans. Unable to buy or lease land elsewhere, Africans throughout the Union were eventually forced onto reserves, where overcrowding made sustainable farming impossible. Unable to provide for themselves or their families through farming, African men were forced into a migrant system, where they traveled between the reserves and work (typically either on a white-owned farm or at a mine).³ The Act also curtailed African sharecropping and squatting in the Orange Free State, creating chaos and economic stress for successful black peasant farmers in the province.

The Natives Land Act had both practical and ideological implications for the new Union. At a practical level, the Act addressed issues concerning black ownership of land and black labor that had long concerned white South Africans, particularly rural whites in the Orange Free State and the Transvaal. More importantly, however, was the Act's long-term ideological implications. The basic ideology underlying the Land Act was that of segregation—an ideology that was gaining momentum and credibility among both whites and blacks in the first few decades of the twentieth century. By the 1930's, segregation would become engrained in white South African

² Harvey M. Feinberg, "The 1913 Natives Land Act in South Africa: Politics, Race, and Segregation in the Early 20th Century," *The International Journal of African Historical Studies* 26, no. 1 (1993): 69.

³ James Barber, *South Africa in the Twentieth Century: A Political History—In Search of a Nation State* (Oxford: Blackwell Publishers Ltd., 1999), 67.

society, but in 1913, it had not yet become entrenched in the minds of most white South Africans.⁴

This chapter aims to contextualize the Native Land Act within the political, economic, and social reality of 1913. It seeks to show how the complex relationship between land, labor, ideology, politics, and race led to the passage of the Native Land Act in 1913, focusing particularly on how the new Union's tumultuous political situation gave the segregationist ideology the political momentum to shape reality. While it is true that segregation as an ideology began to crystallize around this time, this chapter takes a holistic understanding of just what segregation meant to contemporaries, both white and black.

The Aftermath of Union

Although not without their hesitations, most South African whites considered the passage of Act of Union by the British Parliament in 1909 to be an overwhelmingly positive step. Newspapers and magazines across South Africa eagerly supported the passage of the Act, and community celebrations were held throughout the nation on May 31, 1910, the day the Act went into effect. For moderate white South Africans, this was a key turning point in South African history, a moment to prove to the world that it was equal to Canada, Australia, or New Zealand. Although the English influence remained strong in South African politics, the heavy-handedness of British imperialism was effectively removed, much to the delight of most white South Africans. There were certainly pockets of uncertainty—

⁴ Saul Dubow, *Racial Segregation and the Origins of Apartheid in South Africa, 1919-1936* (London: MacMillan, 1989), 5.

particularly in the Orange Free State and Natal, the two most ethnically homogenous provinces—but most whites were ready to prove that South Africa was no longer an economic backwater of the British Empire: it was becoming a self-governing, developed, and industrializing nation that deserved serious respect. In an article written in an August 1910 edition of the journal *The African City*, one journalist commented that:

We have arrived at a parting of the ways in South African history. A new era has been inaugurated. A new system has taken the place of the old. The old party battle cries and shibboleths can no longer apply and must be relegated to the limbos of the past.”⁵

It quickly became clear, however, that the new Union was not nearly as politically stable as anyone would have hoped. Louis Botha’s appointment to the Prime Ministry in 1910 had rattled many Cape liberals, who thought that John Merriman should have been the British Governor-General’s first choice. As skillful of a politician as Merriman was, the British government held great faith in Botha and was anxious of the backlash that could arise among the northern Afrikaners if an English liberal was appointed to the position.⁶ Merriman, for his part, remained bitter about the decision for the rest of life, refusing Botha’s offer of a cabinet position and speaking scathingly of the prime minister in letters and numerous diary entries.⁷ Unlike Jan Smuts, who would continue to play an influential role in South African

⁵ *The African City* was a monthly magazine founded during the unification movement. The goal of *The African City* was “to lead those who have so far taken no interest in public affairs to make a start now, and those who are already taking part to a still keener interest in, and understanding of, the duties and responsibilities of Citizenship,” J.A. Greer, “The Political Situation,” *The African City*, August 1910, 4.

⁶ Kenneth Ingham, *Jan Christian Smuts: The Conscious of a South African* (London: Weidenfeld and Nicolson, 1986), 62-63.

⁷ For instance, in a letter to Steyn immediately after Union, Merriman writes: “I have no respect for Botha’s political knowledge.” Merriman to Steyn, 22 May 1910, Phyllis Lewsen, *Selections from the Correspondence of J.X. Merriman* (Cape Town: The Van Reibeek Society, 1969), vol. 2, 187.

politics until his death in 1950, Merriman drifted away from the dominant political scene after the passage of Act of Union. He served loyally in the Union Parliament for most of the 1910's, and died in 1926, at the age of eighty-five.

Botha desperately tried to ensure the stability of the new nation in the years following union. Continuing with the same rhetoric of “conciliation” that he and Jan Smuts had used in the Transvaal after self-government was granted, Botha worked to appease the anxieties of the two white groups, encouraging both sides to look toward a united future. For Smuts, who had so famously appealed for conciliation between the two ethnic groups in the years following the Anglo-Boer War, Union marked a moment that he had been working towards for almost a decade. In the final year of the Anglo-Boer War, he had written: “Cannot the blood-stained races reason together and cannot their leaders in a spirit of mutual forgiveness try to write the word reconciliation over all our feuds and differences?”⁸ Union was the culmination of this long-standing desire.

Yet while most whites supported the *political* unification of the four colonies, the emotional reconciliation between the Afrikaners and English was not as universally welcomed. A large number of whites—both Afrikaner and English—were wary of the idea of a national and emotional reconciliation between the groups.⁹ Resentment from the Anglo-Boer War still lingered on both sides. In recognition of this, the ministry that Botha formed in 1910 was carefully chosen to reflect the

⁸ Smuts to W.T. Stead. 4 January 1902, W.K. Hancock and Jean Van Der Poel, eds., *Selections from the Smuts Papers* (Cambridge: Cambridge University Press, 1966), vol. 1, 488.

⁹ Hermann Giliomee, *The Afrikaners: Biography of a People* (Charlottesville, VA: University of Virginia Press, 2003), 361.

interests of both the Afrikaners and the English, and the needs of the four provinces.¹⁰ Most members of his new Cabinet were just as eager as Smuts and Botha to see white South Africa unite around one common identity.

Yet the eleven-member Botha cabinet began to unravel almost immediately. The four Cape members (including prominent Cape Afrikaners such as Jacobus W. Sauer and F.S. Malan) were still closely aligned with Merriman and the Cape liberals, and they quickly pitted themselves in opposition to the conservatism of James Barry Munnik Hertzog and Abraham Fischer, the two cabinet members from the Orange Free State. Botha and Smuts—representing the rhetoric of reconciliation—struggled to mediate between these two factions, usually without success.¹¹ Political commentators questioned whether the new Union would be able to survive the intense regional and ethnic divides that pervaded even the highest government circles. In a 1912 letter from Merriman to Sauer, the former prime minister wistfully wrote (albeit with some bias):

It is hard to see the fabric which we laboured so hard to erect and from which we hoped such great things, crumbling away. Union has, like a greater institution, not 'brought peace but a sword.' There is racial strife and provincial jealousy, and one or the other is constantly being appealed to.¹²

Although everyone played a role in the factionalism of the Botha government, James B. M. Hertzog, the minister for Native Affairs, was its most destabilizing force.¹³ Representing a province where 90% of the white population was Afrikaner, Hertzog thought that Botha's policy of reconciliation was deeply offensive to the

¹⁰ Feinberg, "The 1913 Natives Land Act," 71.

¹¹ *Ibid.*, 75.

¹² Merriman to Steyn, 24 June 1912, *Merriman's Correspondence*, vol. 2, 223.

¹³ As Keith Ingham notes in his biography of Smuts, the decision to appoint Hertzog as the minister of Native Affairs was "an act which indicated how little Botha himself cared for the rights of Africans." Ingham, *Jan Christian Smuts*, 68.

Afrikaners. The Orange Free State—dominated by rural Afrikaners, many who remained fiercely resentful to the British—had long been a concern to the Botha, Smuts, and the other moderate Afrikaners. While the political elite, particularly the former president of the Orange Free State, Marthinus Steyn, had been in support of unification, the general white population remained wary of Smuts' calls for "conciliation" with the British. In Hertzog, the rural Afrikaners of the Orange Free State found a political ally. While Hertzog, who had been present at the National Convention in 1908, had tacitly accepted the doctrine of unification, he was not as supportive of "South Africanism" as a nationality as Smuts and Botha were. In the years following Union, Hertzog frequently made aggressive calls for the revival of Afrikaner nationalism and pushed for mandatory bi-lingual education in schools. His views on the ideal relationship between the Afrikaner and the English stood in stark opposition to Botha and Smuts' calls for conciliation. He believed that "Community life in South African flows in two streams—the English-speaking stream and the Dutch-speaking stream, each stream with its own language, its own way of life, its own great men, heroic deeds and noble characters."¹⁴ Much to Botha's embarrassment, Hertzog also denounced the close relationship between Britain and South Africa that Botha and Smuts had so carefully cultivated since 1906.

For most of 1911 and 1912, Botha struggled to deal with Hertzog's vocal outbursts. Hertzog was popular amongst the rural whites of the Transvaal and the Orange Free State, making it difficult for Botha to force him out of office. The Union was simply too fragile to risk any major political upheaval. Internal politics within the

¹⁴ Quoted in *The Rise of Afrikanerdom*. T. Dunbar Moodie, *The Rise of Afrikanerdom* (Berkeley, CA: University of California Press, 1975), 75.

new South African Party—of which both Botha and Hertzog were now members—created further uncertainty. Hertzog was quick to criticize the jingoist rhetoric of the English-speaking opposition party, the Unionists, forcing Botha—who was unwaveringly loyal to the British Empire—into an awkward position.¹⁵

Hertzog also brought his own agenda to his political position as Minister of Native Affairs. As a loyal representative of the Orange Free State, Hertzog was acutely aware of the problems facing rural Free State (and, to a slightly lesser extent, Transvaal) farmers, who were becoming increasingly concerned by the economic power of black peasant farmers. In the aftermath of the Anglo-Boer War, rural and landless Afrikaners (who would become known in South African history as the “poor whites”) found themselves competing against a small number of successful black sharecroppers, tenant farmers, and peasants. Unlike rural Afrikaners, who were mostly stock farmers, black peasants had been able to tap into the region’s booming wheat and grain market in the years following the war. White farm laborers (known as *bywoners*) were also at a disadvantage, as they demanded higher salaries than blacks.¹⁶ Spurred by the concerns of his constituents, Hertzog began to formulate a plan that would address the “Native Question” in the context of white farming.

Hertzog’s talks of implementing a formal system of segregation in rural South Africa rankled some, particularly Cape liberals. Merriman, for one, wrote in 1912: “I have been seriously alarmed by Hertzog’s utterances on the Native question. What he means by ‘segregation’ is not quite clear. If it means trying to bottle the Natives up body and soul then we may as well pack up our portmanteaux, for the European race

¹⁵ Feinberg, “The Natives Land Act of 1913,” 78-79.

¹⁶ Giliomee, *The Afrikaners*, 297.

will perish.”¹⁷ Yet, Hertzog’s plans to institute some new system to address black labor and landownership in rural areas did not alarm most whites. He was, after all, the Minister of Native Affairs; it was his job to grapple with the numerous complexities of the “Native Question” and somehow turn all the concerns into a viable policy. Furthermore, as will be seen in later parts of this chapter, the segregation ideology was not seen at the time as either a particularly conservative or a particularly Afrikaner approach to the “Native Question.”

It is not known how the members of the Botha Cabinet received Hertzog’s tentative segregation scheme; they were far more concerned with the future of a unified white South Africa than with the future of South Africa’s black population. For the Botha government, Hertzog—and, more importantly the exclusive Afrikaner nationalism that that he represented—was a huge threat to white South Africa. For them, Hertzog’s plans to devise some new system of segregation to address black land and labor issues was unrelated to the narrative of white unity that they were so desperately trying to promote. Yet, perhaps ironically, it is at the precise intersection of these two narratives that the origins of the Natives Land Act of 1913 are found.

Land Policy in Colonial South Africa

White South Africans had been concerned about land segregation and black ownership of land since well before 1913. Prior to Union, however, each province had dealt with land issues in its own way. In both Natal and the Cape, Africans could always own land; indeed, land ownership was one of the requirements of the Cape franchise. Both the Orange Free State and the Transvaal forbade Africans from

¹⁷ Merriman to Steyn, 30 September 1912, *Merriman’s Correspondence*, vol. 2, 225.

owning land throughout the entire nineteenth century, though a major court decision in 1905 restored the right of Africans in the Transvaal to purchase land on their own. Some historians, in fact, argue that the primary impetus for the Natives Land Act of 1913 was the growing number of Africans buying farmland in the Transvaal (though, as will be seen, the actual number was low).

The land issue had such saliency among whites in the nineteenth century because it was indicative of a much larger problem: not only was there no uniform policy regarding land policy, but there was also no consensus on what a successful relationship between blacks and whites should look like. Almost everyone agreed that blacks were inferior to whites, but no one knew what the implications of this should be. Throughout the nineteenth and early twentieth century, political leaders in each of the four provinces made policy decisions that were nothing more than stabs in the dark. The situation was further complicated by the fact that issues of black labor and land were becoming increasingly intertwined, particularly after the discovery of gold and diamonds.

It is one of the many ironies of race relations in South Africa that it was the Cape—not the Transvaal or the Orange Free State—that instituted the first piece of legislation creating land reserves for migrant black laborers in the nineteenth century.¹⁸ This early legislation was designed during the prime ministry of Cecil Rhodes, who had seen firsthand the necessity of having a reliable black labor force on his diamond field in Kimberley. Rhodes, working with the Afrikaner leader Jan Hofmeyr, developed a system of land and labor control that was enacted by the Cape Parliament as the Glen Gray Act of 1894.

¹⁸ Giliomee, *The Afrikaners*, 291.

The Glen Gray Act divided up a rural area near Queenstown into small plots that would be owned by individual African families. Whites would not be allowed to own land on the Glen Gray reserves, but the plots owned by Africans on the reserves could not be used as qualifiers for the Cape franchise. The point of the Act was not, however, to provide sustainable farms for African families, but to provide “home bases” for male laborers. In order to encourage black men to leave the reserve to find work, Rhodes instituted a head tax of 10 shillings on all people residing permanently in the reserve. The Glen Gray Act was passed through the Cape parliament with the support of both white supremacists, who saw the Act as a way of controlling blacks, and Cape liberals (including Sauer and Merriman), who thought that it protected the land rights of blacks by preventing whites from owning any land within the reserve.¹⁹

Natal also developed a complex system for controlling the mobility of blacks in the nineteenth century. Although Natal was fiercely British, it had no tradition of liberalism comparable to the Cape. This was compounded by (or perhaps a result of) the fact that Natal’s population was 80% black—the highest percentage of any of the colonies.²⁰ Until the 1880’s, Natal’s white population also lived in constant fear of the powerful Zulu nation, which had defeated European forces on several occasions in the nineteenth century. To “protect” the Europeans from the threat of the Zulus, a Native administrator, Sir Theophilus Shepstone, had devised a system of indirect rule in the colony in the mid-nineteenth system. The Shepstonian system was based on the somewhat unpopular belief that Africans should be allowed to “develop” on their own terms using their own culture. Shepstone believed that Africans should be encouraged

¹⁹ Giliomee, *The Afrikaners*, 290-293.

²⁰ Feinburg, “The 1913 Natives Land Act,” 82.

to become “civilized” through the strategic use of missionaries, but Westernization should not be forced upon them. His view ran contrary to the mid-nineteenth century Victorian civilizing mission, but it began to garner much attention around the turn of the century.²¹ Although Shepstone himself never defined it as such, his system was segregationist. With some reason, some historians, most significantly David Welsh, believe that the Shepstone system had an enormous influence on the long-term development of segregation in the later Union of South Africa.²²

Neither the Transvaal nor the Orange Free State had racial policies that were as carefully defined as either of the two English provinces. For the majority of the Afrikaners in the north, the relationship between blacks and whites was a paternalistic one. Many Africans worked on white farms, some as sharecroppers, some as squatters, and others as farm laborers. Most Afrikaner landowners believed in the innate superiority of the Afrikaner race, believing that no African—regardless of his education level or social standing—could ever be considered on the same level as whites. Africans, in their minds, were like children and like children, they must be governed strictly, but with kindness. Many believed they had a religious duty to care for their black laborer, though, as noted earlier, there were a number of well-documented instances of northern Afrikaners mistreating Africans.

This racist and patronizing sentiment changed little throughout the nineteenth century, even after the discovery of gold in 1886. The mine owner demands for

²¹ John W. Cell, *The Highest Stage of White Supremacy: The Origins of Segregation in South Africa and the American South* (New York: Cambridge University Press, 1982), 52.

²² Many historians refer to David Welsh when discussing Natal’s segregationist legacy. See Dubow, *Racial Segregation*, 21. David Welsh himself writes: “Much of my interest in nineteenth- and early twentieth-century Natal affairs derives from my belief that the segregationist policies of post-Union South African governments owed much to the system of African administration which was created in Natal.” David Welsh, *The Roots of Segregation: Native Policy in Colonial Natal, 1845-1910* (Cape Town: Oxford University Press, 1971), 1.

cheap black labor did lead some Boers to suggest creating reserves for Africans, comparable to those in the Glen Gray region of the Cape, but they were in the minority. Paul Kruger, the president of the Transvaal in the late nineteenth century, responded to these demands with the rhetorical question: “Was it fair or Christian to drive them off the land?”²³ For the majority of nineteenth century Afrikaners, the solution to the “Native Problem” was simple. Africans were and always would be inferior to whites, and it was the responsibility of the whites to be their firm, but just, masters. There was never any doubt in their minds that Africans should be separate from whites in all aspects of life—social, political, and religious. As racist and paternalistic as the northerner Afrikaners were, most did not yet view Africans solely as units of labor, or as a complex problem that needed an elaborate policy solution.

Milner and the “Native Question”

For most of the nineteenth century, most Africans—particularly those who had grown up in the Cape or Natal—considered themselves loyal Englishmen, and believed that the British “imperialists” would protect them from the land-hungry Afrikaner “colonists.” During the war, Africans had been staunch allies of the British, with an estimated 10,000 fighting on their side. Thousands had been displaced, with many families squatting on whatever arable land they could find in the Transvaal. When the war ended, however, Sir Alfred Milner restored Afrikaners to their land, shutting out many of the African squatters. African mine workers had similar reasons for feeling offended by Milner. After the war, a group of black mine workers had begun to organize in protest of low wages. By importing Chinese “coolies” who

²³ Quoted in *The Afrikaners*. Giliomee, *The Afrikaners*, 294.

would work for cheaper wages than Africans, Milner seriously undermined any economic strength the African mine workers might have had.²⁴

Milner's legacy on South African race relationships went much deeper. Milner had worried about the large discrepancies in native policy between South Africa's four provinces since he had first arrived in South Africa in 1899, believing that a united British South Africa would need a coherent and consistent policy regarding the status of Africans. To address the discrepancies between the four colonies' racial policies, Milner appointed the South African Native Affairs Commission (SANAC) in 1903 to investigate these variances. Chaired by Sir Godfrey Ladgen, a British colonial officer who had once served as the Administrator of Native Affairs in the Transvaal, the members of SANAC spent two years traveling around South Africa, interviewing hundreds of South Africans from all the provinces.²⁵ The resulting report provided profound insight into the racial mentality of South Africans during this period. While SANAC's recommendations did not lead to any immediate policy changes, the final report had many long-term ideological implications for South Africa's future.

In their final report, the members of SANAC acknowledged the complexity of South Africa's "Native Question," and admitted that there was no easy or immediate solution to the problems posed by South Africa's racial diversity. While the Cape liberals' claimed that a qualified nonracial franchise would be an adequate long-term solution, SANAC gave credibility to the fears of the northern Afrikaners by

²⁴ Leonard Thompson, *A History of South Africa* (New Haven: Yale University Press, 1995), 144.

²⁵ Giliomee, *The Afrikaners*, 299.

denouncing the Cape system.²⁶ For SANAC, social and political separation between blacks and whites was necessary. Africans must be residentially segregated from whites and, as in the Shepstonian system, must be governed through their own chiefs and councils. SANAC believed that traditional African governing structures were far more capable of addressing African concerns than the white government was. SANAC also acknowledged the impossibility of economically separating blacks and whites, but believed that the establishment of “Native” reserves (like those established by the Glen Gray Act in 1894) would be enough to ensure high levels of productivity.

SANAC did support segregation (though the report only mentions the word “segregation” once) and did influence the thinking of notable politicians and intellectuals.²⁷ Yet, it must be remembered that, for its time and place, the commission was not considered to be particularly conservative. While it criticized the Cape franchise, SANAC had no intention of legitimizing the racism of the northern Afrikaners. In fact, SANAC systematically refuted three key stereotypes that whites had about Africans: that they were inherently lazy, that “tribal” structures were despotic, and that education would “spoil” Africans.²⁸ Historian John Cell explains:

For its time and place [SANAC] was moderate to liberal. It was heavily dominated by English-speaking whites. Some of its members were missionaries and Native administrators who had worked with and for Africans over long periods. . . . Given the anthropological information and concepts that were available in the early twentieth century, their grasp of their complex subject was both sophisticated and up-to-date.²⁹

²⁶Cell, *The Highest Stage of White Supremacy*, 196-210.

²⁷ Although Cell claims in *The Highest Stage of White Supremacy* that the word segregation does not appear at all in SANAC’s final report, a closer evaluation of the SANAC report by Saul Dubow revealed that the word segregation was, indeed, used at least once in the final report. Dubow, *Racial Segregation*, 22-23.

²⁸ Cell, *The Highest Stage of White Supremacy*, 210

²⁹ Ibid.

SANAC therefore needs to be understood as an English approach to understanding the complexities of South Africa's racial problems. In the minds of the commissioners, the logical solution for a nation with as complicated demographics as South Africa was residential and social segregation. Yet, despite its long-term ideological impact, the commission had no immediate policy consequences. In 1905, Milner left South Africa forever, his dreams of a unified British South Africa shattered. White South African leaders would spend the next five years (from 1905 to 1910) grappling with the complexities of South Africa's unification movement. While the "Native Question" never went away, white South Africans were more concerned with white unity than anything else.

Apart from the franchise issue, the Act of Union deliberately avoided tackling any of the complex issues raised by SANAC. At that point, there was still no unified consensus on what the economic and social future of nonwhites in South Africa should be. Despite the rhetoric of unification and SANAC's attempts to provide structure and system, the differences in racial policy still varied sharply among the four provinces. In the aftermath of Union, however, it became increasingly clear to whites across South Africa that the "Native Question" could not be pushed aside much longer.

Africans on the "Native Question"

White South Africans were not the only ones worried about the status of nonwhites in the new Union. Ever since the British government had ignored their concerns over the Act of Union in 1909, South Africa's black elite had grown

increasingly apprehensive over their own future in the new union. This tightly knit group of African leaders—a group which included men such as Solomon Plaatje, John Dube, and John Tengo Jabavu (although Jabavu’s support of the Land Act eventually distanced him from the others)—was numerically very small. Yet because they challenged white South Africa’s stereotype of what an African should be, these men represented a powerful threat to South Africa’s white hegemony. These men were well-educated, Christian, comfortable with Western culture, and sympathetic to the multi-faceted challenges of dealing with South Africa’s “Native Question.”³⁰ Despite their disappointment over the lack of support from the British government in 1909, most remained loyal to the British Crown and deeply skeptical of the motivations of the Afrikaners. From their perspective, the reconciliation between Boer and Britain was not a move toward a more unified South Africa, but toward a far more divided one.

During the nineteenth century, African professionals had not been that politically organized, mainly because of their fervent loyalty to the British. Those who lived in the Cape and met the franchise requirements (as a significant number did) certainly voted in local elections, but most educated Africans held such complete trust in the British government that they did not see a need to form any significant political organization. After the passage of the Act of Union, however, African leaders began to realize that they had perhaps put too much faith in the British government.³¹

³⁰ Thompson, *A History*, 174.

³¹ Andrew S. Thompson, “The Language of Loyalism in Southern Africa, 1870-1939,” *The English Historical Review* 118, no. 477 (2003): 636-638.

Most African professionals felt that the Act of Union signaled a major defeat for the rights of Africans. In stark contrast to the white politicians, many of whom detested British imperialism, most African leaders believed—perhaps naively—that British imperialism was the best hope for the future of Africans, their one source of protection from the land-hungry colonist. After Union, that protection was gone. The Act of Union specifically said that no African (or any non-white, for that matter) could be elected to the national Parliament and that the nonracial franchise was confined to the Cape Colony. Despite their best efforts, the African elite had been unable to persuade the British to intervene on their behalf, though many black professionals still continued to hold the values of the British Empire in high regard. As Sol Plaatje, an African journalist and political leader, wrote after the passage of the Act of Union: “Now the natives know that annexation to Union will mean the elimination of the Imperial factor, and that Cape Town, like Pretoria, has ceased to represent British ideas of fair play and justice.”³²

In response to the passage of the Act of Union, a group of African professionals came together in the Orange Free State town of Bloemfontein in 1912 to form the South African Native National Congress (SANNC), which would later become the African National Congress (ANC). The formation of SANNC marked the beginning of African nationalism in South Africa, a movement that would continue to grow throughout the twentieth century. The key figures behind this new political organization were Dube, Plaatje, and Pixley Seme, a lawyer who had been greatly influenced by the teachings of Booker T. Washington while studying law at Columbia

³² Quoted in *South Africa in the Twentieth Century*. Barber, *South Africa in the Twentieth Century*, 65.

University in New York City. Although the organization would take many ideological turns throughout the long and trying years of the twentieth century, the SANNC was, in its early years, a liberal, but not radical, organization. The organization recognized the complexities of the “Native Question” in South Africa, and believed in a somewhat idealized version of Cape liberalism, in which nonracialism for all “civilized” Africans was held in high regard. Some of its members agreed with the principles of segregation, as long as the land was divided fairly, believing that Africans would be better off if they were allowed to live on their own terms, without the interference of whites. For instance, in a letter to Botha in 1914, John Dube, the first president of SANNC, wrote: “We make no protest against the principle of segregation so far as it can be fairly and practically carried out.”³³

Not every African leader supported the principle of segregation unequivocally. Solomon Plaatje, an African journalist and editor who would become SANNC’s first secretary, thought that complete territorial segregation was an impractical and unnecessary solution for South Africa, going as far as to write an essay in 1911 entitled “Segregation: Idea Ridiculed.”³⁴ Like most black Africans, Plaatje considered himself to be British above all else. He condemned segregation because, in his words, it “sought to separate the British family in this country ‘on the rotten and indefensible ground of colour’—to use Lord Milner’s phrase.”³⁵

³³ Petition to the Prime Minister from the Rev. John L. Dube, 14 February, 1914, Thomas Karis and Gwendolen M. Carter, *From Protest to Challenge: A Documentary of African Politics in South Africa, 1882-1964* (Stanford, CA: Hoover Institution Press, 1972), vol. 1, 84-85

³⁴ Sol Plaatje, “Segregation: Idea Ridiculed,” in *Sol Plaatje: Selected Writings*, ed. Brian Willan (Johannesburg: Witswatersrand University Press, 1996), 140.

³⁵ Plaatje, “The War of Extermination”, *ibid.*, 151.

Yet Plaatje and the other members of South Africa's black elite were very aware that there was no easy solution to the problems facing an industrializing, multi-racial nation like South Africa. They also knew how unpopular the doctrine of "nonracialism" was outside of the Cape. Despite his stated opposition to segregation, Plaatje and other delegates from SANNC agreed to meet with General Hertzog in December of 1912 to discuss the possibility of instituting territorial segregation in South Africa.³⁶ No clear record of the conversation remains, but it seems that in their discussion, Hertzog implied that if segregation did occur in South Africa, Africans would be given far more land than the seven percent they eventually received. Plaatje left his meeting with Hertzog feeling that Hertzog's segregation proposal was a "fair ground for discussion."³⁷ According to Plaatje, Hertzog had indicated during the meeting that his vision was:

[A] segregation which would guide the activities of both races and develop the potentialities of each in its separate area, through its own people for the benefit of each, providing separately in each area all the outlets for the economical, industrial, professional, educational and religious aspirations of each—in fact, the emancipation of the blacks by creating for them a place where they could enjoy the fruits of their possessions free from European interference.³⁸

Although not ideal, segregation was not the worst possible scenario for the black elite, so as long as the land was divided fairly. And they were not alone—the ideology of segregation was gaining momentum everywhere in South Africa in the years after Union.

³⁶ Plaatje, Sol. T. *Native Life in South Africa, Before and Since the European War and the Boer Rebellion* (London: P.S. King and Son, Ltd., 1916), xxi

³⁷ *Ibid.*, xxii.

³⁸ Plaatje, "The War of Extermination," *Sol Plaatje*, 153.

Early Segregation Theorists

Any book which details the history of segregation in South Africa is quick to point out that the word “segregation” did not become widely used in South Africa until the end of the first decade of the twentieth century. In retrospect, of course, we can see that the basic tenets of segregation had been fermenting in the minds of white South Africans since the mid-nineteenth century. Both the Glen Gray Act and the Shepstonian system in Natal were based on the principle of segregation. And, although the word “segregation” is rarely used, SANAC’s final report in 1905 advocated for geographical separation of blacks and whites.

At the turn of the century, however, no one saw the advent of segregation as inevitable. While there was obviously a precedent of segregation in South Africa, the “civilizing” approach of the Cape liberals had dominated most of the debate about race relations in South Africa during the unification movement in 1907 and 1908. Unlike segregationists, most Cape liberals believed that blacks could be politically incorporated into white society if they were given enough exposure to European culture. While Cape liberals believed that they had found the solution to South Africa’s racial problems in the nonracial franchise, most white South Africans could not even conceive of a possible solution to all the problems posed by the presence of Africans.

In each of the four provinces—including the Cape—there was a general consensus that race relations that needed to be addressed. In each of the four provinces, the white population was in agreement that blacks and whites should not be considered social equals. In each of the four provinces, there was a realization that

black labor was crucial to the future of the white economy. Out of these realizations a solidified ideology of segregation began to emerge.

By 1910, segregation had a number of avid supporters in South Africa. Many, if not most, were English-speaking liberals. There is no doubt that, like almost every white person in South Africa during this time, Afrikaners were racist. Afrikaner nationalists were, however, far more concerned with the relationship between the Afrikaners and the British (which many still viewed as colonizers) than with relationships between blacks and whites. As historian Saul Dubow observes: “It is notable that the Afrikaner *Broederbond*, that powerhouse of twentieth-century Afrikaner nationalist thought, only began to shift its concerns from Anglo-Afrikaner relations to the “native question” in the mid to late 1930’s, by which time segregationist ideology was already deeply entrenched.”³⁹

The early South African segregation theorists were mostly English-speaking intellectuals, such as Maurice Evans, Howard Pim, and Edgar Brookes. Most of these early segregationists, particularly Evans, had been heavily influenced by the experiences of the American South. They felt that if segregation had been instituted in the American South immediately after the end of the Civil War—instead of a disastrous period of nonracial reconstruction—the South’s race relationships would be far more stable and less violent.⁴⁰ The ideologies of eugenics and social Darwinism—both held in high esteem during the late nineteenth century—were also

³⁹ Dubow, *Racial Segregation*, 22. The Afrikaner Broederbond was a highly conservative Afrikaner organization founded in 1920. The Broederbond would fuel the rise of an extremist Afrikaner nationalism in the 1930’s and 40’s, and would help the National Party gain power in 1948.

⁴⁰ Cell, *The Highest Stage of White Supremacy*, 195.

influential in their thinking, which is why they could never subscribe to the Cape liberals' philosophy of "qualified" nonracialism.

Unlike the Cape liberals, these segregation theorists were not primarily concerned with the political rights of Africans. Above all else, they were worried about the social and economic implications of the "Native Question." Unlike the rural farmers of the Orange Free State, the segregation theorists were particularly worried about how race relations would work out as South Africa transitioned into an industrial society, a process that had created numerous social upheavals in European countries during the nineteenth century.⁴¹ Johannesburg was rapidly becoming an industrialized urban center, teeming with a growing black proletariat that made whites very nervous. Segregation, it seemed, was the logical solution. The creation of segregated rural reserves would, in their minds, ensure the availability of an unurbanized working class. Although their primary focus was urbanization, they recognized that reserves would also conveniently address the concerns of many white farmers.

Like the members of SANAC, the early segregation theorists were well educated and attuned to the complexities of South Africa's race relations. As conservative and oppressive as the doctrine of segregation seems to us in the twenty-first century, these early twentieth century intellectuals provided careful explanations for why they believed segregation was the best course of action for all South Africans, both black and white. Segregation, they believed, would allow African rule in rural areas to prosper. Though African men would be needed in the cities as migrant laborers, they would be able to return to their farms, thus avoiding the trauma

⁴¹ Dubow, *Racial Segregation*, 23-24.

of urban industrialization. Segregation would also ensure that blacks would not threaten the white dominance of the social or economic order. As historian John Cell remarks, “[a]s in America, the doctrine of segregation [in South Africa] simply cannot be dismissed as the clumsy fabrication of second-rate minds. Had it not been reasonably sophisticated, capable of holding its own in intellectual combat, it would not have been so seductively persuasive or so successful.”⁴²

It is unclear how much influence these theorists had in the Union government during the period between 1910 and 1913. Most white South Africans—particularly those outside of the major cities—were not well versed in the current trend of intellectual thought. However, as these English-speaking theorists articulated the segregationist ideology with increased clarity, more and more people and organizations accepted segregation as a reasonable response to the “Native Question.” There is strong historical evidence to suggest that the period between 1910 and 1913 saw an increase in support for segregation amongst the general white population. The South African Party—the dominant party in South African politics—put into their inaugural manifesto in 1910 a call for “the separation of native and white races as far as possible.”⁴³ Furthermore, in 1911, Maurice Evans published *Black and White in South East Africa: A Study in Sociology*, which, according to Saul Dubow, was “the first thorough-going and broadly disseminated theory of segregation.”⁴⁴

⁴² Cell, *The Highest Stage of White Supremacy*, 215.

⁴³ Feinberg, “The 1913 Natives Land Act,” 86.

⁴⁴ Dubow, *Racial Segregation*, 26.

The Passage of the Land Act

Despite the discussions of segregation in the years following 1910, the Botha government was far more concerned with the threat that Hertzog posed to the unity of white South Africa than with anything else. In their minds, there was a very real fear that an emerging Afrikaner nationalism could tear apart the new nation. The situation finally erupted in late 1913. After Hertzog refused to apologize for publicly criticizing Botha's ministry, the prime minister was left with no choice: Hertzog had to go.⁴⁵ It was a risky political decision on Botha's part, but "Hertzogism" (the term that English-speakers gave to Hertzog's pro-Afrikaner ideas) was too divisive to be allowed to fester within the Cabinet any longer.⁴⁶

The Orange Free State farmers were furious—not only had the Union government failed to address their land concerns, but their most trusted politician had just been forced out of the government for speaking in support of Afrikaner concerns. For them, the exclusion of Hertzog from the Botha cabinet was a huge affront.⁴⁷ Furthermore, in the aftermath of a dramatic cabinet shake-up in December of 1912, Botha appointed J.W. Sauer—a staunch Cape liberal—to the position of minister of Native Affairs. This was met with great delight by African leaders, who saw Sauer as an ally. For the Orange Free State and Transvaal farmers—who faced serious economic competition from black peasants—the appointment of Sauer to the Minister of Native Affairs just added insult to injury.

The collision between this tumultuous political environment and the unfolding narrative of segregation occurred almost immediately after Hertzog was kicked out of

⁴⁵ Feinberg, "The 1913 Natives Land Act," 78.

⁴⁶ *Ibid.*, 72.

⁴⁷ *Ibid.*, 98.

office. Hertzog left the cabinet in December of 1912; in January of 1913, as soon as the next session of parliament opened, Orange Free State and Transvaal members of Parliament immediately demanded legislation that would address their concerns of black farming and land ownership in rural areas. Sauer was taken aback—the Botha government had not planned on making black landownership a priority during the 1913 parliamentary session.⁴⁸ Faced with intense pressure from the Transvaal and Orange Free State in the Union parliament, Sauer, acutely aware of how angry the Orange Free State was over Hertzog’s removal, promised to make their concerns his immediate priority.

What exactly provoked these demands from the Orange Free State and Transvaal members of parliament? There was, as has been detailed already, a “hardening” of racial sentiments in South Africa, particularly concerning the ideology of segregation, during the period following Union which certainly contributed to the overall tone of the discussion. There were also very real economic concerns in the Orange Free State and the Transvaal over the status of African squatters, landowners and sharecroppers. While the Orange Free State was most concerned about squatters, who economically undermined white farm laborers, Transvaal farmers were worried about the growing number of Africans purchasing farmland in the Transvaal. In the period between 1905 (the year when a Transvaal court ruled that Africans could own land in the colony) and 1913, African farmers had bought a total of 399 farms in the Transvaal, mostly on behalf of chiefdoms.⁴⁹ While many found this number alarming,

⁴⁸ Ibid., 91.

⁴⁹ Harvey Feinberg, “Protest in South Africa: Prominent Black Leaders’ Commentary on the Natives Land Act,” *Historia* 52, no. 2 (2006): 122.

Africans still owned very little land in the new Union, and the land they did own was occupied by less than 124,000 Africans (only 3% of the African population).⁵⁰

Was the Orange Free State's demand for new racial legislation a direct response to Hertzog's removal from office? The exact answer to that question is unknown. We do know that, after ousting Hertzog from the Cabinet, the Botha government was very worried that Orange Free State MPs would defect from the South African Party out of allegiance to Hertzog. Botha, Smuts, and Sauer knew that they had to prove to the Orange Free State that a South African government made up of both white ethnic groups could still respond sympathetically to the needs of Afrikaner farmers. The Botha government's response to the parliamentary demands in 1913 was therefore highly calculated. As Harvey Feinberg has noted, numerous documents suggest that, regardless of whether it was intentional or not, the political turmoil created by Hertzog's dismissal provided the momentum that conservative Orange Free State members of parliament needed to demand new racial legislation in rural areas.⁵¹

Botha and Sauer knew that they needed to react quickly. And it was not only the Orange Free State and Transvaal parliament members who were demanding new legislation: Botha and Smuts were also facing pressure from the Dutch Reformed Church, which, in March of 1913, passed a resolution demanding that the government address the problem of black land ownership.⁵² On top of that, two local South African Party meetings in the Orange Free State—one in April, the other in June—

⁵⁰ Feinberg, "The 1913 Natives Land Act," 83.

⁵¹ Harvey Feinberg's paper "The 1913 Natives Land Act in South Africa: Politics, Race, and Segregation in the Early 20th Century," provides a very detailed account of the connection between white politics and the passage of the 1913 Natives Land Act. *Ibid.*, 67-68.

⁵² *Ibid.*, 96.

passed resolutions supporting Hertzog.⁵³ It was a nerve-wracking period for Botha and his government: if the Orange Free State parliament members defected, the South African Party (SAP) could easily lose its parliamentary majority. Losing the Orange Free State members would, in the view of Botha and Smuts, mark the beginning of a slippery slope of white ethnic divide in the new nation.⁵⁴

The Natives Land Bill was introduced by Sauer in April of 1913—less than four months after the opening of Parliament. Because of the tense political situation in which the bill was created, the Bill’s provisions were mostly designed to appease the concerns of the Orange Free State farmers, particularly the issues of African squatting and sharecropping (neither of much concern anywhere outside of the Orange Free State). Most of the amendments to the Bill made in Parliament were made by Orange Free State representatives, particular Jans Gerhard Keyter and General Hertzog himself.⁵⁵

Yet the ideology underlying the Land Act had support that extended far beyond the Orange Free State. The main intentions of the Act were clear: to segregate blacks and whites and to stop blacks from purchasing land in “white” areas. Although some historians—particularly Marxist historians—have suggested that the main purpose of the Act was to create pools of cheap labor for white farms and mine-owners, there seems to be little evidence of this. While in practice the Reserves *did* become pools of cheap black labor for mines and farms, this was not the primary intent of the Act; in fact, when the Bill was going through Parliament, the Chamber of

⁵³ Ibid., 97.

⁵⁴ Giliomee, *The Afrikaners*, 369-370.

⁵⁵ Feinberg, “The 1913 Natives Land Act,” 97.

Mines showed very little interest.⁵⁶ Other contemporary politicians provided their own opinions on the purpose of the Bill. Some, such as the Cape liberal Henry Duncan, believed that the Bill was about white supremacy, plain and simple, while others, such as the Unionist leader Thomas Smartt, believed that the Bill was devised primarily to address squatting. Yet no one could deny that the fundamental ideology underlying the Land Act was segregation, plain and simple.⁵⁷

The Natives Land Act was passed with overwhelming support by the Union Parliament in June of 1913, opposed only by Merriman and a small group of Cape liberals. The Cape liberals' opposition to the Land Bill is understandable, if not without its contradictions. Underlying the doctrine of Cape liberalism was a belief that qualified Africans must be allowed to participate in politics on the same terms as whites; segregating Africans from whites would exacerbate the racial tensions of the union and provoke resentment among educated Africans. Yet in 1894, Merriman had been one of the key supporters of the Glen Gray Act, stating, at the time, that rural land segregation would protect rural blacks from land-hungry whites.⁵⁸ Whether Merriman still shared this sentiment in 1910 is unclear, but there is no doubt that he found the Land Bill in 1913 horrifying. In his diary, Merriman commented that the Bill was nothing more than "[n]auseous hypocrisy of caring for Native interests masking desire to get cheap servants."⁵⁹ On the day that the Bill passed through Parliament, Merriman wearily wrote in his diary: "I never recollect a more

⁵⁶ Ibid., 106-107.

⁵⁷ Feinberg, "The 1913 Natives Land Act," 104.

⁵⁸ Giliomee, *The Afrikaners*, 293.

⁵⁹ Merriman's Diary, 15 May 1913, *Merriman's Correspondence*, vol. 2, 232.

disappointing and even degrading session. We have done those things. . .that we ought not to have done.”⁶⁰

The Act would eventually become used with devastating results by the apartheid government, but, in 1913, it had very few short-term implications for any of the provinces except for the Orange Free State. The provisions of the Act were promptly deemed unconstitutional at the Cape, where the nonracial franchise was dependent on allowing blacks to own land. The Act was also not immediately enforced in either the Transvaal or Natal, in order to allow a commission time to determine how much space was needed for reserves in those two provinces.⁶¹ There is in fact some evidence that certain members of Parliament who voted for the Act in 1913—particularly J.W. Sauer—believed that the commission that the Act created would eventually decide to allocate far more land to African reserves than the original Act did.⁶² When the Beaumont Commission finally met in 1916, its members acknowledged how overcrowded the reserves were, and recommended almost doubling the size of the African reserves. Their recommendations were ignored; it was, according to a number of government officials, too late to create new reserves. By 1916, most of South Africa had been carved up by white farmers and mine owners.⁶³

⁶⁰ Merriman’s Diary, 18 June 1913. *Merriman’s Correspondence*, vol. 2, 232.

⁶¹ Frank Welsh, *South Africa: A Narrative History* (New York: Kodansha America, Inc., 1999), 376.

⁶² Giliomee, *The Afrikaners*, 311.

⁶³ *Ibid.*

African Response

With only one key exception, every major African leader in South Africa was furious over the passage of the Land Act.⁶⁴ The Act, to them, could only be seen as a deliberate assault on the future of Africans. Opposition to the Land Act became the subject of SANNC's first major campaign. Black professionals, chiefs, and politicians from around the Union rallied against the Act's provisions. When the Act had first been presented to Parliament, SANNC immediately began to organize in intense opposition, even going as far as to appeal—unsuccessfully—to Lord Gladstone, the British Governor-General.⁶⁵

The writing from black elites about this subject is prolific and vehemently hostile. A petition from John Dube to Prime Minister Botha on behalf of the SANNC read: "It is evident that the aim of this law is to compel service by taking away the means of independence and self-improvement."⁶⁶ Sol Plaatje believed that the object of the Land Act was "to prevent the Natives from ever rising above the position of servants to the whites."⁶⁷ Plaatje published numerous texts denouncing the Act, including a book in 1916 entitled *Native Life in South Africa Before and Since the European War and the Boer Rebellion*. In it, he denounced the Act, detailing in

⁶⁴ Because of his close friendship with Sauer, John Tengo Jabavu, a prominent African Cape politician and editor, supported the passage of the 1913 Natives Land Act. His support of the Act cost him almost all credibility among Africans and the members of the SANNC. Feinberg, "Black Leaders' Commentary," 124.

⁶⁵ Gladstone responded by saying that the situation was "not within his constitutional functions." Plaatje, *Native Life*, 57.

⁶⁶ Petition to the Prime Minister, from the Rev. John L. Dube, 14 February 1914, *From Protest to Challenge*, vol.1, 84.

⁶⁷ Plaatje, *Native Life*, 52.

length the hardships which African sharecroppers and squatters faced in the Orange Free State after its implementation.

Botha's government continued to defend the Act, as well as the doctrine of segregation. In a speech to a group of African chiefs following the passage of the Act, the Prime Minister declared: "I want you to develop, and go forward on your own lines. If you understand the law rightly, you can see that it is in your best interest."⁶⁸ Although black leaders had tentatively supported this sentiment prior to 1913, the harshness of the Land Act had shown African leaders that a "fair" segregation was impossible in a nation where the dominant race held all political power and believed that blacks were inherently inferior. In theory, segregation had seemed to offer a potential solution that would fairly address the needs of both races. In practice, the Natives Land Act had proven to South Africa's black population that whites, despite their rhetoric, had no need to concern themselves with black Africans.

The Act of 1913 created huge cleavages between the black and white elite of South Africa. Many blacks felt that the Act signaled, once and for all, the abandonment of the British "nonracial" ideals in South Africa. It was clear to them that the government was far more concerned with appeasing the demands of the rural Afrikaners than with addressing the needs of South Africa's blacks in a fair and "British" way. Black professionals felt betrayed by English-speaking officials who had previously expressed concern over the future of blacks in South Africa, particularly by J.W. Sauer, whom Africans had once considered to be a staunch ally. Though the Natives Land Act would not have immediate implications in any province

⁶⁸ Feinburg, "The 1913 Natives Land Act," 87.

but the Orange Free State, the members of SANNC were terrified by the precedent that the Act had laid down.

“Hertzogism” and the Founding of the National Party, 1914

With the Natives Land Act, Smuts and Botha believed that they had successfully appeased the concerns of rural Afrikaners. They had responded quickly and efficiently to the practical needs of Afrikaner farmers and the ideological concerns of many whites. Yet Hertzogism—the name Botha had given Hertzog’s calls for Afrikaner nationalism—would not go away so easily. Both Botha and Smuts drastically underestimated the appeal that Afrikaner nationalism still had throughout the Union in 1913. While Botha, Smuts, and other moderate Afrikaners—particularly in the Cape—understood the practical necessity of allying with the British, many Afrikaners were still reeling from the humiliation of military defeat and Milner’s anglicization process. Afrikaners still felt as if the British looked upon them with contempt, pointing particularly to the subordinate role the Dutch language had in the new Union government.⁶⁹ The Land Act—while legitimizing the concerns of Afrikaner farmers—did little to appease the general anti-conciliation sentiment that so many Afrikaners still held.

Hertzog and his emotionally charged appeal to Afrikaner nationalism offered an alternative to Botha’s and Smuts’ calls for reconciliation. Despite the best efforts of Botha and Smuts, “Hertzogism” continued to gain momentum throughout 1913. In January of 1914, Hertzog officially broke with the South African Party to form the National Party. The National Party of 1914—while very different from the National

⁶⁹ Giliomee, *The Afrikaners*, 362.

Party of 1948, particularly when it came to racial legislation—never disguised the fact that it was an Afrikaner party. The party was committed to bilingualism, Christian Nationalism, and had strongly anti-imperial overtones.⁷⁰ For Botha and Smuts, the National Party represented one of their greatest worries: that the bitter divide between the Afrikaners and the English would never heal. For their vision of a unified white South Africa, the creation of the National Party in 1914 was a step backwards.

The Legacy of the Land Act

Regardless of its short-term implications, the Natives Land Act of 1913 established a legal precedent for racial segregation in the new Union. In the following decades, the segregationist ideology would gain serious momentum among white South Africans. By the 1930's, most white South Africans thought it was the ideal way of dealing with South Africa's complex racial demographics. In fact, South African history books tend to define the entire period stretching from 1913 to 1948 as South Africa's "era of segregation," implying that 1913 marked the beginning of a long and steady progression toward apartheid.⁷¹ In this understanding of South African history, the Land Act becomes a monumental turning point in South African history. It marks the beginning of a conscious and deliberate system of racial oppression that would culminate with the election of the National Party in 1948 and the implementation of apartheid.

⁷⁰ Thompson, *A History*, 158.

⁷¹ See Leonard Thompson, *A History of South Africa*, and Frank Welsh, *South Africa: A Narrative History*.

And indeed, the Land Act would come to play an enormous role in the formation of the apartheid state. Yet understanding the Natives Land Act through the lens of apartheid distorts the thinking and intentions of those who were actually alive in 1913. The South Africa of 1913 cannot be understood on the same terms as the South Africa of 1948. The dominant segregation narrative ignores how politically unstable the South African government was in 1913. It forgets that a legal precedent for segregation already existed in South Africa, even if the word “segregation” did not find its way into the mainstream until the first decade of the twentieth century. It ignores the actual circumstances around the passage of the act, particularly the role of the Orange Free State farmers. It forgets that some of the main proponents of segregation in 1913 were not conservative Afrikaners, but English liberals. It also forgets that a number of key African leaders supported the principle of segregation, if not the Land Act itself.

It is clear that the political turmoil that existed in Botha’s cabinet provided the political environment in which a bill like the Natives Land Act could gain serious momentum. In pushing the Land Act through Parliament so quickly, Botha and Smuts were desperately trying to appease rural Afrikaners—an attempt that would prove to be hopeless, as evidenced by the formation of the National Party less than a year later. But the general support that the Natives Land Act received both in the Union Parliament and among white South Africans as a whole suggests that something much larger was happening in the Union during this time. The Land Act needs to be understood within a broad political, economic, and social context, in which white South Africans—some, but not all, of who were beginning to see themselves

primarily as “South African”—sought to devise a long-term plan for solving the “Native Question.”

Chapter Four

Gandhi, Smuts, and South Africa's "Indian Question"

The racial diversity of early twentieth century South Africa extended far beyond the dimensions of black and white. In addition to the African and European populations, South Africa's population included a small number of Indians, most residing in Natal and the southern Transvaal, as well as a mixed-race population known as the Coloureds, most who lived in the area surrounding Cape Town.¹ Because of the sheer number of Africans in the region, white South Africans believed that the African population posed the greatest long-term threat to the stability of the white nation. Yet, remarkably, more immediately pressing for the new Union government in 1910 than the "Native Question" was the "Indian Question." The white South African politicians recognized that both issues were manifestations of South Africa's racial diversity; however, Indians represented a completely different economic, political, and social threat to whites than the Africans did.

In 1910, there were only about 152,000 Indians in South Africa—a relatively small number when South Africa's white population hovered around 1.2 million and the African population around 4 million.² However, though Africans outnumbered them by a ratio of over 26 to one, the Indian population was far more visible, organized, and vocal. This was particularly true in the years leading up to and immediately following Union, when—under the leadership of Mohandas Gandhi—

¹ South Africa's Coloured population is not addressed specifically in this thesis, but represents an important dimension of South Africa's racial diversity, particularly in the second half of the twentieth century. See footnote on page 21. Thompson, *Unification of South Africa, 1902-1910*, 110-113.

² 1911 census, from the 1951 Census, Union of South Africa, A-3.

the South African Indians launched a series of passive resistance campaigns to protest anti-Indian legislation in the Transvaal and Natal that had been in effect since the late nineteenth century. These campaigns garnered serious international attention in both India and Great Britain, and received significant media coverage in the Transvaal. While the “Native Question” posed a long-term threat to white South Africans, Indian grievances moved into the spotlight and demanded immediate attention from the white political elite. Because most South African Indians were British citizens, the “Indian Question” had international dimensions to it in ways that the “Native Question” would not have until late in the twentieth century. Both the British and Indian governments took active roles in the South African Indian struggle, though neither took as forceful a role as the South African Indian community would have perhaps liked.

In 1914, Gandhi and Jan Smuts (at the time serving in the Botha Cabinet) finally agreed to resolve the long-standing dispute through the Indian Relief Act. The Act addressed two key complaints of the Indian community by abolishing a £3 registration fee that Indians had paid in Natal since 1895 and by affirming the validity of Indian Muslim and Hindu marriages. The goals of the Indian passive resistance campaigns were multi-faceted and many of the Indians’ complaints were not addressed by the Act. Yet though the resisters never lost sight of their practical goals, at no point did Gandhi or any other Indian leader demand full equality with South African whites. Rather they demanded that the laws of South Africa treat Indians with the same level of respect that would be accorded upon any other citizen of the British Empire. It was a subtle, but significant, distinction.

Part of the story of South African Indians in the years 1902-1914 can actually be better understood within the context of Indian nationalism and British imperialism than within South African history. Perhaps the most important part of the narrative of South African Indians during this time concerns the rise of Mohandas Karamchand Gandhi, one of the greatest figures in twentieth-century history. Mohandas Karamchand Gandhi came to South Africa in 1893 for a legal commission that was only supposed to keep him in Africa for one year. Yet, after experiencing first-hand the ill-treatment of Indians in the region, Gandhi decided to remain in South Africa, organizing communities and fighting for the legal rights of Indians. He would end up spending the next nineteen years there, finally leaving permanently in 1914. It was in South Africa that Gandhi developed his philosophical and spiritual ideas of satyagraha, or non-violent resistance. Though Gandhi practiced satyagraha with great effectiveness in South Africa, the South African passive resistance campaigns paled in comparison to his later work in India. A legacy of non-violence remained in South Africa after Gandhi left, but the technique was never again used quite as effectively as it was under Gandhi's leadership. It is possible to see Gandhi's experiences in South Africa as nothing more than a "test phase" for what would eventually evolve into his full-blown non-violent campaign against the British government in India after 1916.

In the context of this thesis, however, the South African "passive resistance campaigns" (as they were called at the time) necessitate a somewhat different understanding. The campaigns began in the Transvaal in 1907 and lasted until 1914—a period crucial to the formation of the Union of South Africa and the forging of a

white South African identity. Indians were not part of the vision of a “White Man’s Country” that Botha and Smuts held for South Africa, but neither did they pose as overwhelming a threat as the “Natives” did. Where, in this new nation, did Indians belong?

The Arrival of Indians to South Africa

Most South African Indians arrived in Africa during the mid-nineteenth century as indentured servants to work on Natal sugar plantations. This process first began in 1860, when the plantation owners confronted a major labor shortage and a looming economic depression. Slavery had been outlawed in the British Empire in 1834, and, as much as they tried, white Natalians could not persuade the local Africans—most of whom were members of the powerful Zulu nation—to work as manual laborers. By the late 1850’s, Natal was on the brink of a dangerous economic depression, and sugar cultivation—the colony’s one economic resource—required an enormous amount of manual labor.³ Though both the British and Indian governments were initially skeptical about an indentured servitude scheme, the Natalian plantation owners were persuasive—and desperate. After much negotiation with British officials and the Indian government, Natal officially began bringing indentured Indians to the colony on five-year contracts in 1860. Most were low-caste Hindus from Madras, and a substantial number were women.⁴ After their five-year contract ended, the Indians could either return to India, sign up for a new indenture, or remain in Natal as

³ Mabel Palmer, *The History of the Indians in Natal* (Westport, CT: Glenwood Press, 1977), 9-19.

⁴ T.R.H. Davenport, *South Africa: A Modern History*, 4th ed. (London: MacMillan, 1991), 105.

un-indentured immigrants. While some chose to return to India, about half stayed in Natal.⁵

The relationship between the freed Indians and the Natal whites in the mid-to-late nineteenth century was strained, but not overtly hostile. Though few freed Indians chose to re-indenture, a number continued to work as low-paid laborers for the sugar plantations. Despite their wariness of the Indians, Natalian whites knew that the plantations were dependent on their labor. Whites in Natal thought that freed Indians did not represent a significant threat to the stability of the region, so long as they remained socially and economically subordinate.⁶ The freed Indians, for the most part, did not place many demands on the whites. Most came from very poor backgrounds in India; for them, in the words of historian Robert Huttenback: “life in South Africa at its worst was better than life in India at its best.”⁷ While white racism was far more overt in South Africa than it was in India, South African Indians in general enjoyed a higher standard of living than they would at home.

The real threat to whites was not the freed Indians, but the small group of Indians who, beginning in the late nineteenth century, voluntarily immigrated to Africa as merchants and traders. Unlike the indentured servants, these Indians were primarily Muslims, and they came to South Africa with both ambition and independent finance. Most arrived through the port of Durban in Natal; some chose to stay in the province, but a number headed to the Transvaal, beckoned by the economic opportunities in the burgeoning city of Johannesburg. Unlike the

⁵ Kenneth Ingham, *Jan Christian Smuts: The Conscience of a South African* (London: Weidenfeld and Nicolson 1986), 70.

⁶ Robert A. Huttenback, *Gandhi in South Africa: British Imperialism and the Indian Question, 1860-1914* (Ithaca, NY: Cornell University Press, 1971), 31.

⁷ *Ibid.*, 28.

indentured servants, the voluntary immigrants came from high castes and often had significant education and great cultural pride. Most had no interest in assimilating to white South African culture; they proudly and openly identified as British Indians. This group created an “upper-class” of Indians in South Africa that freed Indians could aspire to join.⁸ It was this group of Indians—not the indentured servants—that would later become the base for Gandhi’s passive resistance campaigns in the early twentieth-century.

Although white Natalians were unsympathetic to the presence of economically empowered Indians, both the Indian and British government (which directly controlled Natal for almost the entire nineteenth century) kept a close watch on the treatment of Indians in Natal during the nineteenth century. In the 1870’s, concerns about the treatment of indentured Indians arose when formerly indentured Indians returned to India and reported mistreatment to the Indian government. Both clothing and food on the plantations had, they claimed, been inadequate, and the plantation owners, particularly those who were financially struggling, frequently withheld wages.⁹ Both the British Colonial office and the British government swiftly addressed the issue by disallowing the further importation of Indian labor to South Africa. It was only after the Natal government agreed to a series of reforms that the practice was allowed to resume.¹⁰ The British government also insisted that no Natal law could systematically deny the Indians access to the franchise.¹¹

⁸ Ibid., 39-43.

⁹ Ibid., 8.

¹⁰ Palmer, *The History of the Indians in Natal*, 41.

¹¹ Ibid., 48.

Yet almost immediately after Natal was granted self-government in 1893, Natalian legislators began to institute a number of laws limiting voluntary immigration and restricting the rights of freed Indians. This anti-Indian legislation was born out of the fear that unrestricted immigration might allow Indians to “swamp” the province. One law effectively prevented Indians from registering to vote. Another, in 1897, placed harsh restrictions on Indian immigration. In 1903, the immigration controls were tightened even further: in order for Indians to immigrate into the province, they needed to pass a test in a European language.¹²

While white Natalians placed many restrictions on the *voluntary* immigration of Indians, they remained economically dependent on indentured servants from India until after Union. The contradictions between these two objectives did not go unnoticed. Louis Botha, for one, urged the Natal Prime Minister, Frederick Moor, to stop the practice of indentured servitude. In a 1909 letter to Moor, he warned that “the great number of Indians in Natal constitutes a serious menace to the realization of our ‘White Country’ dream and every additional coolie who is allowed to settle in Natal will make the situation worse and the whole question more difficult to be dealt with afterwards.”¹³

Indians in the Transvaal

It is somewhat unclear when the first Indians began to migrate to the Transvaal. It is known, however, that by 1884 there was a large enough population to provoke significant dissatisfaction amongst whites. The Pretoria Chamber of Commerce was

¹² Huttenback, *Gandhi in South Africa*, 229.

¹³ Quoted in *Gandhi in South Africa*. Ibid., 259.

particularly distressed by the economic power of this group of immigrants and demanded in 1885 that the Transvaal *Volksraad* address the problem.¹⁴ In response, the Volksraad passed Law 3 of 1885, which systematically denied Indians landownership and citizen rights, and placed harsh restrictions on Indian trading rights.

As strict as Law 3 was on paper, its actual enforcement was minimal. Some historians suggest that despite the vocal demands of certain white merchants, the Indian population of the Transvaal was simply too small to warrant a serious crackdown.¹⁵ It seems more likely, however, that the Transvaal government's decision not to strictly enforce Law 3 had to do with the government's tenuous relationship with the British government in the late nineteenth century. Most of the Indians in the Transvaal were, after all, British citizens. As much as Transvaal whites disliked the presence of the Indians, the Afrikaner leaders were wary of doing anything that would provoke the wrath of the British Empire.¹⁶

While Law 3 was not enforced strictly, there were a number of other minor laws that constricted the mobility and freedom of Indians in the Transvaal, such as pass laws that restricted Indian access to gold mines and stringent curfews that ensured Indians would not be out on the streets past certain hours.¹⁷ Indians in the Transvaal—most upper-caste, well educated, and financially secure—found these laws deeply offensive. Unlike the large African population in the region, the Indian

¹⁴ B. Pachai, *The International Aspects of the South African Indian Question* (Cape Town: C. Struik Ltd., 1971), 13.

¹⁵ Bala Pillay, *British Indians in the Transvaal: Trade, Politics, and Imperial Relations, 1885-1906* (London: Longman Group Ltd., 1976), 18.

¹⁶ Pachai, *The International Aspects*, 15.

¹⁷ Pillay, *British Indians in the Transvaal*, 59-63.

population in the Transvaal began, in the 1890's, to organize into civil society organizations (the most prominent being the British Indian Association) in response to anti-Indian legislation. These Indians were acutely aware of their status as British citizens in the Transvaal, and knew that the Unionist-controlled British government was eagerly looking for pretenses to go to war with the Boer Republics.

Throughout the 1890's, the British Indian Association lodged a number of complaints about the treatment of Indians with the British Agent in the Transvaal.¹⁸ Though the British response to the specific complaints of the Indians was minimal, anti-Indian legislation in the Transvaal probably played at least some role in Britain's decision to go to war with the Boer republics in 1899. While regarded as second-class citizens by most in Britain, Indians were indisputably citizens of the British Empire, and the British government felt some sense of obligation to protect the rights of its citizens in foreign nations—or, more cynically, it at least used rhetoric that would imply such a duty.

After the end of the Anglo-Boer War, the relationship between South Africa and India grew increasingly messy, creating confusion for British imperial authorities and havoc for South African Indians. Both India and South Africa were part of the British Empire: South Africa first as a colony and, after 1910, as a dominion, and India as a colony until its independence in 1948. Yet while South Africa garnered much international attention during the Anglo-Boer War, India held a far greater place in the imperial imagination than South Africa ever would: India was, after all, the Empire's "crown jewel."

¹⁸ Ibid., 60.

The two colonies also differed greatly in their government structures and imperial histories. Unlike South Africa, India never had a significant number of permanent white settlers, which meant that there was never a movement for white nationalism in India comparable to what was happening in South Africa. Furthermore, while the Indian population in India was, on the whole, far poorer than the Indian population in South Africa, well-educated Indians in India could and did hold very powerful positions within the Indian governmental structure. This was particularly true after the implementation of the Morley-Minto constitutional reforms of 1909, which gave a few Indians more direct representation in government.¹⁹ No comparable opportunities existed in South Africa, for Indians or for any other non-white race.

During the first decade of the twentieth century, the British government found itself caught between several different competing loyalties. Should Indians in the newly-British Transvaal be given the same freedoms as white Europeans? Should Indians be allowed to immigrate to South Africa on the same terms as other British citizens? Who did Britain have a greater allegiance to: the white population of the Transvaal—many of whom hated the British Empire with a violent passion—or the British Indians? In the words of historian Robert Huttenback: “The British government was caught between increasingly anti-Asian white minorities in South Africa, liberal opinion in Britain, and national indignation in India.”²⁰ The British government responded to these competing ideologies by taking a backseat in the entire debate. Its lack of involvement was made strikingly clear in the discussions

¹⁹ Pachai, *The International Aspects*, 54, 63.

²⁰ Huttenback, *Gandhi in South Africa*, 68.

regarding self-government for the Transvaal and the Orange Free State in 1906. Indians and liberal whites in both South Africa and Britain had hoped that the British government would make self-government in the Transvaal and the Orange Free dependent on improved conditions for British Indians. The fact that the “Indian Question” played almost an inconsequential role in the discussions regarding self-governance in the Transvaal is a telling indication of just how desperate the British were to remove themselves of the “Indian Question” in South Africa.

After the Act of Union went into effect in 1910, the relationship between India and South Africa was essentially that of two foreign governments, though both nations were technically united under the rule of the British Empire. This did not mean that the British were entirely removed from the situation. In fact, as will be seen, individual British imperial officials consulted a great deal with white South African politicians any time the “Indian Question” emerged. Yet, the British Parliament, while very aware of the imperial dimensions surrounding South Africa’s “Indian Question,” was wary of becoming too intimately involved. As a result, the decisions regarding the legal, economic, and social rights of Indians in the new Union of South Africa fell mostly upon South Africa’s white political elite: a group of men far more interested in reconciling white South Africa than with addressing any racial issues in the new nation.

Gandhi and the Birth of Satyagraha

Even without Gandhi, the Indian population in South Africa—particularly the urban elite—was much more organized and vocal about their treatment than the

African population was. It was, however, Gandhi that took the agitations of the Indian community in South Africa in unprecedented directions during the first two decades of the twentieth century. Gandhi's fight for the rights of South African Indians began almost immediately after his arrival to the African continent in 1893. He was appalled by the treatment of Indians, particularly in the Transvaal, and was alarmed by the anti-Indian sentiment expressed by many whites throughout the region. He first began organizing Indian communities in Natal in 1894, in response to a proposed piece of legislation that would effectively disenfranchise all Natalian Indians. His work on that campaign—as well as his involvement in founding the Natal Indian Congress in the same year—brought him into the South African political spotlight, and he quickly became a well-known figure to both Indians and whites in the region.²¹

It wasn't until after the Anglo-Boer War that Gandhi, having been highly influenced by various religious beliefs (particularly Christianity), literature, political philosophies, and personal experiences, fully articulated his beliefs in non-violent (or passive) resistance.²² Two separate acts passed in the Transvaal in 1907—one requiring Indians residing in the Transvaal to register with the state, the other placing harsh restrictions on Indian registration—were the spark for Gandhi's first passive resistance campaign. Under Gandhi's instructions, Indians in the Transvaal organized themselves into the Passive Resistance Association. The Association members systematically targeted the immigration and registration acts by refusing to cooperate with the registration laws and by selling illegal trading licenses.²³ The government's response was initially hesitant. Though the ideology of non-violent resistance was not

²¹ Pillay, *British Indians in the Transvaal*, 114.

²² Pachai, *The International Aspects*, 37.

²³ *Ibid.*, 38.

new, this was the first time in modern history that it was being employed by a racially oppressed group.²⁴ Transvaal politicians, more concerned in 1907 with the racial tensions between Dutch and English than with the province's small Indian population, were unsure of how to react.

After three months of passive resistance and fruitless negotiations with Indian leaders, the Transvaal government, out of sheer exasperation, began arresting Indians engaged in the campaign. Gandhi himself was briefly arrested in early 1908 for having failed to re-register with the state. Because of Gandhi's preeminent position within the South African Indian community, it was his imprisonment that finally compelled both sides to begin to work toward a compromise. Working with government officials, including Jan Smuts, Gandhi and other Indian leaders came together to develop a settlement in which Indian registration would be voluntary in the Transvaal.

Though a tentative resolution emerged out of this first campaign (which Gandhi soon began to call his first satyagraha), this was not the end of the Indian passive resistance movement in South Africa. From 1907 to 1914, various satyagrahas were launched in response to anti-Indian legislation. Though passive resistance began in the Transvaal, Natal Indians quickly realized its potential and joined the movement. Spurred by Gandhi's teachings, a united Indian community—defined by nothing more than their shared status as “Asiatics” in South Africa—began to emerge out of the various ethnic, religious, and socioeconomic divides

²⁴ According to Pachai: “The doctrine of passive resistance was not Gandhi's original idea; neither was he the first man to use it in practice. He admitted that it was ‘the New Testament which really awakened me to the rightness and value of Passive Resistance;’ he was particularly influenced by the Sermon on the Mount.” Pachai, *The International Aspects*, 37.

within the South African Indian population. Wealthy Muslim merchants and poor Hindu indentured servants came together —albeit uneasily—to fight for their shared rights as British Indians.²⁵

After the initial satyagraha of 1907, there were two other main satyagrahas in South Africa: one beginning in late 1908 and lasting to mid 1910, and the other from 1913 to 1914. Indians protested against having to pay a burdensome £3 tax in Natal (a tax imposed only on Indians), against trading restrictions on Indians, against immigration restrictions, and against laws that invalidated Hindu and Muslim marriages.

Throughout this eight-year period, thousands of Indians in both the Transvaal and Natal deliberately disobeyed anti-Indian laws. Protesters burned registration cards, violated immigration laws, challenged curfews, and organized community protests. Over three thousand were imprisoned, and hundreds were deported.²⁶ Gandhi himself was frequently put in jail. It was a long, arduous struggle, with no clear end in sight. The South African Indians were resigned to the fact that anti-Indian sentiment among South African whites would never go away. Despite this, the ideology of passive resistance continued to flourish, motivated by the teachings and leadership of Gandhi. As Gandhi wrote in an editorial published on June 18, 1910, “A true passive resister . . . has only one goal before him and that is to do his duty, cost what it may.”²⁷

²⁵ Huttenback, *Gandhi in South Africa*, 200.

²⁶ Pachai, *The International Aspects*, 56.

²⁷ Mohandas Gandhi, “Passive Resisters,” 18 June 1910, *The Collected Works of Mahatma Gandhi* (New Delhi: Government of India, 1963) vol. 10, 274.

The White Response: Jan Smuts and the Indian Relief Act of 1914

As the colonial secretary for the newly self-governing Transvaal in 1907, Smuts, much to his annoyance, was handed the responsibility for dealing with the Indian uprisings in the Transvaal.²⁸ It was a role that he would carry in varying forms for the next eight years, in addition to his numerous responsibilities in the Transvaal and, later, the Union government. Smuts met constantly with Gandhi and other Indian leaders in an attempt to resolve the Indian disputes peacefully.²⁹ These negotiations amounted to eight years of constant pushing and pulling by both sides. The Indians would protest a certain piece of anti-Indian legislation; Smuts would counter with another offer; the two sides would meet, negotiate, and eventually come to some compromise.

The Indian passive resistance campaigns presented an unusual challenge for Smuts and his grand vision of a unified white South Africa. He knew that the Indians already in South Africa were not going back to India. At the same time, Smuts adamantly believed that Indians and all other non-whites needed to be monitored and kept subordinate to whites. For this precise reason, he was hesitant to compromise too much when it came to immigration and registration, particularly in his own province. In January of 1908, Smuts wrote to Merriman that “the Indian question is a very difficult one here . . . I do not fear the Indians already here so much, but future entry

²⁸ Huttenback, *Gandhi in South Africa*, 176.

²⁹ This was done under the recommendation of Lord Selbourne, who was in constant communication with Smuts during 1907 and 1908. Selbourne to Smuts, 30 November, 1907, W.K. Hancock and Jean Van Der Poel, eds., *Selections from the Smuts Papers* (Cambridge: Cambridge University Press, 1966), vol. 2, 361.

into the country will have to be prevented, and that could only be done effectively after all here have been carefully registered.”³⁰

Smuts took the passive resistance campaigns very seriously. In 1908, when over 1,300 Indians gathered to burn their registration cards, he immediately called for a meeting between Indian leaders and high-ranking government officials.³¹ Not only did he believe that the Indians had the right to be heard by the government, but he also knew that both the Indian and British governments were keeping a careful watch over his response to the campaigns. While the Transvaal had been granted self-governance in 1906, the opinion of imperial officials still had a great deal of sway, particularly since South African Indians were legally British citizens. During the first satyagraha in 1907, Smuts was in constant communication with both Lord Selbourne, the British High Commissioner, and Sir Richard Solomon, the Agent General in London. In a series of letters sent in 1907 and 1908, Selbourne advised Smuts to confront the situation head-on. Selbourne believed that Smuts could not yield unequivocally to the demands of the Indians, but that it was necessary for Smuts to acknowledge the legitimacy of the Indian (or the “Asiatics,” as the Indian population was called at the time) claims. In a 1908 letter to Smuts, Selbourne wrote:

The one simple object of the Government is to get them [the Indians] registered so that the Government may control future immigration. I would advise the Government to accept any proposals which the Asiatics may make which really would effect this object, even should it require a supplementary Act on this subject next session. But the movement must come from the Asiatics to the Government, and it must come in a form which the Asiatics cannot afterwards repudiate. It must be on paper and vouched for by men who undoubtedly represent the Asiatics.”³²

³⁰ Smuts to Merriman, 8 January 1908, *Smuts Papers*, vol. 2, 373.

³¹ Pachai, *The South African Indian Question*, 42.

³² Selbourne to Smuts, 30 November, 1907, *Smuts Papers*, vol. 2, 361.

When the Act of Union was passed in 1909, the “Indian Question” became increasingly complicated. Domestic concerns quickly became overshadowed by a growing realization that the new Union needed to define its Indian immigration policies. Louis Botha, the new Union Prime Minister, had originally stated that he would allow each province to retain its individual immigration policies, but, by 1911, he had changed his mind. The new South Africa, he now believed, needed to have a cohesive policy regarding Indian immigration: a seemingly impossible task, given how divergent the four provinces’ Indian immigration policies were. The Orange Free State, for one, had such stringent immigration policies that virtually no Indians were allowed to enter; Natal, on the other hand, regulated voluntary immigration, but still imported Indians as indentured servants. Both the Cape and the Transvaal carefully controlled Indian immigration, and believed that no future Indian immigration—including indentured servitude—could be allowed.

The uncertainty created by these inter-provincial inconsistencies was compounded by the international dimensions of the “Indian Question.” Lord Gladstone, the new governor-general for South Africa, consulted with the Indian government and secretary of state in 1911 on the immigration issue. As a result of these conversations, Gladstone advised Smuts to consider Gandhi’s reaction when drafting any future immigration legislation.³³ The Colonial Office also offered its opinion, sending a dispatch to the new Union government in late 1910, urging it to reconsider immigration restrictions that specifically excluded Indians as a racial group.³⁴

³³ Gladstone to Smuts, 13 April 1911, *Smuts Papers*, vol. 3, 496.

³⁴ Pachai, *The South African Indian Question*, 57.

The indentured servitude issue was resolved quickly, if somewhat cunningly. Botha and Smuts both knew that indentured servitude needed to end immediately, but both were highly aware that Natal had agreed to unification on the condition that indentured servitude would be allowed to continue for at least one full year.³⁵ It would be a terrible embarrassment for the Botha government to go back on its word by immediately disallowing the importation of indentured Indians. What they could do, however, was ask the *Indian* Government to prohibit indentured emigration to Natal. At the request of both Lord Crewe, then the secretary of state for the colonies, and the Union Government, the viceroy of India made an announcement in January of 1911 banning indentured servitude to Natal.³⁶ It was a tricky political maneuver that saved the Botha government from political embarrassment and gave the Indian Government—which had knowingly played the part of a political pawn—leverage for the future.

With the issue of indentured servitude resolved, immigration took center stage. The first two immigration bills introduced to Parliament by the Union government (one in 1911, the other in 1912) were rejected. Conservative members of parliament felt that the bills were too lax, as neither entirely eliminated Indian immigration. Gandhi, on the other hand, was appalled by how stringent the immigration restrictions were, and was particularly upset over a clause forbidding Indian immigration to the Orange Free State. Writing to Smuts, Gandhi threatened renewed passive resistance agitation if either bill passed. During 1911 and 1912, “the old paradoxes of the Indian question were coming into prominence once again,”

³⁵ Huttenback, *Gandhi in South Africa*, 266.

³⁶ *Ibid.*, 272-273.

Pachai writes, “what the Indians complained of as being not enough, the Europeans complained of as being too much.”³⁷

Smuts, now the minister of the interior for the new Union government, was in constant communication with Gandhi throughout 1911 and 1912. Though immigration dominated his attention, Gandhi had numerous other grievances to discuss with the minister. Smuts, for his part, was more than willing to negotiate. During his discussions with Gandhi, Smuts agreed to give Indians full equality before the law in the Transvaal and allow passive resisters to register. What he would not do, however, was agree to anything that would allow for unrestricted Indian immigration. During a meeting with Gandhi in April of 1911, Smuts poignantly told Gandhi:

You belong to a civilization that is thousands of years old. Ours, as you say, is but an experiment. Who knows but that the whole damned thing will perish before long. But you see why we do not want Asia here. But as I say the Natal difficulty being out of the way, I shall cope with the problem here. But I need time. I shall yet beat the Free Staters. But you should not be so aggressive.³⁸

The Immigrants Regulation Act finally passed through the Union parliament in 1913. Despite a few subtle differences, the Act was not all that different from the first two bills that the Union government had proposed, and, as a result, was met with much opposition by Gandhi and the South African Indian community. Though the Bill allowed some Indian immigration to continue, it limited Indian mobility within the Union: Indians could no longer freely travel to the Cape Colony and were still forbidden from entering the Orange Free State.³⁹ It also upheld the £3 registration tax

³⁷ Pachai, *The South African Indian Question*, 59.

³⁸ These are Gandhi’s personal notes from his meeting with Smuts. Reprinted in *Gandhi in South Africa*. Huttenback, *Gandhi in South Africa*, 282.

³⁹ Pachai, *The South African Indian Question*, 61.

for Indians in Natal. Gandhi's anger over the Immigrants Regulation Act was compounded by a court ruling in March of 1913 that made non-Christian marriages invalid in the eyes of the law. For Gandhi and South African Indians, this meant that Hindu and Muslim women could not legally immigrate with their husbands.

In 1913, Gandhi launched his last—and largest—South African satyagraha in response to the Immigrants Regulation Act and other anti-Indian legislation. Like the other satyagrahas, this one began with a small group of Gandhi's most dedicated followers. Unlike earlier satyagrahas, however, this one quickly attracted the attention of thousands of working-class Indians in both Natal and the Transvaal.⁴⁰ A group of Transvaal women traveled to several Natal coal mines, urging Indian mine workers to strike in support of Gandhi's satyagraha. Under Gandhi's instructions, over 4,000 Indian workers from Natal began marching to the Transvaal, with Gandhi himself leading the way. Gandhi was arrested almost immediately upon entering the Transvaal, while his followers were deported back to Natal.⁴¹ This only led to more strikes in Natal, involving, in total, over 20,000 Indian workers.⁴²

Things became even more chaotic when the viceroy of India, Lord Charles Hardinge, gave a public speech expressing strong support for the South African Indian passive resisters. To the horror of both the Union and British government, Hardinge declared to a crowd in Madras:

⁴⁰ There is some historical dispute over Gandhi's personal role in the 1913 mineworkers strike. Though most historians believe that Gandhi was personally responsible for the strike, historian Maureen Swan believes that the strike resulted primarily from the emergence of Indian working class consciousness. She writes: "There is, in fact, nothing to indicate that Gandhi ever had more than fleeting or infrequent contact with indentured workers before 1913; and even that had ceased when he left Natal in 1901." Maureen Swann, "The 1913 Natal Indian Strike," *The Journal of Southern African Studies* 10, no. 2 (1984): 240.

⁴¹ Palmer, *Indians in Natal*, 72.

⁴² Swann, "The 1913 Natal Indian Strike," 240.

Your compatriots in South Africa have taken matter into their own hands, organizing passive resistance to laws which they consider invidious and unjust, an opinion which we, who are watching their struggles from afar, cannot but share. . . . In all this they have the deep and burning sympathy of India and also of those who like myself, without being Indian, sympathise with the people of this country.⁴³

Things were spiraling out of control, and Smuts and Botha knew that some resolution was necessary. Working both with a special commission and with Gandhi himself, Smuts sought to resolve the Indian agitations once and for all. A long-term solution to the “Indian Question” finally came with the passage of the Indian Relief Act of 1914. The Act was shaped by the concerns of a number of different parties, including Smuts, Gandhi, and the Indian government. The Act was not perfect, but it undoubtedly made things easier for South African Indians. It recognized Indian marriages, abolished the £3 tax, and affirmed the rights of an Indian man to immigrate with his wife and children.⁴⁴ In no way did the Act give Indians an equal footing with whites—for instance, Indians still could not vote, and the Act did not remove any restrictions placed on Indian trading or land ownership rights in the Transvaal—but it was, in the eyes of Gandhi and other Indian leaders, a step in the right direction.⁴⁵

South African Indians: Neither Colonized, Nor Colonizer

For Smuts and Botha, the Indian passive resistance campaigns were an enormous headache. Years later, in a 1939 essay written in honor of Gandhi’s seventieth birthday, Smuts would declare:

⁴³ Quoted in *Gandhi in South Africa*. Huttenback, *Gandhi in South Africa*, 320.

⁴⁴ Pachai, *The South African Indian Question*, 66.

⁴⁵ Davenport, *South Africa*, 240.

I must admit that [Gandhi's] activities at the time were very trying to me. Together with other South African leaders I was then busily engaged on the task of welding the old Colonies into a unified State. . . .It was a colossal work which took up every moment of my time. Suddenly in the midst of all those engrossing preoccupations Gandhi raised a most troublesome issue. We had a skeleton in our cupboard."⁴⁶

For Smuts and Botha, the "Indian Question" was an enormous racial, political, and international problem. Smuts fervently believed that South Africa should have the right to legislate against Indians as racial group, but he was also acutely aware of how politically delicate the "Indian Question" was, particularly after the Act of Union. It seemed impossible to devise a policy for Indian immigration that satisfied the needs of all four colonies, the British government, the Indian government, and the South African Indian community. Botha showed remarkable political finesse in responding to the indentured servitude problem, but he and Smuts proved less agile at devising an adequate immigration policy.

Yet, in the end, the white political elite in South Africa was willing to negotiate with Gandhi and other leaders of the Indian passive resistance campaigns again and again for three simple reasons. First, the British government, conscious of the situation's imperial dimensions, was intimately involved with the entire problem from the beginning. While wary of playing too overt a role, imperial officials were constantly providing white South Africans with advice on how to handle the Indian campaigns. This meant that white South Africans, particularly those in government, could not form an opinion about the "Indian question" independent from the British imperial influence. Unlike the "Native Question," which the British government had entirely delegated to South African politicians in 1906, British imperial authorities

⁴⁶ Quoted in *Smuts: The Sanguine Years*. W.K. Hancock, *Smuts: The Sanguine Years, 1870-1919* (Cambridge: Cambridge University Press, 1962), 346-347.

were actively involved with the “Indian Question” in South Africa during the entire eight-year period of passive resistance campaigns.

Second, white South African leaders had a certain amount of respect for the educated Indian elite that they did not have for Africans. For white South Africans, Indians were part of a very clear racial hierarchy, which placed whites at the top, Indians (and to a lesser extent, Coloureds) in the middle, and Africans firmly at the bottom. White South Africans worried about the economic power of wealthy Indians, and looked with disgusted contempt upon lower-class Indian laborers. But even before the passive resistance campaigns began, the concerns of Indians (particularly well-educated Indians) were given far more credibility than the concerns of Africans. For the majority of white South Africans—excepting, perhaps, the Cape liberals—even the most educated Africans were thought of as less “civilized” than the Indians. The psychological, cultural, and historical reasons for this sentiment have been explored elsewhere by postcolonial historians. However, it must be mentioned that even Indians in South Africa believed that they were far superior to Africans—Gandhi, in fact, had no interest in advocating for the rights of Africans in South Africa, and treated the general African population with a certain amount of disgust.⁴⁷

The very language used by white politicians to describe the passive resistance campaigns is revealing, particularly in comparison to the gloomy and prosaic language they used when talking about the “Native Question.” On the eve of the 1913 satyagraha, Abraham Fisher, the Afrikaner nationalist from the Orange Free State, wrote in a 1913 letter to Jan Smuts: “I am sorry to see our friends the Indians are

⁴⁷ A number of historians have noted that, particularly during his early years in South Africa, Gandhi frequently made racist remarks about Africans, and in fact did not believe that Indians and Africans should be socially or residentially integrated. Huttenback, *Gandhi in South Africa*, 138.

going to give us trouble with passive resistance.”⁴⁸ The sentiment underlying this comment—one of somewhat affectionate annoyance—was typical among white South Africans. Botha expressed a similar outlook, writing caustically to Smuts in 1913: “This morning I telegraphed you about Gandhi and others—whether we cannot arrest them again. I felt so irritated at their attitude, now again in Natal, that really one could take them by the throat.”⁴⁹ And when Gandhi finally left South Africa in 1914, Smuts—who had developed a certain amount of admiration for the Indian leader at that point—wrote famously in a letter to B. Robertson: “The saint has left our shores—I sincerely hope for ever.”⁵⁰

Finally, while the Indian passive resistance campaigns were a troubling and time-consuming problem for the white political elite, they did not represent an overwhelming threat to white supremacy. This was partially because the Indian population was so small in comparison to both the white population and the African population. There simply was never any real threat of the Indians overwhelming the white South Africans, particularly since the British government was keeping such a close watch on the situation. And white opinion of Africans was so low that it was hardly ever suggested that the techniques of satyagraha could serve as an example for the African population.⁵¹

⁴⁸ A. Fisher to Smuts, 19 September 1913, *Smuts Papers*, vol. 3, 135.

⁴⁹ Botha to Smuts, 23 December 1913, *Smuts Papers*, vol. 3, 151.

⁵⁰ Smuts to Robertson, 21 August 1914, *Smuts Papers*, vol. 3, 190.

⁵¹ Lord Selbourne was one of the only people to ever suggest that the Indian passive resistance movements might set an example for the Africans and the Coloureds. In a letter to Smuts in 1907, Selbourne wrote: “I must also add that the Rev. C. Phillips. . .has informed me that the Coloured people and the educated Natives are watching this struggle closely, and that for the first time they recognize that they have an instrument in their hands—that is, combination and passive resistance—of which they had not previously thought. Whether either the Coloured people or the educated Natives are capable of combination and organized action, time alone can show. I should doubt it very much in

The Indian Relief Act of 1914 provided some long-term resolution to the “Indian Question:” the satyagraha ended, Gandhi left South Africa, and the South African Indian community was left more or less alone until the 1940’s. Yet the Act did not give Indians anything resembling equality with whites (particularly when it came to political rights) and it certainly had no implications for Africans. What stands out most about the Act in retrospect is, in fact, this implicit validation of South Africa’s racial hierarchy. While Smuts himself believed that Indians were “superior to Africans, but inferior to whites,” the creation of a legalized racial hierarchy was not the Act’s primary intention. At the time, it was essentially nothing more than a political compromise between the Union government and Gandhi, carefully designed to appease not only the South African Indians, but also the British and Indian governments.

respect of the Natives; but I should not be surprised if the Coloured people were able to develop on these lines.” Selbourne to Smuts, 30 November 1907, *Smuts Papers*, vol. 2, 361.

Conclusion

From our twenty-first century perspective, the racial policies devised by Smuts, Merriman, Botha, Sauer, and other white politicians during the first two decades of the twentieth century provided an undeniable precedent for future racial policies in the nation. After the end of the First World War, white South Africans became increasingly obsessed with creating a racial system that would protect white supremacy. As the twentieth century wore on, the South African government responded to these demands by passing harsher and harsher racial legislation that built upon the segregationist ideas underlying the Act of Union in 1909 and the Natives Land Act in 1913. The Land Act would serve as the basis for almost all segregationist legislation created in twentieth century, while the constitution created by the Act of Union would eventually be used to disenfranchise *all* non-whites in the Union.¹

As the segregationist mentality gained momentum among white South Africans, two of the main ideas of the Natives Land Act of 1913—that is, the forced residential segregation of Africans and the creation of African reserves—provided a clear foundation for a more elaborate segregation system. Throughout the 1910's and 1920's, white South Africans became increasingly concerned about the urbanization of Africans, leading to the passage of the Native Urban Areas Act of 1923, which

¹ The section addressing South African history from 1914 to 1948 is drawn from several general historical surveys of South Africa, including: Hermann Giliomee, *The Afrikaners: Biography of A People* (Charlottesville, VA: University of Virginia Press, 2003); James Barber, *South Africa in the Twentieth Century: A Political History—In Search of A Nation State* (Malden, MA: Blackwell Publishers, Inc., 1999); Leonard Thompson, *A History of South Africa* (New Haven, CT: Yale University Press, 1995); T.R.H. Davenport, *South Africa: A Modern History*, 4th ed. (London: MacMillan, 1991).

allowed for segregated housing for blacks in urban areas. By the late 1920's, segregation (still an emerging ideology in 1913) had become fully engrained in white South African society. In 1948, when the National Party—by then, far more extremist than it had ever been under Hertzog—came to power, one of its first major pieces of legislation was the passage of the Group Areas Act of 1950, which completely segregated all urban areas and led to the forced removals of several major African and mixed-race townships, including Sophiatown near Johannesburg and District Six in Cape Town. This was followed by a series of laws in the 1960's and 1970's that strove to turn the impoverished reserves first created by the 1913 Land Act into “independent African homelands.” These “homelands” were incredibly poor and overcrowded, but their status as “independent” gave whites a justification to deny political rights to Africans living in the main population centers of the country.

This progression of the segregationist mentality was paralleled by an increasing erosion of African legal rights. In the mid-1920's, the Cape nonracial franchise came under attack by Hertzog's National Party, which had won the majority in the 1924 general election. Though it took him nearly a decade, Hertzog, using the provisions outlined in the Act of Union of 1909 (which said that the nonracial franchise could be overturned by a two-thirds vote of both houses of the Union Parliament sitting jointly) managed to get all Africans removed from the Cape voting register by 1936. Though Coloureds still had access to the franchise through the 1950's, their right to vote was removed by the apartheid government in 1956. This only occurred after the apartheid government had altered the composition of the

Senate and the Appellate Division of the Supreme Court, which had initially ruled that the disenfranchisement of Coloureds was unconstitutional.

Even the Indian Relief Act of 1914 provided a foundation for future racial legislation in the Union by legally validating a racial hierarchy that placed whites at the top, Coloureds and Indians in the middle, and Africans at the bottom. The Indian Relief Act appeased some of the Indians' immediate concerns, but by no means did it give Indians the same rights as whites. As racism hardened in white society in the 1920's and 1930's, the rights of Indians and Coloureds were increasingly infringed upon. When the Group Areas Act went into effect in 1950, the Indian and Coloured populations were removed from areas where many had lived for decades or even centuries. In return, they were given better residential areas than Africans were, but were still far worse off than whites.

When the National Party came to power in 1948, its leaders built the apartheid system upon a pre-existing history of institutionalized racism and segregation. There were, however, significant ideological differences between apartheid and segregation. The apartheid ideology emerged in the 1930's alongside the rise of an extremely right-wing version of Afrikaner nationalism. When the leaders of this movement proposed the apartheid system, they proclaimed that Afrikaners had a worldview and philosophy that was fundamentally at odds with the secular liberal values held by Britain and most of the Western world. Apartheid was therefore rooted in a religiously-based understanding of the future of Afrikanerdom. Segregation, on the other hand, had been justified by cultural, economic, or social arguments, but had no theological origins. Furthermore, apartheid was far more rigid and dogmatic than

segregation had ever been; as historian Saul Dubow notes “Whereas the hallmark of segregation was its ambiguity and ideological flexibility, apartheid ideology was unremitting in its zeal and logic.”² Yet, even though there were differences between the apartheid and segregation ideologies, there is an undeniable continuity between them, both in ideology and, obviously, in practical implementation.³

In his book, *The Highest Stage of White Supremacy: The Origins of Segregation in South Africa and the American South*, John Cell argues very persuasively that Jan Smuts was more responsible for implementing segregation in South Africa than any other figure in South African history. “In the decade and a half before 1935,” Cell argues, “first under General Botha, and after his death in 1919 under Smuts, that is, under the Afrikaner leaders on whose enlightened collaboration the British counted to cement the Commonwealth relationship, the main lines of segregation were established.”⁴ Cell goes on to outline the various racial policies for which Smuts was responsible, including the Act of Union and the Natives Land Act. Because of his loyalty to the British government and the economically based justifications he frequently used to support segregation, Smuts, Cell argues, avoided facing international criticism and harsh scrutiny for his racial policies. Though Hertzog’s vocal racism and overt criticism of the British Empire led to his vilification by the British, Cell believes that Hertzog was simply latching onto a momentum already started by Smuts.

² Saul Dubow, *Racial Segregation and the Origins of Apartheid in South Africa, 1919-1936* (London: MacMillan, 1989), 178.

³ As historian Saul Dubow notes, “Apartheid is not merely an extension of segregation, as some have argued; nor does it represent a fundamental rupture from the past, as others have supposed. Indeed it is inconceivable that apartheid could have been imagined, let alone implemented, had it not been able to build upon segregation.” Saul Dubow, *Racial Segregation*, 177.

⁴ John W. Cell, *The Highest Stage of White Supremacy: The Origins of Segregation in South Africa and the American South* (New York: Cambridge University Press, 1982), 216.

In retrospect, we can see a clear teleology unfolding that began in 1909 and pointed directly to the implementation of the apartheid system in 1948. Yet to those alive in 1914, this progression was not inevitable. For many contemporaries, there was no obvious indication that the racist policies of the South African government would continue to escalate. In fact, in 1914, both the Coloured and Indian populations had some reason to be optimistic about the future. The Coloured population in the Cape Colony still enjoyed the same economic and political rights as whites did, and had no reason to believe that this situation would ever be compromised. Indians, of course, had recently seen the passage of the Indian Relief Act of 1914, which, however marginally, had improved their lives. Even Africans remained hopeful. As racist as the Union government undeniably was, Africans still had access to the franchise at the Cape and there was still hope—however rapidly eroding—that the liberal values of the Cape would spread to the rest of the nation. And while the Natives Land Act of 1913 was startlingly restrictive on paper, it was put into effect only in the Orange Free State, and it was unclear when—if ever—the Act would be enforced throughout the whole Union; after all, it had already been deemed unconstitutional at the Cape.

There was no doubt that Smuts, Merriman, Botha, and Sauer were all guilty of designing racially discriminatory policies. The policies that they helped create would, in ways that they could never have imagined, eventually become the foundation for the apartheid regime. Furthermore, they were all, to varying degrees, racist themselves. But to focus only on their racism is to miss a much larger picture. For these men—and for most white South Africans—the biggest immediate threat to

South Africa's future between 1902 and 1914 was not blacks, or Indians, or Coloureds. It was other whites.

The vision these men had for the future of the Union of South Africa was absolutely dependent on a unified white South African population loyal in some way to the British Empire, but not ruled by imperial officials. They were entirely devoted to what, at the time, was really nothing more than an idea: an idea that a white South African nationality could emerge out of the region's fragile ethnic past. South Africa, they believed, could be a great nation with a proud and prosperous future, but only if the white population rallied together. However painful the Afrikaners' past, they must reconcile with the British and work toward a common future. This was why Smuts and Botha reacted so viscerally to "Hertzogism" in 1911 and 1912. Afrikaner nationalism could mean the end of the nation that they had so carefully sought to construct.

As callous as it sounds, these men could take or leave the non-white population. Smuts and Botha were almost incredulously apathetic about the status of Africans. Both only became involved with non-white issues when it became politically necessary. Even Merriman, the most vocal advocate for expanding the franchise rights for non-whites, only believed in the nonracial franchise to the extent which it protected whites. True to their time and place, these men were racist—but their political agenda was not an overtly racial one. When Smuts and Merriman first began toying with the idea of Union in 1907, they recognized that a centralized government would provide a useful structure for dealing with the far-off "Native Question," but this was in no way their primary motivation. And while they

understood how explosive the “Native Question” might eventually become, they could never have predicted the rise of radical Afrikaner nationalism in the 1930’s and the implementation of the apartheid system.

The racial policies for which these men were responsible did become the foundation for the apartheid state and, because of that, they rightfully have a place in South Africa’s twentieth century racial narrative. But they also have a place in a different narrative: a narrative of white colonial nationalism. It was this narrative—not the narrative of race—that was most important to white South African politicians in 1910. The 1909 Act of Union was not, in the eyes of most contemporaries, about the non-white population: it was about unifying South Africa’s two white ethnic groups. Furthermore, while the 1913 Natives Land Act was a response to the growing segregationist mentality in South Africa, it was also a response to a perceived threat to white unity. Neither Sauer nor Smuts had intended to introduce segregation legislation to the Union parliament in 1913. It was only out of fear that the Orange Free State members of parliament would defect away from the South African Party that Sauer made the creation of a rural segregation scheme in early 1913 his first priority. For Smuts and Botha, even the Indian Relief Act of 1914 was part of this white colonial nationalist narrative. The Act was designed primarily as a political compromise between the Union government and the South African Indians, not as a deliberate racial policy.

Smuts was seventy-eight years old when the National Party came to power in 1948, the only politician from the unification movement in 1907 and 1908 still active in politics. Since the end of World War I, Smuts had devoted much of his time to

international affairs—he had, in fact, played a crucial advisory role to Winston Churchill during the Second World War and was one of the founders of the United Nations—but he had remained deeply committed to the idea that “South Africa” as a nation could be more than just a racially and ethnically fragmented British colony. For him, the South Africa of 1948, with its bitter divisions between radical Afrikaner nationalists and other whites, was a grave disappointment. In 1949—a year before his death—Smuts wrote a letter to his dear friend Margaret Gillett, professing his devotion to the nation: “My repudiation [in the election] last May came as a great shock—not so much for me personally as for this country and its future. You know how I love it and have never lost faith in it. . . . My work is a labour of love for South Africa, and partly of faith too, but that faith is now clouded with doubt. . . . I must not fail the country, even if it fails me!”⁵

⁵ Merriman to Gillett, 12 February 1949, W.K. Hancock and Jean Van Der Poel, eds., *Selections from the Smuts Papers* (Cambridge: Cambridge University Press, 1966), vol. 7, 283.

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