

THE SOUTH AFRICAN FLAG CONTROVERSY, 1925 - 1928

by

Harry Saker

VOLUME II

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CHAPTER XIV

THE 'SHIELD FLAG' IN THE ASSEMBLY

Opposition reaction to the 'shield flag'

The Report of the Select Committee had been eagerly awaited. Describing the mood of the House after the Report had been tabled on 17 June, the Cape Times observed that the Assembly could think of nothing else and that this had been true of its proceedings for the past twelve days: 'The Flag Bill and the proceedings of the Select Committee have dominated parliamentary life, and only the most perfunctory interest has been taken in the normal business....Caucuses, large and small, have been in progress every day, and nothing else has been discussed in the Lobby.'¹

The Report evoked an immediate response. Even before Parliament met on Monday the 20th to go into Committee on the amended Bill, it was clear that a major section of the opposition would reject the 'shield flag'. For, over the week-end, several important opposition leaders and newspapers raised objections to it; in the next few days others followed suit. Among those who condemned the design as early as 18 June were

1. 18 June 1927, parliamentary correspondent. See also Forward, 24 June 1927, 'parliamentary notes'.

the Natal Mercury, Natal Advertiser, Natal Witness, The Star, Pretoria News, Cape Argus and Cape Times; the Sunday Times added its criticisms on the next day, while others explained their's in the days immediately following. Prominent persons quick to disapprove of the design included Stallard, Sturrock, Law Palmer, Pitcher, and Pim.

There were several objections to the new design. Its Union Jack was too small. The Sunday Times wanted to know whether the Government honestly believed that a flag whose symbols of the two races could be seen 'only with a microscope at close range' would satisfy anybody? Leader writers referred to the 'pinched dimension' of the shield, the 'microscopic proportions' of its flags, and an inability to find the Union Jack without the aid of 'a grid and a map reference'. They calculated that the Union Jack covered only one sixtieth of the flag's surface: 'In other words, the English-speaking section of South Africa is asked to be content with one sixtieth of the national flag as against fifty-nine sixtieths for the rest of the population.' One calculated its area at a seventy-second part of the whole - 'an unusually vulgar fraction'. The Daily Despatch thought it would be 'about as conspicuous in the general scheme as a postage-stamp would be on a Kaffir blanket.' To concede so small a Union Jack was 'contemptuous', 'dishonest', an 'insult' and 'utterly unacceptable'.²

2. See Cape Argus, Cape Times, Natal Witness, The Star - 18 June 1927; Natal Witness, 18, 20 June 1927; Sunday Times, 19 June 1927; Rand Daily Mail, Daily Despatch - 20 June 1927; Cape Argus, 20 June 1927 citing Natal Advertiser; Cape Times, 20 June 1927 citing Pretoria News.

A second complaint against the new design was that its background was 'destitute of any real significance' for contemporary South Africans. The House of Orange's link with the Union was 'remote' and its colours 'as dead as the Dodo'.³ A far stronger objection was the relegation of the Union Jack (and republican flags) to the shield - a separated area - where they were viewed as non-integral parts of the new flag. Three leading articles, all on 18 June illustrate this objection. The Cape Times complained that instead of these flags being essential parts of the new flag, 'they are - to adopt a Nationalist phrase which was current in the Lobby of the House of Assembly yesterday - "boxed in a coffin." That bitter phrase exactly sums up what the so-called concession...amounts to.' It labelled the new design the 'coffin flag' - a sobriquet which soon caught the imagination of the opposition. As a genuine attempt to meet the sentiments of English-speakers, the Natal Mercury considered the flag to be 'worse than useless. It adds outrage to insult. For the Union Jack...is merely inscribed there as an In Memoriam notice, a visible sign to South Africa that the Union Jack has been laid to rest'. Sharing these objections, the Cape Argus feared that the shield might at some future time 'be treated as an excrescence' and dropped without changing the design.

It was perhaps to be expected that the sincerity of the proposal would be queried. Having conceded the appearance of a Union Jack, but only

3. Sunday Times, 19 June 1927; Cape Argus, 20 June 1927 citing Natal Advertiser; Cape Times, 20 June 1927 citing Pretoria News.

after repeated assurances and arguments to the contrary, the Government's motives were questioned and its policies criticized as inconsistent. In order to, "look to the future and not to the past", they had had to go back nearly three centuries and 'drag in the unfortunate flag of van Riebeeck.'⁴

In any case, the Sunday Times argued on 19 June:

did not Dr. Malan himself, in the second reading debate, make the main ground of his argument for a new "clean" South African flag the fact that the Dutch-speaking population had long ago severed their associations with Holland, and contrasted this, to their detriment with the English-speaking people who still cling to their ties with the Motherland? What was a taunt in the case of the British section is now good enough to be resuscitated as an argument for this latest proposal.

And having included a small Union Jack, the Government was alleged to have thrown away its whole case against the exclusion of the Union Jack from the flag proper. Was it not inconsistent, it was argued, to object to the Union Jack as an integral part of the flag on the grounds that it would become a symbol of dominance, when on the four days of the year on which it would be flown it would appear as a symbol of their equal partnership in the British Commonwealth? If Hertzog now opposed a national flag consisting of the Union Jack and former republican flags it would merely confirm that political expediency, not principle, prevented him from doing 'the big and acceptable thing'.⁵

4. Natal Witness, 18 June 1927.

5. See Natal Mercury, 18 June 1927; Natal Witness, 20 June 1927; Cape Argus, 21 June 1927; The Friend, 21 June 1927; Cape Argus, 20 June 1927 citing Natal Advertiser.

How were the alleged inconsistencies to be explained? Why was it, the Cape Argus asked, that the Government instead of meeting its opponents fairly, seemed determined "to steer the ship of State into the maelstrom"? It saw but one answer: Hertzog, severely handicapped by his secessionist past, lacked the moral courage to stand up to the extremists in his Party who still cherished secessionist goals. Two days earlier, N.J. van der Merwe had let the cat out of the bag when he told a gathering at Swellendam that their present status was but a stage in a development towards complete independence:

Here we have an apparent explanation for the reason why, in the eyes of Nationalist extremists, the Union Jack must be tucked away in the corner of an obscure shield, which could be removed at any time, without altering the design of the flag, instead of being treated as an integral and substantial portion of the flag itself.⁶

They had every right to suspect a relationship between this Flag Bill and plans to secede, The Star insisted, while the Natal Mercury spoke in similar vein of 'slim and sinister influences' which had worked ceaselessly from the outset of the flag controversy 'to undermine the constitutional rights and loyalties' of English-speakers.⁷

A month before the Select Committee reported, Dr. F.V. Engelenburg advised Smuts that the several designs already suggested had confused the public and that new ones would merely intensify its irritation. Even if

6. 20 June 1927. See also ibid. 18, 21 June 1927.

7. 20 and 18 June 1927, respectively.

by a miracle a flag dropped out of heaven and fell on the Union Buildings it would not be accepted. The only solution was to postpone the Bill because, in his view, the public could no longer calmly judge any design.⁸ If this was true in May, it was even more so in June. Whatever intrinsic merits the new design may have possessed, the bulk of the opposition was not in a frame of mind to see them. It was better attuned to locate its flaws. Probably, the smallness and placing of the Union Jack would have aroused criticism in the best atmosphere, now they were often vehemently denounced. Even Pim, who was usually cautious and restrained in his public pronouncements, came out strongly and immediately against the flag in Johannesburg, condemning the size of the Union Jack, its relegation to a shield where he saw it as a mere ornament, and the background of the flag which consisted of only Dutch colours, dating back about three hundred years. 'To accept this flag would, therefore, mean the admission of Dutch dominance in South Africa' - an acknowledgement English South Africans would not make.⁹ Also in Johannesburg, Stallard charged that the aim of the Government was to belittle the Union Jack as far as possible and the Empire Group's branch reminded Hertzog of their demand that the Union Jack should occupy a quarter of the flag and appear in its top left corner.¹⁰ Similarly, on the eve of the Select Committee's Report, Pitcher told a

8. Dr. F.V.Engelenburg-Versameling, vol.2, lêernr. 7, letter to Smuts, 20 May 1927. Engelenburg was editor of De Volkstem from 1899-1924; he remained its director until his death in 1938.

9. Sunday Times, 19 June 1927; Cape Times, 20, 21 June 1927; Die Burger, 21 June 1927.

10. Cape Times, Natal Witness - 20 June 1927 (for Stallard); Die Burger, Die Volksblad - 22 June 1927 (for Empire Group). See also the emphatic rejection of the design by the Empire Group's President, G.Hodge (The Star, 18 June 1927.)

combined meeting of the S.O.E. lodges in the Peninsula that the minimum they could accept for the Union Jack was a quarter of the flag.¹¹ On his return to Natal, a few days later, he declared that the new proposal contained nothing for them but a miniature Union Jack intended to symbolize their dead past in South Africa. But that past, he insisted was not dead. It was as vital to them as their present. 'I regard the whole business as a slim trick, typical of the tactics which have been displayed towards us by spitefully disposed persons.'¹²

Though a few leading articles and individuals, while critical of the design as a whole, had seen the germ of an agreement in it,¹³ leading opposition newspapers and opponents of the Bill throughout the Union had rejected this product of the Select Committee. The mountain, they said, had laboured ten days and 'brought forth a mouse.'¹⁴ In the Transvaal, the treatment of the Union Jack was attacked as 'an insult' to the people and the design was dismissed as 'an abortion'. In the Cape Province,

11. Cape Times, Cape Argus, The Star - 17 June 1927.

12. Eastern Province Herald, Cape Times - 20 June 1927.

For the critical views of many well-known persons over the week-end see The Star, 18 June 1927; Sunday Times, 19 June 1927; Natal Witness, Eastern Province Herald - 20 June 1927.

13. See Rand Daily Mail, 20 June 1927; Cape Times, 20 and 21 June 1927 citing Pretoria News and De Volkstem, respectively.

14. Sunday Times, 19 June 1927.

the flag was described as 'a sham and an imposture.' In Natal, it was condemned as 'a practical joke' in rather poor taste;¹⁵ and the Government was warned that Natal would resent this mockery: 'The national flag she [Natal] wants and the national flag she is going to have is not the Dead Men's Duster the Little Afrikaner priesthood has now fashioned out of honourable relics, but a living emblem'.¹⁶ On 18 June the Cape Argus reported that S.A.P. leaders were receiving telegrams from every corner of the country opposing the 'shield flag'. Three days later the Eastern Province Herald, which had carefully refrained from advancing its own views on the flag, commented:

As matters stand it is difficult to disabuse the minds of British South Africans of the belief that the Government has purposely designed to insult and humiliate them. This is the fact, the British people feel that, and so far as Dr. Malan is concerned they are probably right.

The Nationalist press and the 'shield flag'

The acceptance of the Union Jack in the national flag placed the Nationalist press in an awkward position. All had supported a clean flag. Though a clean flag was said to be one that contained no unpleasant reminders of the past, in practice, most Nationalists equated it with a flag that contained no Union Jack. Now their flag was to contain that Union Jack.

15. Sunday Times, 19 June 1927, Cape Argus, 18 June 1927, Natal Witness, 18 June 1927 - for Transvaal, Cape Province and Natal, respectively.

16. Natal Mercury, 18 June 1927.

To lessen the disappointment of those whose hopes it had helped to raise and to save face, the Nationalist press's first line of defence was obviously to minimize the importance of the shield. True, Die Volksblad said, the Government had made a great concession, but, it added rather ambiguously, the shield's flags 'staan nie daar as simbole vir wat hulle was of is nie, maar word eenvoudig daar gesit om aan te toon dat elkeen van die vlae 'n geskiedenis in die ontwikkeling van Suid-Afrika besit.' No principle had been abandoned, for the flags in the shield were not integral parts of the national flag.¹⁷ On 20 June, Die Burger, while admitting that the past had been acknowledged in the shield, stressed that the rest of the flag symbolized the future. It explained that the previous design, made up of sections of the old flags, had dissatisfied people on both sides. The Government had now tried to meet objections by acknowledging the past, as fully as could be reasonably desired, by including the symbols of the past. But,

...hulle stel nie die vlag van die toekoms uit die simbole van die verlede saam nie. Hulle hou hulle aan die beginsel van 'n nuwe vlag, en tref dan 'n vergelyk deur op daardie nuwe vlag 'n skild te plaas, 'n skild was (sic) saamgestel is uit die simbole van die verlede....Die skild moet dan die verlede versinnebeeld.

Clearly directing its sights at Smuts's Afrikaans followers, Ons Vaderland declared on 21 June that the Government had compromised to meet the desires of 'ons vrinde, die ou-Sappe' and had thereby proved its desire to have a flag acceptable to all; but it too described the shield as

17. 21 June 1927. Italics in original.

containing ' 'n doeie verlede'.

As a second line of defence, full responsibility for the Committee's failure to agree was placed on the S.A.P. whose motives were impugned. Whereas the Cape Argus had maintained that Hertzog's real problem lay not with the Opposition but with secessionists in his own Party, Die Volksblad and Die Burger insisted that Smuts's difficulty lay with the extremists in his Party. The 'geesverwantes' of the Empire Group and patriotic societies were so strong in the S.A.P. caucus that they had forced its moderates 'om maar gedwee agter die mal Pitcher-olifant aan te hardloop'.¹⁸ On 21 June Die Volksblad claimed that a struggle raged in the S.A.P. between 'die opregte ou Sappe' - moderates, who thought much the same as they did on the flag - and 'die onvervalste Unioniste'. It had thought that Smuts, because he was the leader of the moderate section, would have the courage to make his leadership triumph over the Party. But the Select Committee had revealed that he had allowed himself to be driven forward by the 'Pitcher-groep'. Only in name was he still leader of his Party. Its reigns were really held by 'die vuurvreters van Natal' while Smuts was merely being used to blind and keep a few Afrikaners in the Party.

What were the S.A.P.'s motives? Now that it had got what it wanted 'kom die regte aap uit die mou': it had never been sincere and strove only

18. Die Burger, 18 June 1927.

to dominate the flag with the Union Jack and keep the issue as an 'eleksie-vadoek'; no other explanation fitted.¹⁹ Indeed, Die Volksblad erroneously charged, Smuts had not even submitted a design to the Select Committee; it was crystal clear that the S.A.P. wished to gain time, for never again would it have so wonderful an election weapon.²⁰

Finally, to counter the disappointment and cries of weakness which the new concession was certain to bring, Die Burger and Die Volksblad insisted that the Bill must be pressed through without delay or further attempts at agreement. Thus Die Burger urged that the Speaker's Committee recommended by the Pactites in the Select Committee's Report should be dropped.²¹ Since its terms of reference had already been rejected by the 'anti-vlag seksie', Die Burger argued, and the body would inevitably include some of those who had rejected the new flag, what hope was there of a fruitful conference? Absolutely none. It would be a waste of time. The plan should be scrapped.²²

Similarly, on the next day Die Volksblad stated that while it was at one with the Government in its attempts to reach agreement, there was a limit to all things. In their view, they had reached a stage where

19. Ons Vaderland, 21 June 1927. See also Die Burger, 20 June 1927.

20. 21 and 22 June 1927.

21. For details see p.394.

22. 20 June 1927.

negotiations had become superfluous. The Government had to put its foot down and say: "Tot hiertoe en niks verder nie." It had made a concession and could not possibly go further. It dare not make more concessions. They could not tax the patience of the flag's supporters too far. 'Daar bly dus net een uitweg oor en dit is druk die ontwerp deur en laat die volk stem!'

Committee and Report stages of the Bill (20-22 June 1927)

Thus, when the Bill entered its Committee stage on Monday, a compromise settlement was still nowhere in sight. One side had rejected the flag. The other contained members who saw any further concession as tantamount to total surrender.²³ On Saturday the Cape Argus reported that S.A.P. Members of the Assembly were 'definitely' all opposed to the new design. Probably, the S.A.P. caucus took a unanimous decision on Monday to oppose the amended Bill. The smallness of the Union Jack and republican flags and their relegation to a 'dead' area had certainly not met the grievances of those M.P.'s who were strongly attached to these flags and the opposition of their constituents to the design had become quite clear by Monday. Moreover, the concession of the Government was seen as an act of weakness - even desperation. The truth about this design, the Cape Times asserted on 18 June,

23. Die Volksblad, 21 June 1927. For letters expressing bitter disappointment at the inclusion of the Union Jack, see, for example, Die Burger, Ons Vaderland - 21 June 1927.

is that it is the product of the internal death-flurry of the Pact. It is an attempt to reconcile the deadly enmities of the two sections of the Nationalists, led by Dr. Malan and Mr. Tielman Roos respectively, with the Prime Minister hovering impotently between the two. It is the last kick of a doomed Labour Party against the judgement of political death which has been pronounced upon it by two-thirds of its supporters at the last election. Nicknamed by the sneers of the Nationalists as the "Coffin Flag"...the new design is in reality the "Coffin Flag" of the Pact.

The Government was clearly seen as being 'on the run'. By standing firm, more concessions might be wrung from it and greater damage dealt to the Pact.

Despite the great length at which the House had already discussed the flag issue, the next three days lacked neither excitement nor drama. In view of the time limit of ten minutes imposed on speeches during the Committee stage, the first two days of the debate might have been expected to suffer. Apparently they did not. The first was described as being of 'extraordinary' interest with many tense moments: what had been lost in continuity of argument had been balanced by the give and take of rapid debate and the 'kaleidoscopic' changes produced by a succession of 'keen and often excited disputants.' The second was 'wonderfully interesting', marked by vigorous speeches, pungent interruptions and a brisk exchange of repartee. And the third was 'a strange mixture of historical argument, reasoned discussion, bitter personalities, racial diatribes and sheer electioneering fudge.' Whatever might be the faults of the Flag Bill, one parliamentary correspondent commented, 'dullness is not one of them.'²⁴

24. See Cape Argus, Cape Times - 21, 22, 23 June 1927.

Absence of dullness was partly due to the various amendments that appeared during this period. When the debate recommenced, the Bill had been amended in the light of the Select Committee's Report. It now contained Hertzog's proposal for a Speaker's Committee and the 'shield' flag' in place of the 'Red Cross flag'. Smuts would move an amendment calling for a Speaker-President Commission, Watt another providing for referendum votes to be published per constituency, and Strachan, on behalf of the Labour Party, would propose an amendment defining the flying of the Union Jack. Apart from the above, charges of misrepresentation and bad faith, made by both sides, greatly enlivened the clash.

The nationality sections of the Bill were soon disposed of at the start of the recommenced debate, and the Opposition then aimed its criticisms at many points. It attacked the new design whose shield was not an integral part of the flag.²⁵ The shield, or its flags, were 'microscopic', 'invisible', and 'dead' and even the 'Red Cross flag' was preferred.²⁶ The van Riebeeck colours were held to be meaningless to contemporary South Africans.²⁷ Some points reappeared, such as the unfavourable atmosphere for achieving a flag settlement,²⁸ regret at the tone of some

25. Hansard, vol. 9, 5370, 5371, Duncan; 5380, Henderson; 5449, Smuts.

26. Ibid. 5364, 5365, Watt; 5366, Blackwell; 5370, Duncan; 5374, Reitz; 5396, Jagger; 5449, 5450, 5451, Smuts.

27. Ibid. 5446, Smuts; 5365, Watt; 5374, Reitz.

28. Ibid. 5355, Smuts; 5373, Reitz; 5380, Henderson; 5385, 5386, Close; 5389, Nicholls.

Pactite speeches with their bitter personal attacks on Smuts,²⁹ the breach of faith of the agreements of 1902 and 1910 and the lack of any mandate or clamour for the Bill.³⁰ That the 'shield flag' could not become a truly national flag by force, was a point made repeatedly.³¹

In reply to these criticisms, the Pact declared that it had given ample proof of its willingness to compromise.³² It denied that the flag was unfair to English-speakers and predicted that moderate public opinion would support the flag.³³ By contrast, it contended that the S.A.P. had made no attempt to compromise, had suggested a flag that was an 'insult' to the people, was pursuing delaying tactics, and, as it did not really want a flag solution, had made agreement impossible.³⁴ While some Pactites charged that Opposition policy had been to shift and evade the issue for election purposes, Roos quixotically maintained that the Opposition had remained where it was - except that it had gone backwards

29. Hansard, vol.9, 5525, Chaplin; 5557, Marwick; 5537-8, Close. Hertzog and Beyers were alleged to be the chief culprits.

30. Ibid. 5451, Smuts; 5526, Chaplin; 5550, Papenfus; 5566-7, Byron.

31. Ibid. 5373, Reitz; 5389, Nicholls, 5451, 5455, Smuts.

32. Ibid. 5370, Christie; 5375, Allen; 5384, Steytler; 5395, 5529ff., Kentridge; 5472, Strachan.

33. Ibid. 5375, Allen; 5382, Barlow; 5397ff., Hertzog.

34. Ibid. 5367, Roos; 5372, 5545, Waterston; 5359, 5386-7, 5397ff., Hertzog; 5529, Kentridge.

by abandoning Smuts's 'as far as possible' offer.³⁵

This offer - included in the S.A.P. amendment³⁶ - was the cause of a sharp attack on Smuts by Malan. Given the unyielding attitude of the S.A.P. in the Select Committee, Malan could hardly have been expected to let Smuts's offer prior to it go unexamined. Questioning Smuts on it, Malan declared that Smuts had gone back on his (second reading) amendment which was prepared to see the three flags in the national flag 'as far as possible'. 'When I specially asked the question [in the Assembly] if that meant that there was a possibility of a mutilation of all three flags so that we could break them up to be included compositely in the national flag then his answer was "yes."'³⁷ Yet, in the Select Committee, Smuts and his followers had simply insisted that the three flags must appear in toto. 'They did not depart from that by a hair's breadth.'³⁸ Malan also blamed Smuts for the failure of the 1926 Select Committee. Here Smuts had exerted leadership from outside the Committee on Duncan and others when the Committee had practically arrived at an agreement. On the other hand, Smuts had refused to give a lead and accept the crown proposal even when some opposition newspapers had been well disposed towards it.³⁹

35. Hansard, vol. 9, 5367, Roos; 5384, Steytler; 5394, 5529, Kentridge; 5458, Reyburn; 5534-5, Beyers; 5570, Christie; 5585, Barlow.

36. See pages 328 and 331.

37. Hansard, vol. 9, 5437. See below for discussion of this question.

38. Ibid. 5437-8.

39. Ibid. 5438-9.

Defending himself against these accusation, Smuts asserted that the words 'as far as possible' in his Party's amendment did not mean mutilation: 'Naturally, when you put three flags together some overlapping may become necessary for artistic purposes, and the words were a concession to that difficulty. The Minister of the Interior made it impossible to go on with the idea, because he spoke of mutilation, and the people do not want their flags mutilated.'⁴⁰ He denied responsibility for the recent Select Committee's failure: they had tried their best to extricate the Government from an impossible situation, but Hertzog had said the Government could not retreat; the Opposition had then proposed its Speaker-President amendment in the hope of getting out of the heated atmosphere and creating more time to find a solution. The Prime Minister had waved this aside. The S.A.P. representatives had then suggested a flag, but

40. Hansard, vol. 9, 5450. The S.A.P. amendment could not have been proposed without the approval of its caucus... Its Natal and other staunch champions of the Union Jack's inclusion could not have intended Malan's interpretation of the words. Malan was stretching matters somewhat when he alleged that Smuts, in response to his questions, had said 'yes' to the possibility of the mutilation of all three flags, 'so that we can break them up to be included compositely' in the national flag. When, in questioning Smuts earlier on the phrase's meaning, Malan asked whether the Union Jack must remain un mutilated, Smuts replied, 'I did not say that.' When Malan repeated the question, he replied: 'Do not twist my words. I say "as far as possible all three."' Hertzog had perhaps better grasped the meaning intended when at the time he explained that they implied that the complete Union Jack need not be included. (See ibid. 4473-4.) The insertion of the words 'as far as possible' probably originated with those S.A.P. Members who had less dogmatic views on the design of the flag, such as Duncan and Joël Krige, and, even if unwelcome to the 'die-hards', could not be objected to by them without appearing unreasonable - when given Smuts's interpretation.

Hertzog had objected that its Union Jack and Vierkleurs were too prominent. Smuts reminded the House that he had been blamed in the previous year for the failure of the 1926 Select Committee and that this had been strongly denied by Duncan. In no case had he (Smuts) given the S.A.P. representatives instructions, 'in no case was there disagreement between us, and in every case...they took exactly the same view over this question as the view that has been taken by me and my party consistently right through the whole story up to to-day.'⁴¹ Finally, so far as the crown proposal was concerned, Smuts pointed out that the Party could not be bound by the opinion of newspapers and dismissed the allegation that he had failed to give a lead:⁴² 'I have given the most consistent lead on the flag question to my party and the country during the last twelve months. It is a perfectly consistent lead, and as sure as we sit here in this committee that lead will lead to victory in this country'.⁴³

While aversion to 'domination', symbolized by the Union Jack, disturbed one section of the House, suspicion of secession troubled another. Referring to utterances of Roos, van der Merwe and Beyers as justification, several Members openly expressed their suspicions of secession.⁴⁴ This suspicion lay behind Nicholl's demand for one flag only, in which the

41. Hansard, vol. 9, 5441-2; see also 5455-6, Duncan. See p.44, n.22 for a discussion of the allegation.

42. See pp.177-178 for a discussion of this charge.

43. Hansard, vol. 9, 5441, 5444-5.

44. Ibid. 5578, Richards; 5556, Marwick; 5560, Nicholls; 5569, Byron.

Union Jack would be included as an integral and substantial part. The clash of views between Nicholls and Hertzog on this question provided one of the highlights of the debate.⁴⁵ When Nicholls argued that not to symbolize the imperial connection on the new flag was to deny their constitutional position and that any flag that separated their British relationship and their national aspirations was a 'sham', Hertzog countered by accusing Nicholls (and other leaders in Natal) of never having ceased to be crown colony 'apostles'. Because of that fundamental error in Nicholl's logic he was not prepared to agree to an imperial symbol on the national flag.⁴⁶ Nicholls should understand they were as free as Great Britain herself and had as much right to a national flag as she had. He 'ought to realize that there is nothing wrong in our having a flag of our own apart from the Union Jack. Surely if any logic is required one would say, that is logic....

Mr. NICHOLLS: Why is the Prime Minister flying the Union Jack for only four days a year under the Bill?

The PRIME MINISTER: According to this Bill this is done because it symbolizes the fact of our standing in a certain relation to the empire.

Mr. NICHOLLS: Why should it not be on one flag instead of two?

The PRIME MINISTER: That is a difference of taste merely.

Mr. NICHOLLS: Where is your logic now?

45. Hansard, vol.9, 5388-9, 5561ff. For other appeals for a single flag see 5505, 5506, Collins; 5519-20, Duncan; 5503, Smuts; 5575-6, Richards.

46. In 1926, however, he had agreed to do so with a crown.

The PRIME MINISTER: It is very logical only it is a difference of taste.⁴⁷

Whereas one may readily understand why the S.A.P. amendment in favour of a Speaker-President Commission was put forward and defeated, it is less obvious why the Pactites proposal for a Speaker's Committee was proposed and withdrawn.⁴⁸ Distrust of the Opposition's bona fides alone - its appeal for delay was said to be related to election plans - ensured the defeat of the S.A.P. amendment. Though Hertzog's plan, unlike Smuts's, envisaged the complete removal of the struggle from Parliament and the proclamation of a national flag by mid-September, its failure was almost certain. For the Speaker's Committee, appointed by the Speaker, could be dominated by advocates of a clean flag. Such a provision could be expected to be ultimately rejected by the S.A.P. dominated Senate, making a joint parliamentary session inevitable. Only after this joint session could an attempt be made to call a Speaker's Committee, a task which recent experience had shown would be inordinately difficult. Just as many of the most prestigious members of the English-speaking community had refused to serve on the Government's Flag Committee a few months earlier, so too would they refuse to serve

47. Hansard, vol. 9, 5390-1.

48. See pp.393-4 for details of these proposed bodies.

on this body - which they would brand as sectional. Thus, if the original intention of the amendment was to expedite a solution, it was ill-considered. Probably, the plan's chief merit for the Pactites lay in its final circumvention of the Senate as the new flag would not have to be authorized by it.

In making the withdrawal Hertzog explained that he had put forward the plan in the Select Committee where he agreed with others that the time available to them was not enough to find the best solution. Unfortunately, Smuts had used their amendments to give the impression that the Government was continually running away. Then too, a statement by Blackwell in the House that he was not prepared to serve on this Committee under its condition that the historical flags must not predominate, and statements that each of the historical flags should have a quarter of the national flag, meant that they had reached such fundamentally different viewpoints that it was useless to expect the Committee to achieve anything. He was therefore deleting its provisions.⁴⁹ Hertzog preferred not to admit that his own supporters' highly critical view of the amendment as a measure which would merely bring further delay and be seen as a sign of weakness, made it desirable for the Government to withdraw it.

49. Hansard, vol. 9, 5452, 5453, 5488-9.

Less important was Watt's amendment. Its motives were also suspect. In essence, it called for the release of referendum results per constituency and not only as national totals.⁵⁰ About half of those speaking in favour of this proposal represented Natal constituencies - where the vote was likely to be overwhelmingly against the flag provisions. Supporting arguments included the view that the public was accustomed to this procedure, that it was in keeping with the spirit of the Electoral Act and that it would be more efficient.⁵¹

Malan remained unmoved by these arguments. In his opinion, if they were to have a national flag, whatever might have been their differences before the referendum, they should as soon as possible after it remove the flag from the political field. Results per constituency, possibly interpreted as votes of confidence or no-confidence in a Member, would not help towards this end and, having heard the speeches in support of the amendment, he was convinced these results would be used for Party purposes. This the House should not allow.⁵²

50. Hansard, vol.9, 5592 -3.

51. See ibid. 5478,5595, Marwick; 5478-9, Robinson; 5478, 5487,5592-4, Watt; 5480-2, Byron; 5487-8, Close; 5594, Rockey; 5594, Nicholls.

52. Ibid. 5474-5, 5477, 5485,5597. See also 5594, Alexander.

Finally, attention must be given to Labour's amendment. It stemmed again from the great difficulties the Party was encountering and which the second reading had exacerbated. After the second reading, and while the Select Committee was in progress, Labourites, with the support of Roos, sought a change in the Bill's provision for the flying of the Union Jack. Its stipulation that this flag would fly on (only) four days of the year, and on such days as the Governor-General might stipulate, was felt by Labourites to be restrictive.⁵³ Doubtless, they believed there was little chance that the Government would instruct the Governor-General to increase the number of days on which the Union Jack would fly, so that, in practice, its appearance would be limited to the four days specified. The dual flag plan of 1926 had envisaged the flying of the Union Jack not merely on special days, but with the national flag at all times. National Councilites, Roos and Transvaal Nationalists had endorsed this plan,⁵⁴ and the renewed moves made in this direction ultimately resulted in the 'restrictive' amendment being replaced by the following brief statement: 'The association of the Union with the other members of the group of nations constituting the British Commonwealth of Nations shall be symbolized by

53. Hansard, vol. 9, 5532, Kentridge.

54. See pages 114ff.

the Union Jack.⁵⁵ Thus the offensive 'restriction' appeared to have been dropped.

Probably, with Roos acting as chief intermediary, the moves towards this change were initiated by those Labour Members who, as National Councilites, had played a leading part in bringing forward the dual flag plan.⁵⁶ Hertzog explained that on being approached he felt that it would be unjust to withhold a concession from their Labour supporters who had asked for it, while granting a compromise (the 'shield flag') to their opponents. Accordingly, in the Select Committee he had suggested a change by observing that there appeared to be dissension about the arrangement for flying the Union Jack and that he personally would be prepared to propose a change if it would lead to agreement. However, he could say no more in the Committee without discussing the matter with his Party.⁵⁷

Here the chief obstacle to agreement was likely to be Malan who, oddly, in dealing with the origins of the amendment makes no mention of Hertzog's raising this question in the Select Committee.⁵⁸ Instead, Malan maintained that he first became aware that something was afoot from the parliamentary lobbying he noticed for some weeks before

55. Hansard, 5472, 21 June 1927.

56. See ibid. 5635, 23 June 1927, Strachan (re Kentridge); 5519, Hertzog's denial that the proposal originated with him.

57. Ibid. 5507-8, 22 June 1927.

58. For corroboration of Hertzog's having raised the subject in the Select Committee, see ibid. 5500, Smuts, 22 June 1927. (The brief Select Committee Report contains no reference to the subject.)

the House met in Committee. Groups were consulting each other while individual Nationalists were being called aside. This action emanated from Roos's immediate circle of Nationalists and Labourites.⁵⁹

Shortly before the House went into Committee, Hertzog called Malan aside and showed him the proposed new amendment which Hertzog saw as a solution to their difficulties. Fearing that this was a new form of the dual flag proposal (which would mean that the Union Jack would fly throughout the year), Malan told Hertzog on the next day that he objected to the plan. But Hertzog was determined to proceed with it. Supported by Beyers, Malan went to Groote Schuur in an attempt to dissuade Hertzog from his proposed course but they received no more than a patient hearing.⁶⁰

Malan later maintained that his chief objection to the amendment was the legal equality it gave the two flags, which would have created the same position as existed with regard to the two languages and given each citizen the right to demand that the Union Jack be handled on a basis of equality with the national flag everywhere.⁶¹ This, however, is incorrect. The amendment did not give the Union Jack legal equality, as was done in the final settlement, by specifically stipulating that it was one of the flags of South Africa. It merely declared that it would be a

59. Malan, p.125: Die Burger (Malan), 2 February 1957.

60. Malan, p.125: Die Burger (Malan), 2 February 1957.

61. Malan, p. 126: Die Burger (Malan), 2 February 1957.

a symbol of the British connection. The language analogy is also invalid, for Afrikaans too was specifically stated to be an official language. There was no similar statement in the Strachan amendment. Its framers probably saw the adoption of the amendment as a tacit acceptance by the Government of a more generous attitude towards the flying of the Union Jack. Malan mentions no objections to the amendment other than the discord its 'wetlike gelykheid' would have created in various areas, but there can be little doubt that his real objection to the change lay in the probability of a more frequent appearance of the Union Jack if the amendment were accepted.

When the Cabinet met to discuss flag policy, Malan's objections were overruled. Hertzog and Roos supported the amendment with Havenga assenting. C.W. Malan, who had supported Malan in the past, was abroad, as was Creswell. Both Grobler and Kemp supported the measure.⁶² Despite Creswell's undertaking to support the Bill in its 1926 form, it is very unlikely that the two Labourites, Boydell and Madeley, would have felt obliged to back the Premier's opposition against the interests of their own Party. Thus, of the nine Ministers, it is possible that only two, Malan and Beyer, voted against the measure.

At the special caucus meeting that followed, Hertzog and Roos championed the amendment while Malan and Beyer opposed it. The support Malan had

62. See Malan, pp. 125-6: Die Bürger (Malan), 2 February 1957.

so far enjoyed from the caucus for his flag legislation was lost. As a counter to his arguments against the proposal, Roos produced a letter from the Labour Party asking them to support the measure. Additionally, Roos stated that he was completely familiar with the position in the Labour Party and could say for certain that if the amendment were not adopted several Labourites would vote against the Bill.⁶³ To what extent loyalty to Hertzog, particularly of Free Staters, influenced the vote, Malan could not say, but in all events he admitted to gaining only sixteen votes and the amendment was adopted.⁶⁴

The adoption of a flag arrangement so contrary to Malan's original intention raised the question of whether he should resign. Thirty years later Malan wrote that he would indeed have done so had this been the only consideration, but, at this stage, resignation would have been fatal to his cause and played into the hands of the Roos section who, without bearing responsibility for it, would have brought about the failure of the Flag Bill - 'wat hulle natuurlik wou hê'. Roos and Hertzog would have been presented as statesmen who had foreseen the insurmountable difficulties and had therefore

63. In his account, Malan alleges that Roos claimed this number was at least six, and adds, somewhat ambiguously: 'Dit (?) sou dan ook genoeg wees om die Vlagwetsontwerp te laat verongeluk.' (Malan, pp.126-7: Die Burger (Malan), 2 February 1957) If, as seems to be intended, Malan meant that the loss of six Labour votes was sufficient to bring about the defeat of the Bill, he was mistaken. The loss of more than double this number of votes would have been required to defeat the Bill. See p.101, n.68 for 1924 election results.

64. Malan, pp. 126-7: Die Burger (Malan), 2 February 1957.

urged, ' 'n tydige en eervolle' withdrawal, while he, with short-sighted obstinancy, and even threats to resign, had insisted on struggling on. Now that the Party was finally in an impossible position, he would be accused of throwing up the sponge and running away from his responsibility. Malan therefore thought it best for his cause to maintain Party unity and save the Flag Bill in the hope that something might arise which would make the restoration of the fatal mistake possible.⁶⁵

Malan's threat to resign in December 1926 shows that he was not a man to shrink from resigning if he believed that circumstances warranted it. Why then did he threaten to resign in December 1926 and not in June 1927? Three reasons are given by Malan for his 1927 decision: desire to maintain Party unity, fear that without him the Roos section would ensure the failure of the Bill, and the belief that he would be stigmatized as a man who had left his Party in the lurch by running away from troubles which he himself had created. With regard to the first reason, it might be pointed out that neither in 1926 nor 1933 did Malan shrink from the prospect of Party disunity. Malan's second reason, namely, that he remained in office to save the Flag Bill, whose failure the Roos section 'natuurlik wou hê', must also be queried. The presentation of himself as a saviour of the Flag Bill does less than justice to his colleagues. To assert that, at this stage, Roos and his Nationalist (and even Labour)

65. Malan, p.127: Die Burger (Malan), 2 February 1957.

colleagues naturally desired the failure of the Bill, is to call into question, without exception, their sincerity and political acumen. The Roos section included men who, on grounds of sentiment alone, could hardly have desired the failure of the Bill; and from the political point of view, it was doubtless evident to them that the Bill's withdrawal now would be most impolitic. Though Roos was not averse to further compromise,⁶⁶ it is highly unlikely that he would have pressed for, or that a majority of the Cabinet would have agreed to, the withdrawal of the Bill at this stage - when it would have been probably impossible to represent it as ' 'n tydige en eervolle' withdrawal. It was clearly in Malan's interest to exaggerate the danger of the Roos section to flag legislation in order to justify his retention of office as a watchdog of that legislation. Malan's decision was probably influenced more by the desire to prevent further compromise than a belief that without him the Cabinet would withdraw the Bill.

A more cogent reason for not resigning was the probability that Malan would be branded as irresponsible in the manner he describes. In 1926 he had been able to take a stand on a clear cut issue: he had promised flag legislation in the next parliamentary session: withdrawal of the Bill would have been a direct breach of this promise. But since then much had occurred and the position had become less clear cut and increasingly difficult for the Pact and it must be granted that his resignation at this

66. See Hansard, vol. 9, 5370 and 5514, 20 and 22 June 1927, respectively.

stage would have exposed him, whether deservedly or not, to very damaging attacks. He would unquestionably have been in a vulnerable position. Even his present position was worrying. For the first time since the flag struggle began he had lost the support of the Nationalist caucus. He had been able to muster not more than sixteen (out of sixty-three) votes - and these included those of Transvaalers and Free Staters. Assuming that as few as five Transvaalers and Free Staters backed him, this would mean that only a bare majority of the Cape Province's twenty Nationalist M.P.'s had supported their leader. This lessening of support from his own power base must have deeply concerned him.

However, at the caucus meeting Malan had espied a means of limiting the compromise, a factor that might also have influenced his decision. In the caucus Hertzog had declared that the flying of the Union Jack would be controlled exclusively by the Government. Hence its appearance would require the sanction of the Minister of the Interior, so that, if Malan remained in office, he would be in a strong position to determine where and when the Union Jack could be flown. He immediately set out to bind Hertzog to this interpretation by having him repeat it publicly in Parliament. On Beyer's request, also on behalf of Malan, Hertzog agreed to do so.⁶⁷

67. See Malan, pp. 127-8: Die Burger (Malan), 2 February 1957.

This then was the background to Labour's amendment which Strachan brought forward on 21 June. It was put and agreed to with no debate or division, apparently due to noise and confusion in the House at the time.⁶⁸ However, on the next day the Opposition roundly condemned the measure. Whereas Labourites had seen it as removing limitations on the flying of the Union Jack, the S.A.P. saw it as a vaguely worded clause which provided no guarantee that the Union Jack would be flown at all. What does it mean? Smuts asked. 'Let us put a stop to this game of spoof; let us be honest.' Either it meant that the two flags enjoyed equal rights and would be flown together on all official occasions, or, that the Union Jack was simply recognized as a symbol of the British connection but need not be flown on any occasion, 'and might just as well be put into an album, a museum or anywhere else.' As it need never be flown, except at the discretion of government, one government might fly it right through the year, another, not at all.⁶⁹ Others shared these misgivings holding that the amendment was an attempt to 'cheat', confuse and mislead the public; that it was yet another attempt at 'white-anting' the Union Jack; and that having gone back on the (at least) four days' provision of the 1926 Bill, it was no concession at all.⁷⁰

68. See Hansard, vol. 9, 5472-3; Cape Times, Cape Argus - 22 June 1927.

69. Ibid. 5500, 5502, 5503.

70. Ibid. 5504, Collins; 5510, Duncan; 5552, Marwick; 5539, 5542, Close; 5575-7, Richards.

Hertzog, however, insisted that the question of flying any flag in any country lay in the hands of the government of the day. Could Smuts tell him of a flag whose flying was stipulated by law? If government did not do what it ought, under the democratic system the answer lay in the hands of the people. Smuts was deliberately trying to cause mystification.⁷¹ Labourites similarly accused the Opposition of deliberate distortion. The S.A.P.'s previous complaint had been removed but it now maintained that the Union Jack would never be flown, 'thus showing how some men twist things round to suit their own ends'. Labourites had obtained the change because a considerable number of supporters of the S.A. and Labour Parties had felt it was wrong to restrict the flying of the Union Jack to four days in the year; Labourites trusted the Government.⁷²

But, on this, as on so much else in the controversy, attitudes were determined not by the merits of the proposals themselves, but on the estimated bona fides of the parties proposing them. Thus when Beyers interjected that it was absolutely untrue to say that there was no provision at all for the flying of the Union Jack, 'for it is a symbol and must be flown', Macintosh, the last Opposition speaker against the clause replied:

If the Minister who can look at this with a legal mind had come to an agreement whereby the flag was bound to be flown four days of the year and as many more as the Government might decide and then the

71. Hansard, vol.9, 5508-9. See also 5513, Roos; 5535, Beyers.

72. Ibid. 5532-3, Kentridge; 5571, Christie; 5580, Strachan.

four days were cut out and it was only necessary to fly it as the Government might declare, would he accept that on behalf of his client as an improvement?⁷³

It might perhaps have been anticipated that Macintosh and other Members of the Opposition would be no more prepared to entrust the appearance of the Union Jack to men like Beyers and Malan, than the latter would have wished to entrust it to men like Macintosh and Nicholls.

Thus by the end of the Bill's Report stage, it differed from previous flag legislation in two important respects. In place of the Walker and 'Red Cross' flags stood the 'shield flag'. Instead of providing for the flying of the Union Jack on certain definite days of the year, it simply declared it to be a symbol of the British link. Two proposed amendments had not been incorporated, for Hertzog's proposal for a Speaker's Committee had been withdrawn and Smuts's for a Speaker-President Commission had been defeated. To complete the Bill's long passage through the House, only a short third reading remained.

The Third Reading

The Bill had been so thoroughly discussed since it first appeared in the House on 16 May, that it would have been strange indeed if significant new arguments had emerged during the third reading. The debate consisted

73. Hansard, vol.9, 5588.

largely of restatements of the views of both sides. Without unduly prolonging the proceedings, the Opposition nevertheless registered a vigorous protest against the Bill insisting that as the question could not be settled by general agreement, the Bill should be withdrawn; even the referendum would not end the matter and in all events a flag ~~one~~ could not be forced on the people. Thanks to the Bill the feelings of English-speakers had been aroused more than they had been for the past twenty years and the session had produced nothing but bitterness, discord and race hatred.⁷⁴

On the Pact side, two Ministers were the chief defenders of policy - Grobler and Malan. Grobler, who rarely spoke on subjects unrelated to his portfolio,⁷⁵ argued that a certain section of the English-speakers - the Empire Group and S.O.E. - had stirred up agitation, not because they wanted a Union Jack in the national flag but because they wanted the flag question to be dropped. They would then still have the Union Jack while others had nothing. Had the country's history been different, and had the four states been voluntarily united, a combination of the flags may have been possible. But, unfortunately, this had not occurred; two states had been conquered and by methods which 'Campbell-Bannerman

74. Hansard, vol.9, 5602ff., 23 June 1927.

75. That he would have preferred not to make a speech on the flag issue is indicated by his complaint to his wife that he had to devote time to its preparation when he already had so much else to keep him busy (Grobler Papers, letter to wife, June 1927).

described as methods of barbarism.' The Union Jack did not and could not represent their national flag.⁷⁶

In his concluding address Malan declared that the desire of the people which had existed all these years for a flag, 'although it has been dormant,' had been awakened. They had seen the necessity for a national flag because of the Union's new status and if the Government tried to withdraw the Bill now, the people would not allow it. Withdrawal would make them the only independent people in the world without a national flag. And he would argue that if the Bill were passed and this was called domination, then at least it was domination by the majority and not by the small unreasonable minority. Malan claimed that he could hardly understand the reasoning of the Opposition. When the Government had produced a flag which indicated only the future, the Opposition had complained that they could not accept a flag that contained no traditions of the past. Yet now they objected that the 'shield flag' contained nothing but the traditions of the past.

In all events, Malan assured the House, the Government would as far as possible take into account the fact that the flag had only been obtained after very great differences of opinion and conflict. For many years they would have to show the greatest tolerance towards each other concerning the flying of the two flags. Nowhere, for a long time, would

76. Hansard, vol.9, 5617-20.

the national flag be hoisted while the Union Jack was at the same time hauled down: 'we are prepared to make the acceptance of the national flag as easy as possible to all sections of the people.' He appealed to the Opposition to allow the struggle to become a thing of the past when the fight was over; their opponents should co-operate with them 'so that we can have peace in South African and can build up a great people with a common South African patriotism.'⁷⁷

With this appeal, the flag debate in the Assembly finally came to a close. Voting strictly on Party lines, but with Hay again joining the opponents of the measure, the Bill was passed by sixty-nine votes to forty-six.⁷⁸ Loud cheers rose from the Nationalists. After nearly seventy hours of debate, the flag struggle in the House, which had begun on 16 May, had ended.

77. Hansard, vol. 9, 5643-50.

78. Ibid. 5650-1. The sole Independent in the House, Alexander, voted against the Bill.

CHAPTER XV

THE REJECTION OF THE FLAG BILL

Press comment during the final stages of the Bill in the Assembly

Throughout the Committee, Report and third reading stages of the Bill, public interest in the controversy had persisted. The press kept the struggle constantly before the public and found much to take issue with. Labour's amendment was 'trickery', 'nebulous' and 'mystifying'. Hertzog's identification of the demand for the Union Jack with a desire to dominate, was deplored. One good at least had come from the interminable flag debates: they had revealed

the ideas that provide the mind of the Prime Minister with the motive-force of his political life....In outline and in detail the mind of Gen. Hertzog is now an open book.... coloured by one single idée fixe - the fast and irradicable belief that the essential aim and intent of every English-speaking South African is and always has been to secure the political-cultural dominance in this country of everything British over everything Dutch.¹

There never was an idea more false. Far from fighting for dominance in demanding their symbol in the flag, they were fighting against dominance - against 'Little Afrikaner' dominance.²

1. Cape Times, 23 June 1927.

2. Ibid. See also Cape Argus, 23 June 1927; Cape Times, 22, 24 June 1927; Rand Daily Mail, 22 June 1927.

Malan's concluding appeal for a burial of flag grievances was a 'hollow mockery'. Far from burying their own grievances after Union, Nationalists had concealed them and kept them warm. They had bided their time and duped English-speakers. The former claimed the right never to forget their injuries but expected the latter to be always forgiving, tolerant and prepared to accept derision and insult.³

Finally, in the view of the press, bitterness had been strengthened by the belief that in this question the Ministry was consciously acting against its better judgement. Could Roos honestly deny that in December 1926 he had thought that if general agreement were not reached the Cabinet should drop the Bill? Could Malan deny that he had forced the Cabinet to proceed? Yet, it was the opposition who was said to be unreasonable. Notwithstanding all the Premier's 'hysterical efforts' to convict his opponents of unreasonableness, Hertzog was now in a deplorable position and had bitterly disappointed the country.⁴

The Government's adoption of Labour's amendment - only a few days after its acceptance of the Union Jack in the flag - was certain to be

3. Cape Times, Cape Argus - 24 June 1927.

4. Cape Argus, 24 June 1927.

another blow to many Nationalists and Die Burger was clearly unhappy about the amendment. On the day before it was proposed it declared, in italicised type, that it sincerely hoped rumours of a new concession along the lines of the dual flag plan were false. When the amendment became public it tried to minimize disappointment by pointing out that it did not go as far as the dual flag plan and that control over the flying of the Union Jack would be firmly in the hands of government.⁵ Ons Vaderland, however, wholeheartedly endorsed the measure. It reminded its readers that when the National Council had proposed a similar amendment in June 1926, Ons Vaderland had been, 'die eerste...om dit toe te juig as 'n bevredigende oplossing van die hele vraag. Malan wou dit egter nie aanneem nie, en daar het 't gebly.'⁶ Doubtless, the approaches of these two organs were determined by the views of their provincial leaders. Similarly, in the Free State, Die Volksblad, attempting to coat the pill on 23 June, emphasized that though there would be two flags only one would be the national flag - the Union Jack would not add to or detract from its honour; furthermore, whereas formerly the Union Jack's use had been defined, this was now left entirely in the hands of government. Every evil had its good side and the flag controversy would prove a blessing in disguise: it firmly believed that the great mass of S.A.P. supporters who clung to the original principles of that Party, 'besig is om 'n brug te slaan oor die

5. Die Burger, 21, 22, 23 June 1927.

6. 24 June 1927.

politieke kloof wat hulle geskei het van hulle eie vlees en bloed. Die vlag moeilikhede gaan wees een van die grootste herenigingsmiddels wat ons nog ooit gehad het.'

Even if they disagreed on other aspects of the final stages of the Assembly debate, the press was united in declaring that it had been hard fought. The Opposition, Die Burger's parliamentary report observed on 24 June, 'het...duim vir duim hardnekkig die weg betwis.' On the final day of the Assembly debate, the Cape Argus's correspondent declared that the debate's most notable feature was the vigorous enthusiasm which had marked the S.A.P.'s sustained offensive. Throughout the long struggle, it had held its ground with 'stubborn courage'.

The debate in the Senate

Immediately after its third reading in the Assembly, the Bill was sent to the Senate and read for the first time.⁷ During its next three working days, the Senate debated the measure, the third reading being concluded on 27 June. Though the bitter charges that erupted in the Assembly were absent from the Senate's debates, most of the same arguments were raised. Thus in his introductory speech, Malan covered

7. Senate Debates, 28 January to 29 June 1927 (hereafter cited as Senate Debates), 886-7, 23 June 1927.

well-trodden ground. The familiar arguments against the incorporation of the Union Jack as anything other than a symbol of the English section's past contribution to the country were repeated. Broadly, Malan maintained that there was a need for a national flag and emphasized the efforts of the Government to reach agreement.⁸ It was, as Stanford observed, a clear speech, 'as usual with him.'⁹

The most notable of the Opposition addresses was probably the speech which immediately followed - that of N.J. de Wet, Leader of the Opposition in the Senate. Inevitably, it too covered much familiar ground, but its sincerity appears to have deeply moved the House. de Wet declared that while he believed a national flag was desirable, he could not agree with Malan on its 'necessity'. There were many things, as they all knew, that were desirable in South Africa, but they were not practicable at present. Malan had spoken about necessity and certain resolutions that had been taken by congresses and other bodies.

Well, I have been in public life for 20 years or more. I have addressed various sections of the people, and meetings at which all kinds of questions were brought up, but I cannot remember a single one at which any member of the public brought up this question of a flag. I do not deny that it is desirable to have a South African flag, but there was no desire all over the country before this firebrand was thrown amongst the people. There was no burning desire for a national flag. We were all going on so well, and we hoped the matter would be settled one day, but what could one do. The desire was not there.¹⁰

8. Senate Debates, 906ff. The nationality clauses of the Bill were dealt with briefly and evoked no opposition in the Senate debates.

9. Stanford Papers, D 56, 24 June 1927.

10. Senate Debates, 919, 24 June 1927.

Nor could he agree with the claim that the Vierkleur was dead, for the demise of the Transvaal Republic did not mean the end of the flag in the hearts of the people. He had worn one on his sleeve-links for the past twenty-five years and those who spoke of its death would be surprised if they talked to Transvaal burghers about its alleged death. What were they to get now? Microscopic flags were to stand for the traditions of the Transvaal and Free State. While he could understand that people were against the Union Jack, these were not the people who had fought against it.

If you go to the old officers of the Transvaal Republic you will not find any bitterness among them. No, they have nothing to say against the Union Jack. The enemy treated them as honourable foes and extended the right hand. The late General Botha at that time said that we must build up a big nation in this country....I remember the feeling of bitterness and I remember young men saying that they were not going to work with the English people and the "hands-uppers" and the National Scouts. The reply to that by that great statesman was "We are going to build up a big nation." What makes me so sad about this flag business is that it is trying to break down the work of unity for which General Botha strove all his life....I do not want to blame anybody but nobody can deny the bitterness of feeling that exists. That is why the government has been urged time after time in the best interests of South Africa to leave this matter alone, to leave it for the present. South Africa is not going to suffer for another ten or twenty years even if it does not get a national flag. Why this great hurry?¹¹

He could speak for a large number of Afrikaans-speakers in the Transvaal who harboured no bitterness; they were satisfied to have their old flag alongside the Union Jack.

11. Senate Debates, 920-1, 24 June 1927.

As for the desire of English-speakers to see that flag on the national flag, as a Dutch-speaking South African he did not think that was unreasonable. In the Cape Colony and Natal the Union Jack had flown for 120 and 80 years respectively. Was it unreasonable that these people, whose ancestors had been born there, should want that flag on the national flag? He did not think so.

Even at this 'eleventh hour and fifty-fifth minute' he refused to despair of the possibility of settling the question and avoiding a referendum which would convulse the country. He was not going to oppose the second reading - they were all agreed on the principle of a national flag - because he was optimistic enough to hope the Senate would find a way out. Therefore, after the second reading, he would move that the measure be sent to a Select Committee. That Committee, he said, would not sit long, a couple of hours would suffice and he hoped this course would be acceptable to Senators.¹² That evening, commenting on de Wet's address, Stanford wrote:

He was at his best and Nationalist members were obviously much impressed. After he sat down there was a dead silence. No one rose. After a frown the President began to put the question. When he had called for those in favour to say "content" Steyl...got up and continued the debate.¹³

Thus the Opposition had decided to press for a Senate Select Committee.

12. Senate Debates, 919-923, 24 June.

13. Stanford Papers, D 56, 24 June 1927.

But Hertzog's uncompromising reply to Opposition Senators, on the same day, foredoomed the Committee's chances of success.¹⁴ Probably, the proposal was opposed because, apart from prolonging the proceedings, its ability to reach an agreement based on the Government's principles was seriously doubted and it was feared that the Pact's endorsement of the Committee would be greeted as yet another sign of vacillation and weakness. On the day following de Wet's proposal, Stanford asserted that Nationalist speakers had favoured the idea, 'But both the Prime Minister in a speech and Dr. Malan plainly intimated their determination not to give way any further and the Select Committee idea fell away.'¹⁵

It would be no reflection on de Wet's sincerity to point out that the Opposition's suggestion for a Select Committee was also politically advantageous. If established, the S.A.P.'s Senate majority ensured that it would not produce a flag that would be unacceptable to the Party's supporters. If rejected, as it immediately was, it would strengthen the S.A.P.'s position in the coming referendum struggle where the proposal could be presented as evidence of a genuine desire to reach accord which the Pactites had frustrated.

Similarly, as Stanford noted,¹⁶ the proposal of a new flag in the

14. See Senate Debates, 964ff., 24 June 1927; Fremantle Collection, vol. 9, copy of letter from Stanford, 29 July 1927.

15. Stanford Papers, D 56, 25 June 1927. See also Senate Debates, 995, F.S. Malan.

16. Stanford Papers, D 56, 25 June 1927.

Senate placed the Party in a stronger position to fight the referendum. Failure to have done so would have exposed the Party to charges of insincerity when it declared that it was not opposed to a new flag but only to the Pactites' designs. If it was not opposed to a flag, its opponents would have taunted, why had it not presented one itself? The 'Senate flag' was therefore created. Its design was similar to the flag Smuts had shown in the Select Committee two weeks earlier, except that the latter's springbok head gave way to four stars (representing the four provinces) on a blue field.¹⁷ On 27 June the flag was

17. As the S.A.P.'s requirements called for equal recognition of all three flags, it was decided to place each in one corner of the design, the Union Jack appearing in the top flag-pole corner because it was the oldest of the three and had been the flag of two provinces; the Free State republican flag, because it was the second oldest, was placed in the top corner next to it, while the Transvaal Vierkleur, as the youngest flag, was placed in the lower flag-pole corner (Senate Debates, 1095-7, de Wet and 1099-1102, F.S. Malan). See p.263 for the design.

accepted by the Senate.¹⁸

It would serve little purpose to relate in detail the Senate debates for they closely mirrored those in the Assembly. Opposition Senators

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18. M.K. Williamson's M.A. thesis, Natal and the flag issue, 1925-1928, pp.116-7, drawing on a manuscript copy of Nicholl's South Africa in my time, in the Nicholl's Papers, describes a S.A.P. caucus meeting held immediately after the Bill's third reading in the Assembly to decide on the course of action that should be recommended to the Senate on the measure. The study explains that Duncan told the caucus 'that he had just returned from a visit to Johannesburg where passions were running high and the feeling was prevalent that unless the issue was rapidly settled, there would be bloodshed.' He therefore suggested a compromise flag consisting of 'a blue sphere on a white background', the sphere containing the Union Jack and two Vierkleurs furled on flag-posts. 'Jagger, a former Unionist, supported it, and to the astonishment of the Natal Members, so did Thomas Smartt, the former leader of the Unionists who had up to then been a real Union Jack diehard.' Nicholls, however, passionately opposed the design declaring that 'the Party was smashed there and then, for Natal would have nothing to do with it! The caucus then broke up in disorder as Nicholls, followed by the other Natal members, got up and walked out.' That afternoon, Smuts consulted with Nicholls, asking him whether Natal sentiment would be met by Smuts's Select Committee flag, with some symbol to replace its springbok's head. Nicholls believed it would. 'So in spite of the poor reception that Smuts's flag had received, it was now recommended to the Senate for its adoption.' It is thus implied that Smuts's modified flag was introduced into the Senate because of pressure from Natal parliamentarians.

This account (see also, Nicholls, South Africa in my time, pp.180-1) should be treated with caution. Nicholls, who had been actively engaged in public affairs for many years, began work on his manuscript more than twenty years after the complex events of the flag struggle. He was then in his seventies; more important, he drew his story, as he admits, mainly from memory (see Nicholls, op.cit., p.19). It is therefore not surprising that the manuscript copy and the book itself, South Africa in my time, contain numerous factual errors. However, at least one error cannot be laid at Nicholl's door: neither in his manuscript nor his book does Nicholls provide evidence for the statement that Duncan had

stressed their disapproval of the shield flag,¹⁹ emphasized the need

18(contd.) 'just returned from Johannesburg'. Indeed, it can be proved that he did not leave the Cape for at least three weeks before the described meeting. He had been present in the Assembly on Friday, 3 June, attended every meeting of the Select Committee in the following two weeks - Monday 6 to Friday 17 June, and spoken or voted in the Assembly on every day from Monday 20 June to 23 June - the day of the alleged caucus meeting (Hansard, vol.9, 4580-1, 5369ff., 5455-6, 5516ff., 5651; S.C.12-27). He could therefore not have 'just returned from a visit to Johannesburg'.

It is most unlikely that Jagger (or other opponents of the Government's design) would have supported Duncan's proposal which, with its furled Union Jack, would have revealed even less of this flag than the Pact's 'shield flag'. That Jagger felt very strongly on the question of the Union Jack cannot be doubted. He had been one of the most emphatic fighters for its inclusion. His second reading speech, in which he demanded that the Union Jack be included (see Hansard, vol.9, 4287-4298), was described as the best speech of the second reading and the finest of his career (see Cape Times, 31 May 1927). It was undoubtedly an impressive and sincere address; Hertzog gave it his closest attention, and both he and Malan later claimed that his address first caused them to believe that a reasonable case could be made for the inclusion of the Union Jack. Later, in the Committee stage of the Bill, Jagger complained that the Union Jack was the size of a 'mere button', and, making another forthright speech, demanded 'one quarter representation for the English-speaking people of South Africa.' (Hansard, vol.9, 5396, 20 June 1927.) It is therefore difficult to see him, three days later, accepting Duncan's design containing a Union Jack even smaller in size than that proposed by the Pact. Also, in Duncan's design the Union Jack would still not be an integral part of the national flag but enclosed in a white (not blue, as stated by Williamson) ball, a fact noted by Nicholls (see op.cit. p.181).

Thus, though a S.A.P. caucus meeting doubtless took place before the Bill was sent to the Senate, Williamson's account of it must be queried. Duncan may well have proposed the design, possibly a week later (see Die Volksblad, 4 July 1927), but there was probably no need for Natalians to resort to the dramatic tactics described. Nicholls, it would seem, erred in fusing a later with an earlier caucus meeting, and Williamson in accepting Nicholl's account.

19. Senate Debates, 1000, Stanford; 1011, 1013, Stuart; 1020, 1021, P.J. Wessels; 1054, Cochrane; 1091, N.J. de Wet; 960, Kerr; 992, F.S. Malan.

for postponement and general consent,²⁰ protested that the opposition did not spring from jingoism or that they did not oppose a flag because of a refusal to accept the new status²¹ and dismissed Labour's amendment as a 'mere platitude'.²²

Denying also that there were strong feelings against the Union Jack, they seriously questioned the claim that there was a strong demand for a new flag or that the republican flags were dead. If they were dead, Cochrane asked, how was it that they were flown in his part of the country by Afrikaners on Dingaan's Day? In practically every house in the Free State, Steyl said, the former Free State flag could be seen:

It is not a dead flag; the Free Stater loves the Free State flag, it occupies a position next to his heart. On every occasion in the Free State you will see the Free State flag flying. I do not think that the Prime Minister has ever been met at Smithfield without the Free State flag having been flown. If it is so that the Free State flag is dead, why then is President Steyn lying buried under that flag? Why is General De Wet lying buried under that flag? Only recently a grandchild of President Steyn was baptized under that flag. The Free Stater says, if we must have a flag for South Africa to indicate our nationality, then it must be one that reminds us of the past...

The real reason for insisting that these flags were dead was to keep out the Union Jack.²³

20. Senate Debates, 960, Kerr; 976, 990, F.S. Malan; 1045-6, Ginsberg; 1052, 1054, 1055, Cochrane.

21. Ibid. 993-4, F.S. Malan; 1045, Ginsberg.

22. Ibid. 993, 1086, F.S. Malan; 961, Kerr; 1078-9, 1084-5, 1088, N.J. de Wet.

23. Ibid. 926, Steyl; 1000-1, Stanford; 961, Kerr; 1008, Stuart; 1039, Greaves; 1046, Ginsberg; 1054, Cochrane.

S.A.P. Senators also insisted that there should be one flag alone to avoid divided loyalties²⁴ and that the referendum question was unfair while the referendum itself would make the country unfit to live in. It would 'tear the country into ribbons from end to end'. However, if insisted upon, it should be decided by a majority of registered voters - an amendment proposed by F.S. Malan and adopted.²⁵

The Pactites, in similar vein, saw all right as being on their side. They had been the reasonable party.²⁶ It was better to settle the question now; and as the referendum gave the people the final say, there was no need for the Senate to act as a legal brake. The Opposition had recognized an election weapon that was too good to leave and was using sentiment to split the Labour Party.²⁷ That Party's amendment was a genuine attempt at conciliation.²⁸ The 'Senate flag' was quite unacceptable. To Afrikaans-speakers its Union Jack was a symbol of oppression associated

24. Senate Debates, 992-3, 1086, F.S. Malan; 1010, Stuart; 1059-60, Oosthuizen; 1083, N.J. de Wet.

25. Ibid. 936, Chas. Smith; 923, N.J. de Wet; 1002, Stanford; 1022, P.J. Wessels; 1039, Greaves; 1060, Oosthuizen; 1108, 1109-10, F.A. Malan.

26. Ibid. 967, 972, Hertzog; 1006, Potgieter; 1037, Briggs; 1041-2, van Niekerk; 1048, Meintjies; 1056-7, H.F. de Wet.

27. Ibid. 998-9, Todd; 1033, 1038, Briggs; 1043, van Niekerk; 1055-6, H.F. de Wet.

28. Ibid. 1005, Potgieter; 1033-4, Briggs; 1084, 1089, Beyers; 1087-8, Langenhoven.

with concentration camps and burning farms and under it they had lost their independence and endured bitter suffering.²⁹ The 'Senate flag', Hertzog told the Upper House, was nothing short of a 'monstrosity'; it was heraldically impossible and 'must irresistibly and continuously remind Dutch-speaking South Africans...of all the woes and sorrows of the past.' Langenhoven's allegation that the attachment of English-speakers to the Union Jack was a racial one was, Hertzog thought, quite true.³⁰

Only a few minutes earlier, the previous speaker, Kerr, had also referred to Langenhoven, but to illustrate a different point. He reminded the Senate that in 1925, when Parliament had made Afrikaans an official language, Langenhoven had paid a glowing tribute to the spirit of the English section for not opposing the change. That spirit, Kerr said, had been displayed by English-speakers ever since Union. They wanted to forget the past and live only for the future. But he could not say that some Nationalist Members had displayed the same spirit. What had happened, he asked, after Afrikaans became an official language?

It has been used to keep English-speaking South Africans out of the service; it has been used in our schools to keep students

29. Senate Debates, 1003-4, Potgieter; 1026, Brebner; 1029ff., Munnik; 1044, van Niekerk; 1048, Meintjies; 1102, D.J.J. Malan.

30. Ibid. 967-9.

from the colleges, and...at the present time no South African English-speaking student can qualify in engineering science because Dutch has been made compulsory, and no English-speaking South African can enter into the Civil Service for the same reason. Is that the spirit in which Union was entered into, is that the spirit in which that concession was made? ³¹

This same spirit animated their present suspicions and was the reason why they thought that

this action of the Government is akin to the German action of peaceful penetration. Slowly and surely every sign of English interest, English ideals, the ideas of English-speaking South Africans, are being eliminated from this country. That is the feeling that has been created through the action of the Government, that everything English is being eliminated in order to say afterwards "Now we have got rid of everything English and we can do as we like." If there is any sign of dominance, any sign of intolerance, that has been shown by some of our Nationalist friends. They are the ones who are dominating and are trying to dominate in connection with this flag design. ³²

The essential problem of finding a meeting ground between the views of a Kerr and a Hertzog remained unresolved and the final outcome of the Senate debate had not been difficult to foresee. From the start, this body held little chance of resolving the conflict. The Government's concern not to appear weak, coupled with the Opposition's demand for a quarter of the flag for the Union Jack (though several Opposition Senators may have been prepared to settle for less), precluded this body's

31. Senate Debates, 962.

32. Ibid. 963.

producing a solution. Thus on 27 June, after two S.A.P. amendments - one providing for the substitution of the 'Senate flag' for the 'shield flag', the other for the referendum to be decided by a majority of registered voters - had been adopted on strictly Party lines, the Bill was read for the third time, passed, and a message sent to the Assembly requesting its concurrence to the changes.³³

Final stages of the Bill's rejection

On the following day, 28 June, the Assembly rejected the changes. Once again there was no meeting of the wits. When Malan objected that the 'Senate flag' expressed the views of only one side of the House - and a minority view at that, Smuts replied that the Government's flag also represented the views of only one side of the House. When Malan argued that a referendum settled on the Senate's terms meant that the Opposition would gain from any antipathy and indifference, the S.A.P. countered that the choice of a flag was a most serious matter and should be a deliberate one. And if people abstained as a form of protest against the Pact's flag policy this was correct.³⁴

However, the debate was soon concluded. It was unnecessary to

33. Senate Debates, 1114.

34. Hansard, vol. 9, 5819, 5826, Malan; 5820, 5827, Smuts.

to have a long debate, Smuts explained at the outset, because the matter had been fought out and the subject was 'threadbare.' Within an hour, both the Senate's amendments were rejected. That afternoon the Senate received a message from the Assembly which regretted that it was unable to accept the former's amendments as it believed that its own design and referendum arrangements were the best 'under the circumstances'. It had therefore returned the Bill to the Senate in the hope that it would not insist on the amendments.³⁵ In a very brief debate the Senate predictably saw no reason to change its views. It regretted that it had to insist on its amendments - no national flag would be acceptable to the people that did not include the three flags as integral and substantial portions and enjoy the approval of an absolute majority of the registered voters.³⁵

The final act in the parliamentary drama was played on the following morning, 29 June, when the Assembly, in reply to the Senate's decision again rejected the latter's amendments and returned the Bill to it.³⁶ A few hours later, the parliamentary session ended.

35. Hansard, vol. 9, 5832; Senate Debates, 1264-7.

36. Hansard, vol. 9, 5833-4.

Comments on the Bill in the Senate and on the session

'Extraordinary interest' had been taken in the Senate debate. The usually empty public gallery was often crowded and on one occasion nearly a third of the Assembly's Members packed the space behind the bar. The debate was described as 'long and interesting', the issue being more closely argued than in the Assembly. 'One listened to fewer party cries, and found less desire to make purely political capital out of it. The appeal was to reason rather than to race.'³⁷

But if the debate in the Senate was conducted in a lower key, in the press partisanship remained as high as ever. Whereas Die Burger reported that the verbal blows of Langenhoven had forced Opposition Senators to lower their eyes in shame, the Cape Argus maintained that one conclusion had emerged clearly from the speeches - the debating superiority of the S.A.P. Senators on the flag issue. Their success was 'undeniable'.³⁸

The absence of a meeting ground between the press supporting the two sides had continued during the Senate debate. While one side greeted the 'Senate flag' as more attractive than the 'shield flag' and the best solution in the circumstances, the other rejected it as 'in Josephrok' giving the Union Jack the chief corner from where it would

37. See Cape Argus, 25, 27, 28 June 1927; Cape Times, The Star - 27 June 1927; Die Burger, 27, 28 June 1927.

38. 25 and 27 June 1927, respectively.

symbolize domination of past and future. The Opposition's pious talk of equal treatment was therefore nonsense and its flag had been put forward merely for tactical purposes. When the cry 'domination' evoked a compromise design from the Cape Times suggesting that the Union Jack could be transferred to the flag's lower right hand corner, and an attempt to get a Government reply to this suggestion in the Assembly failed, it became the Cape Times's turn to impugn the Nationalists' sincerity. 'Let us hear no more of this supposed "domination"', it said, for it was clear that the real object of all the flag agitation was to put a ban on the Union Jack as an essential part of their national life.³⁹

All the arguments advanced by the different Parties in Parliament were supported by the different sides of the press. Only the Rand Daily Mail, of the major newspapers, expressed disappointment in all sides. In its view none of the Parties had emerged from the parliamentary debate with any great credit. The tone of many Government speeches had been deplorable and Hertzog's breaches of taste had been so frequent as to be 'thoroughly lamentable'. However, the S.A.P. might at least have tried to persuade the Government to enlarge the shield so that the design might meet the objections of a very large number of Pact opponents. Instead, in the Assembly, it had preferred to concentrate on destructive criticism leaving the more serious business of constructive proposals to

39. See CapeTimes, 28, 29 June 1927; Cape Argus, 28 June 1927; Die Burger, 28, 29 June 1927.

the Senate, 'so that the country might be provided with a really spectacular crisis with everything in order for a first-class political campaign in the constituencies.' The S.A.P. had obviously not been blind to the possibilities of Party advantage in pushing the matter to the point of a crisis. But, it added, by far the heaviest responsibility for the present 'disgusting situation' lay at the door of the Labour Party, and more particularly, with Creswell. His, 'excess of sentimentality, combined with a habitual attitude of self-righteousness which can only be described as nauseating', had led him into the almost incredible folly of representing himself, and to a lesser degree his followers, as the only reliable exponents of genuine British feeling in South Africa. When Hertzog had realized the gravity of this mistake it was too late for him to drop the Bill without loss of face. The country was thus being forced into a situation from which it was difficult to see how it could extricate itself without disaster.⁴⁰

This note of pessimism and disappointment was frequently heard in the comments of the press and politicians on the session as a whole. Though the sitting had been one of the most exciting since Union with tension continuing until the last day,⁴¹ it ended on a note of disappointment for many. Even Die Burger did not hide its disappointment. The optimism

40. 30 June 1927.

41. See Die Burger, 30 June 1927; Die Volksblad, 2 July 1927. Only the sessions of 1914 and 1922 were said to have been more turbulent. The session was also one of the longest since Union; lasting from 27 January to 29 June, it included 103 sitting days.

with which it had greeted the session in January had evaporated by the end of June. On 29 January it had anticipated that the session would be one of the most far-reaching and important in the Union's history; on 30 June it lamented that very little had been achieved to be satisfied with on the white racial question. Some people, particularly in Natal, had made the flag question a racial one; there had been an outburst of an uncompromising anti-South African spirit which would neutralize considerably the progress made in this sphere in recent years. Due to the prolixity of the Opposition on flag legislation, and the Senate's rejection of three of the most important Bills, the session would probably be described, so far as its legislative yield was concerned, as one of the Union's most fruitless sessions.⁴² 'The most actively mischievous and legislatively barren session of parliament in the annals of the Union', was the verdict of the Cape Times's parliamentary correspondent.⁴³

Many S.A.P. politicians agreed with the judgement that the session had been barren. Little had been accomplished because the Government had squandered its time on unnecessary and objectionable measures. The work of the House, they alleged, had been badly managed, the Flag Bill had unnecessarily provoked bitterness, while the real problems of the country had been ignored. The chief Opposition Whip, Dr.A.L.de Jager,

42. See also Die Volksblad, 2 July 1927; Ons Vaderland, 5 July 1927.

43. 30 June 1927. See also Natal Mercury, 30 June 1927.

regretfully observed that in his twenty-three years in Parliament he could not remember a session so barren.⁴⁴

Labourites also confessed disappointment. Strachan thought the session had not produced anything 'worth writing home about.' All the bickering aroused by the Flag Bill had removed the pleasure he had previously enjoyed from parliamentary work. Hay too lamented the spirit that had pervaded the House. Why was it there? he asked. The session had opened hopefully, but then came 'a miserable Flag Bill, casting its baleful shadow over parliament. There was no escaping it. In the House, in the Lobbies, in the tea hall and in the reading room it pursued one relentlessly, separating friend from friend.' By the end of the session they all seemed glad to see the last of each other. All that had been predicted of the Bill had been fulfilled.⁴⁵ Certainly, the holiday spirit which usually marked the end of the session was absent and instead the general atmosphere was unpleasant and unfriendly.⁴⁶

The strong presence which the Flag Bill had imposed on the session was remarked on by many others. On 24 June the parliamentary correspondent of the Cape Times contended that, 'it is not too much to say that throughout the session [the Bill] has been hanging like a pall over public business

44. See Die Burger, 30 June 1927; Cape Argus, 29, 30 June 1927; The Star, 29 June 1927.

45. Cape Argus, 29 June 1927.

46. See Die Volksblad, 2 July 1927; The Star, 30 June 1927.

within and without the House, has completely dislocated parliamentary procedure, and has produced chaos in the Government's legislative programme'. Marwick asserted that everything had been overshadowed by the Flag Bill; even at the start of the session, the Pact (with its eye on the possible effect of the Bill on the provincial elections) had kept Parliament idly in session. Joël Krige complained that the flag question had throughout hung over Parliament like a black cloud; very little useful business had been done; all minds had been obsessed by the flag struggle.⁴⁷

In mid-June Smuts regretted: 'It has been a dismal failure of a session, and the flag question with the revival of the racial question has dominated everything else. Even the Native Committee has to be abandoned in order to attend the Flag Committee. It is all indescribable folly...' ⁴⁸

On 20 June he explained that the Opposition had done its best both publicly and privately to counsel delay and advocate some consideration for the feelings of the English section. They had not been successful:

Some evil spirit...seems to be actuating the Pact and driving them on to extreme courses. It is the same spirit which prompted their two-stream policy, their republican and secession policy and now their Flag policy. It is like some chained devil in the background which ever and anon breaks loose.⁴⁹

Despite the expressions of exasperation, the flag struggle had not

47. Cape Argus, 30 June 1927; Cape Times, 24 June 1927.

48. S.P. vol. 39, no. 294, to Gillett, 15 June 1927.

49. Ibid. no. 229, to £Sir Evelyn Ashley?£ Wallers.

been without benefit to the S.A.P. Strachan noted that not since the change in Government had the S.A.P. made its presence so strongly felt.⁵⁰ Commenting on the Opposition's parliamentary performance, the Cape Argus reported that the S.A.P. had enjoyed, apart from the strength of its case, good leadership: Smuts had set the whole House an example in moderation, efficiency, attention to business and the avoidance of personal abuse. His tactics had been sound. As the campaign strengthened, his blows had become harder and more frequent, 'and in the closing weeks of the session the enemy was plainly much shaken.' The Opposition had finished up in better spirits and finer trim than the Pactites, among whom a feeling of uneasiness had become apparent.⁵¹ On 6 July The Star observed that the outstanding figure of the session had been Smuts and that its close had been marked by a distinct weakening in the spirit and confidence of the Pact. And from a source not always well disposed towards Smuts and the S.A.P., came an assessment indicating the beneficial effect of the flag struggle on the Opposition. In the last week of the session, Fremantle concluded:

This [flag] thing has changed the whole situation and has even performed the miracle of breathing life into the S.A. Party. Can these dry bones live? Four months ago everyone would have said, no. Now it almost looks as if they could. At the last election everyone voted against the S.A.P., bar the die-hard stalwarts. Now the same everybody, though not a bit anxious

50. Cape Argus, 29 June 1927.

51. Ibid. For Smuts's able leadership see also Stanford Papers, D 56, 1 February 1927.

to vote for the S.A.P., is eager to vote against the Pact, and my belief is that an election now would about annihilate Labour and cost the so-called (sic) Nationalists ten or a dozen seats...⁵²

As the next parliamentary session was expected to take place in October, the referendum could hardly be held before 1928. Before that, there would be many months of ceaseless controversy during which the S.A.P. would be in the fortunate position of being able to appeal to sentiment for the Union Jack in the urban areas, and to affection for the former republican flags in the rural. Furthermore, whereas the S.A.P. would benefit from the already existing attachment to the Union Jack and republican flags, the Pactites would have to work hard to instil equal enthusiasm for a design that was entirely new and whose reception was likely to be lukewarm amongst many Pact supporters. Thousands who had voted for Labour in 1924, were unlikely to vote for the 'shield flag'. Moreover, in the 1924 elections, the Nationalist Party, drawing its strength from rural areas, had been able to benefit from the system of loading; in the referendum it would enjoy no such advantage. Bearing in mind the close election results of 1924, the Opposition could look forward reasonably confidently to inflicting a referendum defeat on the Government's Bill and seeing the Pact suffer a concomitant loss of prestige only one year before the general election. The S.A.P. had emerged from the parliamentary session strengthened. For it, the outlook for the months ahead did not look unpromising.

52. Fremantle Collection, letter to Geoffrey, 25 June 1927.

CHAPTER XVI

THE ROAD TO THE BLOEMHOF RIOT, JULY - 30 SEPTEMBER 1927

Directional conflict in the Nationalist camp

The remaining four months of the flag struggle, July to October, may conveniently be divided into two periods. The first covers the period from the end of the parliamentary session to the Bloemhof riot - the high point of violence during the conflict, the second, from the aftermath of the riot to the flag settlement three weeks later. This chapter is concerned with the first period, from the beginning of July to the end of September.

For some weeks after the conclusion of the parliamentary session, a degree of calm, such as had not prevailed for several months, was restored to the country. Contributing to this was the initial inactivity of politicians who, after a strenuous session, were anxious to enjoy a rest and probably took comfort in the thought that over-exposure of the flag issue might make it stale before the referendum. Nonetheless, though on a smaller scale, flag agitation did continue during July. In August and September it became intense. Indeed, these months witnessed a political campaign in the recess probably of unprecedented intensity

in the Union's history, and it was against this background and its attendant eruptions of violence that a directional conflict took place amongst the Nationalists.

The conflict arose over the possibility of further flag compromise. Whereas Malan believed the Government should make no significant concession, Roos was more flexible. Viewing the flag in a less exalted light and against a background of a possible re-arrangement of Parties, Roos was willing to compromise. He had made this clear on 20 June already - the first day on which the Bill, amended to contain the 'shield flag', was debated. When Duncan objected to the small size of the shield Roos had immediately interjected: 'Move an amendment to make it bigger.' Two days later he told the House: 'If they [the Opposition] want to compromise the issue and meet us in some way or another, bring an amendment before the House'.¹ Roos's remarks plainly revealed that he was amenable to further compromise. And they were unlikely to have been made without the belief that they enjoyed the support of many Nationalists and the Prime Minister himself.²

The uncertainty created by these suggestions was most unwelcome to Malan. From his point of view it was imperative to end as far as possible all speculation as to

1. Hansard, vol. 9, 5370, 20 June and 5514, 22 June 1927.

2. See ibid, 5386, 20 June 1927, for Hertzog's statement that he was prepared to consider the shield's flags in a 'revised' form.

the possibility of another Government compromise. Speculation was bound to weaken their supporters' resolution, hamper the work of C.O.F.O. and stimulate the efforts of their opponents. On 7 July, therefore, he told Die Burger that it was extremely important to understand that the Government's flag proposals were final: the Bill must now be accepted or rejected in its entirety; no changes in the Bill could be made during the joint session.

Much as Malan may have wished the measure to be final, changes in it could in fact still be made. The South Africa Act enabled the Assembly to pass the Bill in joint session 'with or without' amendments approved by the Senate. Malan was therefore soon obliged, when challenged by the Cape Times, to concede that the Bill need not be passed in its entirety. But, he emphasized, in a joint session the initiative would have to come from the Senate.³

However, the initiative soon arrived from another - and very troublesome - source. On 4 August, after addressing a public meeting at Germiston, Roos told a representative of The Star that the Government was so anxious to reach a flag agreement that it would accept any fair Senate amendment calling for a larger shield.⁴ Within

3. South Africa Act, section 63; Cape Times, 8 July 1927; P.S.M.I. vol. 3, telegram from Malan to the editor of The Cape, 21 July 1927.

4. The Star, 5 August 1927; Die Burger, 6 August 1927; Natal Witness, 8 August 1927.

a week he stated at Aliwal North that the shield, and even its contents, could be altered.⁵

Malan's concern for the encouragement these words might give to opponents of the Bill and the discouragement they might arouse amongst his supporters, can easily be imagined. Hoping to lessen the impact of Roos's views, he immediately gave his own. On 9 August he replied that he was opposed to any concession being offered by the Government or even being suggested as a prospect. They had reached the utmost limit. Compromise, if it did occur, had to come from the leaders of the S.A.P., and from them alone.⁶ Backing Malan up, on the same day Kemp asserted at Christiana that the shield could not be enlarged and they should not go one step further.⁷

Any hope Malan may have had of harmonizing Roos's future flag statements with his own - as the Minister responsible for the Bill - were shaken almost at once. Within the next few days Roos made statements in a Border campaign at variance with his own. At Rhodes he maintained that if the Senate wished to enlarge the shield to a third of the flag's size the Government would not object. At Elliot he said he was not aware of any Government objection

5. Cape Argus, 9 August 1927.

6. Die Burger, The Star - 9 August 1927; Cape Times, Natal Witness - 10 August 1927.

7. The Star, 9 August 1927; Natal Witness, Cape Times - 10 August 1927.

to defining the size of the shield or even to excluding one of its parts and increasing the size of another. Finally, after arguing at various centres that the demand of English-speakers for a portion of the new flag was justified, he declared at Ugie that the Government would probably accept an enlarged shield and even an increase in the representation of the English section in it. Roos's remarks seemed to hold out the possibility of an enlarged shield and an enlarged Union Jack within it.⁸

Not surprisingly, Roos's views increased many Nationalists' disillusionment with the Government's flag policy. Disillusionment revealed itself in several ways: The lukewarm response to O.O.F.O. was one.⁹ Nationalist Party branch resolutions against the inclusion of the Union Jack or any further compromise was another.¹⁰ A Women's Deputation had visited Malan to demand a clean flag.¹¹ Nationalists in Pretoria and Johannesburg were reported to have angrily rejected Roos's remarks. Some were said to have threatened to start a counter-campaign for Nationalists to have nothing to do with the flag and to refuse to vote in the referendum, if the Government did not maintain a

8. Die Volksblad, The Star - 11, 12 August 1927; Die Burger, Cape Argus - 12 August 1927; Cape Times, 11 August 1927; Natal Witness, 13 August 1927.

9. See below.

10. See P.S.M.I. vol. 3; Cape Times, 16 August 1927; Die Volksblad, 17 August 1927; Die Burger, 23 September 1927.

11. The Star, 22 July 1927.

consistent flag policy.¹² Words were not minced in 'letters to the editor'. Malan, one letter writer complained in Die Burger, had promised them a clean flag; he had broken that promise: 'Is daar nie een ware Afrikaner,' he asked, 'een pure man, een ridder sonder vrees en sonder blaam onder ons Nasionale parlamentslede'? Never could he vote for the 'shield flag'.¹³ In the same issue another writer declared that he was sure every genuine Nationalist would agree that no South African Government had performed more disappointingly than the present one. He himself had attended the flag debate,

en met 'n besliste, oortuigende houding hoor ek nog die woorde oor die Eerste Minister se lippe rol, dat hy as Afrikaner nooit dit sal toelaat nie dat die Union Jack op die Unievlag sal verskyn nie, "want," sê hy, "hoe kan ek iets daarop laat sit wat my seer maak?" en sê hy verder, "'n regering wat dit toelaat, sal verraad teenoor Suid-Afrika pleeg."

Insisting that many Nationalists were bitterly disappointed with the flag policy of the Government, the writer declared that though he was a Nationalist at present, he had no intention of following the Party blindly.

The above, and other, expressions¹⁴ of discontent could not but influence Malan. While he might give expression to the views of many, their feelings must have reinforced his own. When illness forced Roos to withdraw from the

12. Die Burger, Cape Argus - 11 August 1927; Die Volksblad, 13 August 1927.

13. 21 June 1927.

14. See below.

political arena in the last three weeks of September,¹⁵ Malan was in a better position to try to influence public opinion - and Hertzog. On 14 September, at Calvinia, he declared that though some people thought so contentious a question as the flag should await general agreement, everything should not be sacrificed for the sake of peace. South Africa was independent and should have its own flag - even if the question created trouble. A flag was something worth fighting for.¹⁶ On 21 September, one week before the Transvaal Congress of the Nationalist Party, he insisted at Clanwilliam that the Government could not give in because of strife; it would pass the Bill and definitely not give an inch.¹⁷

Doubtless Malan (with Kemp's support)¹⁸ hoped to

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15. An attack of influenza and an inflamed throat - probably brought on by his extensive political campaign in the Cape Province - made Roos abandon his political tour of the Highveld and cancel his meetings in the Eastern Transvaal and on the Rand. He took ill on the 6th and made his political re-appearance on the 28th September at the opening of the Transvaal Congress of the Nationalist Party (see Ons Vaderland, 6 September 1927; Die Volksblad, 7 September 1927; Die Burger, 14, 17 September 1927).
 16. Die Burger, Cape Times - 15 September 1927. (For another statement in a similar vein, see page 534 - Malan at Hopetown.)
 17. Cape Argus, The Star - 21 September 1927; Die Burger, 22 September 1927; Die Volksblad, 22, 23 September 1927.
 18. See Kemp's statement at Greytown that the Government could not give in (The Star, 22 September 1927; Die Burger, 23 September 1927). Malan would certainly have enjoyed Beyer's active support and perhaps also C.W. Malan's, but both were abroad at the time. Beyers returned on c. 2 October and C.W. Malan on 19 October.

influence Hertzog. Since the end of the parliamentary session the Prime Minister had made only one important speech¹⁹ and had refrained from dealing with the flag question in any detail; he had refused to take a dogmatic stand on the question of compromise.²⁰ As Malan must have seen the position, Hertzog's refusal to take a firm stand was alienating supporters, harming the Government, hindering the growth of O.O.F.O. and reducing the Pact's chances of success in the referendum. Uncertainty was also a strong encouragement to the Bill's opponents.²¹ Every effort had therefore to be made to induce Hertzog to state firmly that the 'shield flag' was the final flag. An excellent opportunity for such a statement would occur on 26 September when Hertzog would speak, after six weeks public silence, at Pretoria. Malan and Kemp's recent declarations may have been made with this event (and the Transvaal Provincial Congress which would immediately follow) in mind. No doubt Malan had brought home to Hertzog all the disadvantages of the present uncertain position at every opportunity. When the Women's Deputation against the inclusion of the Union Jack had visited Malan in July, he had promptly sent it to

19. This was at Smithfield on 4 August. For details of the speech see Die Burger, The Star - 5 August 1927.

20. See Hertzog's conciliatory telegram to the Cape Times on the question of compromise (P.S.M.I. vol. 3, telegram from the editor of the Cape Times to General Hertzog, 18 July 1927, and Hertzog to Donovan, 21 July 1927; Cape Times, 22 July 1927).

21. Die Burger, The Star - 27 September 1927; Natal Witness - 28 September 1927.

would also do so if his idea produced an agreement.²⁴ Yet, Hertzog could not ignore the dissatisfaction of Nationalists like Malan. Nor could he ignore the fact that uncertainty had retarded support for O.O.F.O., so that if a referendum should take place the Bill's supporters would enter the contest at a disadvantage.

Hertzog's answer to this dilemma was to make a forceful speech at Pretoria in which the emphasis fell strongly on the absolute determination of the Government to pass the Flag Bill. He insisted that there could be no delay in the matter. They dared not postpone the Bill: so long as the issue hung over their heads bitterness and national disunity would worsen. The Government was wholly justified in its stand and would not put forward an amendment. These remarks were clearly intended to mollify Malan and disgruntled Nationalists. But Hertzog prudently did not preclude all possibility of compromise. Accordingly, he had prefaced his remarks by asserting that it was now up to the English-speakers to say what they wanted in the flag.²⁵ Thus despite the emphases in his speech - intended to remove uncertainty about the Bill's fate and stiffen support for O.O.F.O. - Hertzog had not really shifted his

24. The Star, 11, 12 August 1927; Cape Argus, 12 August 1927; Natal Witness, 15 August 1927. See also letters to the editor supporting the 'shield flag' compromise in Die Burger, 23, 30 July 1927.

25. Die Volksblad, Die Burger, Ons Vaderland - 27 September 1927.

ground since his July telegram to the Cape Times. The door for compromise had been left ajar, but it was now the responsibility of the opposition to use it.

Though Malan may not have been wholly satisfied with this speech, the Prime Minister's assurance that no further compromise would originate from the Government must have been welcome. At the end of September, then, it seemed as though Malan had made some advance towards finality on the flag design and was safe from another disrupting entry into the flag arena by Roos.

Response to Our Own Flag Organization

At the same time as this struggle was taking place, attempts were made to promote support for O.O.F.O. and thereby strengthen the Pact's chances of winning the referendum. By the time Parliament was prorogued at the beginning of July, support for this organization - established in mid-May²⁶ - had been disappointing. Malan must have had this fact in mind when he told Die Burger on 7 July that the Government's proposals were final and that he hoped that in all Provinces O.O.F.O. would receive general support.

Party organs in the Cape Province and Free State

26. See pages 311 ff.

immediately responded. Welcoming Malan's assertion that finality on the design had been reached, Die Burger claimed that in the past the opposition had benefitted from uncertainty about the possibility of change. However Nationalists were now certain not only of a clash but also of what the clash would be about. Certainty would enable them to tackle the organizational work energetically and it was high time they did so. Die Volksblad too stressed the need for organization. It was now 'Opsaaltyd!' They had to organize; they could not delay. The trumpet would soon call them to the struggle, 'en dit sal 'n stryd wees!'²⁷

In the following three months these newspapers continued their efforts to promote support for O.O.F.O. They appealed repeatedly for funds for the Organization, acknowledging contributions in special columns. Readers were constantly reminded of the need to get on the voters' roll - one of the responsibilities of O.O.F.O. - so that the Bill's supporters might exert the maximum influence in the referendum, and, wherever possible, the plans and activities of O.O.F.O. were given prominence.

But despite the press support, O.O.F.O. made slow headway. At the beginning of July its (national) Central Committee²⁸ complained that the organization was still well

27. Die Burger, 9 July 1927; Die Volksblad, 11 July 1927 (italics in original).

28. See pages 312-3, n.49, for its members.

behind the 'Pitcher-bende'. In the Cape Province the chairman of the Provincial Committee²⁹ appealed for funds for pamphlets and local propaganda. Local committees were to be formed to distribute illustrations of the proposed flag. Yet it was not until two months later, in September, that reports were published of a few local committees being established in the Cape Province - at Douglas, Aberdeen, Colesberg and Parow - while the proposed pamphlets and illustrations had still to appear.³⁰

In the Free State the establishment and growth of the organization was even more tardy. Despite a report in Die Burger on 21 May that a strong committee had been formed in Bloemfontein to give a lead, it was not until the beginning of September that a Provincial Committee was established.³¹ In the intervening three months, Die Volksblad failed to report the formation of any pro-Flag Bill committee in the Free State. Only after the establishment of the Provincial Committee, on 1 September, did it note that a few local committees - at Bethlehem, Viljoenskroon, Smaldeel and

29. Its members included H.A. Fagan (Chairman), E.G. van der Lingen, S. Caldecott, P.O. Sauer (Secretaries), G.W. Lyon (Treasurer), T.E. Dönges, C. Hofmeyr, A.L. Geyer, J.E. Conradie.

30. See Die Burger, 22 July, 1, 8, 9, 21, 24, 30 September 1927; Die Volksblad, 4, 22 July 1927; The Star, 22 July 1927; Ons Vaderland, 26 July 1927.

31. Its members included Senator W.J.C. Brebner, Mrs M.T. Steyn, Mrs P.U. Fischer, Mrs K. Hurley, J.H. Brand Reitz, Dr A.J.R. van Rhyn, N.J. van der Merwe, A. Barlow, D.A. Thomson, F. Griffin and C.R. Swart (Die Volksblad, 2 September 1927).

Landskroon - had been formed.³²

If in a Nationalist stronghold like the Free State support for O.O.F.O. had been less than enthusiastic, in Natal it was likely to have been poor. Die Burger's correspondent in Pietermaritzburg complained in July that Nationalists in Natal lacked organization while the Indian Agreement and flag question had greatly harmed the Party. Though there was talk of the possibility of setting up an O.O.F.O. committee, neither it nor any other pro-Flag Bill committee appears to have been formed.³³

Finally, in the Transvaal a similar picture emerged. On 6 June about twenty Pretoria residents met and formed a provisional Central Committee with the intention of taking immediate steps to establish associated bodies in other districts. Shortly afterwards a circular urged interested persons in the Transvaal to form O.O.F.O. committees. Yet, by the beginning of August, the appearance of merely one such committee - at Barberton - had been reported. A fortnight later the Chairman of the Head Committee of the Transvaal's Nationalist Party declared that so far as organizing to meet the challenge of the referendum was concerned, nothing had been done. Only on 15 September - more than two months after the formation of the provisional

32. Die Volksblad, 2, 17, 14, 15 September 1927.

33. Ibid. 18 July 1927; Die Burger, 20 July 1927.

Central Committee - did a permanent one come into being,³⁴ and by the end of September, as in other Provinces, less than half a dozen branches were reported to have been established in the Transvaal.³⁵

Why did O.O.F.O. not gain wider support? In addition to the important disadvantages Nationalists had to face in a referendum campaign which have already been mentioned,³⁶ the following reasons might be suggested. So far as the cities were concerned, little aid could be expected from Labour voters. Some were overwhelmingly concerned with the Pact's failure to satisfy socialist expectations, while those who were caught up in the flag controversy could have found little appeal in the 'shield flag' with its 'miniature Union Jack'. Thus Labourites' interest in the organization must have been minimal.³⁷

More surprising was the limited support received from Nationalists. There was no doubt a certain lack of interest

34. It consisted of twenty-one members of whom the following were elected to the Executive Committee: P. Brugman, Johan Schoeman, J.J. Pienaar, C.T. Te Water, Gustav Preller and Eugene Marais (Cape Times, 16 September 1927).

35. Die Burger, 8 June, 27 July, 1, 11 August, 21, 24 September 1927; Die Volksblad, 8 June, 16, 24 September 1927; Cape Times, 16 September 1927; The Star, 24 September 1927; Ons Vaderland, 23 September 1927.

36. See pages 257-8, 284-5.

37. Between July-September Forward devoted only one article to O.O.F.O. - on 5 August.

which was furthered by some degree of confusion. Lack of interest was shown even in branches which established committees: at both Barberton and Bultfontein the branch attendance had been weak; Colesberg's correspondent, commenting on the local scene, complained, 'Wanneer die Nattessal begin roer, weet ons nie.'; Nelspruit's Chairman was seriously concerned about members' 'algemene traagheid en onwilligheid'.³⁸ This apathy may have been related to the Pact's seemingly endless changes of flag policy. To the large percentage of platteland Nationalists who did not read newspapers these must have been confusing indeed. In mid-August Die Burger's correspondent in Hopefield complained:

Met alle eerbied maar in erns kan ons sê dat die vlagvraagstuk hier nog onder 50 persent van ons mense onverstaanbaar is. In die eerste geval is daar baie mense wat nooit 'n koerant lees nie; ander weer wat wys word uit stories wat vertel word; gevolglik is daar baie vir wie die saak voorkom as of dit 'n twis is tussen die partye. Dit klink snaaks, maar dit is so dat baie nie die erns van die saak sien nie, hoewel hul warm Afrikaners is.³⁹

He earnestly appealed for some parliamentarian to visit the area and to clarify the question. Doubtless similar confusion reigned elsewhere.

Contributing to this confusion were the conflicting statements of Roos, Malan and Kemp on the finality of the flag's design. Early in July Malan had said that the Government's proposals were final. But subsequent

38. Die Burger, 1 August, 9 September 1927; Die Volksblad, 18 August 1927; Ons Vaderland, 23 September 1927.

39. Die Burger, 18 August 1927.

statements seemed to belie this assertion. Thoughtful Nationalists must have ruefully reflected that the Government had first put forward a 'Walker flag' and then a 'Red Cross flag'; Hertzog had proposed a royal standard, and ~~and~~ a crown; now the 'shield flag' had been offered - but argument persisted as to whether it could be changed. How could Nationalists be certain, particularly in view of Hertzog's silence in the matter, that the Premier had no more suggestions up his sleeve? On 23 September Ons Vaderland openly admitted that uncertainty concerning the flag's future had played an important part in the weak response to O.O.F.O. in the Transvaal, declaring:

Die gebrek van geestdrift is groteliks toe te skrewe aan 'n gevoel van onsekerheid, wat tot dusver regeer het, omtrent die onveranderlikheid in die vorm van die voorgestelde Suid-Afrikaanse vlag. Daar was 'n gevoel dat die vlagvorm weer mag gewysig word en baie mense, wat anders gewillig sou gewees om deel te neem aan die organisasie, het 'n slappe gevoel gehad dat hulle werklik nie weet waarvoor hulle moes werk nie.

This impediment to organization must also have applied in the other Provinces.

The inclusion of the Union Jack in the national flag was doubtless an important reason for lack of support. Its presence, however small, was offensive to many. Inclusion was a serious breach of faith to those who had expected their Government to provide them with a 'clean flag' and had equated this with a flag that excluded the

Union Jack. For them the Government had gone too far.⁴⁰
 The attempt to mollify them by relegating the Union Jack to
 a 'dead' part of the flag, failed.⁴¹ Bitter were the
 letters some wrote. In one, a Nationalist in Bedford
 asked the editor of Die Burger,

Hoe om hemelsnaam kan so its gedoen word? Denk
 tog terug hoe geduldig ons altyd was en hoe ons na
 u, mmr. Redakteur, geluister om die kruit droog te
 hou, nieteenstaande al die geblaf van die Jingo's,
 want ons het geweet dat ons Regering ons uitdruklik
 beloof het, geen Jack in die Unie se vlag ne....
 Waarom ons eers die versekering gee, geen Jack, en
 nou sonder enige waarskuwing, so toe te gee? Wat
 het gebeur...?

Nee, geagte Editeur, die Jack haat ek, want deur
 hom is my vader se oog geskiet, deur hom is my vader
 se enigste dappere broer gesneuwel, ja, deur hom,
 die dierbare beskermende vlag, is my oorledene
 moeder in 'n ope trok gegooi en na die konsentrasie-
 kamp verban, waar hulle gesterwe het,...en vandag
 my ou Generaal...ja, hy vandag [is] daarmee inwillig
 om die Jack 'n plek te gee op ons vlag! Nee,
 liefste vader, maak my tog asb. duidelik wat die
 alles beteken, hoe dinge staan en waarom ons hier
 op die platteland so gou op die kop gekyk word.
 Ja, ons, wat ons voormanne vandag daar gebring het.
 Een ding is seker, my gevoelens is seker vanaand net
 soos baie ander gebore Nasionaliste en ek voel
 vanaand so teleurgesteld met ons voormanne dat so
 waar ek leef en die Jack maak sy vertoning op die
 Unie se vlag, ek nooit weer my stem vir hulle sal
 gee nie, en ek is seker baie ou Nasionale broers sal
 saam met my stem!.⁴²

40. See P.S.M.I. vol. 3; Scholtz, pp. 65-6; Die Volksblad,
 17 August, 3 September 1927; Natal Witness, 10, 18
 August 1927; The Star, 9 August 1927; Cape Times, Cape
Argus - 17 August 1927.

41. For instance see Eric Louw's complaint to Jansen that it
 was splitting hairs to say that the Union Jack was not
 an integral part of the flag; the fact was that it
 appeared on the flag (E.G. Jansen Papers, vol. 2, 12
 July 1927).

42. Die Burger, 28 June 1927. See also ibid. 30 June, 19
 August 1927; Ons Vaderland, 21 June, 27 September 1927.

No less frank were the letters to Malan himself, as evidenced by the following from a Zwartruggens Nationalist, who wrote:

Ek is 'n gebore Vrystater, 'n Nasionalis in merg en been, 'n 1914 Rebel, 'n bewonderaar van die Vaderlandsliefde van Gen. Hertzog. Ek lees "Die Burger" en het daarin al die pleidooie vir die nuwe vlag van die Regering gelees; maar hoewel ek u verdraagsaamheid in verband met die saak bewonder, verseker ek u dat u ons saak onsaglik benadeel met die waardelose vlags-ontwerp wat u voorstel. Ek, vir my, sal nooit daarvoor stem nie. Ek haat die "Union Jack"; maar hy is tog 'n openlike hatelikheid. Terwyl die voorgestelde valg 'n verbloemde hatelikheid is. As u die steun val al die ware Afrikaners wil hê is dit nodig om ons te laat stem vir:- Die "Union Jack" aan die een en 'n SUIWER Afrikaanse vlag aan die ander kant. Nog eens, vir die vlag sal ek nie stem nie; en ek is seker baie andere ook nie.⁴³

The alienation of these Nationalists meant that O.O.F.O. suffered disproportionately, for it did not gain the aid of many of its potentially most zealous workers. Furthermore, the effect of seeing the strongest champions of a national flag withholding their support from O.O.F.O. could only have encouraged, or provided an excuse for, less ardent Nationalists to do the same.

Finally, an important reason for O.O.F.O.'s slow growth may have been the fact that most Nationalist politicians paid no attention to it. Perhaps they believed that in the event of a referendum loyalty to the Party would hold, or that, since O.O.F.O. was a non-political organization, they

43. P.S.M.I. vol. 3, from C. Steyn, 24 August 1927 (underlining and capitals in the original).

could not support it without tainting it. Exhortations to organize were therefore very largely confined to three newspapers - Die Burger, Die Volksblad and Ons Vaderland - which had a limited circulation and were further hampered by the considerations already mentioned. Far more successful in arousing Nationalists' enthusiasm over the flag question, was to be the nation-wide political campaign of the politicians which reached its peak in the second half of September.

The slow growth of O.O.F.O. did not mean that by mid-September - with the political campaigns of both main Parties at their height - that many Nationalists, particularly in some areas, had not developed strong feelings on the flag question. Even if they were disappointed and often angry with the Government, very strong antipathy was directed against the S.A.P. and Smuts: they were seen as the true villains of the flag conflict. Strong emotions were revealed in letters, such as those just quoted. They were also shown in the large number of resolutions calling for a national flag at the Party congresses in September/October - many preferring to express their feelings in this way. And they were most clearly demonstrated in the violent political meetings which punctuated the second half of September and culminated in a serious riot at Bloemhof.

The Flag (Committee) Organization

O.O.F.O.'s opposition counterpart, the Flag Organization, remained active during the recess. Its development was steady rather than spectacular - a fact largely attributable to its relatively early establishment. By July 1927 the flag committee movement had been active for more than a year and had therefore had ample time to organize. In the Transvaal alone it claimed more than sixty branches.⁴⁴ The urgency which might have been expected to mark O.O.F.O.'s activities was therefore unnecessary in this organization. Its effectiveness had already been demonstrated by the protest meetings of 1926 and 1927 and the deputation it sent to Hertzog in February 1927.

However, as in September 1926, it was thought desirable to affirm the Flag Committee's national unity by means of a national conference and on 11 July 1927 one met in Bloemfontein. The Chairman of the Co-ordinating Council of Patriotic Societies (and Grand President of the S.O.E.), Pitcher, was invited and attended. The Conference reaffirmed its resolution of 29 September 1926 which demanded the inclusion of the Union Jack in the national flag and added its 'emphatic disapproval' of the 'shield flag'. It resolved to do its utmost to have this design rejected in the referendum, but should it not succeed, declared that it

⁴⁴. Cape Times, 25 July 1927; The Star, 18 August 1927.

would struggle to reverse the referendum decision at the first opportunity. For the purpose of co-ordinating the opposition in the referendum campaign, it was agreed that the Chairmen of the Provincial Committees, together with the Chairman of the Co-ordinating Council of the Patriotic Societies, would form a Central Flag Committee. It would co-ordinate the work of the Provincial Committees and strive towards the Organization's goals: a generally acceptable national flag containing the Union Jack, or, victory in the referendum. At the end of the Conference Pim declared that its spirit had been excellent; all important matters had been treated with the sole desire of reaching unity and in this they had completely succeeded.⁴⁵

An important result of the Conference was the agreement of the patriotic societies to work within the Flag Organization. The largest and most vocal of these was the S.O.E. A few days after the Conference its Grand President confirmed his Society's acceptance of the agreement when he told a large S.O.E. meeting in Durban that henceforth their fight against the Bill would be made through the flag committees. The influence and efforts of all members were

45. Cape Times, 9, 12, 14 July 1927; Die Burger, 13, 14 July 1927; Die Volksblad, 12, 14 July 1927; Stanford Papers, D 56, 9, 11 July 1927; Cape Argus, 12 July 1927.

to be channelled, as individuals, into these.⁴⁶ And in September the Co-ordinating Council of Patriotic Societies instructed all members to combat the Bill by acting 'individually to the fullest extent in their power' through the flag committees.⁴⁷

During the three months under review, the Flag Organization was active in all Provinces, apart from the Free State. In the Transvaal, an office had been opened in Johannesburg in June and in July a full-time secretary was required. A goal of over 200 Transvaal branches was set for the referendum.⁴⁸ Arrangements were soon begun for a door to door collection in Johannesburg and Pretoria and for contacting sympathisers throughout the Province. At Nylstroom Pim exhorted a large gathering in July to support

46. Cape Times, Cape Argus - 18 July 1927. See also Pitcher's address at the S.O.E.'s Annual Conference (Rand Daily Mail, 12 September 1927). At this Conference, Pitcher, who declined to stand again, was replaced as Grand President by F.W. Storey, Headmaster of St Andrew's School, Bloemfontein (Cape Times, 13 September 1927).

47. Natal Witness, 7 September 1927. See also The Star, 21 September 1927. Apart from the advantage of having one united anti-Flag Bill organization, a legal problem may have prompted this move as Section 42 of the Electoral Act made it unlawful for a philanthropic society to devote any of its funds for political goals. This (and other provisions of the Act) may have caused concern, particularly since the antipathy of Nationalists to the societies had been increased by the latter's involvement in the flag controversy (see The Star, 9 September 1927).

48. Fremantle Collection, vol. 9, 30 June, Pim to Fremantle; Cape Times, 25 July 1927; Die Burger, 11 August 1927; The Star, 18 August 1927.

the Flag Organization, maintaining that members of all Parties were joining the committees and that on the Reef especially they had many Labour supporters; members of patriotic societies should support them too.⁴⁹ In September, the Provincial Committee began to campaign actively with pamphlets, appeals for funds, door to door collections and meetings to explain its proposed referendum campaign.⁵⁰

In Natal, a quiet July was followed by a more active August and yet more active September. On 10 August a well attended meeting of the Durban flag committee (Mayor's branch) invited all Mayors throughout Natal and East Griqualand to form flag committees and to send delegates to a provincial flag conference. One week later the same committee began a drive to ensure that before the end of October every voter in Natal and East Griqualand was on the voters' roll.⁵¹ In September new flag committees were established or flag meetings held at Hilton, Ladysmith, Scottburgh, Estcourt, Pinetown and Kloof.⁵² However the highlight of the Natal campaign during this period was the flag committees' conference held on 21 September at

49. The Star, Cape Argus - 25 July 1927.

50. The Star, 1, 2, 20 September 1927; Natal Witness, 1 September 1927; Cape Argus, 2 September 1927; Cape Times, 16 September 1927; Forward, 30 September 1927.

51. Natal Witness, Cape Argus - 13 August 1927; Natal Mercury, 16 August 1927.

52. Natal Witness, 10, 15, 17, 22, 23, 27, 28, 30 September 1927; The Star, 9, 30 September 1927.

Pietermaritzburg. The Province's anti-Flag Bill organization was co-ordinated, an innovation being the additional representation provided on the Provincial Committee for two representatives of the patriotic societies from each constituency - a most desirable move in view of the strength of these societies in Natal. An Executive Committee was established to control the Organization's work in the interim⁵³ and when it met for the first time on 28 September it appealed to Natalians to fulfill 'their imperative, nay, sacred duty' of getting on the voters' roll and loyally assisting the flag committees:

Let the fateful month of October [it continued] stand out as one of great activity and sacrifice; let our slogan be every minute and every hour 'A voteless voter is valueless.' Let nothing be considered too great or too (sic) small in preparing or consolidating our forces to fight in the great cause of peace and goodwill in our beloved country.⁵⁴

Two days later it was reported that in Natal the next step would be the establishment of a body to secure promises from citizens to vote in the coming referendum.⁵⁵

In the Cape Province the energy of the Flag Organization is evidenced by the frequent references to its activities in the diary of the Provincial Committee's Chairman,

53. Natal Witness, Cape Times - 22 September 1927; The Star, 21 September 1927. Important members of the Provincial Committee included: J. Williamson (Chairman), W.E. Thrash, E.J. Hallett, Captain G.M. Botha, the Reverend W. Angus, G.P. Human, H.L. Buzzard (Mayor of Durban), Eaton, Coleman, Lennox and Pitcher.

54. Natal Witness, 29 September 1927.

55. The Star, 30 September 1927.

Stanford. Particularly the Midland's branch (whose area appears to have coincided roughly with the Border district) was active. At the beginning of July it held a conference at East London at which it resolved that the only acceptable national flag was one which contained the Union Jack - and as the 'senior emblem'.⁵⁶

However, in the Cape Province, as elsewhere, the most significant development in the Flag Organization during the recess was to be seen not in the number of new branches formed,⁵⁷ but rather in its 'move to the right'. The aggressively uncompromising resolution passed at East London reflected this move. It was certainly encouraged by Crewe who chaired the conference and who, from mid-1927, had a strong influence in the provincial organization. As early as May 1927 Crewe was in Cape Town 'full of fight on the flag question' and had worked out a scheme to win the referendum. On 1 June Stanford recorded that Crewe was arranging a referendum plan and 'taking a leading part with his usual foresight and ability'. As a member of the Provincial Committee Crewe was in a favourable position to

56. Stanford Papers, D 56, July-September 1927; Die Burger, Cape Times - 8 June, 5 July 1927.

57. Only six were reported to have been established in the Cape Province - at Kimberley, Wellington, Stellenbosch, Gordon's Bay, Adelaide and Gardens, and four in the Transvaal - at Premier Mine, Rosebank, Doornfontein and Germiston (The Star, 28 July, 18, 24 August, 10, 20 September 1927; Cape Times, 4, 23, 25 August, 2 September 1927; Cape Argus, 12 August 1927).

press his views and it was on his initiative that Stanford was elected chairman.⁵⁸ Writing to Pim, immediately after the 1927 Flag Committee Conference in Bloemfontein, Fremantle explained:

You will no doubt have wondered why none of those who were delegates for the Cape Province on the last [September 1926] occasion were appointed this time.

We now...have a Provincial Central Committee presided over by Sir Walter Standford (sic) and I think the tendency will be that such Committee will be controlled by Sir Chas. Crewe from East London who I think is determined that there should be no possibility of any of the flag committees in future being of the friendly gesture type and those who have these tendencies will be kept if possible in the back ground (sic).⁵⁹

Indeed no 'friendly gesture' did emerge. But this fact may also be related to the Organization's linking itself to two groups - the patriotic societies and the S.A.P. Indubitably the patriotic societies contained many of the more jingoistic members of the population. The effect of channelling their efforts into the Flag Organization probably strengthened it but at the price of stiffening it and making it less amenable to compromise.

The Flag Organization's link with the S.A.P. cannot be doubted. On 22 July Smuts informed Crewe that the S.A.P.

58. Stanford Papers, D 56, 31 May, 1, 7 June 1927; Cape Times, Die Burger - 5 July 1927.

59. Fremantle Collection, vol. 9, F.K. Weiner to Pim, Fremantle to Pim, 13 July 1927.

The phrase 'friendly gesture' had been used to describe the inclusion of the St George's Cross in design no. 2 by representatives of the Flag Organization at the Flag Conference.

Executive in the Transvaal had decided to 'cooperate to the fullest' with the flag committees and the S.A.P.'s Transvaal headquarters had given Pim their full and active co-operation.⁶⁰ Similar arrangements were probably made elsewhere; in the Cape Province S.A.P. parliamentarians were to be invited to join the Provincial Committee.⁶¹ By linking the organizations, however, the Flag Organization appears to have lost the control over its policy it had hitherto enjoyed. Describing a meeting of the Cape's Provincial Committee in July, Fremantle wrote:

...our Chairman in replying to some remarks as to our action in the future, said we must not do anything unless our leader General Smuts approves, for in all matters we are to be guided by him, and since then I am of the opinion that this policy affirmed by Standford (sic), Crewe, Colonel Morris and others, is being carried out...⁶²

All the above helps to explain why, despite its previous efforts to negotiate an agreement, no further compromise suggestion came from the Flag Organization during the rest of the struggle. Instead, the Organization directed all its efforts to the single purpose of winning the referendum. Thus, of the two goals the Flag Organization had set itself, the negotiation of a compromise agreement, or, failing this, victory in the referendum - the former was dropped. In

60. S.P. vol. 102, nos. 225/6; see also ibid. vol. 97, no. 91, Cohn to Smuts, 2 August 1927.

61. Fremantle Collection, vol. 9, Weiner to Pim, Fremantle to Pim, 13 July 1927.

62. Ibid. Fremantle to Pim, 13 July 1927.

the remaining months of the flag controversy, the Flag Organization sent no new deputation and proposed no modified design to the Government and thus made no positive contribution towards a settlement.

Nationalist press activity during the recess

During these three months the Nationalist press gave constant attention to the flag struggle. In August and September alone, the Party's three newspapers devoted some forty leading articles to aspects of the conflict. In addition to the publicity given to O.O.F.O. and reassurances that the Government would not again change the flag design, certain topics appeared repeatedly: Afrikaners who supported the Opposition's flag policy were condemned as agents of, or smeared by association with, the patriotic societies. Opponents of the Bill were said to be against any new flag and to want the Union Jack alone to fly over the country. The controversy, they alleged, was really a struggle between those who placed South Africa first and those who did not.⁶³ As Die Volksblad asserted on 11 July, the clash was between 'diegene wat Suid-Afrika en die Suid-Afrikaanse volk 'n onderhorige en minderwaardige land en volk wil maak en diegene wat Suid-Afrika as hul enigste vaderland beskou'.

63. For example see Die Burger, 22 July, 17, 30 August, 1, 30 September 1927; Die Volksblad, 4 July, 28 September 1927.

Inevitably the presentation of the controversy as a struggle between those who had developed a full South African national consciousness and those who had not, was merged with charges of domination and jingoism. The jingoes wanted to dominate and were in spirit and purpose anti-Afrikaans. They would not accept that the Union was a sovereign independent state and had created flag agitation in order to keep the Union Jack flying over South Africa. These jingoes thought that as citizens of England they still had the right to share in the management of South Africa. But they were wrong, and the people's choice lay between their own national flag or the maintenance of the flag of England over an independent South Africa.⁶⁴

Perhaps inevitably too, the referendum vote was openly associated with Party politics. Thus Ons Vaderland's regular columnist, 'Ooraloor', in stressing the importance of the referendum, warned on 16 September:

Wie is daar...wat weer 'n Smuts-regime aan die roer wil sien? - Laat hom teen die Regerings-vlag stem. Wie is daar, wat weer 'n skrikbewind and bloed en tranen in Suid Afrika wil sien huishou? Laat hom teen die Regeringsvlag stem. Kol. Reitz het dit die anderdag te Brits nog herhaal: "as ons weer aan die Regering kom, sal ons weer Krygswet proklameer, weer stakings onderdruk, en weer platskiet en ophang!" Laat dus alwie dit weer wil sien plaasvind, in hierdie ou land van ons, stem teen die Regerings-vlag; of laat hulle lou en laf bly, en niks doen nie....Dit is al wat nodig is om weer 'n Platskietregering te kry!

64. For example see Ons Vaderland, 16, 23 August 1927; Die Volksblad, 17 September 1927; Die Burger, 27 July, 1, 30 September 1927.

Though certain other issues were frequently aired,⁶⁵ from the point of view of the flag controversy the most important aspect of the Nationalists' press campaign was the harsh condemnation of Smuts. It concentrated its anger against him. He was the flag 'turncoat' who had changed his mind on the flag question five times in six years. His past flag pronouncements were repeatedly contrasted with his present stand and he was accused of being congenitally lacking in consistency. In a leading article entitled 'Draaie', Ons Vaderland observed:

Daar is sekere elementêre gemoedtoestande wat by elke gewone en normale mens van lewensduur is. Blykbaar is generaal Smuts bowe alle dergelike menslike swakhede verhewe. Die draai is 'n fundamentele element in sy politieke lewe, en in die bewerking van sy draaie is geen van die gemoedsbewegings wat die bedrywigheid van die normale mens beperk, langer van krag nie.⁶⁶

Not only was Smuts's normality called in question; he was declared to be foolish and senile. He was a political opportunist who by means of distortion deliberately stirred

65. Such as whether van Riebeeck's flag had actually contained an orange or a red horizontal stripe. Smuts and some S.A.P. M.P.'s argued that in 1643 the Dutch had replaced the orange with red in their flag so that the background to the 'shield flag' was incorrect and also 'dead'. Malan and Nationalists maintained that the change had not occurred until 1663 at the earliest, and insisted that van Riebeeck's reference in his journal to his use of the 'Prinsevlag' at the Cape proved that he had arrived there with the orange-coloured flag (see Die Volksblad, 22, 23 August, 3, 27 September 1927; Die Burger, 16, 23 August, 24 September 1927; Ons Vaderland, 23 September 1927).

66. 12 August 1927. See also ibid. 5, 23 August 1927; Die Volksblad, 9 August 1927; Die Burger, 23 September 1927.

up fears of republicanism. And he was a racialist. It was Smuts who was responsible for the existing racialism and hatred which he desired for political advantage and to gain the favour of the extremists. His 'calculatedly late' olive branch offered in Parliament betrayed his desire to make political capital out of the conflict. If a flag question existed today, it was his fault. If great bitterness reigned, who was to blame but him? Time and again the Government had shown its willingness to come to an agreement, but each time Smuts had allowed himself to be driven by extremists in Natal. He had had the power and the opportunity to accept an agreement; but he had refused to do so simply because it suited his purpose to divide the people in an unnatural way. This tragic figure was the last man to regret the existence of racial hatred in South Africa. 'As daar een man is wat daardie vlam terwille van partyoordeel aan die gang hou, dan is dit hy.' Wherever possible the Nationalist press lashed out at Smuts. When anti-Flag Bill agitation was ascribed to extremists and the capitalist press, their 'gewillige handlanger, genl. Smuts', was not forgotten. When an I.C.U. spokesman maintained that in fifty years time a Native could be Prime Minister, Smuts was alleged to be responsible. He was the fomenter of non-white unrest; had he not sent Natives to fight against whites in Europe? And when violence erupted at political meetings in September, once again Smuts was held

largely to blame.⁶⁷

Leo Amery's visit to South Africa, which coincided with this period, created added fuel for the Nationalist press to use against Smuts.⁶⁸ Deliberately avoiding the flag issue and carefully treading a conciliatory path, Amery emphasized in his speeches that dominion status entailed a harmonious relationship between equality and mutual dependence.⁶⁹ The Nationalist press, in commenting on Amery's speeches, chose to stress the rights and 'independence' of the Dominions while ignoring (or minimizing) their mutual dependence and obligations.⁷⁰ Smuts felt bound to redress the balance and in a speech in the Durban city hall he therefore emphasized the Union's obligations as a member of the British Commonwealth.⁷¹ Both his sentiments and the audience he chose to express them to gave the Nationalist newspapers yet another opportunity to hit out at him: He was playing up to Durban

67. See (for attacks on Smuts) Ons Vaderland, 5, 12, 16, 19, 23, 30 August, 13, 27, 30 September; Die Volksblad, 9 August, 3, 12, 23 September 1927; Die Burger, 13, 15, 23 September 1927. See also pp. 545 ff. for Smuts's alleged responsibility for the violence.

68. For the part played by Amery in influencing the flag settlement see chapter XVII.

For an account of his travels in South Africa see L.S. Amery, In the Rain and the Sun, pages 112-130.

69. For Amery's speeches see L.S. Amery, The Empire in the New Era, Speeches delivered during the Empire Tour 1927-1928, pages 15-88, and, South Africa and the Empire. See also chapter XVII.

70. For example see Die Volksblad, 26 August 1927; Die Burger, 23 September 1927.

71. Cape Argus, The Star, Rand Daily Mail - 10 September 1927.

jingoes and clinging to outdated views that were more conservative than those of a Conservative British Minister; Smuts was trying to re-kindle the ashes of discontent. 'Weet hy wat he doen?' Die Volksblad asked on 12 September, and answered: 'Genl. Smuts word oud. Sy geheue word sleg en sy redeneervermoë verswak. Dit was natuurlik lankal die geval dat sy more- en sy aanpraatjies verskil, maar sy toesprake van die laaste paar weke vertoon darem die duidelikste spore van seniele aftakeling.' Die Burger on the same day and in response to the same speech accused him of 'onvergelyklike kleinsieligheid en roekelose onverantwoordelikheid'. He had denied that the Union had the right to make its own treaties, had independent status and could remain neutral in a war in which Britain was engaged. His views on their status not only conflicted with his past views but also with Amery's present views and amounted to a repudiation of the Imperial Conference's Balfour formula. Smuts's opinions, they said, identified him with the Empire Group.⁷² As will be seen, the vilification of Smuts, not only by the Nationalist press but also by Nationalist leaders was to have important results.

The opposition press, July-September 1927

The opposition press during the recess attacked the

72. See Die Burger, 12, 15, 23 September 1927; Die Volksblad, 12 September 1927.

administration on a variety of subjects. The Government had failed to relieve the distress caused by drought in several areas; farmers disliked 'Mr. Madeley's 8s. a day policy' for unskilled labour; the Rand was opposed to Saturday closing; the gold mining industry might be faced with a curtailment of labour from Portuguese East Africa; the diamond industry could be threatened by an unrestricted output and an accumulation of unsold stones; iron and steel policy was misguided, and the 'indiscriminate white labour policy' had brought into the railway service large numbers of inefficient people.⁷³

However, despite the above, the flag conflict remained the most contentious issue. After listing all the above policy shortcomings on 15 August, The Star continued: 'But worse even than all of this is the effect produced in this country...by Government's wanton and provocative policy in regard to the flag bill. Despite the warnings they have received, they are blundering along, insolent and provocative one day, cringing and conciliatory the next'.

Even if it was an unnecessary precaution, the press did not allow its readers to forget the flag question. Apart from the first three weeks in September, editorials on the

73. There were five train accidents between 27 July and 12 August; thirty-three people were killed. See Cape Times, 13 August 1927; Natal Witness, 15 August 1927.

subject appeared regularly.⁷⁴ They criticized the flag design and the referendum; they questioned the motives of the Nationalists and urged the Bill's withdrawal; and they attacked the flag statements of leading Pactites. So far as the design was concerned, it was suggested that the shield itself should become the flag; others favoured the 'Senate flag' as 'a fair, honourable, and artistically acceptable settlement' - a 'glorious juxtaposition'.⁷⁵ So far as the referendum was concerned, it was a 'political dodge'. The scale had been weighted because the Natives had been excluded and the question had been 'loaded'.⁷⁶ And again there were appeals to the Government to withdraw a measure which would exacerbate racial feeling; it was insane, they insisted, in the existing circumstances, to force the Bill through.⁷⁷

Suspicion of the Nationalists' motives persisted. When Roos warned that a referendum defeat would lead to a

74. In July-August, The Star, Cape Argus and Cape Times, together, devoted about forty leading articles to the subject.

75. For example see Cape Argus, 15 July 1927; The Star, 20 July 1927; Natal Mercury, Cape Times - 23 July 1927.

76. However, when the Cape Times suggested a boycott of the referendum the idea was immediately rejected by the opposition press and Smuts. See Cape Argus, 15 July, 3 August 1927; Natal Mercury, 23 July 1927; Natal Witness, 6 August, 9 September 1927; Cape Times, 12 August 1927; The Star, 16 July, 28 September 1927; S.P. vol. 102, no. 225, letter to Crewe, 22 July 1927.

77. For example see Cape Times, 19 July, 27 August 1927; Cape Argus, 26 August 1927.

revival of republicanism, he was accused of raising the spectre of republicanism, and when N.J. van der Merwe expressed the hope that the shield would fall off the flag like a scab fell off a wound, The Star asserted on 1 September:

In plain words, what Dr. van der Merwe means is that the status conceded by the Imperial Conference, like the unnecessary shield on the proposed national flag, must be accepted on the instalment plan, with the full intention of using that only as a means to an end. When that end has been reached the Union Jack, as a symbol of the Imperial association, will share the fate of the shield on the Government flag and automatically disappear. In taking up this attitude we believe that he is reflecting the real feelings of the majority of the members of the party.

More than once the former republican pronouncements of leading Nationalists were cited, and Hertzog was asked whether he could reasonably complain if a large section of the public were suspicious of the motives behind the Bill.⁷⁸

Finally, there were the attacks on Nationalist politicians such as Kemp, Havenga, Roos, Malan and Hertzog.⁷⁹ When Kemp submitted that the Union Jack was a flag of oppression, the Sunday Times protested that if English citizens in the South African Republic had received a fraction of the consideration and fair treatment Afrikaans-speakers had enjoyed under the Union Jack, no war would have occurred. Kemp's remarks were 'an insulting untruth';

78. See The Star, 2, 5, 10, 12 August, 6, 27 September 1927; Cape Times, 10, 12, 25 August, 23 September 1927; Cape Argus, 12, 25 August 1927.

79. For attacks on leading Labourites see chapter 17.

let him 'come out into the open and tell us on what grounds he bases his belief', it challenged. When Havenga declared that many who opposed the flag suffered from a 'colonial complex', the Cape Times replied that because he supported the Bill he might similarly be accused of suffering from a 'Republican complex'. Roos, apart from being taken to task for equating a lost referendum with renewed republicanism, was attacked for asserting that a negative vote in the referendum was a vote against the Union Jack. Here was 'typically nationalist double talk'. And Malan was partisan and obstinate: those who accepted his views he praised as 'moderate' and 'patriotic', the rest had to remain in outer darkness.⁸⁰

Having remained silent on the flag issue during most of this period, Hertzog attracted little direct criticism until his Pretoria speech in the last week of September. His reticence on the question (coupled with Roos's statements) probably led many to believe that he was having second thoughts on the wisdom of proceeding with the Bill. This seems to be borne out by the surprising, almost universal avoidance of editorial comment on the flag issue in the opposition press in the three weeks before his Pretoria

80. See, for Kemp: Sunday Times, 28 August 1927 (emphasis in original); for Havenga: Cape Times, 25 August 1927; for Roos: Cape Argus, 3 August 1927, Cape Times, 4 August 1927, The Star, 12 August 1927; for Malan: Cape Argus, 15 July 1927, Cape Times, Rand Daily Mail - 3 August 1927.

speech. Perhaps, too, the dashing of such hopes contributed to the anger with which his Pretoria address was received in opposition editorials. It was: 'Rant and cant', 'perverse and intransigent', a 'public calamity'; it was a speech which would be read with 'profound regret and even profound alarm. For it seems to sound the death-knell of any amicable settlement...' Hertzog's explanation in his speech that he had wished to postpone the Flag Bill on his return from the Imperial Conference, but had been persuaded to change his mind because of the attitude of the Empire Group and Cape Times, was rejected outright. If this unlikely story were true, then the Prime Minister would have to be 'as unstable as water' to allow himself to be swayed on so important a matter by such trivial considerations; but, as everyone knew, it was not true; it was nothing other than the threat of a split in his Cabinet and Party which had made him change his mind.⁸¹

Only the Rand Daily Mail differed significantly in its approach to the flag issue, being more moderate and amenable to compromise. In July it appealed for reason 'on both sides' and held out the possibility of peace along the lines of an enlarged shield. In August, in response to Roos's compromise suggestions, it declared that the Government had now supplied the basis for an agreement and that a

81. For example, see Cape Times, 27 September 1927; The Star, Rand Daily Mail - 28 September 1927; Cape Argus 27, 28 September 1927.

great responsibility would rest with the S.A.P. if it refused to use the opportunity to find a reasonable solution. Opponents of the Government could not expect to continue to gain advantage by condemning their opponents as uncompromising if they themselves remained so. The Government's opponents had to show reasonableness too.⁸²

The Rand Daily Mail's attitude disturbed Smuts and other S.A.P.'s. On 22 July he observed that, 'it is pretty certain the [Rand Daily Mail's] editor is writing under instructions. I have myself seen a wire from Bailey advising acceptance of the Government flag.'⁸³ Doubtless, Bailey, in keeping with his desire to contain socialism and remove Labour from a position of power,⁸⁴ was using all his means of influence, including the Rand Daily Mail, to expedite a flag settlement.

Thus, while the attitude of most of the important opposition newspapers during this period was to stick to their original position and try to harden resistance to the Bill, the Rand Daily Mail's attitude was more conciliatory. Both attitudes were to play their part in bringing about a resolution of the conflict: the former in contributing to the unwholesome atmosphere which predisposed the country to

82. See 9, 11, 21 July 1927; Die Burger, 11 August 1927 citing the Rand Daily Mail.

83. S.P. vol. 102, no. 225, to Crewe, 22 July 1927.

84. See pages 191 ff.

a riot of the Bloemhof type, the latter attitude in giving a conciliatory lead and then, through the columns of the Rand Daily Mail itself, in providing a medium through which the reconciliation of flag differences could begin.

The Nationalist Party's recess campaign

Concurrent with the above efforts of the flag organizations and newspapers of both sides, were those of the politicians. They made little attempt to gain support for their policies during most of July. Only in its last week did Nationalist politicians begin their campaign. It quickly gained momentum. Whereas in July no more than five meetings were addressed by them, in August over fifty were, and in September about seventy. Thus, in the space of ten weeks, Nationalist politicians addressed well over a hundred meetings.⁸⁵ As early as 3 August Smuts described their activity as a 'raging tearing campaign'.⁸⁶

Until illness forced him to abandon his Highveld campaign in the second week of September, Roos was the most active of the Nationalist politicians, addressing meetings in the Transvaal, Free State and Border; active too were Malan, Grobler and Kemp. What was the content of their and other Nationalists' speeches? Belittling the legacy

85. For a list of speakers and meetings see Appendix 1.

86. S.P. vol. 97, no. 92, letter to Cohn.

of the previous regime, they claimed that they had come to power at a time when their language was despised, farmers were in trouble and strikes were the order of the day; they had had to face a financial deficit, a bankrupt pension scheme and a country in despair. Despite this poor legacy, the Government had achieved much. Taxes had been reduced as had railway tariffs; provincial administrations received more funds than before - without extra taxation. The flight of farmers to the cities had been stemmed and sometimes even reversed. In both its financial and industrial management, the Government had succeeded. Two thousand new factories had been established providing work for thousands of South Africans; their iron and steel policy would further benefit the country. Whereas the S.A.P. had taken Kaffirs into service at the expense of Europeans, the Pact was giving as much work as possible to Whites. And, they proclaimed, Hertzog had finally achieved what Smuts had always failed to attain: recognition of their true status.⁸⁷

But, unquestionably, the emphasis in the Nationalists' campaign fell on flag policy. With few exceptions, their speeches dwelt more on this question than any other. Far less attention was given to the rejected iron and steel and precious stones legislation. Indeed, it is not unusual to

87. For example, see Die Volksblad, 18, 19, 20 August 1927 (Kemp's speeches at Vrede, Frankfort and Heilbron, respectively). The Indian Agreement, and Hertzog's proposed Native measures (which had been referred to a Select Committee), were two topics that were avoided.

find non-flag issues much neglected or completely omitted. For instance, though the I.C.U. had reached or was approaching the height of its following at this time,⁸⁸ it received little or no attention.⁸⁹ To many, the future of the white races seemed to depend on the resolution of the flag conflict. This issue, now that the status question had been settled, was declared to be the last stumbling block to (white) racial unity and 'racial peace'.⁹⁰ Thus we find Grobler telling audiences, at Pretoria, that the flag problem was the most important before the country, at Warmbaths, that it was the subject he really wanted to discuss, and at Koster, that it was the only question he wished to talk about.⁹¹ The flag issue had unmistakably become the country's most pressing problem. If agreement could not be reached, it was said, the future of the races could never be secure.

But if this was one reason for concentration on the

88. P.L. Wickens, The Industrial and Commercial Workers' Union of Africa (unpublished Ph.D. thesis, U.C.T., 1973), page 601.

89. One of the very few to refer to the I.C.U. was van der Merwe, who warned Ventersburg farmers against using violence against the organization, which, he said, served as a useful safety valve for Native discontent (Die Burger, 25 August 1927).

90. See Malan - The Star, 1, 8, August 1927; Die Burger, 2, 8 August 1927; Roos - Cape Times, The Star, Die Volksblad - 9 August 1927, Sunday Times, 14 August 1927; Natal Witness, Die Burger - 15 August 1927; Te Water - The Star, Cape Argus, Die Volksblad - 3 August 1927.

91. Natal Witness, 4 August 1927 (Pretoria); Ons Vaderland, 9 September 1927 (Warmbaths); The Star, 26 September 1927 (Koster). See Cape Argus, 6 August 1927, report of the week's news; Ons Vaderland, 30 August 1927, letter from F.S. Steyn.

flag issue, there was also a more immediate one. In January a referendum on the issue would be fought.⁹² Defeat in this would certainly harm the already damaged prestige of the Government and it therefore had no option but to concentrate on the flag issue. Much as Nationalist M.P.'s may have wished to avoid battle on this ground, they could not, because this would have left the field open for the S.A.P. In the circumstances, the Pact's best policy was to make every effort to rid itself of this political liability by winning a resounding referendum victory.

Consequently, wherever they spoke, Nationalists emphasized the justness and importance of their flag policy. They explained that they wished to create a South African patriotism by means of a flag which would be the flag of all; it would make the nation one. Only in this way could they solve the racial question. With the one great source of national disunity - the question of their national status - removed, only the settling of the flag question stood in the way of fully re-uniting Afrikaans- and English-speakers. That was why they were pressing ahead. There was nothing sinister behind their policy. Moreover, it was based on the sound principle that the flag should contain nothing that would offend. The Government had done its best to please all sections. However, there

92. It was expected to take place on 20 January 1928. (The Star, 29 July 1927).

was a small group of English-speakers who did not want a flag for South Africa and it was this intolerant section which was causing trouble. The bitterest pill its members had had to swallow was Hertzog's securing of South Africa's independence; the Union's new status was the real reason for their opposition to the Flag Bill. But if every independent country had its own flag why should South Africa not have one?⁹³

Unfortunately Party interests had also blocked agreement. The S.A.P. feared that a minority of its members would desert it and had surrendered to the S.O.E. who were against independent South African nationhood. The flag the S.A.P. had put forward was a 'bad joke'; its call for the Vierkleurs was hypocrisy. S.A.P. M.P.'s claimed that the Union Jack must not only be the flag of the Empire but also the flag of the nation. And, the most tragic member of the S.A.P. was Smuts: caught by jingoes, he had pursued an inconsistent flag policy for years and tried to relight the dying embers of racialism by means of the flag. But it was not in the interests of the Whites' own preservation to be divided on national issues. The Government had tried hard to meet the wishes of the English-speakers and the referendum must be won. If it were not, generations would

93. For example, see Die Burger, 2, 3, 5, 8, 13, 20 August 1927; Die Volksblad, 2, 12, 18, 19 August 1927; Cape Argus, 2, 3, 8, 12, 18 August 1927; The Star, 1, 3, 5, 8, 12, 13 August 1927; Natal Witness, 4, 15 August 1927; Cape Times, 13, 19 August 1927.

pass before South Africa got its own flag; in fact, a lost referendum might saddle them with the Union Jack for ever.⁹⁴

The recess campaign of the Nationalists was rounded off by Provincial Congresses. By the time these took place - in the last week of September and first week of October - it was clear that the Pact's flag policy enjoyed the backing of the bulk of Nationalist voters. Almost without exception the widely held meetings addressed by Nationalists ended with votes of confidence in the Government's flag (and other) legislation. By 20 September, two weeks before the Cape Congress was due to take place, more resolutions had been put forward on the Flag Bill - endorsing it and condemning the Senate's rejection of the measure - than on any other subject.⁹⁵ When the Cape Congress later met and a delegate tried to move a motion which included a call for one more attempt to reach agreement, he was refused a hearing. Several speakers jumped to their feet to point out that the agenda already contained a motion expressing whole-hearted support for the Bill and demanding its passing without delay, and delegates overwhelmingly signified their objection to the proposed motion.⁹⁶ At

94. For example, see Die Volksblad, 26 July, 5, 9, 15 August 1927; The Star, 25 July, 3, 5 August 1927; Die Burger, 3, 5, 15, 20 August 1927; Cape Argus, 3, 9, 19 August 1927; Sunday Times, 14 August 1927.

95. Die Burger, 20 September 1927.

96. Cape Argus, 6 October 1927; The Star, 7 October 1927.

Greytown, in his opening address to the Natal Congress of the Nationalist Party, the Chairman was loudly applauded when he declared that the time had come for them to tell the Government: 'Now we are not going to give way another inch, you have gone far enough.'⁹⁷ By a 'special motion' the Congress approved the Flag Bill. The Free State Congress of the Party appears to have received more resolutions on the Flag Bill, all of support, than on any other question. More than half the 'distrikbesture' called for the passing of the Bill without delay or change.⁹⁸ At the Transvaal Congress about a third of the resolutions requested the immediate passing of the Bill. No less than seventy-four resolutions dealt with the flag. That this subject was to many the most important on the Congress's agenda is also indicated by the fact that by far the greater part of Hertzog's speech was limited to two topics: the new status and the flag question. Some Transvaal delegates did indeed take exception to the Union Jack's presence in the 'shield flag', but when the Rev. B.R. Hattingh rose and asked if the Congress would stand united on the flag question and not yield another inch, 'the

97. The Star, 21 September 1927.

98. Die Volksblad, 3, 5 October 1927.

delegates roared their approval with one voice.⁹⁹

Thus, even though there appears to have been little demand for a national flag in 1924 when the Nationalists first came to power, or in 1925 and 1926 - when flag measures were introduced, by the end of September 1927 the demand for a national flag amongst Nationalists was strong. However, ironically, this demand had been stimulated not only by the active recess political campaign of Nationalist politicians, but also by the reaction of many Nationalists to the vigorous campaign of the S.A.P., and to this we must therefore turn.

The S.A.P. campaign

As in the case of the Nationalists, the S.A.P. campaign got into its stride in August and reached its height in September. During these two months the Party held more than seventy political meetings.¹⁰⁰ Most S.A.P. parliamentarians (and M.P.C.'s) restricted their campaign to their own constituencies, two notable exceptions being F.S. Malan and Mentz. Hoping to gain more Afrikaner support

99. Die Volksblad, 21 September 1927; Cape Argus, 28, 30 September 1927; The Star, 29 September 1927; Cape Times, Ons Vaderland - 30 September 1927.

After the Flag Bill, the two most numerous resolutions at the Nationalist Congresses in the Cape, Free State and Transvaal called for the abolition or reform of the Senate (because of its objection to the three bills passed by the Assembly) and the rejection of a Conscience Clause.

100. For a list of speakers and meetings see Appendix 2.

for the S.A.P., particularly in the referendum, both campaigned in the Orange Free State where they attracted well-attended and interested meetings.¹⁰¹

Like those of the Nationalists, S.A.P. speeches tended to deal with the same topics. They held that it had been a fruitless session and that the cost of government had increased as had the national debt. They complained that pensions had been granted to ex-Republican officials and that the Government had been grossly extravagant. The Pact claimed that taxes were less, but indirect taxes were higher and had raised the price of goods. Thus contrary to pre-election promises, the voter was faced with more taxation and a larger national debt. Contrary also to Pact promises, the Indians had won a victory. The Indian Agreement had given Indians, greater, not less security.¹⁰²

The Senate's rejection of the three Bills was strongly defended. Voters would now have more time to consider them. The Precious Stones Bill brought a dangerous element into the constitution as it provided for confiscation without compensation. Owners could not sell claims except according to the terms of a retroactive Bill - nothing

101. See Cape Times, 3, 5, 6, 17 September 1927; Natal Witness, 8, 10 September 1927; Die Volksblad, 21 September 1927.

102. Cape Times, 19, 25 August, 15, 22, 26 September 1927; Die Burger, 24, 25 August 1927; Cape Argus, 25 August, 15 September 1927; The Star, 18 August, 20 September 1927; Die Volksblad, 24 August, 21, 23 September 1927; Natal Witness, 8, 9 September 1927.

could be more autocratic; the right of private property was being undermined. The Iron and Steel Bill would make this industry practically a government department. Apart from being financially unsound, the measure would smother private enterprise in this field. There had been an alarming growth of socialistic tendencies in legislation which was entirely foreign to the history and tradition of the country. The evidence was to be seen in the Pact's wages legislation, the unfairness of its sugar prices, the confiscatory clauses of the Precious Stones Bill and government interference in the iron and steel industry. They were being treated to 'a perfect orgy of Socialistic fare.'¹⁰³

Yet, even if speakers were often at pains to paint the 'dangers of socialism',¹⁰⁴ the topic which almost invariably received the greatest emphasis remained the flag conflict.¹⁰⁵ In largely Afrikaans-speaking areas speakers stressed the claims of the Vierkleurs, rather than the rights of the Union Jack, and insisted on the unwisdom of

103. See Cape Times, 12, 29 August, 2, 3, 6, 19, 22 September 1927; Die Burger, 12, 19 August, 16 September 1927; Cape Argus, 19 August, 15 September 1927; Natal Witness, 12, 15 August, 8 September 1927; The Star, 12, 19, 30 August, 20 September 1927; Die Volksblad, 19 August, 21, 23 September 1927.

104. For attacks on Labour see pages 517 ff. and chapter XVII.

105. Little attention was given to the question of the Union's 'new status' and even less to Native legislation, though the Government's failure to deal firmly with the I.C.U. was mentioned in a few speeches - mainly in the Free State.

forcing the Bill through at present. The 'shield flag' they argued, had little appeal for South Africans. What had William of Orange done for them that his flag should be revived here? On the other hand, the Vierkleurs, with everything they still meant to them, had to be buried in a shield. They had no need of a dead flag. In other areas, M.P.'s emphasized that no consideration was being given to the sentiments of the English section. They too had no need for a dead flag and wanted to have the Union Jack included as an integral part of the design. Seeing that both the Cape and Natal had known no other flag, why should the Union Jack be objected to? Nationalists alleged that the troubles of the past had been due to the flouting of Afrikaans sentiment; if that were so, why were they flouting British sentiment? The referendum was misleading and if the Government passed the Bill in its present form South Africa would return to the deplorable position it was in at the turn of the century.¹⁰⁶

But if, like the Nationalist, S.A.P. speeches concentrated on similar topics, the leaders of the two Parties adopted very different approaches. Whereas Hertzog kept

106. See Die Burger, 12, 19, 30 August, 5 September 1927; Cape Argus, 19, 24, 26, 29 August, 15, 22 September 1927; Cape Times, 12, 15, 25, 26 August, 2, 15, 17, 19, 20 September 1927; The Star, 12, 20, 25, 30 August 1927; Die Volksblad, 19 August, 21 September 1927; Natal Witness, 12, 19, 30 August 1927.

largely aloof from the campaign until the end of September, Smuts took a prominent part in it from the start. The Leader of the Opposition may be seen as opening the S.A.P. campaign proper at the beginning of August and as dominating it throughout. His crowded and lively meetings were widely reported and became highlights in the battle between the two sides.

Though Smuts covered much the same ground as other S.A.P. speakers and gave first place to the flag issue, in general, the emphasis in his speeches was different - as sometimes were the topics. Thus we find him in Natal and East Griqualand rebuking the Government for failing to take advantage of his offer not to make political capital out of the Bill's withdrawal. At Kokstad he told a record and enthusiastic crowd that he had assured Hertzog of his promise in and outside parliament. But, Smuts observed, it took a big man to confess a mistake; small men never did. If the Government confessed its mistake, it would have his support; if it did not, he promised the applauding crowd, 'I shall fight and so will you.'¹⁰⁷

The Union's status, both present and future, was another subject raised by Smuts. At Potchefstroom, where about a thousand Western Transvaalers crowded to hear him, he maintained that Hertzog had said that the republic had

107. Cape Argus, 8 September 1927; Natal Witness, 9 September 1927; Kokstad Advertiser, 16 September 1927.

been exchanged for higher status. That, Smuts commented, was a very good exchange, but wholly unnecessary, as the Nationalists had merely got what they already possessed. Elsewhere he endorsed Amery's assertions that their status gave them a free and equal position but attacked Malan's interpretation of this, namely, that they now enjoyed only a personal union under the king, could remain neutral in a war involving Great Britain and could make treaties without consulting the interests of other parts of the Empire. What sort of Commonwealth was it if one member could fight either with or against other members or remain neutral? The Empire did not exist to be exploited, but for common service and co-operation and to carry out a great purpose. And what sort of response had Hertzog made to the handsome treatment he had received from British statesmen - only the petty squabbling they had seen in the last few months. This was the use he had made of higher status. He had thrown South Africa into the biggest squabble it had witnessed for years and 'deliberately embarked on a policy which raised secession.'¹⁰⁸ To a Durban audience of thousands he declared that the Union had suffered many set-backs, one of the greatest of which had been Rhodesia's failure to come into Union - a decision influenced by Nationalist talk of a republic. There was again such talk and today they had suffered an even greater set-back.

108. See Sunday Times, 7 August 1927; The Star, 10, 20, 26 August 1927; Cape Argus, 10 September 1927.

There was uproar in the hall when he warned Durbanites that as a result of the Flag Bill it seemed to him 'almost as though the deliberate policy of the Government were to pursue an aim which can have only one effect, and that is to cut us off altogether, even from the Empire.'¹⁰⁹

Smuts took full advantage of Labour's invidious position. Declaring that the Labour Party had come as near to political suicide as it was possible to, he accused it of betraying the thousands of 'good people' who had voted for it in the belief that it would act as a check on the Nationalists. At Pietermaritzburg he declared:

The Pact has had its chance and failed. One wing of it now scarcely exists....Labour has been killed. The Nationalists used them, abused and debauched them in a way that is the most disgraceful I have seen or heard of. Labour has been deliberately killed. Yet, in the House, Labour bewitched, bemused and bewildered, sat mum feeding out of the hand of General Hertzog.¹¹⁰

Had its three Ministers raised a 'little finger', they could have precluded the flag controversy; instead, they had sold themselves. The Party was going to pieces under the strain of the Flag Bill, while those who had the courage of their convictions, like Hay, were drummed out. Eventually, voters would turn back to the S.A.P. as the only Party that could lead the way to unity and peace.¹¹¹

109. Cape Argus, Rand Daily Mail, Die Volksblad - 10 September 1927.

110. Cape Argus, 7 September 1927.

111. See The Star, 26 August, 7 September 1927; Cape Times, 8, 15 September 1927; Natal Witness, 8, 9, 15 September 1927.

Though other questions neglected by his colleagues - such as the loss of language rights and immigrants - were occasionally raised by Smuts,¹¹² the brunt of his attack, like theirs, fell on the Government's flag policy. Three aspects in particular Smuts condemned: the proposed design, the referendum and the insistence on pressing on. On the question of the flag's design Smuts repeatedly denounced the 'dead' symbolism of the shield but also took pains to maintain that the Vierkleurs were not dead. Pointing out that the Vierkleurs had been flown on many big occasions since 1902 and as recently as Hertzog's return to Pretoria and Smithfield, he argued that even if there had been a burial there had also been a resurrection: the Boer people and their flag had been buried at Vereeniging, but there had been a resurrection of the people and it was therefore only correct that their former flag should take its rightful place in the national flag. At Fochville he asked the large crowd, which included many Nationalists, if they would have believed a few years ago that Hertzog would fight tooth and nail to keep the Vierkleur out of the flag? And who would have believed that Kemp, who went into rebellion with the Vierkleur flying over him, would oppose its presence in the national flag? He reminded his Potchefstroom audience that over 6 000 of their people had died fighting under the Vierkleurs; they owed a duty to those people. Yet it was some of his own flesh and blood, not the English section,

112. See Cape Argus, The Star - 10 September 1927.

who objected to the Vierkleurs. To keep the Union Jack out, the Vierkleurs had to go! Responding to Hertzog's Pretoria warning that it was now up to the Opposition to come forward with a proposal, Smuts replied that it was unfair to ask the S.A.P. to settle the question; they had not asked for the flag. What they wanted was time: more time for the people to consider the question.¹¹³

Hard-hitting too were Smuts's comments on the referendum. It was 'an open, barefaced swindle.' Whereas Roos was trying to frighten one section by arguing that a lost referendum meant a vote against the Union Jack, Malan was trying to frighten another by insisting that a lost referendum meant the Union Jack would be here forever. People who were against the proposed flag but in favour of the Union Jack were in an impossible position; this was 'chicanery'. Grave difficulties would follow any referendum result: if the Government lost the referendum there would be bitter feeling among one section of the public while if it won, there would be 'a terrible disturbance.'¹¹⁴

But most of all, Smuts emphasized again and again the harm done to national unity and South Africa. In his

113. See Cape Argus, 4, 6 August 1927; The Star, 4, 5 August 1927; Die Burger, 5 August 1927; Sunday Times, 7 August 1927; Die Volksblad, 6 August 1927; Rand Daily Mail, 29 September 1927.

114. See Sunday Times, 7 August 1927; Cape Argus, 8, 20 August 1927; Die Burger, 8 September 1927; Kokstad Advertiser, 16 September 1927; Rand Daily Mail, The Star - 29 September 1927.

opinion the great test of a Government was whether it kept the people together. Botha had tried to kill racialism and had met with a large measure of success. The Pact, three years ago, had claimed to kill racialism but it no longer made that claim because it could not - it was apparent to all that racialism was in the ascendant. Unfortunately Hertzog had lacked the courage to drop the flag question; he had had to save Malan's face. As a result the whole country was in turmoil. 'Wantonly and recklessly' the peace of the country was being endangered. Carrying through the Government's flag would create a state of affairs he did not care to contemplate; fires would be lit which would be difficult to put out. Ironically, a Government which had come to power largely with English votes was now trying to destroy the trust which Botha's policy had brought about. It was this injury to the unity of the people which the Flag Bill was effecting that he disliked most about the Pact's flag policy. 'What boots it to have a flag if we are undermining the very basis upon which our nation rests?' Smuts asked. And he added:

We have a great mission before us. Here in South Africa, here in the whole southern continent, we have a great part to play in the British Empire and in the world, and if we undermine the unity and trust between the races you can only say this: instead of fulfilling our mission we shall be recreant and faithless to the task and our civilization in this country will not last. These are not merely political questions. What the Government is doing to-day touches the very foundation of our white civilization.¹¹⁵

115. The Star, 26 August 1927.

In the present circumstances people were looking more than ever to the S.A.P., the Party whose 'soul' was racial unity and trust. The people might have made a mistake three years ago; they now had proof of the alternative policy of the Pact.¹¹⁶

Background to the Bloemhof riot

Smuts's speeches mirrored and influenced the prevailing political climate. Their chief importance lay in the enthusiasm and anger they aroused. Amongst the Bill's supporters they quickened anger; amongst its opponents they stirred both enthusiasm and anger - enthusiasm for the cause and anger against the Pact. Enthusiasm was particularly apparent in East Griqualand and Natal, but wherever Smuts spoke, even in small centres, he attracted large crowds. At Fochville he was enthusiastically received by more than 600 people; at Buffelshoek there was a 'large attendance', many coming from the Free State; at Potchefstroom he attracted an audience of about a thousand; similarly at Rustenburg and Premier Mine he drew large audiences. At Pietermaritzburg, in the morning, the Natal Congress of the Party greeted him with 'a storm of cheers', in the evening,

116. See Cape Argus, 4, 20, 26 August, 2 September 1927; Cape Times, 5, 25 August, 2 September 1927; Die Volksblad, 26 August, 3 September 1927; The Star, 4, 26 August, 2 September 1927; Die Burger, 5 August, 2 September 1927.

The Town Hall was packed from floor to ceiling long before the hour Gen. Smuts was expected to appear on the platform. It was one of those rare occasions when the air was electric with enthusiasm. This expressed itself in thunderous singing and popular choruses, but when Gen. Smuts took the platform the huge crowd excelled itself in a wild burst of cheering. It persisted for fully five minutes and only ceased with the singing of 'For he's a jolly good fellow.' Gen. Smuts has received many great welcomes in this city, but none to exceed last night's uproariousness welcome....In Gen. Smuts's own words, 'It was indeed, an inspiring meeting,' one of the finest he had yet attended...¹¹⁷

In Durban there was the same enthusiasm, nonetheless it may be useful for gaining a sense of the prevailing atmosphere to quote at length a description of the meeting before Smuts spoke.

The power of the Leader of the S.A. Party to draw crowded audiences was never better exemplified than last night, when the Town Hall was crowded in every part. Although the meeting was not timed to meet until eight o'clock, all comers were admitted as they arrived, thus avoiding any crowding or jostling at the doors. Some of the more eager spirits walked straight from their offices or stores to the Town Hall between 5 and 6 p.m. and at 6 p.m. a considerable number was already installed in their seats, content to wait for two hours for the meeting to open. As the time drew on more and more people appeared. The organist...struck up first one popular air and then another, and in a short space of time the waiting audience were singing. Still by every entrance the people came, filling the floor and the great hall and its wide balconies, and then, when all the seats had been taken, aligning themselves along the aisles and gangways.

As the people filed in there were many surmises whether they were friends or foes, for Durban people still have a lively recollection of that night three years ago when Gen. Smuts in this hall was howled down by a Labour audience. That there were Labourites at the meeting was early apparent from the shouts and commotion going on at the back of the hall. The first man to be ejected was put out none

117. The Star, 8 September 1927.

too gently at 7.15. Others followed in swift succession, these exits being received with roars of applause by a packed audience.... Cordial cries of welcome greeted the speakers and others but the cheering rose in a mighty crescendo as Gen. Smuts entered the Hall in company with Mr. Duncan and Dr. Mackenzie... chairman of the S.A. Party in Durban. The audience gave deafening cheers for Smuts and sang 'For he's a jolly good fellow.'

Having been briefly introduced by the chairman, Gen. Smuts advanced to speak, whereupon the whole vast audience, as by one accord, rose to its feet, cheering loudly and waving hats, handkerchiefs and programmes. It was a spontaneous and extraordinary welcome, a very frenzy of applause. General Smuts's smiling, confident face called forth cheer after cheer, and the enthusiastic cries echoed through the huge chamber until the air seemed to quiver. For minutes on end the applause continued, to be stayed at last by the uplifted hand of Dr. McKenzie.¹¹⁸

4 000 - 5 000 people were present, and as Smuts's tour progressed from mid-September to Kokstad, Randgate, Pretoria and Kensington (Johannesburg), he continued to attract large audiences.¹¹⁹

The meetings of other politicians, such as Grobler, Kemp, Roos, Malan, Mentz, Hertzog, Smartt, Joel Krige, F.S. Malan and G.B. van Zyl were similarly often enthusiastic and well attended.¹²⁰ And their speeches, like Smuts's,

118. The Star, 10 September 1927.

119. See Cape Times, 2, 10, 12 September 1927; Cape Argus, 4, 6 August, 7, 8, 10 September 1927; Sunday Times, 7 August 1927; Rand Daily Mail, 29 September 1927; The Star, 4 August, 29 September 1927.

120. See, for example, Die Burger, 5, 17, 28 August, 15, 22 September 1927; Cape Times, 3, 5, 6, 7, 8, 12, 17, 19, 20, 27 September 1927; Natal Witness, 4 August, 8 September 1927; The Star, 22, 26 September 1927; Die Volksblad, 18, 19, 20 August, 21, 22, 28 September 1927.

were made in a climate of growing racial enmity. Already in July, before the intense campaigns of the Parties had got under way, the official organ of the Association of Chambers of Commerce in South Africa contained a warning that the fires of patriotism and partisanship required little fanning and that the flag controversy was 'developing into an inter-racial feud of the first magnitude.'¹²¹ Also in July the Cape Times observed: 'South Africa is watching to-day, for the moment almost impersonally with the cold horror of a sleeper seeing dreadful things in a dream, how she is being driven relentlessly and against the common-sense...of the vast majority of her people into a disastrous racial conflict.'¹²² Bishop Karney, writing in the August issue of Watchman expressed his alarm:

No one who loves South Africa can help being anxious at this time. No one who is not deliberately playing the ostrich can deny that there has been a great increase of racial bitterness in the last few months....It is terrible to face that there are many to-day who are preaching hate - hate between white and black - hate between Dutch and English...¹²³

There was no lack of evidence for Karney's assertions:- a bitter lecture at Vryburg (which school children were urged to attend) dealt in detail with alleged British atrocities in the Anglo-Boer War; emulating Durban, objections were raised at Malan's presence in East London - even in his

121. The Commercial Bulletin of South Africa, vol. v, no. 54, July 1927, page 83.

122. 19 July 1927.

123. Vol. vi, no. 68, pages 1-2.

capacity as Minister of Education; in August the Nationalist Party in Potgietersrus called for the Government to arm citizens, and, in the next month, a Union Jack flying over a school there was destroyed.¹²⁴

The current racial bitterness could be seen as arising primarily from the Parties' intense political campaigning - itself the product mainly of the flag strife. In the space of two months politicians of the three Parties had held some 200 meetings. Many of the ideas expressed at these, such as van der Merwe's 'scab' analogy or Nicholl's statement that the Vrouemonument could be used as a flag symbol by Afrikaners, had exacerbated feelings.¹²⁵ Others, such as Malan's addresses at Calvinia and Hopetown, even if not so intended, could be readily seen as exhortations to vigorous action. It may be recalled that in mid-September Malan declared at Calvinia that though some people thought the flag question should await general agreement, he believed that everything should not be sacrificed for the sake of peace - a flag was worth fighting for.¹²⁶ Two weeks later, he expressed views which could be seen as a full endorsement of strife, which indeed occurred on a

124. Vryburg: Cape Times, 1 July 1927; East London: The Star, 18, 24, 25 August 1927; Cape Argus, 18, 24 August 1927; Potgietersrus: Ons Vaderland, 16 August 1927; Die Burger, Cape Argus - 8 September 1927.

125. van der Merwe: G.D. Scholtz, Dr Nicholaas Johannes van der Merwe, 1888-1940, pages 67-68; Nicholls: Die Volksblad, 24 September 1927; Cape Argus, 21 September 1927.

126. See page 470.

large scale three days later.

However, if the plethora of speeches charged the political atmosphere, amongst these speeches probably none were more important than Smuts's in arousing feelings. To many Nationalists the mere thought of a former Boer general touring the country to champion the Union Jack was abhorrent. Had Smuts not written A Century of Wrong and himself championed a distinctive national flag when in office? Such a man's motives, they believed, could only be dishonourable. He was a rabble rouser who, for political gain, was exploiting racialism. The sustained virulence of the attacks against him in the Nationalist press over the years, together with the more recent ones, hardly made it possible for rank and file Nationalists to see him otherwise. Hertzog too saw him in this light, as his annotations on the report of Smuts's Durban speech show. In that speech Smuts had forcefully attacked Malan's views of the Union's new status and commenting on the latter's contention that the Union could remain neutral in a war which involved Great Britain, said:

If Dr. Malan's theory were correct, what would the outlook of the Empire be? It would exist no longer. The name of Empire would be a mere name without security to any of its members. No part of the Empire, in case of trouble, could depend on the other parts if that doctrine were true. If Canada, for instance, were in trouble it would be competent for Great Britain to say, 'We are not going to participate in this business. We are going to be neutral.'

No! We stand and fall together in all the

great issues of life and death that mould the Empire....¹²⁷

Hertzog's annotation on this section reads:

Here we have the whole object of his constitutional dissertation - Durban, the hot-bed of jingoism is to be worked up to fever heat against the Gov. (sic) through the representation of their being deprived of their cherished Empire!! - And this is not stirring up racialism.¹²⁸

Smuts did not always shrink from topics that could raise tempers on both sides. More than once he suggested a relationship between the Flag Bill and secession, and he warned that victory for the Government could usher in a period of domination.

If the people of this country [he said] allow themselves to be defeated and submit to this dictation and domination by the Government, they will be left with only one right - the right of being dragooned by the National Party. We shall have a similar state of affairs to that in countries where the ordinary citizens have no rights, and the Government dictates to them.¹²⁹

At Durban he stepped well beyond his more usual circumspection in speech when, probably stirred by the great fervour of the audience, he made an uncharacteristically bitter personal attack. Referring to Kemp, he declared:

When you have Ministers of the Crown going about the country insulting the Union Jack - (uproar) - yes, when you were fighting for that flag General Kemp was in a German uniform - (uproar and boos).

127. H.P. vol. 139. (Underlining in Hertzog's copy, probably by him.)

128. Ibid. See also Hertzog's address to the Congress of the Nationalist Party in the Transvaal (Ons Vaderland, 30 September 1927).

129. Rand Daily Mail, 29 September 1927.

To-day he sits in the seats of the mighty and he makes use of his opportunities to speak of this flag, this Union Jack which flies over us, as a symbol of injustice and oppression.¹³⁰

Such words could not but have a baleful influence in the already highly charged atmosphere. Moreover, the very success of Smuts's meetings in August and the first half of September (and those of F.S. Malan and Mentz in the Free State), must have disturbed many Nationalists and encouraged some to find one way or another to retaliate - whether peaceful or violent.

Violence revealed itself early in Smuts's political campaign. Even at his first meeting at Fochville, at the beginning of August, there was 'some excitement' due to the apparently persistent questioning of a Nationalist supporter on the flag. The next day at Potchefstroom there was 'a considerable amount of trouble and wild excitement'; loud cheers were raised when someone produced a copy of the Senate flag but a scuffle developed and the design was torn down and destroyed. After the meeting there was a 'free fight' on the rugby field and the police had to disperse the crowd. Towards the middle of the month at Rustenburg there was again disorder.¹³¹

In August, despite the large number of political

130. The Star, 10 September 1927.

131. Fochville: Die Burger, 9 August 1927; Potchefstroom: Sunday Times, 7 August 1927; Cape Argus, 6 August 1927; Natal Witness, 8 August 1927; Die Burger, 9 August 1927; Rustenburg: Ons Vaderland, 23 August 1927.

meetings taking place, only Smuts's experienced disorder.¹³² But in September, as the climate worsened, his as well as those of other S.A.P. speakers, and Hay's, saw eruptions of violence. Deneys Reitz, who claimed a long experience of lively meetings, encountered his most violent at Brits at the beginning of September. Fighting broke out when he dealt with the flag issue and continued throughout the rest of his address. The table on which he was speaking was pulled out from beneath him and he was catapulted into the hostile crowd. Though he himself emerged uninjured, two or three men had to be hospitalized. At both Bethulie and Ceres F.S. Malan had to face lively - though perhaps not violent - audiences; at Ceres there was an uproar over the voting when Nationalists put forward an amendment. The bitter feeling in the country was again reflected at Worcester on 23 September when a meeting addressed by Coulter and Heatlie was broken up. When Coulter spoke in English, Nationalists immediately demanded that he speak Afrikaans - despite advertisements that he would speak in English. Strong feeling, apparent throughout the meeting, changed to uproar when rival motions were proposed. Speakers were shouted down, pandemonium raged and the meeting broke up in disorder. Not since Union had Worcester experienced a meeting so violent. Hay, as an

132. There was only one violent political meeting in July - Boydell's at Greyville (See page 554). Nationalists' meetings do not seem to have experienced violence between July and September.

opponent of the Flag Bill, was also given a rough time when he addressed his Pretoria West constituents. On occasion feelings reached 'fever heat' and the meeting was marred by 'unrestrained rowdyism' and pandemonium.¹³³

Meanwhile, Smuts had begun his campaign in Natal where troublesome Labourites had to be contended with. At his Durban meeting a crowd of about 2 000, composed largely of Labourites, was unable to gain entry to the city hall and rushed its entrance; they had to be turned back by the police. Several 'flamboyant speeches' were made in the Town Gardens and there were some fights. When Smuts returned to the Rand, he faced more difficulties. One day after Hay's unruly meeting, Smuts was shouted down and refused a hearing at Randgate. For nearly two hours he struggled in vain to make himself heard. The audience of about 500 included a section whose interruptions were vehement, persistent and abusive. Fights occurred at frequent intervals and the meeting had to be abandoned. Commenting on these events at a S.A.P. ball that evening Smuts charged that rowdyism was organised throughout the Reef. One week later, at Pretoria (23 September), Smuts

133. Reitz: Ons Vaderland, 6 September 1927; Cape Times, 13 September 1927; F.S. Malan: Cape Times, 5 September 1927; Coulter and Heatlie: Cape Times, 26 September 1927; Die Volksblad, 27 September 1927; Die Burger, 26, 27 September 1927; The Star, 30 September 1927; Hay: Rand Daily Mail, The Star, Die Burger, Cape Times - 17 September 1927; Ons Vaderland, 20 September 1927.

again faced frequent tumultuous interruptions. Several times he sat down while attempts were made to restore order. For two hours he struggled against boos, shouts, cat-calls, interjections, songs and 'a running fire of abuse'. Free fights took place in various parts of the packed hall and the situation once became 'decidedly ugly.'¹³⁴

Thus by the last week of September all the ingredients existed for a major riot. The press had continued to dwell on the controversy. A political campaign of great intensity had exacerbated feelings. A figure, Smuts, had emerged amongst one section as the 'arch-villian', and rowdiness and violence had already occurred at several of his meetings. Even if violence at S.A.P. meetings had been more strongly condemned by the Pact press and leaders, the Bloemhof riot might have taken place. However such condemnation as it did receive could hardly have acted as a serious deterrent. The Nationalist press, whilst regretting violent outbreaks, wanted to know whether Smuts had not brought it upon himself? They deplored the strong words he had used against rowdies and asked whether he had

134. Durban: Cape Times, 12 September 1927; Randgate: The Star, Rand Daily Mail - 17 September 1927; Cape Argus, Die Burger - 19 September 1927; Ons Vaderland, 20 September 1927; Pretoria: Cape Times, The Star, Rand Daily Mail, Die Burger, Die Volksblad, Ons Vaderland - 24 September 1927.

not given a lead himself when, commenting on rowdyism at a Hertzog meeting in 1919, he had merely declared that Hertzog had no business to be in Johannesburg? What was to be expected from people who felt that Smuts was trifling with their feelings? They saw him as a man who - before Afrikaans-speakers - was full of praise for the Vierkleur but in Natal maintained that Afrikaners esteemed the Union Jack; who frightened Transvaalers with Hertzog's 'Kafferstemreg' and, 'Kapenaars' with his removal of the Native vote; who told a S.A.P. Congress in the Transvaal that the Union had long been independent and a Natal Congress that the Union was still not independent. In sum, the public felt that Smuts, 'nie 'n beroep doen op die betere mens nie, maar op die ondeugde van vrees, vooroordeel, domheid, onkunde, selfsug en rassehaat.'¹³⁵

When Hertzog on 26 September made his Pretoria speech - in which he insisted that the Government itself would propose no further flag amendments - the entire address was devoted to the flag controversy. Inevitably, perhaps, Smuts again emerged as the arch-villain - as the 'leader' of the Empire Group who had acquired such a wonderful love of the Union Jack, of late, that he went from platform to platform defending it. Though towards the end of his speech Hertzog said that he had perhaps hit hard at opponents of the Bill and made an appeal against the use of

135. Die Volksblad, 23 September 1927. See also Ons Vaderland, 27, 30 September 1927.

violence, the value of the appeal was somewhat eroded by his first reading out a list of words - 'Gadareense swyne', 'Duiwelskinders', 'Kafferbeeste' - which Smuts had used against unruly people, and commenting that a man who used such language should expect objections. 'A man like that', he said, 'cannot go from platform to platform and insult the nation and not expect that there are places where people will say, "No, we cannot hear you."' Furthermore, Hertzog claimed, for ten years the help of the platforms of the Union had been closed to him. He had had to 'run away' from Durban, Pietermaritzburg and Johannesburg and he had not merited one tenth of what Smuts deserved for what he was saying today.¹³⁶ From 20-30 September the Transvaal Congress of the Nationalist Party met. Here Smuts was strongly attacked again, particularly by Hertzog and Roos, and Congress expressed no condemnation of the recent violence.¹³⁷

Also in September, Malan made speeches that were unlikely to have had any discouraging effect on those who were considering violence.¹³⁸ Concerned as he was with the 'directional conflict' within the Cabinet and the

136. The Star, 26 September, 3 October 1927; Cape Argus, 28 September 1927; Die Burger, Ons Vaderland, Cape Times, Rand Daily Mail - 27 September 1927.

137. Cape Times, 28 September 1927; The Star, 28, 30 September 1927; Die Burger, Die Volksblad - 29 September 1927; Ons Vaderland, Rand Daily Mail - 30 September 1927.

138. For example his addresses at Calvinia, Clanwilliam and Hopetown on 14, 21 and 23 September, respectively.

uncertainty outside it, his speeches were designed to convince voters that the Flag Bill would be passed in its present form - regardless of the strife. Thus he stressed that in the past they had also had to face strife in order to achieve just goals. They had had to face strife over the recognition of their status. When Beyers and he had spoken about their independence in 1918 more than one had taken fright, accused them of being faithless and of giving offence to the other section. Again, they had had to face strife over recognition of their language. When 'Ons Jan' championed it he had had to fight against even his own people. Now there was strife over the flag, but, as before, the answer lay not in giving in but in persisting in the face of strife. Four days after Smuts's Pretoria meeting of 23 September, Malan is alleged to have declared at Hopetown:

The only argument against the Flag Bill is that it disturbs the peace on account of the difference of opinion on the matter. But if one is confident that what one proposes doing is the right thing, then it should make no difference to him whether doing it will cause strife.¹³⁹

Such views were likely to have had anything but a deterrent effect on those who would resort to violence.

139. Cape Argus, 29 September 1927. Malan's speech was delivered in Afrikaans and it cannot be said with certainty that the Cape Argus's report was an accurate translation. Reports of the speech in the Nationalist press lack the requisite detail for verification. However, the quotation is in keeping with the tenor of Malan's arguments. See Cape Times, Die Burger - 30 September 1927; Die Volksblad, 23, 30 September 1927.

Certainly the scale of the Bloemhof riot indicates that a plan to prevent Smuts from speaking there, or from speaking to a S.A.P. dominated meeting, already existed by the time Malan spoke at Hopetown. Ever since Smuts had made his attack on Kemp - as the Minister who had gone into rebellion in a German uniform - on 9 September, he was probably a marked man in the Bloemhof area; for Bloemhof was not only a strongly Nationalist area,¹⁴⁰ it also lay in Kemp's constituency. Malan's speeches, then, probably served to endorse rather than set in motion the acts of the rioters. At all events, three days later, South Africans were to be shocked by the Bloemhof riot.

The Bloemhof riot

Bloemhof, on 30 September, was intended to enjoy a S.A.P. day. In the morning Smuts was to be met by S.A.P. supporters, and a bazaar, organized by the local Women's Branch, was to follow in the town's bioscope hall. In the afternoon he was to address a public meeting in the hall, and in the evening, before leaving, a S.A.P. gathering in the local hotel.¹⁴¹

Even before Smuts's arrival in the morning, car- and

140. In the 1924 general election the Nationalist Party polled 1 201 votes to the S.A.P.'s 520 (Government Gazette, vol. LVI, no. 1401, page 601).

141. The Party had not held a meeting in the town for twelve years (Cape Argus, 8 October 1927).

truck-loads of Nationalists began to arrive from surrounding areas including Christiana, Schweizer-Renecke, Wolmaransstad, Boshof and Hoopstad and a growing air of excitement gripped the town. For some time it had been rumoured that Nationalists intended to create trouble for Smuts in Bloemhof and the S.A.P. had actually taken the precaution of paying for extra police assistance, though only three constables were detailed to them. At 10 a.m. Smuts and his wife were met two miles from Bloemhof by a mounted commando of about a hundred men and by a long line of cars, and all then proceeded to the bazaar hall. Smuts's arrival was greeted by an outburst of cheers mingled with jeers. In replying to the addresses presented to them, both Smuts and his wife's speeches were received with further cheering and boos. An appeal by the Chairman of the local branch of the S.A.P. for good behaviour proved fruitless. In a short speech Smuts welcomed the Nationalists present and assured them that he would say nothing at Bloemhof which might cause offence; he had come amongst them not so much as a politician but as a leader of the people and had no desire to offend anyone. He wished it to be a festive day. Meanwhile, S.A.P. supporters from neighbouring areas were arriving and, in view of the growing excitement, considered steps to prevent the Nationalists from taking over the bazaar hall in which Smuts was to speak that afternoon. By noon, some 400 Nationalists had gathered together not far from the hall. Choosing a prominent local Nationalist,

A.W. Stead, as their leader, they demanded that as Smuts was to address a public meeting, the public should have the right to choose the chairman. Stead later maintained that if the S.A.P. had agreed to this arrangement, Smuts would have been given a fair hearing and then been asked to answer certain questions they had drawn up. Twice this group of Nationalists sent a representative with their demands to the S.A.P. supporters in the hall who, while they agreed that Stead could control his followers from the platform, insisted that the chairman would not be elected by the meeting. At 2.30 p.m., after their demand had been rejected for the second time, and half an hour before the meeting was due to start, the 400 men, led by a Nationalist holding aloft the flag of his Party, advanced on the hall determined to force an entry. The 100-200 S.A.P. supporters inside, intent on preventing the Nationalists from taking over the hall and meeting, resisted. An idea of the ensuing struggle can be gained from the following typical account:

At the entrance to the hall a veritable battle then took place and blood flowed freely on both sides. At times the attackers achieved a temporary success, gained an entrance to the hall, and snatched plates of food from the luncheon table and trod them underfoot. Then the defenders would rally and force the hooligans outside again. Fighting was furious, both in the hall and outside. Chairs were flung from one side of the hall to the other. Broken up, they provided weapons for many, who struck heavy blows right and left with the pieces of broken wood and iron. Some even used whole chairs as clubs. Bottles, many of them with broken jagged edges... were brandished by many of the attackers. Two of the latter are alleged to have drawn revolvers....

Soon blood was streaming from the heads and faces

of many of those within the hall....On every side men continued to fall. Shouting...crowds surged round the doors and in the hall. Suddenly the hubbub died down and the crowd outside, bearing the Nationalist flag at their head, marched in, unmolested. They had promised to be orderly if admitted; but they no sooner gained access to the hall than great pandemonium broke out....The thirst for blood had been aroused, and in a moment, fighting was again at its highest pitch....

The heat was intense, the noise deafening. Above the hoarse cries of the men could be heard the frequent shrieking of the women....The stage was captured and the invaders of the platform flung to the floor of the hall the South African Party supporters whom they found there. The latter had no time to pick themselves up before they were set upon by others, who flung them bodily into the street....The mob, which now had complete possession, again became restless. They followed those who had left (or been thrown out of) the hall....

Some of the mob obtained possession of a Union Jack and tore it to pieces. Others singled out South African Party supporters, and isolated "enemies" were set upon by large parties. Weapons were still in constant use. Pieces of solid rubber belting were used like flails....

Until 5 o'clock the skirmishes continued....So ended the most violent exhibition of political intolerance ever seen in South Africa.¹⁴²

That evening, at the Bloemhof hotel, Smuts declared that a country which they called free was no longer so, for freedom of speech was now confined to one Party - the Nationalist. Rapidly, they were becoming a little Russia. How could they know, since they had no right of free speech, that they would be allowed to vote at the referendum. The

142. Sunday Times, 2 October 1927. See also The Star, 1, 4, 6, 7 October 1927; Ons Vaderland, Die Burger - 7 October 1927; Cape Argus, 1, 6 October 1927; Die Volksblad, 3, 5 October 1927; Die Volkstem, 4 October 1927; Eastern Province Herald, 1, 3, 5 October 1927.

Several questionable statements have been omitted from the above account.

first fruits of the Government were pitiable to see: South Africa had never been as disunited as it was now: 'In three years you can see how easy is the road to hell'. Twenty-five years ago the leaders of the nation had picked the country out of the gutter and put it on the road of progress. But in three years the Pact had destroyed all that had been done by those leaders. 'The cup has been filled,' he warned, 'and if we are compelled to take action it will be in self-defence.'¹⁴³

¹⁴³. Rand Daily Mail, 1 October 1927.

CHAPTER XVII

PRISING THE LOGJAM

The problem of violence

More than any other factor the Bloemhof riot awakened the fears of the electorate to the possibility of wide-scale civil disorder and even civil war. Civil riots of the Bloemhof type seemed inevitable if the conflict were brought to a referendum, while armed resistance could be sparked off by attempts to enforce an unacceptable flag act. In Natal, talk of civil war had been heard as early as the end of June. On 28 June Die Volksblad's Durban correspondent reported talk of certain hot-heads there thinking in terms of armed resistance and of the forming of twelve sections of 150 men each, which would be well provided with ammunition and weapons; the advisability of recruiting men had been openly discussed. Threatening letters had also appeared from time to time in the Natal press. Of two which appeared in the Natal Advertiser in June, the first, from 'One of the Brigade', declared that the writer and his comrades had not forgotten how to use a bayonet and rifle and called upon members of the 'Old Brigade' to be prepared and not to forget their battle dead, as they had died for the flag and should not be let down now. The second

maintained that unless the Government regained its sanity, civil war was inevitable.¹

In mid-July The Star reported that recently an organization known as the Union Jack Legion had been quietly forming in Durban, 'having for its object an active rather than a passive resistance to the Flag Bill and all that it implies.' Was this a product of the rumours of 'armed protest', it was asked. It probably was. Apparently originally formed in Durban by members of the Old Officers Association, the Union Jack Legion consisted, Boydell maintained, 'mainly of ex-soldiers, political opponents and youths prepared to take every advantage of the inflamed patriotic fervour.' In a manifesto published in September the Legion declared that its chief aim was to prevent the pulling down of the last great check to the establishment of a republic - the Union Jack; once it went, other measures would follow against the English section's institutions, language and rights. After Smuts's visit to Durban on 9 September, the Legion embarked on a more active campaign to enrol members. The organization soon spread from Durban to other centres in Natal, its object being to gain a membership of 100 000 and to force the Government to take heed of its demand that the Union Jack be included as an integral part of the flag. Amery, when he arrived in Durban in September, also heard talk of civil war. And

1. Die Volksblad, 28 June 1927 citing Natal Advertiser.

when Nicholls and Marwick addressed a large meeting of young Durban professional men during the recess, their listeners asked them to cut out talk and give them some action; they wanted to fight, they declared, and Nicholls later observed that they seemed to be approaching civil war.²

In Natal, the Bloemhof riot quickened hostility towards the Pact. When Malan visited Durban on 3 October to address a public meeting, there were fears that Durban-ites would retaliate for the treatment meted out to Smuts.³ It was reported that every available policeman in Durban would be on duty at the meeting and elaborate precautions were taken; only the late discovery of a plan to throw the meeting into complete chaos prevented serious injury.⁴ The meeting, which attracted the biggest crowd Durban had ever seen, proved memorable. Much indebted to the Labour-ites for their support in Parliament, Malan felt obliged to

2. See Die Volksblad, Die Burger - 23 July 1927; The Star, 15 July 1927; Forward, 29 July 1927; Williamson, pp. 124-5; T. Boydell, My Luck's Still In, p. 73; Amery, In the Rain and the Sun, p. 124; H. Nicholls, South Africa in My Time, p. 180, and typewritten manuscript draft (p. 4).

3. Rumours circulated that Molyneux (a leading member of the Union Jack Legion) would make an attempt to remove Malan from the train before it reached Durban and so prevent him from speaking there (Malan, p. 129).

The meeting had been called by Labourites to rally the Party.

4. The plan provided for 30lbs. of pepper to be blown via the hall's ventilators into the crowd at the same time as the hall was plunged into darkness and the fire alarm set off (Malan, p. 130; The Star, 4 October 1927; Ons Vaderland, 7 October 1927).

explain the Government's flag policy on a Labour platform in Durban, at that time - 'seker die warmste plek op aarde'. The atmosphere was electric with the hall packed to capacity (mainly with Labourites) and a huge crowd (consisting mostly of the Bill's opponents) outside. A police cordon was hard-pressed to prevent the latter from forcing their way into the hall. Though Malan was able to deliver his speech, there was frequent uproar.⁵ Intermittently, fighting broke out in the hall and many interjectors were thrown out - some badly mauled. Incensed by these ejections, the crowd outside (which now included many British sailors) made determined efforts to break through the police cordon, turned on Labourites, manhandled them and flung them into the road. Several were escorted to safety by police and many people received first aid treatment at the central police station. Inside the hall there were shouts of condemnation and praise at almost every mention of Smuts's name while outside the uproar became so great at one stage that it was difficult to hear Malan. Durban had given Malan a hearing, but the meeting had been punctuated by scenes of great disorder in which fists, sticks and knuckledusters had been freely

5. To prepare for the meeting, the Labour Legion, which had originally been established to welcome Creswell to Durban in July 1926, was re-organized. Battalions were formed and the Legion's membership approached 2 000 before Malan's visit. Had these Labourites not been present at the meeting, in strength, it is certain that pandemonium would have reigned in the hall.

used.⁶ Four days later there was uproar again in Natal; at a flag meeting in Vryheid, anti-Flag Bill speakers were repeatedly howled down and refused a hearing.⁷ Commenting on the Durban meeting, in words which were equally apposite to the Vryheid gathering, the Kokstad Advertiser observed:

What is so horrible about the whole business is the deep feeling of hatred latent in our present-day politics. It will soon be impossible for any of the political leaders to deliver speeches in the places where their rivals are strong unless admission is by ticket only. The feeling aroused on both sides by this wretched Flag Bill is appalling to any one (sic) but the irresponsible folk who rejoice in rows - when other people's heads are being broken....⁸

Reports of Malan's unruly reception and much of what appeared in the press on the Bloemhof riot, and on Smuts, added to the tension and animosity. On the Bloemhof riot there were many detailed and often lurid accounts. Women and children were alleged to have been manhandled; a seventy years old cripple was said to have been hit to the ground and then kicked; much was made of the fact that revolvers had been drawn; and each side accused the other of using broken bottles, knobkerries, lengths of wire, chains, iron standards and sjamboks. Accusations continued

6. Natal Mercury, Cape Argus, The Star, Die Volksblad - 4 October 1927; Cape Times, 3, 4 October 1927; Malan, pp. 129-130.

The other main speakers were Boydell and Reyburn.

7. Cape Argus, 8 October 1927; Die Volksblad, 17 October 1927. (Vryheid was in the only predominantly Afrikaans-speaking area in Natal.)

8. 7 October 1927.

for well over a week with each side insisting in leading articles, reports and letters that the other was to blame.⁹

And the vilification of Smuts continued unabated - despite warnings that such attacks had been a major reason for the recent violence.¹⁰ Smuts remained the arch-villain, the leader of those who were out to revile Afrikanerdom, a liar and distorter of the truth as was revealed in his charge that fellow Afrikaners had sunk so low at Bloemhof as to attack women and children.¹¹ He was an inciter of racialism, the storm centre of a political atmosphere that had not been so dangerous since the Great War. In Natal, capitulating to the Empire Group, he had declared, in direct conflict with his former statements, that South Africa was not independent. And in Durban he

9. For example see Cape Argus, 1, 4 October 1927; Cape Times, 3 October 1927; Ons Vaderland, Die Volkstem - 4 October 1927; Die Burger, 3, 5 October 1927; The Star, 3, 6, 7, 10 October 1927; Natal Mercury, 12 October 1927; Die Volksblad, 14 October 1927; Eastern Province Herald, 1, 3, 5 October 1927.

10. For example see Sunday Times, 25 September 1927; Cape Times, Rand Daily Mail - 3 October 1927; Cape Times, 26 September 1927 citing Pretoria News; Cape Argus, 6 October 1927.

11. In his evening address at Bloemhof, immediately after the riot, Smuts had said that it grieved him that some of his own people had attacked women and children. (In the struggle, the men had tried to push the women and children out of the way; it would appear that only one woman was deliberately roughly handled - by her brother, a Nationalist rioter, whom she was trying to dissuade from violence.)

had exhorted the audience to do their job as they had done it in 1914. 'Welke betekenis nou het sy gehoor aan die woorde geheg?' asked Ons Vaderland, and answered: 'Daar was maar een - hulle het Afrikaners in die Noorde help plat skiet.' This, it said, was the interpretation Smuts intended. And against whom had he incited the English of Natal? '...teen sy eie landgenote, - vlees van sy vlees, been van sy been; landgenote wat kort gelede nog op sy mede aandringe ten gronde gegaan het.... Hulle grafte lê verspreid oor ons veld en berge. Dit was uit die selfopoffering van die landgenote, - uit hulle verstorte bloed, dat genl. Smuts tot sy tegenwoordige twyfelagtige grootheid gewas het.'¹² Finally, for the violence he was encountering he was himself to blame because the true reason for it was,

...dat sy eie landgenote genl. Smuts elke dag meer duidelik herken as die bitterste en dikwels die meest gewetenlose vyand van die Afrikaner volk. Weer blyk die gegrondheid van hierdie oordeel ten duidelikste uit sy toespraak op die Bloemhof-maaltyd. Die onstuimigheid van 'n publike vergadering vergroot hy tot 'n nasionale ramp; - met selfs die dreigement van oorlog, - en vir alles is die Afrikaners verantwoordelik! Elke woord en sin deur hom gebesig was bereken om die gevoelens teen die Afrikaners op te rui.¹³

But probably the fiercest attack on Smuts after Bloemhof came from Hertzog. Making his last speech before parliament met, at Bloemfontein on 4 October, he declared

12. Ons Vaderland, 14 October 1927.

13. Ibid. 4 October 1927. See also Die Burger, 3, 6, 10 October 1927; Ons Vaderland, 4, 11, 14 October 1927.

that no man who valued truth could have done as much violence to it as Smuts had in his flag campaign; no man who prized honesty in public life had so sinned against it as Smuts had. Could anyone point to statements by a leader of the people that were so recklessly irresponsible, unworthy and untrue as those of Smuts in the last few months? In August he was reported to have warned against an 'effort to pull down the Union Jack' and in September to have declared that for months the English section had been subjected to insults to their race and flag by Cabinet Ministers.¹⁴ His declarations were not merely false, they were intended to create bitterness and incite English against Dutch. Worst of all were his speeches in Natal. Here, in the midst of the most extreme Boer haters, and while fully aware of the prevailing strong racial feeling, this 'Union Jack General' had further inflamed passions by asserting that his brave former comrade-in-arms in the Boer War, Kemp, had worn a German uniform. And if this was not enough for a man whose mouth was always full of racial peace, he had falsely declared that the Union Jack had been described as a scab. His accusations were contemptible, as was his call to English-speakers in the Natal S.A.P. to do their duty as in 1914. What was this appeal other than

14. Smuts was reported to have made these statements in the Transvaal at Buffelshoek and Sybrandskraal, respectively. See The Star, 5 August 1927; Cape Argus, The Friend - 6 August 1927; Rand Daily Mail, 2 September 1927.

a call for Jingo British to fight Boer Nationalist? In the political history of South Africa could a more shameless act of public incitement of race against race by a leader of the people be found? For the most part, he told the large and enthusiastic Bloemfontein crowd, one was ashamed that Smuts was an Afrikaner.¹⁵

That even staunch Nationalists were disturbed by the repeated vilification of Smuts is revealed in a letter Hertzog received soon after this speech from a supporter since 1912. In a carefully worded letter he advised Hertzog to 'vergeet dat daar 'n man soos Generaal Smuts bestaan', to allow people to decide the flag issue solely on its merits and to mention Smuts as little as possible in his speeches.¹⁶ The vilification of their leader angered and disturbed the opposition. Even before Hertzog's Bloemfontein speech, the Rand Daily Mail regretted that during recent months some of the leaders of Nationalist opinion had allowed their speeches to be invaded by 'such a bitterly and almost vindictively personal tone'. The

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15. Die Volksblad, Rand Daily Mail, The Star, Daily Despatch - 5 October 1927. Ons Vaderland, 11 October 1927. The entire speech of well over an hour was devoted to the flag controversy. Hertzog also vehemently denounced the S.O.E. and Empire Group who by demanding the incorporation of the Union Jack, he said, were demanding nothing less than South Africa's freedom.
16. In support of his advice, the writer maintained that Hertzog's continual attacks on Smuts would alienate many S.A.P. supporters who would otherwise vote for the Government's flag (H.P. vol. 28, from Johan S. Gerber, 6 October 1927).

rancour with which Smuts had been assailed from platforms everywhere was responsible, it suggested, for the violence and the Bloemhof riot.¹⁷ The Cape Argus on 6 October similarly related the Bloemhof riot to the 'unreasoning hatred' of Smuts which it attributed to the campaign of calumny which had been concentrated entirely on him since the death of Botha. And commenting on Hertzog's Bloemfontein speech the Cape Times observed:

He has delivered two speeches during the past ten days, and the effect of both has been to raise the political temperature in South Africa - already the thermometer was registering a dangerous heat - to boiling point. Within a few days of his Pretoria utterance South Africa had to deplore the Bloemhof outrage, and it would be difficult to say that there was no relation between the two. At Bloemfontein on Tuesday he broke through the few bounds he had set himself at Pretoria, and applied himself for more than an hour to preaching what we can only describe as a gospel of hate. We doubt if there is any parallel in the political annals of any country for such vindictive abusiveness as the Prime Minister employed in his allusions to General Smuts. It is vilification of this kind which is poisoning public life in South Africa...¹⁸

All the above served to convince responsible observers by the first half of October of the great danger of taking the flag issue to a referendum. How serious the situation was thought to be is revealed by a most unexpected step taken by the official organ of the Dutch Reformed Church. On 19 October De Kerkbode, always anxious to avoid involvement in politics which did not impinge on religious matters,

17. 3 October 1927.

18. 6 October 1927. See also Natal Mercury, Rand Daily Mail - 6 October 1927; The Star, 12 October 1927, Pitcher.

broke the silence which, in the interests of 'ons kerklike vrede', it had observed on the subject of the flag.

Justifying its entry into the field on the grounds that feelings had recently become so agitated, it called for more reconciliation and mutual understanding. It earnestly appealed to Hertzog, Malan, Smuts and N.J. de Wet to come together as fellow Afrikaners and reach a compromise. If they did not, and a referendum were held, it feared that 'daar 'n bitterheid in ons volkslewe sal gewek word, wat seer onheilsame gevolge kan hê.'¹⁹

At the beginning of October, a few days after the Bloemhof riot, Smuts informed a friend that many people were coming to political meetings with revolvers, and cautioned a S.A.P. audience in Bloemfontein that an old Transvaler had warned him that there was more bitter feeling than in 1899.²⁰ In the same week, in a speech on the flag question at Uitenhage, Sir Percy Fitzpatrick warned that the controversy had created a prospect so tragic that there had been nothing like it since the Boer War.²¹ Shortly after

19. De Kerkbode, 19 October 1927. The appeal, which aroused much interest, was attacked by Die Burger and Malan on the grounds that the Government had already compromised adequately; De Kerkbode, Die Burger maintained, should keep out of politics (Die Burger, 19 October 1927; Die Volksblad, 20 October 1927).

20. S.P. vol. 39, no. 310, letter to Gillett, 4 October 1927; Cape Argus, 8 October 1927; Cape Times, 10 October 1927.

21. Cape Times, 8 October 1927. For other warnings by Fitzpatrick and his opposition to the Government's flag policy see, Sir Percy Fitzpatrick, The Flag and Good Faith.

this, Duncan, invariably circumspect in his speech, warned a Johannesburg audience that a referendum would be disastrous to the harmony of the country and that the flag campaign had brought the Union to the brink of disaster. 'We have not come to bloodshed', he said, 'but things have happened that make people think it is not far off.'²²

Finally an observer who had kept aloof from the struggle, J.H. Hofmeyr, Administrator of the Transvaal, was moved to write in mid-October to an official on the staff of the Governor-General and express his fears on the flag struggle. Explaining that like many others he was very much 'disturbed and distressed' by the flag question and the possibility of a referendum, he said:

Take the position here in the Transvaal, which of course I know better than any other part of the Union. Up to a few months ago the average Dutch-speaking S[outh] A[frican] living outside the towns just took no interest in the flag question. Today there is any amount of inflammable material laying (sic) about - and a blaze once started on the veld spreads rapidly. I am not an alarmist...but one can not blind oneself to the [the word 'dangers' deleted] facts as they are at the moment.

He hoped that if the politicians failed to reach agreement the Governor-General would take the initiative in order 'to avoid the impending disaster.'²³

Thus, although much of the talk concerning violence

22. Cape Times, Rand Daily Mail - 11 October 1927.

23. Hofmeyr Papers, letter to Captain [H.T. Birch-/Reynardson, draft copy, 17 October 1927.

For other references to the possibility of civil war see B.K. Long, Drummond Chaplin, His Life and Times in Africa, p. 326; Malan, pp. 128-9.

over the national flag may seem exaggerated today, there can be no doubt that sober observers at the time took the possibility of wide-scale violence very seriously; and even the possibility of civil war was not ruled out if the controversy was not settled by general agreement.

Labour Party difficulties

In the Labour Party settlement of the issue by general agreement was as necessary as ever. Its difficulties had continued unabated and throughout the recess it had had to endure much criticism. The opposition press seized upon any Labour difficulty, whether real or rumoured, and gave it wide publicity particularly in those areas where the Party had won many votes in 1924.²⁴ Internal bickering and the threat of socialism were topics that were widely aired. For instance, when Reyburn raised the question of whether the Labour Party had become 'too respectable' and suggested that a revolution in society was needed, the Cape Argus declared on 19 September that Reyburn wanted the deciding factor in politics to be brute force. 'He wants', it said, 'the voice of reason to be silenced by mob law. He calls that mob law the dictatorship of the proletariat, but what it really amounts to is the dictatorship of blinded

24. For Labour's complaints about the effectiveness of the criticisms see Forward, 26 August, 23 September 1927; Natal Witness, 4 October 1927.

fury and fanatical fear.' And, as throughout the controversy, the press continued to hold the Party to scorn for its support of flag legislation and its Ministers to blame for failing to stop its introduction and continuance.

Thus, in dealing with Boydell, the Natal Mercury held him culpable on two counts:

First, he grossly misinterpreted the sentiment of the English-speaking people to the Little Afrikaner group in the Cabinet by leading it to believe that they, and especially the people of Natal, would submit without much trouble to the Nationalists' original flag insult. Second, when the enormity of the blunder was discovered, instead of using the immense influence of the Labour Party to turn the Cabinet from the error of its ways and save the country from the consequences of a calamitous revival of racialism, he made the preservation of the Pact and consequently the protection of Labour's share of the spoils of Government...the main objective of Labour's Parliamentary policy. From the pusillanimous and selfish attitude of a Labour Party which has thrown Labour principles on the garbage heap most of the political troubles of the last twelve months have resulted.²⁵

Inveighing against Labour in similar vein were S.A.P. parliamentarians such as Coulter, Burton, Marwick and Smuts.²⁶

The strength of feeling raised against Labour, particularly in Natal, may be gauged by the small number of public meetings held there and the reaction to them. Only three were held. This number betrayed the reluctance of

25. 23 July 1927.

26. See Cape Times, 15, 19, 20, 22, 23 September 1927; The Star, 26 August 1927; Natal Witness, 26 August, 17 September 1927; Cape Argus, 29 July 1927; Die Volksblad, 23 September 1927; and page 517.

For attacks on the Labour Party by the S.O.E. see Cape Times, 18 July, 18 August 1927; Die Burger, The Star, Die Volksblad - 15 August 1927.

Labour M.P.'s, despite taunts, to face what was almost certain to be a hostile and unmanageable audience. Of the three meetings, the largest, which Malan addressed, has already been dealt with. But it may be noted that, after he left the meeting, the atmosphere worsened and Boydell had to face a most unmanageable audience. The opposition of an English-speaking Labourite like Boydell was seen in a more serious light than that of an Afrikaner Nationalist; the former's was an act of race betrayal. This attitude manifested itself in the uproar at Boydell's meeting in his constituency on 28 July. By all accounts this was one of the most violent meetings of the entire controversy. More than a thousand people arrived at a parish hall which had been built to accommodate 250, and more than half were unable to enter the packed room. The audience refused to hear anyone other than Boydell or listen to any subject other than the flag, continually demanding a 'plain answer' as to why he had voted against 'his own flag'. When he displayed the 'shield flag' a large crowd tried to rush the platform and the meeting nearly broke up completely; 'Rule Britannia' was sung with great enthusiasm and shouting and general disorder continued for some time before Boydell could carry on. Finally, amid scenes of noise and confusion 'beggaring description', a resolution called for Boydell's resignation, and the meeting, which had been in a state of continual uproar, was abandoned in a 'bedlam of

noise'.²⁷ The third Labour meeting, held by Boydell at Red Hill a month later also proved tumultuous.²⁸

Probably even more damaging than the attacks on Labour from outside, were those from inside the movement - from its own members and its own press. Amongst its own members Hay remained the chief critic and as his views mirrored those of so many who had voted for Labour in 1924, they could not but serve to endorse their grievances and damage the Party. Throughout the recess his criticisms received wide publicity and attracted editorial comment. The above may be seen in July when Hay made a blistering attack on his Party. At a Malvern Labour meeting he maintained that the Party's pledges had not been kept. Promises had not been fulfilled with regard to the restoration of pay to civil servants, the eight-hour day, state banking, the reform of the trapping system and old age pensions. He criticized the abolition of free technical education in the Transvaal and the policy of bilingualism in the civil service; no man already in the service ought to be penalised, he argued, when there were three Ministers who themselves did not understand Dutch. Hay complained that 90-95 per cent of the Government's appointments had gone to Nationalists and, most important, that Labour had not been given a fair share

27. The Star, 29, 30 July 1927; Die Burger, Cape Argus, Natal Mercury - 29 July 1927; Boydell Papers, vol. 19.

28. T. Boydell, My Luck's Still In, pp. 74-7; Boydell Papers, vol. 19.

of power. Instead of sharing on a fifty-fifty basis, they had accepted a position of inferiority in Government and had therefore been told they had no right to demand many of the things Labourites considered important. If they could find eight out of Labour's nineteen parliamentarians to unite against the Flag Bill they could give the country peace, for if the two Houses sat together the Government would have a majority of sixteen. But they would search in vain for these Labourites.²⁹

Opposition and Labour publications acclaimed Hay's speech. In an editorial entitled, 'Home truths from Mr Hay', The Star on 23 July declared that he had made one of the 'most conspicuously able and interesting speeches' outside Parliament for years, and had expressed the unspoken thoughts of many members of the Labour Party. No more than the plain unvarnished truth had been contained in his words: 'we are there [in Government] because we are cheap; we are there because we are useful; we are there because only George Hay dares to say what is passing through the minds of thousands in the rank and file of our party.' Two days later the Rand Daily Mail approvingly remarked that not for a long time had any political party been so soundly trounced by an avowed supporter. Less expected was praise from Forward. Affirming that Hay had said what

29. The Star, 23 July 1927; Cape Times, 25 July 1927; Ons Vaderland, 26 July 1927.

a considerable number of staunch Labourites were thinking, it particularly agreed with his remarks concerning their 'inferior' position in government. It declared that this question had been the subject of much adverse comment in the ranks of Labour for some time and it ventured that Hay, in demanding a fifty-fifty arrangement, 'was undoubtedly voicing the private opinion of more than 90 per cent of the rank and file of the Labour Party.' Labour's 'inferiority complex' had cheapened the Party and it was mainly because of this 'complex' that many of the promised industrial acts seemed to be as far away as ever.³⁰ The Monthly Herald, another Labour publication, similarly praised Hay; in its October issue Hay was described as the embodiment of the Party. His criticisms were convinced, determined and unanswerable. Neither his Party's legislation nor its embroilment in the flag controversy could be commended. Repeatedly, from July to October, Hay criticized the Party, remaining a thorn in the side of its leaders and acting as a mouthpiece for and an encouragement to dissatisfied Labour voters.³¹

Other Labourites also gave public expression to their dissatisfaction with their Party's flag policy, for example, by thanking a S.A.P. speaker at a public meeting for

30. 29 July 1927.

31. See The Star, 27, 30 July, 19 September, 7 October 1927; Die Volksblad, 27 July, 1 August 1927; Cape Times, 1 August, 23 September 1927; Cape Argus, Natal Witness - 1 August 1927; Forward, 7 October 1927.

opposing the Bill or by criticizing Labour leaders for supporting it. W. Houghton, secretary of the Party's Malvern branch, clearly had the flag controversy in mind when he proposed that on questions of national importance which were not planks on the Party's platform, parliamentarians should first ascertain the feeling of Labour's rank and file before committing the Party to any policy. This would ensure that Labour was never again placed in its present position of 'twilight' gloom. In Houghton's view the Party's leaders were unquestionably to blame for 'destroying the party' and cause and effect should not be confused: '...the present unsatisfactory position of the party is due to the unwise policy of our leaders and not to the internal, infernal and eternal disputes between individuals.'³²

These disputes, which had been exacerbated by the lengthy second reading, had continued. Resignations, expulsions, dissension, and rumours of all these persisted. In Johannesburg, Kingdom and Karovsky were at loggerheads; the latter wished to claim £1 000 damages for statements he alleged Kingdom had made about him at a meeting of the National Council; each man's supporters were raising funds for the action. The chairman of the van Brandis branch of the Party (and possibly two other members) was reported to have resigned because the National Council refused to endorse the branch's nomination for the Council. There was

32. Forward, 12 August 1927.

disagreement about the control of the Labour Party club. On the East Rand dissension reigned in one of the Party's largest branches, Benoni. The activities of a prominent member resulted in the resignation of six committee members and despite attempts by a Commission of Inquiry and the intervention of the National Council, the dissension persisted.³³

The National Council was involved in several contentious matters. It re-opened the case of Jimmie Clark, a former City Councillor who had been suspended from the Party for voting against the Johannesburg Labour caucus in 1925; the expulsion of J.H. Burton, a Kimberley Labourite, was again brought before the Council; Hay's expulsion from the parliamentary caucus was upheld; P.A. Harms, a Labour M.P.C., was summoned to appear before the Council because of his strong attack on the Pact for failing to carry out election pledges.³⁴

And rumours continued. There were rumours that Boydell wished to become the Administrator of Natal and that Barlow wanted a Rand seat so that he could more easily take

33. Sunday Times, 10 July 1927; The Star, 9 July, 3 August, 5 September, 10 October 1927; Die Volksblad, 14 July 1927; Cape Times, 16 August, 6 September, 14 October 1927; Natal Witness, 17 August 1927.

34. The Star, 2, 23 September 1927; Cape Times, 24 September 1927; Karovsky Papers, National Council Minutes (the case of George Hay) 23 September 1927. (I am indebted to Dr D. Ticktin for this last reference.)

For Harms's criticisms, see below.

over the Party's leadership.³⁵ Talk of schisms and the establishment of new parties went on uninterrupted. The General Secretary of the National Union of Railway and Harbours Society hoped that Hay, whose criticisms of the Party he fully endorsed, would form a new party and assured him of much support.³⁶ Opening its August editorial the Monthly Herald observed:

All the rumours and denials which have recently circulated in regard to the formation of new parties is symptomatic (sic) of the change which has come over the political scene, and of a widespread and growing desire to bury the ashes of Messrs Creswell, Boydell and Co., with all but indecent haste. Unquestionably, there will be a new party....

The above widespread dissension was acknowledged in a motion intended for the Party's forthcoming Transvaal Congress from its Primrose branch. It appealed for steps 'to put an end to the eternal bickerings and personal jealousies which threaten the party from within'.³⁷ Even more significant was the specially called Labour 'unity meeting' held in August. Explaining the purpose of the meeting to branch secretaries, the Transvaal Executive of the Party deplored the waste of Party effort caused by members criticizing each other; an opportunity would therefore be given to Party members to meet together and thoroughly discuss the question of Party unity. Forward, in dealing with the

35. Cape Argus, 12, 15 August 1927; Natal Witness, Die Volksblad - 13 August 1927.

36. Monthly Herald, July 1927; Cape Argus, Die Volksblad - 9 July 1927.

37. Cape Argus, The Star - 12 August 1927.

forthcoming meeting, maintained that for some time stories of internal bickering and disruption had been flying about in such profusion that office-holders were 'living in a nightmare terrifying enough to rattle an Alexander the Great.'³⁸ The meeting took place in Johannesburg on 21 August. Every active Party member in the Transvaal had been invited and over 250 attended, including Labour's three Ministers. The deliberations lasted for more than twelve hours, nearly half of which were devoted to the attack and defence of members who had supplied news or views to the 'capitalistic press'. Once again it was argued that the Party had lost its opportunity by preferring the spoils of office and contentious measures to its own programme. Charges were made that trade and labour legislation had been neglected, that dud branches had been created, and that the Party had been thrust into difficulties by the flag issue.³⁹

The 'unity meeting' enjoyed little, if any, success.⁴⁰ The reason for its failure must be sought largely in the legislative record of the Pact which continued to disillusion

38. 5 August 1927.

39. The Star, 22 August 1927.

40. Indeed, the meeting created new points of conflict. Members had had to submit their names and intended topics before being permitted to speak; and had had to address the gathering from the platform. The effect had been to discourage would-be speakers and a new complaint arose: that attempts had been made to gag members (The Star, 22 August 1927; Forward, 26 August 1927).

Labourites. Miners on the Rand, for instance, still believed they were not getting the wages they deserved and important changes were desired in the Industrial Conciliation Act.⁴¹ Three weeks after the 'unity meeting', Boydell had to receive a deputation representing 'the whole of organised labour and trade unions in South Africa as well as the Labour Party' which demanded changes in the Act.⁴² At the same time a self-searching article appeared in Guardian in which Reyburn asked whether the Party was still Labour or merely liberal? 'Are we still really a party working for the realisation of a Socialist Commonwealth or are we becoming so entangled in the web of capitalist administration that we are forgetting the reason for our existence?' he asked.⁴³ The question betrayed the disillusionment of many Labourites with the Pact. A few days later the South African Mine Workers' Union decided to hold a mass meeting in order to strongly protest against the Government's failure to fulfill its promises, particularly with regard to finding work for the unemployed and making amendments to the Phthisis Act; leaders of the Union warned that they were prepared to throw the weight of the miners' vote against the Government at the next general election, and particularly its Labour Ministers, if repeated promises were not carried out. At the meeting at the end

41. Cape Argus, 27 July 1927; The Star, 4 August 1927.

42. Cape Times, 14 September 1927.

43. Cape Argus, 16 September 1927; Cape Times, 17 September 1927.

of September speakers were forthright. A prominent Johannesburg Labourite and executive member of the S.A. Mine Workers' Union, J.H. Richardson, told the audience that he was not afraid to offend Boydell by saying: 'The Government you have in power today is a damned farce; the Phthisis Act is a damned farce.' And P.A. Harms, an organising secretary of the Union, was equally blunt when he stated: 'We slate Jan Smuts, but why should we cast mud at one man? Have we proved that everybody else is better?' He was a member of the Labour Party but not bound to it and would not be used by it. Referring to earlier meetings of unemployed men outside the City Hall he advised them: 'You waste your time with these meetings.... We have put these people into power, and it is time to say, "What have you done? Show us your books - we are coming for an audit." If the auditor's report is not correct we know what to do.'⁴⁴ The disillusionment of these men with the Labour Party was patent.

Finally, at the annual provincial congresses of the Party in the Transvaal and Cape at the end of September and beginning of October, respectively, disappointment and disunity clearly manifested themselves. Resolutions called for an end to the bickering and distrust, for unity, for Labourites to disbelieve gossip and 'newspaper talk' and for those in positions of trust not to allow themselves to be

⁴⁴. Cape Argus, 20, 27 September 1927; The Star, 27 September 1927.

interviewed by the press. Numerous resolutions suggested changes in the Party's constitution and internal organization, particularly in the methods of electing the National Council and provincial executives; these lay bare the profuse charges of intriguing in the administration of the Party which had been current for so long. Great discontent concerning the relationship between the parliamentary caucus and National Council was evinced by the large number of resolutions, nearly sixty in the Transvaal, related to this subject. And much dissatisfaction was expressed concerning Labour's Ministers and their membership of the Cabinet. It was alleged that they were on 'a soft wicket' and had not given full effect to the Party's programme; that it would be in the best interests of Labour for them to withdraw from the Cabinet; that a continuance of the Pact would be detrimental to the working classes; that the three Ministers had not been sympathetic to deputations, and, that they had failed to keep in touch with the Party's rank and file.⁴⁵

That the Party's flag policy had played its part in creating this dissension is certain. From the leader of the Party's own constituency a resolution called for the Party never again to be committed to any policy by its

45. McPherson Papers, South African Labour Party, Transvaal Annual Conference, 24-5 September 1927, Secretary's Report; Forward, 23 September 1927; The Star, 23, 24, 26 September, 4 October 1927; Cape Argus, 17, 26 September, 3, 4 October 1927; Cape Times, 24, 26, 27 September, 4 October 1927.

M.P.'s on a subject of national importance, unless a mandate had been obtained.⁴⁶ From Fordsburg a similar resolution condemned the situations which had arisen because Labour caucuses had committed the Party to policies without first consulting their endorsing bodies; to preclude this happening again, it proposed that in future caucuses should send copies of all draft Bills to the National Council the moment they appeared.⁴⁷ And in Cape Town, a motion was carried calling for closer co-operation between Labour's Ministers and the Party's rank and file, and, without mincing words, a delegate condemned Creswell for pledging the Party to support the Flag Bill without consulting this rank and file.⁴⁸

All the above made it clear that the Party was in a most unhealthy state and that the flag controversy was a severe embarrassment to it. In Natal only Boydell had dared to appear on an exclusively Labour platform. In the rest of South Africa, only Kentridge, Sampson and Snow had.⁴⁹ Compared to the intense recess campaigns of the other Parties, Labour's was markedly less active and must be attributed to the vulnerability of Labour M.P.'s on the flag question. So long as the flag struggle raged Labour

46. Cape Argus, The Star - 12 August 1927.

47. The Star, 23 September 1927.

48. Cape Argus, Cape Times - 4 October 1927.

49. These remarks do not of course apply to Hay, who opposed the Bill.

could expect to lose ground, so that for it a solution by general agreement remained imperative.

Amery and the flag struggle

The visit of Amery, as Dominions' Secretary, to Southern Africa, from 8 August to 24 September, played a significant part in effecting this agreement.⁵⁰ Two years after assuming office Amery toured the Dominions with the general purpose of familiarizing himself with conditions in them and clarifying the position there created by the 1926 Imperial Conference. Although some of his colleagues strongly advised him not to visit the Union in view of the raging controversy and the consequent possibility that whatever he said might be misinterpreted and cause harm, Amery hoped that: 'the preaching of a new forward looking policy of Empire might do something to ease a conflict inflamed on both sides by memories of the past. Besides I thought I had a possible compromise up my sleeve if the occasion arose.'⁵¹ In fact, Amery decided to visit South Africa before the other dominions chiefly because of the flag issue, which had created a 'critical political situation' - one in which even civil war was talked of.⁵²

50. Amery held this office from 7 July 1925 - 8 June 1929. He also travelled to Rhodesia, Basutoland, Swaziland and Bechuanaland during this visit.

51. L.S. Amery, My Political Life, vol. 2, pp. 401-2.

52. Ibid. See also L.S. Amery, In the Rain and the Sun, pp. 112, 124.

Amery's private opinion on the flag question was that the Government had been less than generous to English-speakers, and in view of what had happened at the 1926 Imperial Conference, he was disappointed. He favoured the incorporation of the Union Jack and, after the Pact's acceptance of the 'shield flag', intimated to Creswell that he hoped the Government would compromise further. However, it was naturally no part of Amery's strategy to express such thoughts publicly; indeed, he had no intention of divulging any flag opinions even privately to Hertzog - unless they were solicited. Believing that his advice was most likely to be sought and valued by the Prime Minister if he deliberately refrained from advancing it until asked, at first, he studiously avoided the subject. It was also Amery's belief that his plan for a settlement, if given in this way, was likely to carry more weight with Hertzog as coming from a Briton rather than a local English-speaking South Africa.⁵³

Consequently, after disembarking at Cape Town Amery journeyed straight to Pretoria to spend a day with Hertzog; the deliberate intention was to avoid giving the impression of starting in the opposite camp.⁵⁴ Though Amery spent

53. S.P. vol. 35, no. 6, Amery to Smuts, 29 June 1926 (sic) and vol. 102, nos. 226/7, 2/11 August 1927 respectively, Smuts to Crewe (both); Creswell Papers (Pretoria), no. 218, Creswell to Amery, 13 July 1927; Lothian Muniments, general correspondence, 1927-8, L.S. Amery to Peter.

54. Lothian Muniments, general correspondence, 1927-8, Amery to Peter.

several hours with Hertzog, he carefully refrained from raising the flag question. After a short stay in Pretoria, he left for Rhodesia so that it was only on 1 September that he made the most critical speech of his tour, in Durban. Here Amery knew he had to face an almost purely English-speaking audience, passionately moved by the controversy, and only too prepared to believe that he had come from England to let them down. At the same time he was aware that the Nationalist press would seize upon the smallest pretext to denounce imperialist interference in the Union's affairs. Hoping to secure the approval of both sides, Amery championed the idea of Commonwealth, but in terms of the new concept of a community of equals: there could be no argument, he said, between those who put South Africa first and those who put the Commonwealth first, because on closer examination both meant the same thing.⁵⁵ The Nationalist press applauded the speech⁵⁶ and Amery got off to a good start which he was careful not to upset in later addresses.

In Durban Amery also met Nicholls, and it was probably here that he informed Nicholls of his flag

55. L.S. Amery, My Political Life, vol. 2, pp. 411-2. For Amery's speeches in South Africa see page 496, n.69.

56. See Die Volksblad, 5 September 1927; Ons Vaderland, Die Burger - 6 September 1927.

plan.⁵⁷ This may be seen as falling between the dual flag plan of 1926 and the Strachan amendment of 1927. The dual flag plan had provided for the flying of the Union Jack with the national flag on all occasions; the Strachan amendment had removed the stipulations concerning the days on which the Union Jack could be flown - it would be flown at the Government's discretion. But while it removed 'restrictions', Strachan's amendment provided no guarantees that the Union Jack would be flown. To the Nationalists the first plan appeared to offer too much, to the opposition the second appeared to offer too little. Amery's proposal was that the Union Jack should be flown at all times with the national flag - on all important public buildings.⁵⁸ This would mean that the Union Jack would fly at magistracies throughout the country, but need not appear with the national flag at gatherings held at places other than the stipulated government buildings. In each important centre there would therefore be a symbol of the imperial connection while Afrikaners who wished to do so could arrange to fly the national flag without the Union Jack at their own national festivals.

57. Nicholls maintained that Amery told him of the plan later, at the Victoria Falls, after they had met in Durban. However Amery visited Rhodesia before his visit to Durban so that the interview could not have taken place there as described in Nicholls', South Africa in my Time, pp. 182-3. The footnote reference cited by Nicholls (L.S. Amery, In the Rain and the Sun, pp. 119, 126) contains no reference to the alleged interview, nor could reference to it be found elsewhere in the book. The point is minor but indicative of the unreliability of Nicholls' account of the flag controversy.

58. L.S. Amery, My Political Life, vol. 2, p. 418.

Natal, Nicholls declared, accepted Amery's idea of two flags with alacrity.⁵⁹ Natalians indeed had good reason to be satisfied with such a plan for the Union Jack would then be flown throughout the country throughout the year - a constant and visible reminder of the imperial connection. Strengthened by this support, Amery returned for his last visit to Pretoria on 5 September to spend a week in talks with Hertzog and other prominent politicians. Two days after his arrival he addressed his most important South African audience. Dwelling on the work of the Imperial Conference, Amery maintained that the status of the Dominions was in fact higher than that of 'the ordinary run of so-called independent nations', and ended with an appeal for South Africa's domestic unity which, he said, was an essential contribution to the unity and greatness of the Empire.⁶⁰ Describing the end of his speech, Amery wrote:

I quoted some lines in Afrikaans from Jan Cellier's fine poem on the accomplishment of South African Union. Hertzog was, I think, genuinely moved, for he not only called for three cheers, but drew me

59. H. Nicholls, South Africa in My Time, p. 162. It is not exactly clear as to whom Nicholls was referring when he declares that 'Natal' readily accepted the proposal, as the plan was not made public. However, Nicholls probably consulted Natal's S.A.P. parliamentarians and possibly other leaders of opinion in the Province.

Nicholls refers to Amery's proposal for the two flags without mentioning the provision for the Union Jack to fly on all important public buildings. This was probably an oversight as Amery was unlikely to have merely suggested two flags without explaining how they were to be flown, or Nicholls to have accepted a plan for two flags without this clarification.

60. I.S. Amery, My Political Life, pp. 416 ff.

aside afterwards for a talk on the flag question which I had deliberately refrained from raising with him.⁶¹

This talk gave Amery, on his last day in Pretoria, an opening for a long discussion with Hertzog on the flag controversy. Amery put forward his plan. He found Hertzog 'sufficiently responsive' to justify Amery's advocacy of it to others. In Johannesburg he canvassed Opposition leaders who also saw in his proposal a possible compromise.⁶² Already, during his first visit to Pretoria, Amery had discussed the flag question with Smuts and had probably acquainted him with his proposal then, since Smuts's support or acquiescence would have strengthened Amery's hand in Natal. At all events, by the end of September Smuts had been informed by Amery that he thought Hertzog and certain of his colleagues might be prepared to provide that the national flag and the Union Jack - the latter as South Africa's own Imperial flag - could fly together regularly on all public buildings.⁶³

Amery had introduced and made some headway with his proposal in both camps. But he saw that it was wisest to withdraw from further flag developments; as Dominions'

61. L.S. Amery, My Political Life, p. 419.

62. Ibid.

63. S.P. vol. 37, no. 11, Amery to Smuts, 21 September 1927; C.P. Crewe Papers, Smuts to Crewe, 11 August 1927.

Secretary there was clearly a strong danger that his interest could be interpreted as interference. He therefore embodied his ideas in a memorandum which he left with Athlone who, being in Pretoria at the same time, Amery could fully acquaint with his views as to the chief obstacles in the way of a settlement. Amongst these, Amery fully recognized that the bringing together of Hertzog and Smuts was one, for, Smuts saw Hertzog as 'a muddle-headed ass', while Hertzog believed Smuts had 'hooves inside his boots and a tail inside his trousers.' Amery had made a start in a fresh direction but he feared that neither Smuts nor Hertzog would trust the other or make the first move.⁶⁴

The Roos manifesto

Amery's fears concerning Hertzog and Smuts were borne out by events following his departure. By the time Amery left in the last week of September, Hertzog either knew or suspected that many leading members of the Opposition supported Amery's plan, while Smuts was aware that Hertzog and other prominent Nationalists were amenable to a settlement along its lines. Yet neither came forward with any offer. It has already been noted that three days after Amery left the Union, Hertzog, while trying to placate Malan in his

64. L.S. Amery, My Political Life, p. 419, and In the Rain and the Sun, p. 126.

Pretoria speech, was careful to leave the way to a settlement open by pointing out that the Opposition should come forward with flag proposals if it had any. But at this stage Hertzog was not prepared to go further. Apart from his distrust of Smuts there was the problem of Malan and questions of party prestige. Smuts, on the other hand, could hardly have been anxious to make overtures to Hertzog; the vilification and rowdy meetings Smuts had endured were anything but conducive to this. But more important was probably a belief that political advantage could still be gained from the controversy, for the inescapable fact remained that it was the Pact that was in the greater difficulty, faced as it was by Labour disaffection on the one side and Malan's flag supporters on the other.

The initiative for an agreement had to come from elsewhere. If the Pact's need for a settlement was urgent and Hertzog felt unable to make the requisite moves towards it, some other Nationalist leader would have to do so. Not for the first time in the controversy, Roos filled this need and in doing so, as events were to indicate, he probably enjoyed the backing of Hertzog.

Amongst those who would have encouraged him can almost certainly be numbered the Governor-General, Athlone. As early as 1925, when the problem of legislating for a flag was first raised by the Pact, he had shown a definite interest in the subject. He had then informed Hertzog that

flags and armorial bearings were considered to be of special interest to the King and as coming under his prerogative, and he felt sure that the King would like to have an opportunity of considering the flag's design when this became available.⁶⁵ Much had occurred since then and by September 1927 Athlone was doubtless primarily interested in seeing an amicable settlement between the Nationalists and S.A.P. In the past he had had many talks with Hertzog on the struggle and, perhaps encouraged by Amery, also 'with the principal men who matter in the controversy' by the end of September.⁶⁶ These 'principal men' probably included Roos, since he was not only Deputy Prime Minister but also the Nationalists' most outspoken advocate of compromise.

Thus when Roos on 1 October published a long letter in the Rand Daily Mail in which he appealed for a settlement, it was probably in the knowledge obtained either directly, by canvassing his wide circle of English-speaking friends and acquaintances,⁶⁷ or indirectly, perhaps through Amery or Athlone - who had been in touch with 'the principal men' - that efforts would be made by people on the opposition side to gain support for his appeal. Amery's speeches had almost certainly had a moderating influence in some

65. H.P. vol. 27, Athlone to Hertzog, 6 July 1925.

66. Ibid. vol. 28, Athlone to Hertzog, 30 September 1927.

67. See below.

important circles, and his and the Governor-General's efforts towards compromise - Roos was to advocate Amery's idea of the Union Jack as the Union's separate Imperial flag - could only have been beneficial.

In all events, the fact that Roos's letter was published, quite fortuitously, on the same day as the Bloemhof riot occurred, gave it added relevance and importance. Even if some Opposition politicians saw it as a mere political manoeuvre - Smuts referred to it as 'spoof'⁶⁸ - public interest in it, stimulated by the Bloemhof riot, made it difficult for them to ignore it. Much of Roos's letter - usually referred to as his manifesto - was propagandist, but it was also conciliatory and contained two assertions in particular which were to arouse interest amongst the Bill's opponents. The first concerned the shield and the national flag. So far as the quarrel over the size of the shield in the national flag was concerned, Roos declared: 'I have never regarded the size [of the shield] as being either a fixed quantity, a matter of principle or even a point settled in the Nationality and Flag Bill, and I believe that the Government would

68. S.P. vol. 9, no. 250, to Jantjie [J.H. Hofmeyr], 29 October 1927; van der Poel, no. 234. In the latter reference, n.1 on p. 362 relates Smuts's allegation of 'spoof' to statements made by Roos which appeared in the Pretoria News on 11 October 1927. However, the Pretoria News report was based on an interview between Roos and one of its journalists and not on a letter.

The Pretoria News statement is dealt with below.

accept any reasonable proposal in this regard.' The second concerned the Union Jack. This, he believed, had been accorded its logical symbolical position in the Bill; the Government had already found a solution to this question, he maintained, by recognizing it as 'the Imperial flag of South Africa'.⁶⁹

The effect of Roos's manifesto, together with the shock of the Bloemhof riot, was to set the ball rolling towards a settlement. On the Rand there was an immediate favourable response to the manifesto in certain opposition quarters. The Rand Daily Mail strongly supported it. Praising Roos's political courage for ignoring possible complications in the Cabinet and amongst his Party's rank and file, it argued that he had come forward boldly as the champion of a conciliation policy which, if adopted, would remove the need for a referendum and introduce an era of racial peace. Roos's proposals ensured, it said, that the Union Jack would remain in its entirety and not merely as part of a national flag. For the first time since 1910 it would be legislated into a position of absolute security and be flown, without question, as the Imperial flag of South Africa. It admitted that people suspected the Nationalists of republican goals and the latter's objections to a prominent Union Jack in the national flag fed those suspicions. The Rand Daily

69. Rand Daily Mail, 30 September, 1 October 1927; Cape Argus, Cape Times, 1 October 1927.

Mail had once shared these fears; but it no longer did. Roos's explicit assurances on that point in his manifesto had satisfied them. As for his statement that he believed that the Government would accept any reasonable proposal on the size of the shield, what could be fairer? 'The onus is now upon the Opposition. The government have said what they will not have; it is now for the Opposition to say what they will have.' It concluded: 'Mr Roos is for peace and progress. What does the S.A. Party stand for? The question has been put to it in a manner which permits of no shilly-shally. What is its reply?'⁷⁰

The fact that Roos chose to submit his memorandum to the Rand Daily Mail, which immediately and strongly supported it, suggests that this daily, under Bailey's influence, played a pre-arranged part in promoting the strategy.⁷¹ Significant too was the praise and support the paper continued to give Roos in the following weeks. Bearing in mind Bailey's and Roos's desire for a new centre party, which Roos was soon again to publicly advocate and Bailey support, the memorandum may have been seen as a step not only towards solving the flag crisis but also towards the larger goal of the realignment of parties which both men desired. Weight is given to this possibility by the following letter Smuts received from Cohn in Johannesburg:

70. 1 October 1927.

71. See pages 191ff. for earlier collusion between Roos and Bailey.

Tielman Roos himself admits that his Party is a conglomeration of mutually hostile sections hitherto combined by one single tie, viz. hatred of yourself. He also quite freely admits that the force of the Labour Party is spent, and that every effort must be made to enlarge the Nationalist Party, even if for that purpose certain of the present Cabinet Ministers have to go. In any case, it can no longer be concealed that between ourselves they lead a cat and dog existence, only tenable by each one strictly sticking to his own compartment. Naturally, he has very little love for the confused and confusing mentality of Hertzog, and his outspokenness as regards the Cape ministers is quite refreshing. I know all this because he has lately done a lot of personal canvassing over here, at the [Rand?] Club and at the offices and houses of likely new supporters.⁷²

In the days immediately following the publication of the manifesto, two letters of response in particular received nation-wide publicity. Both first appeared in the Rand Daily Mail; both were from hitherto staunch opponents of the Bill. Writing as 'one who has been looked on by both sides as an irreconcilable and consistent diehard', Captain Percy Trotter of Johannesburg stated that he wished to inform his friends that he had read the manifesto with considerable gratification. He would not hesitate to say that its views should be accepted by all who had the welfare of the country at heart and truly desired to end conflict. If Roos was sincere, and he believed that he was, then the way was open to a reasonable settlement. The second letter came from a member of the Central Executive of the S.A.P. in the Transvaal. In this letter,

72. S.P. vol. 37, no. 58, 25 August 1927.

Advocate Adolf Davis, K.C., maintained that it was useless for the S.A.P. to stand or fall by the Senate flag; having accepted in the Senate the duty of proposing a solution, the S.A.P. could not now shirk the responsibility of continuing to try to find a solution. Roos's offer, he insisted, 'should not and must not be ignored by the S.A. Party.'⁷³

Capitalising on these letters, the Rand Daily Mail declared on 3 October that they reflected the growing desire of S.A.P. supporters to compromise with the Government. It described Trotter as 'a jingo of the Jingoos' and Davis as a prominent member of the S.A.P. who had played a leading part in the controversy and who ardently desired the inclusion of the Union Jack. Reasonable men everywhere, it added, were daily becoming increasingly convinced that the flag struggle had reached a stage where, to ensure the safety of the country, they simply had to bring pressure to bear on their Party leaders. Doubtless the Rand Daily Mail meant this pressure to be exerted most on Smuts. In the past, concessions had come from the side of the Pact, Roos's manifesto being the most recent example. And despite Hertzog's harangue against Smuts at Pretoria a week earlier, the Premier had kept the way open for a S.A.P. inspired compromise, something he was to do again at Bloemfontein on

73. Rand Daily Mail, 3 October 1927; Natal Witness, Daily Despatch, Eastern Province Herald - 4 October 1927.

4 October, the day after the Rand Daily Mail's call for pressure.

By contrast Smuts had offered no new idea since the Senate proposed his Senate flag in June - a flag which the Party had not zealously pressed. Until the Bloemhof riot and Roos's manifesto became important factors, this had probably been the most expedient course for the S.A.P. It had emphasized a 'negative' solution, namely, the withdrawal of the Bill until a more propitious time, rather than attempt positive solutions in the form of flag designs. Designs might help to solve the Pact's flag dilemma or merely create new Party flags, but neither of these opposing results might be seen by many S.A.P. parliamentarians as in their Party's interest. A policy of designing flags also created the risk of dividing the S.A.P.'s own ranks, for instance, its Afrikaners and Natalians. By emphasizing its negative plank the S.A.P. was most likely to retain unity on the flag question, divide the Pact, and, if successful at the referendum or in forcing the Bill's withdrawal, deal a severe blow to the Government's prestige.

However within a week of the publication of Roos's manifesto, prominent members of the opposition were warning Smuts against inflexibility. Writing from Cape Town, Burton warned Smuts that people who normally supported them thought that the S.A.P. was sticking to its position too rigidly. Many good supporters, he said, felt favourably

towards Roos's manifesto, and he believed that it should therefore be considered seriously.⁷⁴ George Wilson of the Cape Times informed Smuts that there was a defeatist element in the English-speaking community 'which is out for almost any kind of compromise.' He asserted that they were not a considerable element, 'but they do exist and cannot be ignored.'⁷⁵ The waves sent through the opposition by the manifesto were disclosed in a revealing but non-committal letter from Smuts to Crewe - one of the firmest opponents of compromise:

Roos's letter on the flag [he wrote] has had quite a remarkable effect on many of our English friends up here. They say if the Jack is there why bother so much over the National flag. Many hints have been thrown out to me in the last few days to be less uncompromising!....We shall evidently have to walk very warily over somewhat boggy ground in the coming session.

The serious and indeed grave condition into which the country is lapsing is frightening many good people, and this is a fact to be reckoned with.⁷⁶

The situation created by Roos's manifesto made it desirable for the S.A.P. to be seen as making some constructive effort towards a settlement. Instead of insisting that the whole question should be shelved, it had to provide evidence of a more positive approach. However, such an approach had to be acceptable to compromisers like Trotter and diehards like Crewe. One such line of approach had

74. S.P. vol. 37, no. 49, 7 October 1927.

75. Ibid. vol. 39, no. 362, 7 October 1927.

76. C.P. Crewe Papers, 6 October 1927.

already been indicated on 3 October when the Cape Times in a mixed editorial on the manifesto had seized upon an ambiguity and suggested that if this could be satisfactorily resolved Roos's statement might bear fruit. In his manifesto Roos had referred to the Union Jack as 'the Imperial flag of South Africa'; if this could be clearly stated in the Bill - the impression Roos was giving - headway might be made. On 7 October Wilson wrote to Smuts urging him to ask Roos to declare himself further on this point.⁷⁷ But Smuts had already decided to explore the subject. Its investigation could be seen as a forward move, as a concession to the new mood evident in the opposition and, at the same time, as one which held out the possibility of gain for all champions of the Union Jack.

Consequently at Bloemfontein on 7 October Smuts raised the issue. His speech, coming only four days after Hertzog's diatribe against him in the same town, was largely a vigorous reply to the latter. In a long address, devoted entirely to the flag issue, Smuts denied that he was a racist, denounced the campaign of personal abuse, deplored the deterioration of standards in political life, reprobated the 'disgraceful' way in which women had been treated at Bloemhof and regretted the disturbed temper of the country. He blamed the Government entirely for the country's 'very grave' position. It was a speech which, like so many

77. S.P. vol. 39, no. 362.

others, took full advantage of the controversy. However, it ended on a new topic - Roos's manifesto. Roos had stated, Smuts said, that there would be two flags for South Africa and that one of these, the Union Jack, would be the Imperial flag of South Africa. Yet, in the Bill the Union Jack was definitely not described as one of the Union's flags, being referred to merely as a symbol of their association with Great Britain.⁷⁸ Was the Government really prepared to put the terms of Roos's manifesto into the Bill? Would it recognize two flags and give them equal treatment? If the Government would do this (and give fair treatment to the Vierkleurs) then, he believed, Parliament would have something to work on when it met.⁷⁹

In the remaining week before Parliament met, 7 - 14 October, there were to be further significant developments. By 10 October the Cape Times had fully endorsed Smuts's queries. By directing attention to the manifesto he had made it a document of 'first-class political importance', and if the Government was prepared to change the Bill's phraseology to fit the manifesto's, then a long step would have been taken towards a reasonable settlement. Smuts had fairly faced Roos's proposals, it said. If Roos would

78. Section 7 of the Bill declared: 'The association of the Union with the other members of the group of nations constituting the British Commonwealth of Nations shall be symbolised by the Union Jack'.

79. The Star, Cape Argus - 7 October 1927; Cape Times, Die Burger - 8 October 1927.

now persuade Hertzog and Malan to agree in principle with the manifesto he would deserve the thanks of the country. Also on 10 October, Duncan, who had throughout adopted a conciliatory approach in the conflict, pleaded at Bellevue for the Pact and Opposition Parties to resume negotiations and so obviate a 'disastrous' referendum. In Roos's offer he saw signs that a settlement was not thought impossible in Government quarters, and he advised the S.A.P. to keep the door open for negotiations. And even though his past flag views had not been marked by a spirit of compromise, at Sub Nigel, Stallard too made a conciliatory statement on the flag question.⁸⁰

A more conciliatory attitude was also apparent when the Transvaal Congress of the S.A.P. met at Pretoria on 11 October. Here Smuts was able to confer with delegates amongst whom there were doubtless those who were anxious to pursue a more flexible policy. Roos's manifesto and the Bloemhof riot must have loomed large in the minds of many delegates concerned for the bearing of these events on country and Party. To appear unco-operative was to risk the danger of losing support.⁸¹ Addressing the Congress, Smuts declared that he was afraid of a referendum - not of its results, but of the campaign that would precede it.

80. Rand Daily Mail, 11, 12 October 1927; Cape Times, 11 October 1927; Die Burger, 12 October 1927.

81. See Cape Times, 17 October 1927, Mentz's conciliatory comments.

They had to calm the people; and though it was becoming difficult, due to the insults directed at their Party, to discuss the matter with their opponents, the S.A.P. was still prepared to explore any avenue towards a solution. The Party was prepared to treat and co-operate with the Government; he himself was prepared for a discussion and conference on the flag at any time - at the eleventh and even the twelfth hour. Rather than force the country to endure a referendum, he said, 'let us see whether the matter cannot be settled by compromise'.⁸²

Doubtless encouraged by the response to his manifesto, Roos tried to ensure further moves towards a flag settlement. He therefore probably deliberately chose to give an important interview to the Pretoria News when the S.A.P. Congress met. This time Roos advanced beyond his manifesto. Declaring that he personally was not bound to the present design, he promised to use his influence to persuade the Government to accept any reasonable Senate proposal. Such a proposal might be concerned not only with the size of the shield, or with its component parts, but even with altering the design as a whole. Because the Government was constitutionally bound to present the same Bill as had been rejected in the last session, it was up to

82. Rand Daily Mail, Cape Times, Die Burger, Die Volksblad
- 12 October 1927.

the Senate to make the proposal.⁸³

On the very same day, Kentridge, who had worked closely with Roos on the flag question before,⁸⁴ expressed similar views on the Union Jack and shield to a representative of The Star. The shield could be changed to meet objections, but the constitution precluded the Government from altering it without delaying the passage of the Bill. He felt sure that any reasonable S.A.P. proposal in the Senate would be accepted by the Government. As a Labourite he was all the more anxious to see the flag conflict settled because, he said, it was retarding industrial legislation.⁸⁵

It would seem that in the attempt to gain a settlement Roos was making willing use of Bailey and Kentridge. Even if the interests of Bailey conflicted in many ways with a Labourite's like Kentridge, each stood to gain from a flag settlement and therefore tried to further Roos's efforts. Kentridge praised the 'courageous lead' Roos had given, observing that it had produced a new spirit among the people and an encouraging response from the leaders of the S.A.P. The Rand Daily Mail commented on the 'sensible improvement in the flag situation during the past few days' and referred to the 'reasonable' views expressed by Duncan, Kentridge

83. Cape Times, The Friend, Die Volksblad, Rand Daily Mail
- 12 October 1927.

84. See pages 119ff.

85. The Star, 12 October 1927.

and Smuts, and to Roos's flexibility. It too reported the appearance of a new spirit of compromise since Roos's 'momentous' manifesto.⁸⁶

Malan and Roos clash

The 'new spirit of compromise' did not go unchallenged. Indeed, it created a Cabinet crisis. Roos's manifesto damaged any hopes Malan might have had that Hertzog's Pretoria speech would curb the Party's 'directional' conflicts and he therefore again took pains not to encourage hopes of further compromise, first at Durban on 3 October and then four days later at the Cape Congress of the Nationalist Party. At the Congress Malan was in a strong position to exert influence. When a Prieska delegate, perhaps influenced by the new mood of conciliation, tried to move that the Government should first try to gain a flag by agreement and, failing this, a clean flag, he was immediately silenced. Delegates overwhelmingly objected to his motion. Eloquent appeals were made on the flag issue by leading Congress members such as van Broekhuizen and Beyers, the latter maintaining that, if anything, the Government had already done too much for the English section. However, Malan's flag speech, described as 'skitterend' and his best yet, remained the most forceful.

86. 12 October 1927.

The Government, he insisted, would not budge another inch. Further concessions would simply mean capitulation to the Opposition. An 'irresponsible' newspaper in Cape Town had suggested that the shield's design might be altered to give the Union Jack a space equal to that of the other two flags. Would Congress agree to that? 'Never!' came the enthusiastic response. Finally, when Langenhoven moved the resolution calling for no more concessions in any circumstances, whether in the form of an enlarged shield or otherwise, the delegates, rising, adopted it unanimously.⁸⁷

On 12 October, while en route to parliament,⁸⁸ Malan learnt of Roos's Pretoria statement. On the following day in Cape Town he sent Hertzog a letter in which he expressed his strong disapproval of the statement and demanded an assurance that Roos would not step out of line again from Hertzog himself. According to The Friend's report of the statement, Malan complained, Roos had made his offer in the name of the Government and without any previous consultation

87. Cape Argus, 6, 7 October 1927; Cape Times, 6, 7, 8 October 1927; Die Burger, 6, 7 October 1927; Die Volksblad, 7 October 1927; The Star, 6 October 1927.

See also The Friend, 12 October 1927, Malan at Lindley.

88. It was decided to call an ordinary session of parliament rather than a special session in order to avoid conflict over whether the use of a re-convened parliament, after only a short recess, was in keeping with the spirit and letter of the Act of Union's provisions for joint sessions. Some maintained that the 'new session' referred to in Clause 63 of the Act was intended to mean the next ordinary parliamentary session of the succeeding year (see Cape Times, 27 July 1927; London Times, 13 October 1927).

with the Cabinet or himself as the responsible minister; and the statement conflicted directly with the policy which Hertzog, as Prime Minister, had recently publicly laid down at Pretoria and Bloemfontein. If Roos's action had been an isolated incident, he would willingly have let it pass, but Hertzog and the Cabinet knew as well as he did that similar action had occurred more than once. The consequent confusion and the advantage this had given to the Opposition, was obvious. Worst of all was the fact that such action struck at the foundations of co-operation and joint responsibility without which ministerial government must become impossible. Hertzog would agree, he said, that under such circumstances it would be absolutely impossible for him to fulfill his responsibility in the task entrusted to him by the Premier and Cabinet, unless he received the necessary assurances against unauthorised actions by another Minister. Only Hertzog, as Prime Minister, could give these assurances and he trusted that he would be able to do so before he, Malan, was expected to introduce the Flag Bill.⁸⁹

Early the following morning Hertzog replied. He

89. H.P. vol. 61, 13 October 1927; Malan, pp. 131-3.

This was not the first time Roos had trod on a colleague's toes. In September 1925 Creswell complained bitterly to Hertzog about an attack Roos made on certain defence force regiments maintaining that it threatened the principle of joint Cabinet responsibility (H.P. vol. 27, 6 September 1925; Creswell Papers (Pretoria), vol. 3, letters to wife, 5, 6 September 1925).

appealed to Malan not to act in haste. He was quite prepared to hear Malan's complaints but could hardly do so at that moment - Friday morning, two hours before the formal opening of Parliament. He wished to point out that Ministers should have been in Cape Town on Monday to discuss matters. It also seemed to him that in view of the seriousness with which Malan regarded his complaints against Roos, and their even greater possible consequences, Malan could not expect him to express himself on the matter before he had also heard Roos. He thought Malan's complaints ought to be made in Roos's presence and he would therefore, as soon as the morning's functions ended, make the necessary arrangements to hear them. In the meantime, he expected Malan to be prepared to proceed with Monday's agenda. Finally, he wished to remind Malan of what was at stake; he could not believe that Malan would want to see a national matter fail for the sake of a personal grievance.⁹⁰

What is to be made of this correspondence and Malan's complaints? From The Friend's report of Roos's statement it is quite clear that Roos had stated his personal views and not those of the Government. Only the first paragraph of the report lends itself to Malan's interpretation;⁹¹ in the several paragraphs that follow Roos was clearly expressing his own views, and took care to say so. In all

90. H.P. vol. 61, 14 October 1927.

91. This is the only paragraph quoted in Malan's letter (see Malan, pp. 131-2).

events, the complaint that Roos had put forward unacceptable suggestions could have been made equally against his manifesto - and it is perhaps for this reason that Malan makes no mention of it in his account of the flag struggle. As for his last complaint, Roos had already transgressed several times during the recess, for instance in August.⁹² All the grounds for Malan's complaint already existed on 1 October. Why then was the Pretoria statement seen as 'the last straw'? Perhaps the answer lies partly in a fear of the growing movement towards conciliation and compromise dating from the manifesto and riot. And certainly it was related to Malan's increasing suspicion that in order to reach a settlement, an attempt was being made by Roos and others to exclude him from the final arrangements.⁹³

Although Malan did not identify Hertzog as party to this plan, he probably suspected him. As Deputy Prime Minister Roos was close to Hertzog. The suspicion must surely have crossed Malan's mind when Roos's manifesto appeared, and even more after his Pretoria News statement, that Roos's declarations had the tacit approval of the Prime Minister. On earlier occasions - as Malan well knew - Hertzog had inclined towards Roos's views on the flag question and he might be doing so again. Malan's

92. See pages 466 ff.

93. Malan, pp. 132-3; Die Burger (Malan), 4 February 1957.

demand may therefore be seen as being precipitated chiefly by fears of compromise and collusion, and intended to warn Roos and others that, so long as he was responsible for implementing Government flag policy, he would not allow another Minister to determine that policy.

Whether Hertzog was indeed in collusion with Roos must remain an open question on the available evidence. Certainly his reply, with its final reduction of the conflict to a 'persoonlike grief', reveals no sympathy for Malan's legitimate complaint; for whether Roos had represented his views as personal or official, he had unquestionably trespassed on the terrain of another Minister. Irritation with, rather than sympathy for Malan is to be found in the reply, but this was doubtless not unrelated to the very awkward timing of Malan's letter. Again, at the Cabinet meeting held immediately after the opening of Parliament to discuss the issue, Malan appears to have been unable to arouse the sympathy of Hertzog who, 'op pynlike wyse na alle kante toe rondgeval [het] om te wete te kom wat my klagte nou eintlik was.'⁹⁴

However, wherever Hertzog's sympathy may have lain, he was above all concerned to maintain Party unity. At the Cabinet meeting which discussed Malan's complaint, Roos threatened to resign if the Cabinet passed anything

94. Malan, p. 132: Die Burger (Malan), 4 February 1957.

tantamount to a motion of no confidence in him.⁹⁵

Hertzog's desire to make as little as possible of the conflict is therefore readily understood. So too is the attitude of the other Cabinet members whose 'bydrae was 'n sagte teregwysing van 'n dwalende broer.'⁹⁶ If Malan expected strong action against Roos he was disappointed; apparently not even Beyers came out strongly on his side. To have demanded stronger action would certainly have brought a dangerous split in the Party and Malan (who would have been unwise to force a Party split over a constitutional rather than a purely political question) was probably seeking to achieve no more than has been suggested above - to reassert his rights over flag policy in the face of the increasingly uncertain developments initiated by the Bloemhof riot and Roos's manifesto.

95. Malan, p. 132; Die Burger (Malan), 4 February 1957.

96. Ibid. (both).

CHAPTER XVIII

THE FLAG SETTLEMENT

Smuts, the S.A.P. and the desire for settlement

Malan's efforts were to prove belated for the momentum created by Roos's manifesto continued to gather force. The Cabinet meeting had taken place on Friday, 14 October. By next Tuesday, without even informing or consulting him, Hertzog had met Smuts in an attempt to reach agreement. How had this meeting come about?

It was clear to many that with a potentially dangerous referendum drawing near, the time available for a general agreement was running out and that the most likely way out of the flag dilemma was to bring the two leaders together. Though Malan might precipitate a crisis over a fellow Minister's attempts to direct flag policy, Hertzog would be acting fully within his rights if, as Prime Minister, he took its direction into his own hands. By this strategem, Malan's influence over events would be weakened. To be sure, Malan would still be able to exert influence in the Cabinet and Caucus, but major control over flag policy would lie directly in the hands of the Premier. Under the circumstances this seemed the wisest move. The first problem was to get Hertzog and Smuts to meet.

As leader of the Opposition, it was Smuts's task to return his Party to power. Viewing the flag question in this light, he might have argued that the present controversy had arisen because of the unwisdom of the Government which should have withdrawn its legislation when the warning lights were clear. If Hertzog had been unable to bend Malan to his policy, that was Hertzog's concern, not his. So long as the S.A.P. gained from the Pact's embarrassment, it would cling to its policy. But policy had to be constantly reassessed. A flag policy that showed a nett gain in July might no longer be doing so in October, when former Party diehards were openly expressing dissatisfaction.

Dissatisfaction with the S.A.P.'s flag policy among its supporters was hardly new.¹ In June, five S.A.P. supporters announced that they were leaving the Party; all gave its flag policy as a major reason and all were Afrikaners. They included a prominent Free Stater, who had been Mayor of Parys five times, and a Transvaaler who had twice stood as a S.A.P. candidate for Parliament and was a member of the General Council of the Party's Executive Committee.² Between July and the end of September some ten more S.A.P. supporters openly joined the Nationalists.³ Once again they were all Afrikaners - the very people Smuts was most anxious not to

1. See Die Burger, 9, 31 May 1927; Die Volksblad, 1 June 1927; Ons Vaderland, 7, 8 June 1927.

2. Die Burger, 4, 22 June 1927; Ons Vaderland, 1, 14, 24 June 1927; Cape Argus, 23 June 1927. (They were Major Troskie Maré and Major E.F. Pienaar, respectively).

3. Die Volksblad, 17 September 1927; Ons Vaderland, 23 September 1927; Die Burger, 28 September 1927.

lose in order to prevent his Party from becoming a racial one. And, each public apostasy reflected far more private ones. Some S.A.P. voters had joined local O.O.F.O. organizations,⁴ and large numbers had attended the local meetings of Nationalist M.P.'s who presented the Flag Bill as a bridge across which every self-respecting Afrikaans-speaking S.A.P. member could cross without loss of honour. Had not Smuts abandoned his own people, they asked, by denying them their flag and demanding the Union Jack - that symbol of his people's inferiority? In a letter to Ons Vaderland in July, a former S.A.P. voter claimed that thirty S.A.P. supporters in the Wonderfontein area alone had gone over to the Nationalists because of the S.A.P.'s insistence on having the Union Jack. Though the local Secretary of the S.A.P. denied the claim, the possibility of defection in various areas could not be overlooked.⁵

However Smuts appears to have been far less concerned with the above than with the possibility that in some cities many S.A.P. supporters would not vote at all. By October 1927, apathy towards the flag issue in certain areas had become an important factor. Strong feelings continued to reign in many country areas and in Natal, but in the important population centres of the Rand and Western Cape feelings appear to have cooled. As early as April 1927 Fremantle reported from Cape Town that there certainly was a good deal of

4. Die Burger, 6, 17 September 1927; Die Volksblad, 19 October 1927.

5. Ons Vaderland, 12, 22 July 1927; The Star, 22 July 1927; Die Burger, 13 October 1927.

flag feeling, but there were also many English-speakers who wanted a settlement and were quite prepared to accept the Pact's flag - or, not vote at all in a referendum.⁶ From August onwards, English-speakers' loss of interest (in these areas) was remarked upon by several political observers. In the last week of August Cohn told Smuts that on the Rand there was 'pretty general agreement' that the flag issue had ceased to be exciting and that for the time being people there were perhaps tired of the issue.⁷ In mid-September Crewe complained to Smuts: 'I hear Johannesburg is very feeble and that Leslie Blackwell has indicated to you that the Rand wants the flag business settled even at the cost of further compromise.'⁸ After the appearance of Roos's manifesto in the first week of October, warnings came in thick and fast. Struben, while insisting that the Eastern Frontier was solidly against the Flag Bill, feared that there was danger of apathy amongst S.A.P. voters. On 7 October, George Wilson and Burton, in Cape Town, and Cohn, in Johannesburg, all warned Smuts that there were S.A.P. voters in these areas who strongly wanted compromise, or who were defeatist and apathetic.⁹ Pim too sounded a warning.¹⁰

6. Fremantle Collection, letter to Pim, 26 April 1927.

7. S.P. vol. 37, no. 58, 25 August 1927.

8. S.P. vol. 37, no. 62, 16 September 1927.

9. Cape Times, 5 October 1927 (Struben); S.P. vol. 39, no. 362 (Wilson), vol. 37, no. 49 (Burton), vol. 97, no. 97 (sic) (Cohn).

10. Pim Papers, Smuts to Pim, 24 October 1927. See also Stanford Papers, D56, 13 October 1927, for apathy in the 'Cape area'.

Smuts had recognized the problem earlier. After successful meetings in the Western Transvaal in August, he observed that though the Party had a great volume of opinion behind it, he feared that lukewarmness and abstention from voting could cost them a referendum victory.¹¹ Later in the month he told a Rustenburg audience that he was sure the S.A.P. had the support of the majority of people; the only thing he feared was apathy. Roos, he said, was counting on the apathy of English-speakers, believing they were 'sick to death of politics'. Returning to the Transvaal after his highly successful tour of Natal, Smuts complained to Randfonteiners that even though the flag question was the biggest they had ever had to face, people on the Rand were not much concerned with it; he warned that they would bitterly regret their lukewarmness. Finally, in the first week of October, when Crewe insisted that there should be no further compromise, Smuts reminded him that on the Rand there was 'obviously great lukewarmness.'¹² Though fears of apathy (and exhortations against it) are to be expected in any referendum campaign, there is little doubt that Smuts had grounds for real concern about the weak response in some important areas by October 1927.

Attempting to explain this apathy, Cohn suggested that

11. S.P. vol. 102, no. 227, letter to Crewe, 11 August 1927.

12. Cape Argus, 20 August 1927 (Rustenburg); The Star, 17 September 1927 (Randfontein); S.P. vol. 102, no. 230, Smuts to Crewe, 6 October 1927.

See also S.P. vol. 102, no. 228, Smuts to Crewe, 15 September 1927; Pim Papers, Smuts to Pim, 24 October 1927.

the S.A.P.'s chief weakness lay in the design of the Senate's flag; people comparing it with the 'shield flag' thought the latter to be 'the lesser evil'. Doubtless the failure of the S.A.P. to produce an appealing flag was a handicap, but the growth of apathy in certain areas is perhaps best explained in terms of their over-exposure to the flag issue. Both Johannesburg and Cape Town, mainly through their newspapers (and in the latter town also through the presence of Parliament), had been exposed to the controversy periodically for some two and a half years. There had been a brief exposure in 1925 when the controversy first arose; but from 1926 onwards there had been little respite from the issue and, as Cohn himself observed, it had become 'stale'.¹³ That this had not occurred in Durban, where exposure to the issue had been at least as great as elsewhere, must be attributed largely to the Natalians' greater sentimental attachment to England, to their stronger fear of Afrikaner domination and to their unabated suspicion that the Nationalists' desire for a new flag was linked to plans for ultimate secession. On the Rand this last fear appears to have lessened, possibly due to the more moderate views expressed by the Rand Daily Mail and Sunday Times. And rather than risk commercial disruption (likely to be more strongly felt on the Rand than elsewhere) and civil commotion (with memories of the bloodshed of 1922 still fresh), many were prepared, as Cohn put it, to 'trust to luck.'

From what has been said it is clear that from the narrow

13: S.P. vol. 97, nos. 93 and 97, Cohn to Smuts (both), 25 August and 7 October, respectively.

view of Party gain the continuation of the controversy had become a dubious asset to the S.A.P. For instance, the Party had probably now benefited as much as it could from Labour's invidious position without risking disunity in its own ranks. Real difficulties could arise between Afrikaans-speaking Transvaal M.P.'s and Natal's parliamentarians,¹⁴ or even amongst English-speaking S.A.P.'s, such as Duncan, on the one hand, and Nicholls and Crewe, on the other. When Crewe learnt of the activities of compromisers on the Rand, he wrote Smuts a strong letter in which he did not hesitate to firmly warn him that further concession would mean a break within the S.A.P. at the next general election and that this break would have his sympathy.¹⁵ It now appeared to be in the S.A.P.'s interests to settle the question as soon as possible. Yet more than the Party's own future was involved. As the Rand Daily Mail commented on the day Parliament met:

...the SAP...has derived a certain amount of benefit from the position it has taken up. The government presented it, for the first time, with a "live" issue, and its leader/s/ would have been something considerably less than politicians had they failed to take advantage of it. But the situation has now drifted to a stage when there are no further advantages to be gained on either side. Both parties now recognise the hard fact that something very much more than a mere political issue is involved. It is the future of South Africa that is at stake....¹⁶

Indeed, the factors mentioned above should not be allowed to obscure the fact that what responsible men at this

14. See below.

15. S.P. vol. 37, no. 62, 16 September 1927.

16. 14 October 1927.

time feared most was civil strife if the issue went to a referendum. This larger problem, rather than the pro's and con's of Party gain, tended to dominate politicians' thoughts by mid-October. Roos's manifesto (and the Bloemhof riot) had created an atmosphere in which Smuts had willy-nilly to adopt a more conciliatory attitude. Yet this could not have been unwelcome to him when Parliament met. The flag issue had had its advantages. But he had always disliked and, even been repelled by it, seeing it as a product of a 'crude and self confident' nationalism.¹⁷ A few days before the start of the October session, he confided to Gillett:

I have been exceedingly busy the last month or two. ...And the work is specially unpleasant and uncongenial to me, being mostly in connection with the Flag question which does not interest me much and whose interest for the country is mostly unwholesome and racial sentiment....Now we shall have months more of it in parliament, and thereafter some time next year we shall have a referendum of the people which will work them up to white heat. Much of the good work of racial concord for which Botha and I were responsible in the old days lies in ruins. No wonder one feels sad and sometimes savage over all this.¹⁸

Even if Party pressures had made it impossible for Smuts to refuse to negotiate directly with Hertzog, there can be little doubt that, when approached, he must have welcomed the opportunity to do so.

Hertzog, the Nationalists and the desire for settlement

In the Nationalist camp various views were current.

17. See S.P. vol. 39, no. 290, to Gillett, 17 May 1927.

18. S.P. vol. 39, no. 313, 10 October 1927.

J.H.H. de Waal, Deputy Speaker in the Assembly, held that the S.A.P. planned to prolong the conflict into 1928 and to use it as the main issue in the next general election. He warned Hertzog that the Senate might refer the Bill to a Select Committee which would take evidence on the desirability of a national flag in all four provinces; hearings would continue well into 1928 so that the Pact would be left with the unresolved issue until shortly before the general election.¹⁹ While some, like Malan, opposed any significant concession, others, like Roos, were anxious to compromise and avoid the referendum. The latter group could point to the blow the controversy had dealt to their Party in Natal.²⁰ They could point to the more serious damage done to the Labour Party and argue that the referendum would do it still more harm. This harm could affect the Pact and its chances of returning to power in 1929. And these chances would be further eroded if they lost the referendum, which was not unlikely. Even amongst Nationalists the 'shield flag' had not proved popular. At an October congress of the women's branch of the Nationalist Party in the Transvaal, the Chairman of O.O.F.O. was clearly unhappy about the degree of support the organization had received and frankly admitted that many Afrikaans-speakers opposed the flag.²¹ One Nationalist, in a letter to Die Volksblad, took Malan to task for asserting

19. H.P. vol. 28, letter from J.H.H. de Waal, 9 September 1927. See also Forward, 7 October 1927.

20. See Die Burger, 20 July 1927, 'van ons korrespondent', Pietermaritzburg.

21. Ons Vaderland, 11 October 1927. See also ibid. 4 October 1927, A.P. Brugman, O.O.F.O. Chairman.

that if the Government compromised further their own people would repudiate them. Had this not happened already? he asked, and predicted that thousands of Nationalists would not step out of their way to vote for the flag.²² Thus even if some supporters of the S.A.P. voted for the flag, this advantage would be vitiated by those Nationalists who abstained. Many Labourites would also abstain, to show their displeasure. But many other Labourites would vote against the flag, and Coloured and African voters would reject it en masse. The Nationalists' chances of success in the referendum were therefore not at all good and it is not surprising that J.H.H. de Waal felt pessimistic about them.²³

However, for Hertzog the above was probably of secondary importance. Three overriding considerations doubtless governed his attitude in October towards the flag struggle: the fact that the referendum would not settle the dispute; fear that it would create civil commotion; and the belief that so long as the flag issue remained unresolved it would distract the electorate's attention from far more important matters - such as the Colour question and his Native Bills. Only by general agreement could the country obtain a truly national flag, avoid conflict and end the struggle. And general agreement, particularly at this stage, was most unlikely to be achieved through Parliament. The best, if not

22. 11 October 1927. See also ibid. 25 October 1927; The Star, 12 October 1927, Pim.

23. H.P. vol. 28, letter to Hertzog, 9 September 1927. De Waal believed that not more than a dozen Coloureds and Africans would vote for the flag.

Amery too thought that the S.A.P. would 'very probably' have won the referendum (S.P. vol. 37, no. 12, Amery to Smuts, 31 October 1927).

perhaps the only way to achieve agreement appeared to be through direct negotiation with the Leader of the Opposition. Much as Hertzog may have reprobated Smuts's stand on the flag question, by mid-October, he too had probably reached the stage where the idea of personal talks on the issue with his chief political adversary was not unwelcome.

Right up to the moment before the Bill was re-introduced, Bailey's influence was felt through the Rand Daily Mail and Sunday Times which continued to exert pressure on Hertzog and Smuts. Thus, just before the Bill's first reading the Rand Daily Mail, in words clearly directed at Hertzog and Smuts, warned:

If the leaders on both sides should happen to be timorous or reluctant to take the necessary steps towards compromise, pressure must be brought upon them by the more far-sighted and courageous men in their respective parties....There are powerful influences at work in the interests of conciliation, and they must prevail. The peace and prosperity of South Africa cannot be permitted to be sacrificed to gratify either the vanity or the ambition of any Party leader, whoever he may be.²⁴

Similarly the Sunday Times warned that South Africa faced the fiercest crisis in her history. She stood at the cross-roads of her destiny. Which road would she take? The answer would depend on Hertzog and Smuts:

Parliament would take its tone from the attitude of these two leaders....Never have these two great sons of South Africa been called upon to face a more dreadful responsibility than is their's at present. On what they say and do in the next few weeks the whole future of the Union may well depend. And if they cannot, on account of their personal antagonism and personal ambitions, bring themselves to handle the situation in a statesmanlike manner, then they

24. 15 October 1927. See also ibid. 14 October 1927.

should follow the sensible suggestion of Sir Abe Bailey, retire temporarily from the arena, and leave the settlement to their influential colleagues - among whom Mr Tielman Roos, on the one side, and Mr Patrick Duncan, on the other, have shown unmistakable signs of being imbued with the spirit of mutual tolerance that is so badly needed in this calamitous crisis in the country's domestic affairs.²⁵

Such editorials may also have played their part in influencing the dramatic events of the next few days.

Groundwork before the talks

On Monday afternoon, 17 October, the Flag Bill was re-introduced. A very large number of Members were present while the Speaker's and side galleries were full. Even if the House was not quite so crowded as at some previous flag readings, it was tense. It was taken for granted that the flag problem would dominate the session.²⁶ Though conciliatory remarks by some M.P.'s had preceded the session, the atmosphere soon turned sour. Almost immediately the temper of the Opposition was aroused by Hertzog's motion to take private members' days - starting from early in the session. Hertzog simply moved the motion without offering any

25. 16 October 1927. (Emphasis in original.)

26. The iron and steel industry and precious stones measures were seen as relatively minor issues at the time. Most Members took little interest in them (see Duncan Papers, letter to Lady Selborne, 21 October 1927, and below). The measures also aroused little interest amongst the general public. Neither Beyers, as the Minister responsible for the legislation, nor any other Minister, made a really concerted effort to explain it to the electorate during the recess. (For much of the recess Beyers was abroad.)

justification for it. Several Opposition Members protested strongly at what they regarded as an encroachment on the established rights of Members.²⁷ And there was further objection to Hertzog's next motion - that evening sittings should start at once.²⁸

In this unpleasant atmosphere the Flag Bill was formally introduced. Smuts immediately sought clarification of Government policy. The Pact, he said, was speaking with two voices. On the one hand, Roos in his memorandum and Pretoria News interview had created the impression that he was prepared to make very large concessions. He seemed ready to accept two equal flags in South Africa, and prepared to transform the domestic flag so that not only the shield but also its component parts could be enlarged. The effect of his communications had been to create an atmosphere of conciliation in the country; all over South Africa reasonable people wanted to avoid the calamity of a referendum and saw his statements as a way out. The S.A.P. was prepared to consider Roos's views seriously as a genuine contribution towards a solution. But, on the other hand, Malan had stated that the Government would concede nothing and was apparently backed by Hertzog who had said at Pretoria that no more steps would be taken by the Government to introduce an amendment.

27. Hansard, vol. 10, 8-28; Cape Times, 14, 17, 18 October 1927; Rand Daily Mail, 18 October 1927. As was pointed out by several speakers, the Government had called an ordinary session in order to preclude possible constitutional difficulties, but was treating the session as a special one. (Smuts had also removed private members' days in 1914 and 1919, but these had been at special and not ordinary sessions.)

28. Hansard, vol. 10, 30-60.

Furthermore, though Roos favoured compromise, his Party's (Transvaal) Congress had insisted on no compromise. And the Party's Cape Congress had taken a similar stand. All this had confused the public. Was the Government's policy that of Roos or the policy of 'not one inch further'? People were entitled to a clear statement - and he wanted to hear it. Also, he wanted to hear what arrangements would be made to come to an agreement. Would the Bill simply be forced through 'mechanically', or was the Government prepared to send it once more to a conference or a select committee to find a way of achieving agreement? The Assembly was a debating chamber; no solution would come by way of question and answer across its floor. Could they look forward to consultation or a peaceful settlement to 'this disastrous question which is vexing the country to-day to its depths?'²⁹

In a brief reply Malan was, 'very unyielding in both word and manner.'³⁰ He stated that they had embarked on the pursuit of a new flag on the assumption that both sides of the House would co-operate. But from the start Smuts had refused to help. He and the Opposition had stubbornly clung to their original attitude; every concession had come from the Pact. Another conference or select committee was out of the question. Not a single new concession would come from the Government. If Smuts wished at last to take a practical step towards agreement, then the Senate, in which his Party

29. Hansard, vol. 10, 37-42.

30. Duncan Papers, letter to wife, 18 October 1927.

had a majority, could make a proposal, 'and if the Senate makes a proposal which is acceptable to us then we shall accept what is acceptable.' But the Government would present no proposal and hold out no hope of a concession.³¹

Reporting on the first reading, the Rand Daily Mail's political correspondent saw Malan's 'almost brutally blunt' reply as the climax of a hot afternoon's debate and a fore-taste of what was likely to happen in the country if an amicable agreement was not reached. Smuts, reflecting on the debate, told his wife that it seemed to him that the Nationalist Party would not allow its leaders to make any changes, 'En so gaan ons die donker toekomst in. Arm (sic) land! Maar ons sal sien.'³²

Indeed immediately after the division some were already earnestly seeing about what could be done to avoid the impending clash. As the House rose from its afternoon sitting, Duncan was approached by three of Roos's friends - Colin Steyn, Barlow and Kentridge. The word of Malan, they told him, was not the last word on the flag; a settlement could still be arranged. Two hours later, Duncan was again approached, this time by Jagger. He had had a talk, Jagger said, with Roos and the latter would call on Duncan the next morning. Though Duncan believed that Roos was not a man to be trusted, he considered that provided they took care not to rush into a snare, every risk was worth taking in the

31. Hansard, vol. 10, 42-4.

32. Rand Daily Mail, 18 October 1927; S.P. vol. 39, no. 245, 17 October 1927.

interests of a settlement.³³ As a moderate and respected member of the S.A.P. who was on friendly terms with Smuts, Duncan was clearly being approached as one who could play a role in influencing Smuts and bringing him and Hertzog together.

This role was played the next day when Duncan, Roos and Athlone were the chief agents in bringing the two leaders together. Exactly what part was played by each cannot be stated with certainty on the available evidence. However, whereas Duncan appears to have played an important role as mediator only towards the end, Athlone, as has been noted, had been active behind the scenes for some time. His continued concern is indicated by a letter he wrote to Hertzog on 30 September, before leaving for Cape Town and the parliamentary session. After referring to the many discussions on the controversy he had already had with Hertzog, he continued:

May I still continue my humble attempts at mediation when at Cape Town and report to you the results of my talks with those on the other side? I see a glimmer of sunshine and perhaps at the eleventh hour some sort of an agreement can be reached. I know you desire this to take place.³⁴

Once in Cape Town, with an urgent session drawing near and politicians arriving, Athlone must have put out peace feelers amongst the leading political figures there. Roos had meanwhile been promoting his own peace efforts and putting out feelers of his own. All this probing probably revealed

33. Duncan Papers, letter to wife, 18 October 1927.

34. E.P. vol. 28.

to Athlone and Roos (and was probably reported to Hertzog) that there was a strong desire for agreement by discussion. When, immediately before and in the first reading, Malan took a hard line, matters came to a head. Roos found himself in an extremely awkward position. After having given the country the impression that large concessions were possible, he was now being made to look foolish in the eyes of the public,³⁵ he was in danger of losing his credibility. As Duncan confided to his wife, if the Government did not honour Roos's offers, he would be completely discredited.³⁶ In the interests both of the country and Roos's own political future, Malan had to be by-passed and Hertzog and Smuts brought together. And the best way of doing this was through the intercession of the neutral Athlone.

Doubtless the idea that the Governor-General might intercede in the conflict had occurred to Athlone and other responsible people.³⁷ As he had discussed the flag question with Hertzog on many occasions and also appears to have been on good terms with him, Athlone may have very tentatively offered, at one of these discussions, to intercede in some useful way - if Hertzog so desired. But the idea that he intervened off his own bat,³⁸ or solely on the basis of a

35. See Esselen Collection, list no. 77, archive no. 28, Smuts to Louis Esselen, 19 October 1927.

36. Duncan Papers, 20 October 1927. See also his letter to Lady Selborne, 21 October 1927.

37. For example see J.H. Hofmeyr Papers, draft letter from Hofmeyr to Captain Birch-Reynardson, 17 October 1927.

38. Works which state or give this impression include E. Alexander, Morris Alexander, p. 134; M.E. Sara, The Rt. Hon. the Earl of Athlone, p. 204.

request from Roos,³⁹ seems unlikely. Athlone would probably have concluded that his intervention, as Governor-General, in a domestic problem that was so delicate and so fraught with the possibility of harming imperial relations, was out of the question - unless it enjoyed the support not only of Roos but also of his Prime Minister. Roos too must have realized that to call upon the Governor-General to intercede without first obtaining the consent of his Prime Minister would be imprudent. His exploratory efforts on Tuesday were therefore probably made with, at the very least, Hertzog's tacit approval.

During Tuesday, Roos met Duncan three times; the latter had several discussions with Smuts while Roos met with Hertzog.⁴⁰ These discussions set the stage, established the bona fides of the two leaders, and so enabled Roos to approach the Governor-General for his good offices. On the same day (the fact that the Bill's second reading was down for Wednesday imparted added urgency) Athlone asked Smuts to see him. Immediately after their interview he wrote to Hertzog:

I have just seen the leader of the Opposition who assures me he is sincere in his desire to come to

39. As in A.G. Barlow, Almost in Confidence, p. 198. Malan (p. 133) cites Barlow as confirmation of this view, which is also his own. He adds (it is not clear whether he is attributing what follows to Barlow or not - in fact Barlow did not express these views) that Roos persuaded Athlone that: 'Hy [Athlone] moes genl. Hertzog en genl. Smuts beweeg om mekaar te ontmoet, om ooreen te kom om my by die oplossing daarvan uit te skakel, en om dan self die verdere behandeling daarvan in hande te neem. Dit het werklik ook geskied.'

40. Duncan Papers, letters to wife and Lady Selborne, 19 and 28 October 1927 respectively.

an agreement with the Government on the Flag question. I think this information may be of assistance to you and, if I can be of any further use in bringing the parties together please let me know.⁴¹

That same afternoon the two leaders met for the first time.

Despite his suspicions, news of these developments apparently came as a surprise to Malan. He first learnt of them at a Cabinet meeting later that day. Hertzog informed his Ministers that discussions would take place between Smuts and him alone, but that he would keep the Cabinet informed of developments. Even though Malan was the Minister in charge of the Bill, he had not been informed or consulted.⁴² The flag measure which he had fathered in 1925 had grown into a monster which neither he nor anyone else had expected, so that the anger he must have felt at this treatment may not have been untinged with some feelings of relief. If the Premier snatched the question out of his hands, then the Premier would have to bear some of the inevitable opprobrium for the final compromise settlement.

On the following day when the Bill was read for a second time there were only two speeches: Malan's and Duncan's. Replying to Malan's brief speech, Duncan questioned the wisdom of Malan's preparedness to accept a national flag by mere majority and his refusal to accept any amendment in the

41. H.P. vol. 28, 18 October 1927.

42. Malan, p. 133; Die Burger (Malan), 4 February 1957.

Assembly.⁴³ If there was still any idea of a settlement, Duncan said, it should be reached in the Assembly for it would then carry more weight in the country. Duncan took pains to deny the contention that the Pact had been the Party of compromise throughout, and declared that the Opposition was prepared to accept any Government design which combined the traditions of both races and satisfied the great majority of the people. He appealed against the closing of the door to agreement. Both sides had seen the feeling of the people and the bitterness caused by the dispute; they had some idea of the wreckage a referendum would cause the country and they had, he hoped, drawn some lessons of wisdom and toleration. He therefore moved that the debate be adjourned. The motion was accepted.⁴⁴

Though the House then turned to the Precious Stones and Iron and Steel Bills, for the next week its interest remained focused on the flag controversy - and the events arising out of it. Little interest was taken in the proceedings in the Chamber; at one stage, quipped a reporter, it seemed as though the Precious Stones Bill would have to be put through by the Minister concerned and the Speaker alone. Members spent most of their time in the lobbies 'discussing possibilities and indulging in curious speculations'. The flag remained the chief topic of discussion.⁴⁵ Describing the

43. Malan had pointed out that the Act of Union precluded the Government from taking an amended Bill to the joint session (Hansard, vol. 10, 72-3).

44. Ibid. 75-80.

45. See Cape Times, 21 October 1927; Die Burger, 24 October 1927; Die Volksblad, 21, 25 October 1927.

past week in his column 'Pictures in Parliament', Barlow wrote on the day before the final settlement:

The House of Assembly has now been sitting for over a week - never before has there been such a time. Members of all parties do not quite know where they are. Inside the House, where it is difficult to keep a quorum, everything is quiet, dull and dismal. There is a pretence at legislation....No one, however, is at all interested at what is going on in the Chamber where speakers, for the most part, address empty benches. Ministers introduce their bills in as few words as possible and refuse to reply to debates. There is a pall hanging over the Chamber and with all my long experience of Parliamentary life....I have never known a more dead and disorganised House. No one seems to care a bit what happens inside....⁴⁶

Despite its removal from the Chamber, the flag issue (and Roos's related pronouncements towards the end of the week) remained the chief interest of parliament and the country as a whole.

The Hertzog-Smuts talks

Against this background the Hertzog-Smuts talks took place. Both men were anxious to reach an agreement. Despite the abuse which Hertzog had hurled at Smuts in public, the talks were conducted in an atmosphere that was calm and proper and each later paid generous tribute to the other's efforts. Smuts's principal goals were to get rid of the 'objectionable shield' and to obtain a clear legal recognition of the Union Jack as one of the country's two flags. For the domestic flag he would have preferred to see the Union Jack and two republican flags on a neutral ground,

46. Forward, 28 October 1927.

such as blue, rather than on the ground of the Orange flag; but on this point he told Hertzog, that if the latter insisted, he was prepared to give way. However, the three flags on the national flag had to be clearly visible.⁴⁷ And, as we shall see, he was to attempt to obtain double size for its Union Jack.

The two leaders probably met five times.⁴⁸ After their first talks in which they sounded the ground for areas of possible agreement or disagreement, Hertzog reported back to the Cabinet. It was to be the first of three such Cabinet meetings. At this first meeting, Malan deliberately abstained from the discussion as he wished to give the impression that the talks themselves were not his concern and that he wanted no responsibility for them. Rather, his task was to adjudge their results and then act as circumstances warranted. A meaningful silence and wait-and-see attitude, he believed, would place him in the strongest position to control the course of events.⁴⁹

But if Malan chose to keep silent in the Cabinet, he remained active outside it. On Tuesday, the same day on which Hertzog and Smuts met for the first time, a deputation

47. S.P. vol. 39, no. 246, to wife, 22 October 1927; ibid. vol. 37, no. 20, Athlone to Smuts, 30 October 1927; ibid. vol. 102, no. 231, Smuts to Crewe, 2 November 1927; Esselen Collection, list no. 56, archive no. 29, Smuts to Esselen, 23 October 1927.

48. On Tuesday, Wednesday, Friday, Saturday and Monday, 18, 19, 21, 22 and 24 October, respectively. (See Esselen Collection, Smuts to Esselen, 19 October 1927; S.P. vol. 39, no. 246, to wife, 22 October 1927)

49. Malan, p. 134: Die Burger (Malan), 5 February 1957.

from the Central Committee of Malan's Party saw Hertzog and petitioned him against compromise.⁵⁰ On the following night Malan himself took to the public platform. At a large flag meeting in the Cape Town City Hall, he declared that it was time for the Government to cease with compromise; the time had come for it to think less about concessions to the Opposition and more about the wishes of its own supporters. 'Ons wil geen vlag in die keel van iemand afdruk nie,' he said, 'maar as daar soiets moet gebeur dan moet dit in die keel van die minderheid af, en nie van die meerderheid nie.'⁵¹ Malan was clearly trying to counter Roos's influence, discourage compromise and bolster his position.

Smuts too was being pressurized by a section of his Party. No sooner had the talks begun than his Natal wing began to warn him against concessions. On 21 October Duncan disparagingly remarked of them:

Our Natal people are already warning the general that he must not do this that and the other. They sent him a sort of ultimatum the other day signed by all of them - even by Watt who afterwards came apologetically to say that it did not really mean much. They are a lot of sheep - each of them will do something that he individually thinks silly because he is afraid of not being with the flock.⁵²

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50. See Cape Times, 18 October 1927; Malan, p. 133; Die Burger (Malan), 5 February 1957. On Saturday, the Central Committee of the Nationalist Party in the Cape had unanimously resolved against further compromise, maintaining that this would conflict with its recently passed Congress resolution and turn away supporters (Die Volksblad, 17 October 1927; Cape Times, 18 October 1927).
51. Die Burger, 20 October 1927. See also Cape Times, Rand Daily Mail - 20 October 1927.
52. Duncan Papers, to wife.

However, both Smuts and Hertzog must have been acutely aware that a large section of the electorate now expected a solution from them. As Duncan observed, once the talks started, 'the desire to get a peaceful settlement was so strong and widespread on both sides that something had to happen.'⁵³ The dramatic turn in events occasioned by the talks caught the imagination of the public and manifested itself in ardent calls for agreement from the most unlikely sources. Even Bloemhof Nationalists and S.A.P.'s jointly appealed to Hertzog and Smuts

...to rise to the occasion and, in the interests of our country, to settle the flag question by mutual consent. We know that you have the wisdom and ability to do so, and, in the light of the future of our country, viewed particularly from the unsettled state of affairs locally, we respectfully and earnestly expect you to do so.⁵⁴

Law Palmer, Johannesburg's ex-mayor and a fiery champion of the Union Jack,⁵⁵ telegraphed the two leaders: 'For the unity and peace of the white races of South Africa, for the prosperity of this our beloved country, for the security of our children, I pray you may dispose of the flag question in a spirit of good will and be led to an agreement securing peace for this land.'⁵⁶ In Lichtenburg, as a result of joint action by leading Nationalists and S.A.P.'s, messages were sent to Roos and Smuts, respectively, calling for a negotiated end to the controversy.⁵⁷ On the day after the

53. Duncan Papers, to Lady Selborne, 28 October 1927.

54. Cape Times, 22 October 1927, joint telegram.

55. See Rand Daily Mail, Cape Times - 26 May 1926.

56. Cape Times, 25 October 1927.

57. Ibid., telegram.

first Hertzog-Smuts talks, Athlone, in a letter in which he offered Hertzog his further services in the negotiations, declared that it was out of the question not to reach agreement: the whole country was expecting it.⁵⁸

The second cabinet meeting took place on Friday, 21 October. It proved stormy. By this time Smuts appears to have surrendered his preference for a plain ground to the domestic flag and to have accepted the van Riebeeck colours, while Hertzog had surrendered the shield and agreed to the incorporation of the republican flags and Union Jack - the Union Jack to equal the total size of the two republican flags. After Hertzog had presented these suggestions, Malan once again insisted on remaining silent, wishing to observe the response of the other Ministers first. Finally, Hertzog declared himself: he was prepared to accept the double size Union Jack on the domestic flag and on that basis make peace. Since two of the pre-Union states had been under the Union Jack (and the republics had each had one flag), he argued that this would be a fair quantitative arrangement. Malan now responded. The matter they were dealing with, he stated, was not one of territory but one of sentiment and the same sentiment was shared by a very large section of the people in all four provinces. Furthermore, to accept the Union Jack as now recommended would conflict with the three basic principles the Government had laid down in the Select Committee as inflexible ('onverbiddelik') requirements. He was not

58. H.P. vol. 64, 19 October 1927.

prepared to accept such total capitulation.⁵⁹ Excitedly Hertzog declared that if Malan did not want to accept the proposal, he would resign as Prime Minister. He would not accept it under any circumstances, Malan replied, and he doubted if Afrikaans-speakers would do so either. So far as Hertzog's resignation was concerned, it was the prerogative of the Prime Minister to decide flag policy and it was therefore not Hertzog's duty to resign but Malan's, if he could not agree with it. Some random remarks from other Ministers followed, Malan being surprised to receive support from Madeley, amongst others, and the meeting ended without apparent result.⁶⁰

Malan's account of the meeting, as given above, is less than complete. For instance, he is oddly silent about the tentative arrangement Hertzog and Smuts must have made on the important question of the flying of the Union Jack, and which appears to have been that it would be flown with the national flag on all occasions.⁶¹ Likewise, he is silent about the withdrawal of the shield, which Smuts believed he had also strongly opposed in the Cabinet.⁶² Commenting knowledgeably

59. It could be argued that only one of the 'principles' was being challenged, namely, the instruction that flags could only be included in the design 'on a footing of equality' (see S.C. 12-27, clause 14). The point is a minor one.

60. Malan, pp. 134-6: Die Burger (Malan), 5 February 1957.

61. Smuts was still entertaining this solution on Monday morning, after having met with Hertzog on Saturday (Stanford Papers, D 56, 24 October 1927). And Natal's M.P.'s were to fight for this solution on Tuesday (see below).

62. S.P. vol. 39, no. 246, letter to wife, 22 October 1927. Much of Smuts's information came from relatives of Roos and he regarded it as reliable.

on the events of the last few days, the Sunday Times's parliamentary correspondent⁶³ reported on 23 October that the proposed design had been opposed by a Labour Minister, Malan and two others.⁶⁴ If this report is reliable - as its knowledge of a Labour Minister's (Madeley's) dissent seems to indicate - then a majority in the Cabinet was prepared to accept the proposed design with its double-sized Union Jack. Objections to the removal of the shield and the flying of the Union Jack probably received even less support, and may help to account for Malan's reticence on these questions.

The meeting had created a serious situation in the Cabinet. Malan had opposed the proposals while Roos was supporting them and there were rumours that Roos had threatened to resign if the shield were not removed.⁶⁵ It seemed possible that Hertzog might be forced to choose between Malan and Roos. And it was this possibility which led immediately to a renewed call by Roos for toenadering. Doubtless the reasons which had motivated his earlier calls still applied, and with the mood of the country in a state of flux, the moment for another appeal seemed propitious. But his call, at this particular time, was directly related to an

63. In view of the Sunday Times's very strong support for Roos at this time, it is not inconceivable that Roos had information leaked to it.

64. Beyers was almost certainly the one; the other is likely to have been Kemp, who had been publicly supporting Malan's uncompromising statements during the recess.

(C.W. Malan only arrived in Cape Town on the afternoon of 25 October - after the settlement had been reached. The Star, 25 October 1927.)

65. Stanford Papers, D 56, 22, 24 October 1927; S.P. vol. 39, no. 246, letter to wife, 22 October 1927.

attempt to bolster his position in the Cabinet vis-a-vis Malan. The wider the support Roos could gather, the more reluctant Hertzog would be to lose him. Immediately after the Cabinet meeting, Roos had a 'very frank' talk with Duncan. He told him that he expected a split in the Cabinet. He confided that either he or Malan would leave it and that Hertzog was hesitating between the two. And that, Duncan observed a few days later, explained the celebrated speech Roos made a few hours after the crisis arose.⁶⁶

This speech was Roos's Malmesbury address. It immediately aroused great interest throughout the country. Here, and at Vredenburg on the following day, Roos avoided the flag question but caused a stir by holding out the possibility of a new orientation of Parties. Reviving previous re-orientation speeches he declared that in the future it would be difficult to find points of difference between the Nationalist and S.A. Parties. The old questions that had divided them were dead; the new ones would be economic. Protection versus free trade would be one source of difference, and an old source of difference, Article 4, would have to go. It should be deleted to remove any suspicions which still remained about their constitutional position. He had noted a greater feeling of friendship among the different political Parties and different sections of the people than ever before and this feeling was equally noticeable in Parliament. There would be a re-orientation of Parties, he

66. Duncan Papers, letter to wife, 23 October 1927.

believed, and it would come about as a result of differences within these Parties themselves.⁶⁷

There was an immediate favourable response from much of the opposition press over the week-end and on Monday morning. The 'generous and statesmanlike' tone of his Malmesbury speech was applauded by the Cape Argus which declared that Roos had a great opportunity at present and it gladly recognized in him the will to use it; with all his faults Roos had never been afraid to lead and that characteristic might currently be of real service to the cause of racial peace. The Sunday Times called the speech 'history-making' while the Rand Daily Mail, on Saturday, declared that they were witnessing the long-delayed miracle of complete racial reconciliation and, on the same theme on Monday, ventured that his views on Article 4 were so clear an advance towards a re-arrangement of Parties that it was almost impossible to believe that this could be long resisted. Roos had faithfully interpreted the new attitude of moderate men 'of all parties, possibly soon to be members of one party'.⁶⁸

The response to the speeches added impetus to the peace momentum and probably quickened the resolve of Hertzog and Smuts to reach an agreement, and it is perhaps not fanciful to imagine that at the back of their minds both were concerned

67. Cape Times, 22 October 1927; Rand Daily Mail, 22, 24 October 1927; Sunday Times, 23 October 1927; Die Burger, 24 October 1927.

68. Cape Argus, 22 October 1927; Sunday Times, 23 October 1927; Rand Daily Mail, 22, 24 October 1927, respectively.

by the growing popularity of Roos and the awkward position in which they might be placed if they failed. In all events, on Monday morning they hammered out a new provisional plan. When the Cabinet met later, Hertzog presented it. As before, the ground of the national flag would be the van Riebeeck colours. But while there would still be no shield on the flag, its Union Jack would be reduced to the same size as the republican flags. However, all three were to be substantially larger than they had been in the shield. They were to be arranged, fully spread in the white stripe, as follows: the Free State flag would hang vertically in the middle of the flag and be adjoined horizontally by the Union Jack on the flagstaff side, and the Vierkleur on the other side.⁶⁹ As for the flying of the Union Jack, Amery's plan had been adapted. The Union Jack would be flown with the national flag, to denote the Union's association with the British Commonwealth, from the Houses of Parliament, the principal Government buildings in the capitals of the Union and its provinces, at the Union's ports and on Government offices abroad. Finally, it would be left to the discretion of the Government of the day to decide at what other places the Union Jack would be flown.⁷⁰ Smuts had therefore compromised on the size of the Union Jack in the national flag and on the separate flying of the Union Jack, which would not be flown with the national flag on all occasions. Hertzog had compromised by removing the shield and thus making its three

69. The design was that of the present national flag.

70. See Hansard, vol. 10, 243 ff., Hertzog, and 246 ff., Smuts, 26 October 1927.

flags integral parts of the national flag, by agreeing to enlarge them somewhat and by allowing the Union Jack to be flown, as one of South Africa's official flags, throughout the year - though from certain places only.

During Hertzog's explanation Malan remained silent. After everyone else had given his opinion, Malan's was asked. He replied that he still had certain objections, such as the flying of both flags at Government offices abroad, as he thought this was capable of a wrong interpretation. On the other hand, he was glad to see that they were now free of the 'dangerous' Strachan amendment and that Smuts was prepared to limit the official use of the Union Jack to certain specified places. Finally, taking all into account, despite the plan's flaws, he did not find sufficient grounds to oppose it. There was, Malan observed, an audible sign of relief.⁷¹

Why did Malan accept the plan? Certainly, when measured against the Government's earlier provision that the Union Jack would be flown on only four stipulated days (and such other days as it might decide), he appears to have surrendered much. However, the demand that the Union Jack should be flown with the national flag at all times and everywhere had been rejected. Instead of having a stipulation of days, Malan now had a stipulation of places. And these were not many. Municipal and provincial buildings had not been included. To fly the Union Jack officially in any non-stipulated place required the Government's permission. Thus, the Union Jack

71. Malan, p. 136: Die Burger (Malan), 5 February 1957.

would immediately disappear from most of South Africa - from every rural area where Afrikaners predominated. Most Afrikaners would never, or rarely, see it. Although its removal from predominantly English-speaking towns not stipulated in the agreement - such as Johannesburg, Kimberley, Grahamstown and many others - would have to be done very tactfully, Malan probably reflected that in the course of time this could be done. He could also conclude that the principles laid down by the Select Committee had been met. The three flags were represented in a similar manner and on a footing of equality, and no one flag dominated another.

Finally, Malan could hardly have been indifferent to the generally changing mood of the country,⁷² and the attitude of his fellow Ministers. The fact that he had misgivings about certain features of the plan,⁷³ yet accepted it in toto, without trying to effect changes, suggests that he expected little or no support from his colleagues. They must have been even less inclined to raise difficulties than at the previous meeting, in view of the public's rising expectations and Hertzog's gains from Smuts. Malan mentions no dissent by or support from them. Having allowed his colleagues to speak first in order to see how the ground lay, he probably decided that further efforts at change would be ineffective and unwise. Moreover, having once accepted (in the 1927

72. See, for example, letter to Malan (and Smuts) from the predikant of his congregation in Three Anchor Bay, appealing for further compromise (P.S.M.I. vol. 3, from Ds. A.M. McGregor).

73. E.H. Louw Papers, letter from Malan, 10 June 1930.

Select Committee) the principle that the Union Jack could be included in a design subject to certain conditions (and then accepted the 'shield flag'), he could not logically oppose the new design which also fulfilled these conditions. Malan could tell himself that he had done as much as could be reasonably expected and, taking everything into account, secured a not dishonourable agreement. Despite his pronouncements, he, too, had had to compromise.

Caucus and Assembly approval

The Nationalist Caucus met early on Tuesday. It approved the agreement without objection. In addressing the Caucus Malan argued that they were fortunate to be rid of the Strachan amendment.⁷⁴ We may readily believe Malan's statement that the Caucus accepted the plan without objection. Doubtless there were those like van der Merwe who were far from happy with the agreement, but with Hertzog, Roos and Malan jointly championing it, they were unlikely to have challenged the plan. More debatable, is Malan's argument that the Pact's final terms were more favourable than its earlier ones. The present arrangement provided for the official recognition of the Union Jack as one of the two flags of the Union. The Strachan amendment had not; it had merely declared that the Union Jack would be flown as a symbol of the British connection. Thus the recognition given to the Union Jack under the final agreement was greater

74. Malan, p. 136: Die Burger (Malan), 5 February 1957.

than before. Furthermore, the Strachan amendment would probably have resulted in the Union Jack being flown more frequently than the four days originally stipulated, but it is highly questionable whether it would have resulted in the Union Jack being seen more frequently than under the terms of the new agreement.

If the Nationalist Caucus did not object to the new plan, and we may safely assume that Labour's did not either, matters were very different in the S.A.P. Caucus. Here Smuts had to contend with his Natal wing. We have already had occasion to remark that it was not slow to express opposition to compromise and that soon after the talks began it presented him with 'a sort of ultimatum'.⁷⁵ Nearly a week before the caucus meeting Duncan predicted that it would be 'very difficult' to get the Natal and Eastern Province M.P.'s to accept any compromise for: 'They have the idea that we are going to have a great victory at the referendum and that that is going to break the Government'. Those who disagreed with them they branded as 'compromisers' who wanted to run away just when the fight was won. He concluded: 'We are going to have a difficult time over it and the General [Smuts] will have to handle his forces with more than his usual firmness.'⁷⁶

Shortly before the Nationalist Caucus ended at 11 a.m., the S.A.P. Caucus met. In the meantime the Natal wing had deliberated in response to a call from Nicholls, who had been

75. See page 616.

76. Duncan Papers, letter to wife, 18 October 1927.

alarmed by a report of the terms of the proposals in Die Burger. The report's headlines were hardly calculated to reassure him. Fearing that the agreement presaged the imminent disappearance of the Union Jack from many buildings in Natal, such as her magistracies, and believing that Natalians would reject such an agreement, he immediately mustered the Natal M.P.'s who agreed to take a united stand against the provisions for flying the Union Jack. When the S.A.P. Caucus met Smuts explained the terms of the agreement. He probably admitted that he was not enamoured with certain aspects of it, such as the van Riebeeck colours, but he could emphasize positive aspects: the shield had gone; its three flags were fully integrated; they had been enlarged; the Union Jack had been given full legal recognition, and it would not appear on only four days of the year but every day, both in South Africa and abroad; they would have a permanent and official reminder of their relationship with the British Commonwealth. The national flag might not be beautiful, but it was better to accept it than endure continued turmoil. Smuts believed that, after two years of strife over the flag, they had reached an acceptable agreement. By the time Smuts finished his explanation and plea, news of the Nationalists' acceptance of the plan must have reached the S.A.P. Caucus and may have fortified the Natalians in their effort to extract further concessions from the Pact. In reply to Smuts they did not attack the new flag but concentrated on the arrangements for flying the Union Jack. They demanded that it should fly with the national flag not only at the places mentioned, but everywhere, by law. The debate continued for

about two hours and, at times, appears to have become heated. Matters were apparently brought to a head by Afrikaans-speaking M.P.'s from the Transvaal protesting that the Government could not be expected to compromise further and warning that the S.A.P. in the Transvaal was not prepared to wreck the prospects of a settlement to please extremists. Smuts appealed to the Natalians to yield. He reminded them that ever since Union they had stood by General Botha faithfully, and after Botha, him; he was deeply attached to his Party in Natal, he said; they should trust him and leave things in his hands. The meeting ended at lunchtime with the Natalians declaring that they would accept the agreement if Smuts would secure an undertaking from Hertzog that the Union Jack would fly in Natal 'as heretofore'. That undertaking, Nicholls maintained, they received the same afternoon. Smuts, Nicholls said, called the Natal parliamentarians together and declared that he had obtained an assurance from Hertzog that the Union Jack would fly in Natal 'as heretofore'. The Natalians were satisfied. A flag agreement had at last been reached.⁷⁷

77. Duncan Papers, letter to wife, 25 October 1927; Nicholls, pp. 183-4; Stanford Papers, D 56, 25 October 1927; S.P. vol. 39, no. 249, letter to wife, 27 October 1927: also in van der Poel, no. 233; The Star, 25 October 1927; Cape Times, 26 October 1927; Sunday Times, 30 October 1927.

When in January 1928 Malan made arrangements for the flying of the national flag without the Union Jack in Vryheid - the only predominantly Afrikaans-speaking area in Natal - Nicholls protested that it was a breach of Hertzog's assurance. When confronted with the assurance, Nicholls alleges that Hertzog denied that he had ever given it or even been approached by Smuts on the subject. Nicholls concludes that Smuts gave the assurance in the interests of a settlement and peace, but without

When the House met the next day to deal with the Bill, a totally new atmosphere prevailed. On all sides Members were friendly and cordial. As Hertzog rose to announce the settlement to 'a devoutly relieved and thankful House', he received an ovation from both sides of the House - an act it repeated when Smuts began his reply. Speaking in his most conciliatory style, Hertzog explained the settlement,

consultation with or the approval of Hertzog.

Unfortunately Nicholls's account of the flag controversy is riddled with inaccuracies. In support of his account Nicholls cites an Assembly speech in which he allegedly dealt with the question. No such speech appears on the day cited (31 January 1928) nor was reference to it found in other volumes of Hansard. Nicholls also maintained that he referred to the episode in his commemoration speech to Smuts. It contains no reference to the subject. (Nicholls cites Hansard, xi, 17, 22 January 1951 for this speech; it actually appears in The Senate of the Union of South Africa Debates, vol. 1, 15-21, 22 January 1951.)

However, it would seem that Smuts did give an assurance, for several newspapers on this and the following days reported that 'a certain question' raised by the Natal M.P.'s would be the subject of further discussion between Smuts and Hertzog or that a specific undertaking had been given to the Natalians that the Union Jack would continue to fly in Natal as before. The Natal Mercury, for example, maintained that the Natal parliamentarians had obtained an assurance from Hertzog and Smuts that the Union Jack would be flown throughout Natal.

Though Smuts, Hertzog and Malan must have read these reports they never repudiated them. All favoured the settlement and had no desire to re-awaken the issue. It was probably this consideration that persuaded Smuts, after the Caucus meeting, against risking a re-opening of the flag issue with Hertzog and Malan, and rather to limit the Government as much as he could to existing practice in the flying of the Union Jack in Natal by means of his Assembly speech on the flag settlement. In this speech he stressed the Government's obligation and its undertaking to take into full account the sentiments of the people with regard to the flying of the Union Jack (see below).

The Vryburg controversy was eventually resolved in favour of Malan - only the national flag was flown there. (See Nicholls, pp. 185 ff; The Star, 25 October 1927; Natal Mercury, Cape Times - 26 October 1927; Sunday Times, 30 October 1927.)

declaring that even if it did not completely satisfy everyone, he felt sure it would give general satisfaction and that that was as much as could be expected. With regard to the flying of the Union Jack, he did not think it was necessary to hoist it everywhere and believed that it was correct for the government of the day to decide at what places, other than those stipulated, it should be flown. However, the Government fully appreciated that a considerable time would elapse before people would adapt to the settlement. He undertook, as did the Government, to take the people's sentiments into full account in flying the Union Jack. Everything should now be done to reconcile the people and obtain their attachment to the settlement. He had always felt that if possible the question should be settled by agreement as had now been done and he hoped that the House would accept it unanimously giving the country an additional reason to accept it wholeheartedly.⁷⁸

Smuts too was most conciliatory. He congratulated Hertzog on his 'most important, statesmanlike and wise speech'. He was convinced that the proposals were a sound basis for a good and lasting flag peace - a 'peace with honour.' No Party had won; no Party had scored. Hertzog and he had dealt with each other in a frank and helpful spirit and he hoped the country would approach this, and other great national questions, in the same spirit. As for

78. Hansard, vol. 10, 242-246, 26 October 1927; Duncan Papers, letter to wife, 26 October 1927; The Star, 26 October 1927; L. Blackwell, African Occasions, p. 137.

the flying of the Union Jack, Smuts declared that a certain discretion had been left to government and they were indebted to Hertzog for his statement that in the flying of it,

the Government will have due regard to the sentiments of the people of this country. You do not want to fly the Union Jack in every little dorp of the backveld, but [Smuts added] you have large parts of South Africa where the sentiment of our English-speaking citizens calls for the flying of the Union Jack, and the country has the assurance of the Prime Minister that in all those parts and in those respects these sentiments will be considered and no change which will hurt the feelings of the people will be made.⁷⁹

So far as the national flag was concerned, it might not be to everyone's taste, but he appealed to all to support it and to see that it took root in the country.

In conclusion he wished to say that, so far as he could see, this was the last great racial question in South Africa. There might be others - one could never be sure in South Africa - but of the outstanding questions this seemed to him to be the last, and the settlement, he believed, would be more than a flag settlement:

This settlement will bring about an atmosphere of union in South Africa. We shall see the return of that larger atmosphere in which most of our former questions were solved. My hope is that we shall get this new atmosphere in South Africa, this better feeling between the races, this doing away with the antagonisms which have rent us in recent years, and that in this spirit of unity and of South African nationhood we shall move forward to the great tasks which are ahead of us.⁸⁰

Finally, Malan, as the responsible Minister, added a few

79. Hansard, vol. 10, 248, 26 October 1927.

80. Ibid. 250.

words before moving the second reading. If he felt any disappointment with the settlement, he did not show it. He had no intention, he said, of spoiling the 'two great and remarkable speeches' just heard. So far as he was concerned, he would like to say that the agreement was 'in every way a fair and equitable one' and it could be truly said that they had met each other half way. Victory rested not with one side or the other; it belonged to all of them. The second reading of the Bill was then passed, unanimously. It had been 'a great day in the history of South Africa', Stanford observed.⁸¹

81. Hansard, vol. 10, 252; Stanford Papers, 26 October 1927.

The House went into Committee on 27 October and the Bill was read a third time on the following day. The Union Nationality and Flags Act (Act 40 of 1927) was assented to on 11 November and came into force on Union Day, 1928.

CHAPTER XIX

CONCLUSION

Reaction to the flag settlement

Even if they had mixed feelings towards the flag, the majority of the electorate welcomed the flag settlement. This was particularly true of the opposition. Its Afrikaans-speakers were pleased at the inclusion of the former republican flags. Its English-speakers believed that while the national flag left much to be desired at least the Union Jack had been secured and that this arrangement was better than continued strife. Thus on 26 October, The Star, while regretting that the national flag was so symbolic of one race, declared that the important thing about the flag settlement was the settlement - not the flag, and others were to stress the point. On the same day, the Natal Mercury in an editorial entitled 'Peace without Dishonour', expressed views that were oft-repeated: the settlement was very far from an ideal solution but it could be accepted with gratitude as a compromise whose greatest merit was that it saved the nation from being plunged into a referendum: 'the cloud of impending racial disaster' had been lifted at last: moreover, argument over the design of the national flag, however legitimate, was completely overshadowed by official recognition of the Union Jack as a flag of all South Africans - it could therefore never be hauled down in South Africa.¹

1. See also Rand Daily Mail, Cape Times - 26 October 1927.

In the days following the settlement, spokesmen for the flag committees and patriotic societies, together with prominent politicians, civic leaders and ministers of religion - the Bishop of Johannesburg instructed his clergy to conduct Te Deums - approved the agreement. Even Molyneux, Chairman of the Union Jack League, declared that all responsible people would welcome the settlement, as a referendum would have led them to the brink of civil strife. Only the Empire Group's Chairman remained unreconciled to the agreement insisting, inter alia, that the national flag's Union Jack should have been larger. However, while nearly all opposition spokesmen frankly admitted that the flag's design held little appeal for English-speakers, they pledged their willingness to honour the settlement.² Paradoxically, the English section's general acceptance of the plan was much facilitated by the passionate objection to it of many Nationalists. As Duncan wryly observed, disappointment amongst Nationalists did much to reassure their own die-hards who would otherwise have complained that too much had been conceded. 'The fact of the other side having such difficulty in swallowing [the settlement]', Duncan wrote, 'seems to have convinced our lot that there must be something good in it for them.'³

Probably most Nationalists were prepared to accept the judgement of their leaders, all of whom had endorsed the

2. The Star, 26, 27, 29 October 1927; Rand Daily Mail, Cape Times, 26, 27, 28 October 1927; London Times, 27 October 1927.

3. Duncan Papers, letter to Lady Selborne, 4 November 1927. See also ibid. letter to wife, 3 November 1927.

settlement. Thus, the Secretary of Our Own Flag Organization concluded that if the national flag was acceptable to the Cabinet and the leaders of the Parties, it should be acceptable to his Organization; indeed he believed it to be a most honourable settlement.⁴ Die Volksblad expressed its satisfaction with what it regarded as a reasonable compromise; Ons Vaderland had no doubt that the majority of the people would accept the agreement and be thankful that peace had been restored to South Africa. And Die Burger, after taking pains to assure its readers that the Government had not violated its principles, concluded that although they did not have a handsome flag, it was one which the people could accept.⁵

But that many were most reluctant to follow this advice soon became apparent from the bitter letters appearing in the Nationalist press. First published immediately after the settlement, they continued to appear in November and December.⁶ Nationalist leaders too, like Kemp and Jansen, were the recipients of bitter, and sometimes vitriolic, letters.⁷ In essence dissidents had two objections: having set out to extrude the Union Jack from South Africa, the Government had ended by recognizing it in full, and, instead of no Union Jack, they now had two!

Angry letters to the press doubtless encouraged the disillusioned to air their grievances, but at least two Afrikaans

4. Rand Daily Mail, 26 October 1927.

5. Die Volksblad, Ons Vaderland, Die Burger - 26 October 1927.

6. In view of the continuous stream of letters it was receiving, on 10 December Die Volksblad announced that it would no longer consider pseudonymous letters for publication.

7. See Kemp Papers, vol. 5; E.G. Jansen Papers, vol. 2.

newspapers played a part in encouraging dissent. Even before the end of October the Graaff-Reinet bi-weekly, Ons Koerant, reminded its readers that less than a year before Malan himself had told a women's congress of the Party in the town that the Government would provide them with a national flag which would not contain the Union Jack. Hertzog too, it complained, had said that the national flag must not contain the Union Jack. Yet both had accepted it as an integral part of the flag.⁸ A few days later, on 4 November, the Potchefstroom weekly, Die Weste, also strongly criticized the settlement.⁹ Thus in both the Eastern Cape and the Western Transvaal, Afrikaans newspapers which generally supported the Government had declared their dissatisfaction with the settlement. By mid-November Duncan was noting that the agreement had not been at all well received by surprised rank and file Nationalists whose leaders were now having to explain it to them.¹⁰

When Kemp met a crowded meeting of his constituents at Wolmaransstad on 19 November to explain the settlement, he succeeded in gaining their support; but he had had to contend with a rival resolution which declared that the Government had conceded too much. On occasion, during question time, great excitement reigned.¹¹ Strong feelings were also apparent in a letter written to Kemp on the same day by the Nationalist M.P.C., L.M. Wentzel. The latter accused Kemp, the Party's leaders, and its parliamentarians of betrayal: they had ignored the feelings of their voters, disregarded the decisions of their

8. 31 October 1927.

9. H.P. vol. 104, newspaper cutting.

10. Duncan Papers, to Lady Selborne, 16 November 1927.

11. Sunday Times, 20 November 1927.

congresses and behaved as autocrats. Doubtless, he predicted, their leaders would try to convince them that they had acted in Nationalists' interests and doubtless many of the latter would take everything they said for gospel-truth. Yet no one could reason away the fact that they had two Union Jacks - the flag of the murderers of 27 000 women and children. 'Die seuns van Suid Afrika het geswig voor die seuns van Engeland wat nie reg het van bestaan in Suid Afrika [nie]. Dit is wat ons noem vrede and konsiliassie.'¹²

At the same time, in the Free State, C.R. Swart was appealing to Hertzog to make an authoritative pronouncement on the flag agreement and the possibility of toenadering,¹³ as these questions were causing great confusion amongst Nationalists in this Province. All was not well in the Free State, Swart warned Hertzog, and enclosed letters on the flag question from Hertzog's own constituents to prove his point, as well as a communication from the chairman of the Party's Rouxville branch who complained that he had barely managed to persuade his executive to send a congratulatory message to Malan for the flag settlement.¹⁴ And Havenga, like Kemp, found himself defending the agreement and declaring (to constituents) that he took full responsibility, together with Hertzog and all the parliamentarians, for the agreement.¹⁵

12. Kemp Papers, vol. 5, 19 November 1927. Kemp, at the conclusion of a long reply in which he defended the Government's stance, declared that if the [Nationalist] public believed that their representatives had not done their duty, he and the other Transvaal leaders of the Party would resign (ibid. 26 November 1927).

13. See below for toenadering.

14. H.P. vol. 28, 21 November 1927.

15. Havenga Papers, vol. 23, to W.C. de Swardt (Secretary of the Nationalist Party, Jagersfontein), 2 December 1927.

In the face of this dissatisfaction, leading members of the Party tried to mollify dissidents. On 1 November, Malan in an interview published simultaneously in Die Burger and Ons Vaderland, attempted to show that far from having lost ground by the settlement, the Government had gained: in the national flag the three flags were smaller than before and symbolized precisely what they had on the shield - only the past; whereas the Union Jack would have flown on four days of the year throughout South Africa, it would fly only from specified buildings in certain towns; and the Union Jack merely symbolized their association with other sections of the British Commonwealth. Indeed, if South Africa was on exceptionally good terms with the United States, it could fly the Stars and Stripes in the same way as the Union Jack was flown under the settlement. And, Malan went on to say, if England went to war, the Union would not even have to declare its neutrality; it was self-evident they would be neutral; the Union Jack simply showed that they were on friendly terms with England. The Government, he insisted, had lost nothing.¹⁶

Malan's portrayal of the flag struggle as a victory for the Government failed to still the dissent, for many continued to contrast its final outcome with the Government's earlier goals. Thus at Wolmaransstad (in mid-November) and again at Ermelo (at the beginning of December), Kemp attempted to placate the dissatisfied by arguing along similar lines to Malan's, that the

16. Malan's statements, as might be expected, aroused much comment amongst the opposition and Roos hastened to disagree with Malan's alleged contention that the Government had made no concessions (Cape Times, 3 November 1927). Malan was actually comparing the provisions of the settlement with the most recent flag bill - not the 1926 legislation.

Government had not made sacrifices; it had in fact won more ground than Party congresses had instructed it to gain.¹⁷

N.J. van der Merwe and J.H.H. de Waal (although not happy with the terms of the settlement) also tried to represent it as a victory for the Nationalist Party,¹⁸ while Roos towards the end of November, in a long letter to Ons Vaderland, sharply rebuked dissidents, urging them to concentrate less on the flags and more on their significance and the independence recently gained.¹⁹ By mid-December dissent began to wane and when the women's congress of the Nationalist Party in the Free State met on 13 December, it declared that although some of the provisions of the Flag Bill had deeply disappointed members, they would support the Government and do everything possible to avoid division. Congress commended the Government for having achieved a peaceful solution to the controversy.²⁰

Thus the ready acceptance of the agreement by Nationalists in Parliament was not repeated en bloc by those outside it. Having been involved in the controversy for far longer and more intimately, and having a clearer perception of the possible consequences of continued conflict, parliamentarians were more disposed to accept a settlement. For them, flag politics had become the art of the possible. Amongst the dissatisfied in the rank and file, and especially amongst its more republican minded members, the gap between their expectations and the provisions of the settlement - particularly its official

17. Sunday Times, 4 December 1927.

18. Rand Daily Mail, 8 December 1927; Cape Times, 9 December 1927.

19. Ons Vaderland, Die Volksblad, The Star - 25 November 1927.

20. P.S.M.I. vol 3.

recognition of the Union Jack - could not easily be bridged. But the annoyance of most of the discontented Nationalists is probably best explained by the settlement's suddenness. As we have seen, during the recess plattelanders had been subjected to an intense political campaign intended to motivate them against Smuts and the S.A.P. and to prepare them for the referendum struggle. Feelings had been worked up. Many of these plattelanders did not read newspapers regularly or keep abreast of political events. The quickness and the unexpectedness of the settlement caught them in the wrong frame of mind. Many were confused. Ministers had not had the time or the opportunity (parliament was still in session) to prepare the rank and file for the change. However, once able to deal with this problem, the advantages of a settlement which put an end to the vexed struggle were so apparent to most of those who had misgivings about the agreement that, by January 1928, when parliament met, open dissent had largely subsided and Hertzog's native legislation began to dominate the political scene.²¹

Before concluding this section it would be apposite to observe that the acceptance of the flag settlement has never been complete. Some English-speakers, particularly in Natal, have felt that the Union Jack should have been treated on a basis of parity with the national flag and the Dominion Party

21. However, there was a renewal of the controversy over the failure to provide for the flying of the Union Jack over the Castle, and in certain places in both Natal and Bloemfontein there were still stirrings of discontent when the flags were officially unfurled on Union Day, 1928 (P.S.M.I. vol. 3; Rand Daily Mail, 19 May 1928; Natal Mercury, 30, 31 May 1928.)

was to champion equal rights for the Union Jack.²² Amongst Nationalists, there were those who believed that the Union Jack should not have been allowed to fly with the national flag over the country's foreign offices,²³ and the republican minded were to continue to agitate intermittently for the removal of the Union Jack as a symbol of the imperial connection and in the national flag.²⁴ In March 1957, shortly after South Africa left the Commonwealth, two of these goals were achieved by the Flags Amendment Act which made it unnecessary to fly the Union Jack with the national flag.²⁵ There has since been talk of a new republican flag for South Africa culminating in 1973 with the announcement to a Free State Congress of the Nationalist Party by the Prime Minister, Mr B.J. Vorster, that a new flag to replace the national flag would be considered.²⁶

Toenadering²⁷

We may recall that Roos's renewed efforts at toenadering pre-dated the flag agreement and that these efforts were given impetus by the clash between him and Malan shortly before the settlement.²⁸ From the controversy Roos emerged as the hero of

22. See, for example, Die Burger, 15 June 1938; Cape Argus, 10 August 1938.

23. See, for example, E.H. Louw Papers, vol. 2, D.F. Malan to Louw, 10 June 1930.

24. For example, see Hansard, vol. 84, cols. 1019 ff, 23 February 1954; Rand Daily Mail, 25 February 1954.

25. As certain municipalities continued to fly the Union Jack, the Minister of Defence announced on 27 March 1958 that the Government would pass legislation to prohibit this.

26. See Die Burger, 20, 21 September 1973.

27. For toenadering at the end of 1926 and its decline early in 1927 see pages 188-195 and pages 226 ff., respectively.

28. See pages 577-8 and page 620 ff.

the hour. Though many Nationalists were confused and had misgivings about the agreement, there were many who, like the great majority of the opposition, welcomed the settlement with thankfulness and relief. To many of the supporters of the agreement on both sides, Roos had emerged from the struggle with the greatest credit and prestige. Citizens of Standerton, as a token of their esteem, sent him a great 'peace cake' - later to become the centre-piece at a parliamentary celebration at which Roos himself was the most lauded figure. For the benefits of the settlement, the Natal Mercury told its readers, South Africa was largely indebted to Roos: alone amongst the Nationalist leaders he had had the courage and wit to declare months earlier that the Balfour formula had ended all constitutional conflict; alone he had had the pluck to proclaim a few days before that Article 4 could be dropped; and there was no doubt whatsoever that his manifesto was the vital turning point in the controversy.²⁹ Roos, the Sunday Times maintained in the first week of November, 'has never been in a stronger position than he is in today', and the Rand Daily Mail predicted that if Roos made an appeal for followers, they would come running from all quarters. The reason for this, it suggested, was Roos's preparedness to give a lead.³⁰

Roos's most recent lead had been given at Malmesbury, when once again he had called for a reorientation of parties. The chances of the call succeeding seemed particularly bright immediately after the settlement when much good feeling existed

29. 26 October 1927. See also Ons Vaderland, 28 October 1927.

30. Sunday Times, 6 November 1927 (emphasis in original); Rand Daily Mail, 26 October 1927. (Both newspapers were supporting Roos's toenadering campaign.)

in parliament and many circles outside it. Once more there was talk of a new Convention spirit, one manifestation of it being the joint celebration dinner held at George by Nationalists and Smuts supporters.³¹ At the end of October Smuts noted that 'Die praatjies is net vir toenadering'; Barlow and Duncan repeated this observation in the next month.³² At the end of November, even when hopes had diminished and the possibility of a reorientation of Parties no longer seemed 'inevitable', a correspondent reported that in political circles talk of toenadering still held the field; 'Pretoria', he wrote, 'talks of nothing else these days. Mornings and afternoons, the cafes and clubs buzz with discussion.'³³

Hence prospects for toenadering seemed as good at the end of the flag controversy as they had after the Imperial Conference. Carrying forward his efforts on behalf of toenadering made before the agreement, Roos on 5 November, in a Johannesburg speech, described their imperial status in practically the same terms as members of the S.A.P. had, and declared that he saw no reason why the Nationalist and S.A. Parties should not combine in a new party; the Labour Party could not be excluded from this grouping.³⁴ Two days later, claiming that he had been misunderstood, Roos stated that the Labour Party should not be included in a new central party but should remain separate.³⁵

31. C.W. Malan Papers, vol. 2, to wife, 30 October 1927; The Star, 27 October 1927; Cape Times, 12, 14 November 1927.

32. S.P. vol. 39, no. 251, to wife, 30 October 1927; Forward, 11 November 1927, page 7, Barlow; Duncan Papers, to Lady Selborne, 23 November 1927. See also S.P. vol. 39, no. 256, to wife, 8 November 1927.

33. Rand Daily Mail, 29 November 1927, political correspondent.

34. Sunday Times, 6 November 1927; Cape Times, 7 November 1927.

35. Cape Times, 8 November 1927.

In response to Roos's moves, Smuts sounded a warning note when addressing a large meeting in Paarl on 12 November. He was against precipitate action, he said. Though the spirit of the National Convention was again present, they should beware not to form an unnatural alliance; they should never return to the old racial divisions in politics and if there were to be a new party it must open its doors to both English- and Dutch-speakers. He would rather abandon political life than betray the former Unionists in the S.A.P. There was another obstacle to reunion, Smuts added, ignoring Roos's correction concerning Labour's participation in a reorientation: Roos had spoken of reunion, but what about his allies in the Labour Party? Roos had said, "You had better come along, too." The position was undoubtedly difficult because without question the Nationalists, including Roos, wanted to play the game with Labour. In conclusion, Smuts suggested that they should try to maintain and 'stabilize' the new climate of understanding for if the former bad spirit changed, the parties too would eventually change.³⁶

Thus Smuts's response had been cautious and cool. But it need not have been accepted by Roos as an outright rejection - as Smuts's and his Party's final word on the question. Yet Roos chose to do so. In the first issue of Ons Vaderland following Smuts's speech, he complained that the deliberate, wrecking action of one man, Smuts, had ruined a great opportunity. He (Roos) had hoped to form a great centre party and had not tried, as Smuts suggested, to bring about hereeniging. Hereeniging of the old parties was dead; union of the Nationalist and S.A. Parties was now possible. But, because of Smuts's

36. Sunday Times, 13 November 1927; Cape Times, 14 November 1927.

attitude, the plan had to be abandoned. Therefore, the Nationalist Party must itself become the great centre party, and he warmly invited those members of the S.A.P. who were imbued with the same spirit as the Nationalists to form, within the Nationalist Party, this great centre party.³⁷

Roos's hasty public withdrawal of his proposal is probably best seen less as a result of the failure to gain Smuts's outright support, than as a failure to gain the open support of any prominent Nationalist, and, the confusion and ill-feeling amongst certain Nationalists after the settlement. Though Roos expressed the view that a greater obligation would probably fall on the Nationalist Party to effect toenadering and that its leaders should be prepared to utilize the first opportunity to bring it about,³⁸ none came forward. Even his Transvaal Cabinet colleagues, Kemp and Grobler, remained silent. Only when he had publicly withdrawn his offer did Kemp hasten to comment on it and state that the Nationalist Party would not amalgamate with any other party (though other parties could come to it), and that Article 4 would definitely not be dropped. Roos, he said, had never wished to go over to the Opposition and did not deserve the insults and reproaches of Nationalists.³⁹ Pirow, N.J. van der Merwe, Malan and Die Burger let it be known that they were opposed to union with the S.A.P., insisting particularly on the incompatibility of Nationalists with imperialists and 'capitalists' - veiled references mainly to former Unionists in the S.A.P.; and Malan additionally stressed

37. Ons Vaderland, 15 November 1927; Rand Daily Mail, Cape Times - 16 November 1927.

38. Cape Times, 8 November 1927.

39. Sunday Times, 20 November, 4 December 1927.

that to break with the Labourites, who had suffered so much through the controversy, would be 'the lowest political treason'.⁴⁰ When Hertzog broke his silence and made a speech on 14 December, he said nothing about toenadering. Loyalty to Labour - Creswell had come out strongly against a reorientation⁴¹ - the inadvisability of committing himself to either Malan or Roos with its possible serious consequences, and uncertainty about Smuts's intentions, made it politic for him to watch toenadering developments rather than participate in them. And by mid-December there was little chance of reunion occurring.

Kemp's defence of Roos, with its reference to the reproaches of Nationalists, tends to support the view that Roos had moved too fast for many of the Nationalist rank and file. Feeling little emotional involvement in the flag question himself, he probably failed to appreciate, at first, the amount of dissatisfaction the settlement had aroused in others. Their confusion and dissent, together with the lack of support of Nationalist leaders, forced him to take advantage of Smuts's speech at Paarl and to saddle him with responsibility for the failure of toenadering. Thereafter he could, and did, direct invitations to join the Nationalist Party to S.A.P. supporters and particularly its Afrikaners. Roos had belatedly put his ear to the ground, heard the rumbling in the backveld, and realized that the pace of change of a section of the Party could not be hastened in the present circumstances. He had therefore to fall back into line 'with quite dramatic suddenness', and,

40. Pirow: Cape Times, 23 December 1927; van der Merwe: Cape Times, 7 December 1927; Malan: Cape Times, 18 November, 2 December 1927; Ons Vaderland, 1 November 1927.

41. Cape Times, 21 November 1927.

as the Rand Daily Mail added, 'since then some of his colleagues have been busily engaged in explaining, in various parts of the country, that what appeared to be a rather rapid advance on his part was merely an optical illusion.'⁴² Public interest in toenadering continued after Roos's denunciation of Smuts, but chances of its fruition rapidly declined.

Smuts's attitude towards toenadering was much the same as it had been in 1926. Though Roos had gone further than before - for instance, he had suggested that Article 4 could be dropped - Smuts remained sceptical of his motives. Thus immediately after Roos's Johannesburg speech, Smuts confided to his wife that he feared Roos would worry them with his reunion mischief. Roos spoke about hereeniging, but was really trying to coax away their supporters and could do them harm.⁴³ Smuts well knew that his Afrikaans supporters were the most susceptible to toenadering appeals and that when Roos appealed to all well-meaning Afrikaners to work for reunion,⁴⁴ he had this group largely in mind. To prevent further drainage of Afrikaners from his Party, Smuts had therefore to take care not to appear to be unsympathetic towards toenadering or responsible for its failure. Hence his concentration on the partnership between Labourites and Nationalists - an association unpopular amongst Afrikaners in both main Parties - and his insistence that a great obstacle to reunion was this 'alliance'. Furthermore, as Smuts wrote before the 1929 general elections, he preferred the idea of reunion achieved under S.A.P. auspices, when they could 'call the

42. Rand Daily Mail, 21 November 1927.

43. S.P. vol. 39, no. 256, 8 November 1927.

44. See, for example, Cape Times, 7 November 1927.

tune, instead of playing second fiddle.⁴⁵ Reunion brought about under Nationalist auspices would mean smaller cabinet and parliamentary representation for his followers. But, most of all, Smuts remained opposed to a reunion which would lead to the establishment of a largely sectional party and a racial alignment in politics.⁴⁶ Duncan observed at the time that their Natal followers would find it difficult to join together with Nationalists, and vice versa, and that any attempt to do so would lead to a 'Dutch v. British' political division.⁴⁷ Indeed it was likely that a substantial number of Nationalists and English-speaking S.A.P. supporters would not join the proposed centre party and the envisaged division along purely economic lines would not materialize. Toenadering was therefore likely to be only partial and could lead to sharper racial divisions in the Union's politics.

Less relevant, but worthy of mention, is the fact that Roos was not always taken seriously or trusted by many politicians. When he first appealed for some kind of hereeniging after the 1924 general elections, it had been a racial appeal to Afrikaners to leave the 'House of the Stranger' and had expressly excluded the 'Unionistic element'.⁴⁸ As late as February 1927 he had insisted that he would never sit in the same cabinet as Smuts.⁴⁹ And at the moment his attitude towards the role of the Labour Party seemed uncertain. The trouble with

45. S.P. vol. 43, no. 44, letter to H. Mentz, 6 March 1929: van der Poel, no. 252.

46. For example, see Cape Times, 26 November 1927, Smuts.

47. Duncan Papers, to Lady Selborne, 23 November 1927.

48. The Star, 24 June 1924. Cape Times, 8 November 1927 reporting Pretoria News.

49. The Star, 14 February 1927; The Friend, 16 February 1927.

Roos, Duncan noted on 18 October, was that 'most of our people do not trust him.'⁵⁰ Had Hertzog been able to lead the call for toenadering, the chances of its achievement (albeit incomplete) would have been greater, but Hertzog did not come forward, Smuts remained sceptical and cool, and Roos, as we have seen, had to abandon his public appeals.

Finally, we may note that Roos's abandonment of the ideal of reunion was not total. Though it had become impolitic for him to pursue it publicly, he continued his efforts clandestinely. For instance, in February or March 1928 Roos, together with Colin Steyn and Gys Hofmeyr,⁵¹ secretly visited Sir David Graaff at Kalk Bay in an attempt to gain his support for a new centre party.⁵² Indeed, in September 1928 Malan found it necessary at the Cape Congress of his Party, to condemn talk of a new political orientation.⁵³ We may confidently assume that Roos was behind much of this talk. And we may also safely assume that he was not unconnected with the hope expressed by Bailey a few weeks later than Smuts would see his way clear to joining up with Hertzog in a truly national party.⁵⁴ When Roos removed to the supreme court after the 1929 general elections, he continued his political intrigues which culminated in 1933 (albeit in a way contrary to Roos's current political ambitions) in the establishment of the United Party.

50. Duncan Papers, to wife, 18 October 1927. See also ibid. to Lady Selborne, 7 December 1926.

51. For Gys Hofmeyr's earlier efforts on behalf of hereeniging see S.P. vol. 35, no. 187, Hofmeyr to Smuts (two letters), 6 December 1926; Cape Times, 21 November 1927.

52. Sunday Times, 17 May 1970; letter to the writer from Sir De Villiers Graaff, 28 May 1970 (in writer's possession).

53. J.J. van Rooyen, Die Nasionale Party, p. 124.

54. Ibid. p. 125.

Labour and the flag controversy

The flag controversy seriously harmed Labour. The Party's support for the bills weakened its hold over some voters and completely alienated others. On two main counts the Party's backing of the measures was condemned: it had acted contrary to the British sentiment of its voters, and it had allowed itself to become embroiled in a struggle to the neglect of 'the things that really mattered' - socialistic legislation. We have already noted that in the Party pro-British feelings and a concomitant attachment to the Union Jack were strong.⁵⁵ In November 1926 Forward drew attention to this when it observed that only those who were wilfully blind would not see that a large majority of Labour's rank and file were imbued with 'British instincts and sentiments'; national pride and prejudice made it impossible for them to support the Flag Bill or even discuss it calmly, and it forecast that an election would reveal that 'national sentiments' outweighed everything else.⁵⁶ Three months later the results of the Provincial elections bore out this contention.⁵⁷ At about the same time as the Hertzog-Smuts talks began, a Natal branch of the Party revealed the strong pro-British feeling when it resolved to ask Labour's annual conference to reject any policy which aimed at the disintegration of the British Empire and to declare that the British Empire should become 'the dominating factor in the realisation of Socialist ideals.'⁵⁸ Perhaps one final example

55. For instance, see pages 136, 140 and 142.

56. 19 November 1926. (See page 199.)

57. See pages 243 ff.

58. Resolutions to be submitted to the Annual Conference of the South African Labour Party at Bloemfontein on 1st January 1928 (in McPherson Papers), Malvern (Natal) Branch, page 4.

of pro-British feeling, since it doubtless reflected the views of many of the correspondent's fellow workers and artisans may be cited. After listing several unfulfilled aspirations of Labourites, a writer to Forward declared:

Mr. Editor, I can keep on for a week.... But will wind up with the flag bill. I may say that I and thousands of other Labour supporters consider that the action of the Caucus, in supporting the Government on this question, is the most dishonourable action in the history of Parliaments. For a Labour member to practically admit that they sold their souls and their heritage for a mess of potash (sic) and no amount of gaseous verbiage and "high falutin" lectures on "morals" and "principles" will alter the fact that their action is pure and simply treachery...⁵⁹

There were also Labourites who maintained that the Party had been guilty of a breach of faith for, they argued, they had been led to believe that secession 'or any racial question' would not be raised by the Pact. In 1928 two reports to the National Council recognized the damage which the flag controversy had done to Labour. The first acknowledged that flag agitation had 'undoubtedly stultified the Party's progress',⁶⁰ the second affirmed that the flag controversy had been 'a very potent factor with Britishers of Labour sympathies tending to loss of prestige to the cause of Labour'.⁶¹ There can be no doubt that pro-British feeling was strong amongst Labour supporters and that in aiding legislation which appeared to be directed against the Union Jack, the Party was harmed.

Also significant in damaging the Party was the

59. 17 June 1927, letter from Dai Davies.

60. Report and Recommendation of National Organising Committee, 1928 (in McPherson Papers).

61. South African Labour Party Report of Special Commission of Enquiry appointed by the National Council, May, 1928, Supplementary Report (in McPherson Papers).

disillusionment created amongst many Labour voters through their belief that the Pact had been unnecessarily preoccupied, even obsessed, with the flag issue and had correspondingly neglected far more important questions. Thus in June 1927 the Monthly Herald and Industrial Record bitterly complained that nothing could be said in justification or extenuation of Labour's attitude towards the Flag Bill. And it continued:

Here we have a Party - ostensibly a working class Party - ... but [one] which has, nevertheless, persisted in raising an issue which is so fundamentally inimical to all it is supposed to stand for. Why has it done this? . What possible motive could be assigned which would in any way afford an adequate explanation for its support of a measure that is grounded upon no economic need, which leaves untouched social disparities and injustices, and which is only superficially related to the material, and even the spiritual, well-being of the people....

What material advantage did it believe it would gain by its acquiescence in this measure? Its few remaining followers, and they were not too many as a result of its pitiful display in office, have now been riven in twain.

The Labour movement, it protested, had practically passed away, and men who had been prepared to condone its absurdities had now been hopelessly antagonised. The truth of this was illustrated in a typical letter Hay received in mid-1927 from a Johannesburg trade unionist of thirty-two years standing who had been a supporter of the Party in the Transvaal since its inception. Congratulating Hay for his attack on the Flag Bill and the Party's concern with non-Socialist measures, he informed him that he had been working with about a hundred mechanics, seventy-five per cent of whom supported Labour. Yet he had not heard one of these men express approval of the Flag Bill; he was certain that ninety per cent of British workers on the Reef emphatically endorsed Hay's attack, 'as Labour members will find when they

return to their constituencies'.⁶² At about the same time the Secretary of the Witwatersrand Tailoring Association protested that the Labour Party, 'through its absurd attitude on the flag question', had failed to deal with urgent economic problems; and he warned that it was in order to solve these problems that the workers had voted them into office.

Disillusionment over the failure of the Pact to deal with the 'more important questions', had become acute by the end of the flag controversy. Discontent over the Government's flag policy naturally exacerbated grievances over other contentious Government measures and, so far as Labourites were concerned, the list of grievances was a long one indeed. They assailed Government policy, or its lack of policy, in such matters as unemployment, assisted housing, miners' phthisis compensation, aided immigration, old age pensions, leave privileges, free technical education, state lotteries, unimproved land taxation, the eight-hour day, workers' disabilities, language discrimination, railwaymen's pay, a state bank, workers' insurance, industrial conciliation, a 1922 revolt enquiry, an unfair distribution of the 'spoils of office', a colour bar in the liquor trade, and much else. When Hay complained that after three years of Pact rule many Labour measures were as far away as ever and that the Party was not allowed a fair share of power and should demand a fifty-fifty say in government, Forward hastened to agree with him. No one could deny, it said, that important measures closely affecting the welfare of the working class had been promised, but not gained; Hay had said what a considerable number of Labourites were thinking and it ventured

62. The Star, 9 June 1927.

that, if made by the right speaker, the applause for the fifty-fifty demand would be repeated by every branch of the Labour Party in the Transvaal.⁶³ After some three and a half years of Pact rule, many Labourites were clearly disillusioned with the Labour-Nationalist alliance and at the end of 1927 a large number of resolutions submitted to the Party's annual conference demanded that Labourites should not sit in the Cabinet, that no Pact should be made with the Nationalists before both Parties had produced an approved joint programme, or that no understanding of any kind should be entered into with another Party.⁶⁴ In May 1928, when the split in the Party was clear, a special commissioner reported to the National Council that Labour had lost ground because of its lack of policy, its disregard of pledges and the paucity of industrial legislation under the Pact.⁶⁵ That the flag controversy too had played its part in the Party's loss of ground has already been shown; beyond a doubt the atmosphere and ill-feeling it created served to intensify the above grievances which contributed so much to the split in the Party in 1928.

63. 29 July 1927. See pages 555-6.

64. Resolutions to be submitted to the Annual Conference of the South African Labour Party at Bloemfontein on 1st January 1928 (in McPherson Papers). It is interesting to note that even after the general elections of 1929 there was dissatisfaction amongst the Creswell section of the Labour Party with the continuance of the Pact alliance (Minutes of the Annual Conference of the South African Labour Party held in the Trades Hall, Johannesburg, on Jan 1st - 2nd, 1930; S.A.L.P. Annual Conference, Johannesburg, 1-2 January 1931, Agenda; S.A.L.P. National Administrative Council, 12 January 1931, Report, Annexure A). (All in McPherson Papers.)

65. South African Labour Party Report of Special Commission of Enquiry appointed by the National Council, May, 1928 (in McPherson Papers).

Just as the flag controversy damaged relations between Labourites and the Government, so too did it worsen relations within the Party. Particularly the conflict between the parliamentary caucus and National Council sections of the Party was heightened. When Hertzog invited Labour to join the Government in 1924, the Party was divided on the question of whether the offer should be accepted or not. Though it was generally thought that the Party would reject the invitation - the Party's constitution prohibited the acceptance of a minority of Cabinet posts. - the two candidates for the proffered Cabinet posts, Creswell and Boydell, were strongly in favour of accepting the offer.⁶⁶ Barlow, Kentridge, Strachan, Madeley and Snow took the lead in opposing Hertzog's offer as did, generally, the so-called trade union wing of the Party.⁶⁷ Ever since, there had been friction, deepened by competition for office, between those who had favoured sharing in government and those who felt more could be gained by holding the balance of power outside it. As disappointment with the failure to achieve socialist goals grew, the frustration of the latter group increased. They concluded that Labour's political partnership had brought Labour responsibility but little if any political power. Increasingly it seemed as though more might have been achieved outside the Government and that their original judgement had been correct. It was also largely the same group of Labourites who championed the supremacy of the National

66. For a memorandum by Creswell in which he explained his views on a probable invitation to join the Cabinet, see D.W. Krüger, ed., South African Parties and Policies 1910-1960: a select source book, pp. 76-80.

67. The Star, 30 June 1924; A.G. Barlow, Almost in Confidence, pp. 177 and 188.

Council over the parliamentary caucus as the policy-making body of the Party. In the flag controversy, once again, the judgement of the National Council group appeared to have been the correct one. Its dual flag plan⁶⁸ had contained the basis of the final agreement. And yet Creswell and the parliamentary caucus had failed to champion it; supporters of the National Council never forgot that in 1926 they had been ignored. In its first issue after the settlement Forward reminded its readers of the dual flag plan, and maintained that the whole controversy might have been settled far sooner (and much agitation avoided) if Labour's parliamentary caucus had adopted the National Council's solution. The National Council, however, was 'calmly ignored - as it always seems to be ignored on matters of any importance - by the Parliamentary Caucus'. The settlement of the controversy had again proved, it said, that the best brains in the Party were to be found in the National Council.⁶⁹ Similarly, almost on the eve of the 1928 clash in the Party, Kentridge complained that a great deal of the bitterness which had been aroused by the conflict might have been avoided if the parliamentary caucus had unitedly supported the dual flag plan of the National Council. And he added significantly: 'The division in the Party on this question raised the important issue as to whether the supreme body in the Party shall be the Annual Conference and the National Council elected thereat, or the Parliamentary Members of the Party.'⁷⁰ Thus on

68. See pages 114 ff.

69. 28 October 1927. The opposition press too harped on the fact that the National Council plan had not been adopted. See, for example, Natal Mercury, 16 May 1928.

70. Forward, 23 December 1927. See also The Star, 26 October 1927, Ben Jenkins; Cape Times, 29 October 1927, Barlow.

two questions of far-reaching consequence to Labour - participation in government and the flag question - the National Council had failed to dominate Party policy. It would have been most strange if these failures did not increase the strain in the Party. Believing that they had been correct in their 1924 judgement, National Councillites were doubtless all the more chagrined by being ignored in 1926 - when once again they were convinced that their's had been the best policy. The flag controversy therefore raised once more amongst embittered Labourites the very divisive question of control over policy and Party - a vital issue in the Party's imminent split.

This split, when it occurred in 1928, was essentially the consequence of a struggle for leadership, for control of the Party.⁷¹ Certainly, in the opinion of many Labourites, Creswell's leadership of the Party in the flag struggle had been bad. The main charges against him were that he, as leader of the Party, had supported legislation which flouted British sentiment and led to the neglect of important issues. He himself had committed the Party to the full support of Malan's Bills without consulting the Party's rank and file, or an annual conference. Autocracy had been further evinced by his

71. There was little difference between the programmes of the Creswellites and the National Councillites as an examination of the 'fighting programme' of the National Councillites shows. The most important differences were the Creswellites' concern with price control and the 44-hour week. Of the former, no mention had been made in political debate; and both Creswell and the Nationalists paid lip service to the latter. These differences were hardly enough to split the Party on grounds of policy.

Nor was the Party's participation in the Pact, though very important, an essential cause of the split. Madeley, while campaigning for the National Council, declared that if participation in the Pact was the root cause of the split he would not have broken away, and he did not resign from the Cabinet; at the same meeting J. Allen urged that the alliance should be maintained (The Star, 3 March 1928). See also The Star, 18 February, J. Christie.

refusal to bow to the dual flag plan resolution of the National Council. He had not even troubled to ascertain the views of his own Labour constituents - whose opinions on the flag question clashed with his own.⁷² When the Labour branch in his constituency expressed support for Hay, one of its 'prominent officials' explained: 'We want [our leaders] to know that there must be a little less opportunism with regard to the party's policy generally...the branch is certainly concerned with the autocratic way in which party affairs have been conducted. There had been no thought given to the feelings of the rank and file.' The Labour Party, which was supposed to be democratic, had become as autocratic as any other.⁷³ One may safely assume that this official's remark did not exclude Creswell. In November 1926, at a time when Forward still did not wish to be associated with any Labour faction, it declared itself most unhappy with Creswell's leadership in the flag question. Though the National Council was theoretically the Party's controlling body, its dual flag solution was 'as dead as a dodo'; and though Creswell may have acted correctly in issuing his manifesto, this was a far cry from an official policy. A 'wise leader', it continued, should pay attention to the wishes of his followers - even if he thought them wrong - when passions and prejudices were aroused,⁷⁴ 'Failure of the Ministers to keep in touch with the Party's rank and file' was a frequent complaint in resolutions submitted to the 1927 annual provincial congresses of the Party in the Transvaal

72. See page 370; Forward, 27 May 1927; The Star, 17 May 1927.

73. Cape Times, 20 June 1927.

74. 19 November 1926.

and Cape.⁷⁵ There were also other grievances against Creswell. It was regretted that: 'he did not come near Natal when the bitterness of the flag controversy was raging' and when a timely word before the Provincial elections might have saved the Party.⁷⁶ As for Creswell's argument that by joining the Government Labour would have greater control over the Nationalists, all the evidence belied this. In addition, some of the leading members of the Party harboured very deep grievances against Creswell, stemming from personal animosity, jealousy and thwarted ambition. Intrigues, for instance those associated with the filling of Cabinet posts, had left a legacy of ill-feeling and duplicity.⁷⁷ All the above had been successfully played upon, as has already been shown, particularly by the opposition press during the controversy. Even after the agreement (and indeed right until the eve of the 1929 general elections), it continued to dwell upon them and without question the Natal Mercury was expressing views that many Labour voters had come to accept by 1927/8 when it wrote that from the moment Labour had joined the Government the forces of discontent and dispute had entered the Party. From that moment had begun the long process of intrigue which Creswell himself had initiated in order to gain the support of certain branches for his joining the Cabinet. Creswell should answer the questions of Labourites on this matter. And,

Perhaps, too, he will condescend to enlighten those who have lost faith in him upon a number of other

75. See page 564.

76. Natal Mercury, 5 March 1928, letter from Rev. A. Lamont, Labour M.P.C.

77. See, for example, South African Labour Party, Durban Conference, 8 July 1928, pp.10 ff., affidavit of Louis Karovsky (in McPherson Papers).

points. Was it not his own personal surrender to the Nationalists which was primarily responsible for the Flag bitterness? If he had had the courage to say "No" to the Afrikaner extremists would the Government have dared to challenge his decision? Would not the Bill have been promptly dropped or else amended then and there to meet English sentiment? And if he had said "No" would not the Labour Party to-day be occupying a position vastly different to what it actually does? Then, again, does he not bear the heaviest personal responsibility for the Labour Party's failure to force on the Government the two-flag proposal of the Labour National council...⁷⁸

Indeed, the position that Labour, and its leader, were occupying at the end of the controversy was a most unhappy one. In November 1927 Creswell wrote plaintively to his wife that he ought to speak somewhere, 'but the question is: Where?...what a comical Gilbertian situation. The so-called Leader of the Party thinking he ought to make a speech and having a difficulty about finding a platform.'⁷⁹ Creswell's position as leader of the Labour Party was weakened particularly by the failure of Labour to gain socialist objectives. However, it would be reasonable to conclude that his handling of the flag controversy further reduced his prestige and undermined confidence in his leadership so that the hand, and probably the will, of his opponents was strengthened in their struggle against him in 1928.

If the flag controversy contributed to the disruption and break in the Labour Party in 1928, what part did it play in its serious electoral defeats in 1929? By the end of the flag conflict, predictions that Labour was 'finished', 'doomed', 'a spent force', 'dead' and 'smashed' had been made on all sides.⁸⁰

78. 5 March 1928. See also Natal Mercury, 4 January, 16 May 1928.

79. Creswell Papers, vol. 3, 17 November 1927.

80. For example, see H.P. vol. 28, N.J. van Wyk to Hertzog, 1 June 1927; S.P. vol. 97, no. 93, Cohn to Smuts (views of Roos and Cohn), 25 August 1927; Natal Witness, 15 September 1927, Smuts; Cape Times, 18 July 1927, Pitcher; The Friend, 13 October 1927.

Even Labour publications did not hide their belief that the Party had been 'efficiently garotted' and was in danger of 'total dismemberment' if indeed it still existed in any effective sense.⁸¹ These gloomy forebodings were in large measure justified by the general election's results. Strachan's prediction in the first reading of the Flag Bill in May 1926, that Labour's support for the Flag Bill would mean its extinction in Natal, seemed to have been fulfilled.⁸² In that Province, Labour's parliamentary representation was wiped out: all three of its seats were lost.⁸³ In the Cape Province, where it had formerly held two seats, Labour was also swept aside.⁸⁴ In the Free State the Creswellians won one seat (Bloemfontein, North) - with Nationalist help. And in the Transvaal Labour's representation was reduced from twelve seats to seven - four being retained by Creswell's followers and three by National Council supporters.⁸⁵ Thus Labour's total

81. See, for example, Forward, 20 May, 29 July 1927; Monthly Herald and Industrial Record, June, December 1927. See also The Star, 21 June 1927 and Cape Times, 19 July 1927 - Hay; The Star, 13 August 1927 - W. Houghton.

82. See page 77.

83. The seats were Durban (Greyville), Durban (Umbilo) and Pietermaritzburg (North). All had been won by substantial majorities. Labourites had contested six seats. The South African Party now held sixteen of the seventeen seats in Natal; one (Vryheid) had been retained by the Nationalist Party. Government Gazette, no. 1788, 21 June 1929, pp. 728-731; Cape Times, 15 June 1929.

Labour, of course, by this time consisted of two factions: the supporters of Creswell and of the National Council.

84. The two seats were Salt River and Liesbeek. Labour contested six seats, all of which the South African Party won. Government Gazette, no. 1788; Cape Times, 15 June 1929.

85. The National Council faction won Benoni, Langlaagte and Troyeville; the Creswellites gained Denver, Jeppes, Boksburg and Germiston. Thus, together with Bloemfontein (North), the Creswell section held five seats in the Assembly. In no case did Labourites fail to gain a seat in

representation in the Assembly had been reduced from eighteen in 1924 to eight. Its numbers had fallen by more than half while its percentage of the total vote had declined by about twenty per cent.⁸⁶

An examination of its losses reveals that of the ten seats lost, eight had gone to the S.A.P. - in Natal (three), the Cape Peninsula (two) and in Springs, Turffontein and Roodepoort; two had gone to the Nationalists. The Nationalists' gains (in Brakpan and Pretoria West) may be explained in terms of the growth of Afrikaner Nationalism⁸⁷ and the increasing Afrikanerization of the working class electorate which looked for its protection to the Party both Afrikaner and white protectionist par excellence - the Nationalist Party. The Labour Party, overwhelmingly English in its oligarchy and ethos, could not outbid these attractions. The fact that the S.A.P. made gains in then largely English-speaking areas, and not elsewhere, lends weight to the view that this swing was significantly influenced by a subject of particular interest to English-speakers - such as the flag question, fear of secession having largely abated.

a three-cornered contest because of a split vote; indeed most of the unsuccessful Council candidates gained very few votes indeed. In Germiston, which was one of the few exceptions, their candidate (though unsuccessful) was assisted by an appeal to Nationalists to support him by a Nationalist parliamentarian - much to Hertzog's annoyance. Government Gazette, no. 1788, 21 June 1929, pp. 728-731; Cape Times, 15 June 1929; H.D. van Broekhuizen Papers, vol. 1, no. 160, Hertzog to P.G.W. Grobler, 20 June 1929.

86. Cf. Government Gazette, no. 1401, 27 June 1924, pp. 600-2 and Government Gazette, no. 1788, 21 June 1929, pp. 728-731.

87. See Forward, 21 June 1929, comment shortly after the elections on the decline of the trade union movement between 1924-1929 and the intensification of 'Nationalist' agitation.

For the Party's complaint of a lack of Afrikaans-speakers to propagandize in the country, see South African Labour Party, Transvaal Annual Conference, 24-25 September 1927, Secretary's Report (in McPherson Papers).

Indeed the voting trend appears to have been in keeping with that of the Provincial elections of February 1927 when Labour lost nearly half of its representation in the three Provinces contested and the importance of the flag controversy in effecting this loss was widely acknowledged.⁸⁸ Its importance as a factor influencing English-speaking voters against Labour was again acknowledged in 1929. Thus the report of Labour's National Administrative Council to the annual conference of the Creswell section of the Labour Party, at the start of 1930, attributed Labour's losses to three factors: to dislike of the Pact, to a split in the Party (which we have tried to show was to some degree itself influenced by the flag controversy), and to, 'most of all, the customary outburst of pseudo-imperialism and racialism'.⁸⁹ Since, apart from a brief recrudescence in 1927, secession had subsided after the Imperial Conference and was not a significant factor in the 1929 elections,⁹⁰ the 'outburst of pseudo-imperialism and racialism' which had troubled Labour most was unquestionably the outburst over the flag bill. For a verdict on the election results from Labour's other faction, we may turn to Forward, for by this time it had

88. Labour lost four out of five seats in Natal, three out of four in the Cape Province and one in the Transvaal. See pages 243 ff.

89. Minutes of the Annual Conference of the South African Labour Party held in the Trades Hall, Johannesburg, on Wednesday - Thursday, January 1-2, 1930, Annexure 'A' (in McPherson Papers). Underlining added.

Of the split the report declared that it had never been fully understood by voters and even by some of Labour's regular supporters.

90. The Natal Mercury, which might have been expected to give a good deal of pre-election coverage to the subject, gave it little attention; by contrast, the flag controversy figured far more prominently in its, and other opposition newspapers' leading articles in the months before the elections. See Natal Mercury, 6, 10, 11, 12 June 1929. (The general election took place on 12 June.)

become an ardent champion (if not mouthpiece) of the National Council section of Labour. Forward listed four milestones on the road of 'blistering mistakes' which had brought Labour to the election 'debacle': 'The war; the pact; the flag; the split.'⁹¹ For the views of a reliable S.A.P. observer we may look to the parliamentarian R. Close, who contested the election; high on his list of reasons for his Party's success was 'a deep underlying resentment about the Flag Bill Debates'.⁹² Malan, too, reflected that the flag controversy had resulted in heavy sacrifices for Labour.⁹³ Some twenty years after the controversy, Boydell, perhaps the most popular of Labour's leaders in Natal, asserted that the flag controversy had cost him his seat in Greyville in 1929⁹⁴ and there is little reason to doubt that many fellow Labour candidates lost largely for the same reason. Thus the flag controversy played a significant part in the decline and eventual eclipse of the Labour Party in South Africa.

Labour's unfortunate involvement in the flag controversy may be seen as a consequence of the quality of, and dissension within, its leadership. Of the three Parties, Labour was by far the most dependent on the support of the floating vote. This had been made clear in 1915 and 1921. To alienate the predominantly English-speaking floating voters who had supported

91. 14 June 1927.

92. S.P. vol. 41, no. 85, Close to Smuts, 26 June 1929.

93. Volkseenheid, pp. 73-4.

94. T. Boydell, My Luck's Still In, p. 68, and My Luck was In, p. 4.

it in 1924, was to court disaster, for past experience had shown that they readily abstained from voting or voted for other Parties. It was imperative, therefore, for the leaders of Labour to be closely attuned to the feelings of its fickle supporters if it was to survive as an effective political Party. In view of this dependence, and the well-known pro-British, anti-secessionist feelings in the Party (from which the symbolism of the Union Jack could not be divorced), assent to the establishment of a new flag, by executive fiat, by a Government dominated by a Party with strong republican associations, and so soon after coming to power, might have been expected to cause some concern amongst Labour's leadership.

It did not, and no problems were anticipated with the 1925 Flag Bill. However, its publication in January set off warning lights. From the moment the Bill appeared, Labour was held responsible for those legislative features unacceptable to the opposition. And in both Natal and the Cape Province calls went out for the inclusion of the Union Jack. Accordingly, the withdrawal of the Bill until the following year could have provided leading Labourites with the opportunity to canvass opinion amongst the Party's rank and file on the question of a new flag; the subject could then have been discussed at the Party's annual conference at the beginning of 1926. Neither step was taken. The ignoring of the question at the annual conference at the beginning of 1926 may be attributed in part to the discord within the Party's leadership, and the consequent stormy struggle between the factions which dominated the conference. It was only in May 1926, then, when public outcry against the Flag Bill erupted after its first reading, that most Labour leaders first became aware of the possible

consequences of flag legislation to their Party.

By this time the difficulty of reaching an amicable agreement on the flag's design had been plainly revealed: before the first reading the Select Committee had failed to agree on a design, one side insisting on a clean flag while the other demanded the inclusion of the Union Jack. And the nature and intensity of the protests following the first reading clearly revealed what Labour could expect from the continued pursuit of flag legislation - ardent and bellicose protest meetings, an uncompromising and virulent press campaign, jingoistic outbursts from patriotic societies (which counted many Labourites among their members) and, not least, protests from Labourites themselves. Bearing in mind the above, plus the difficulties evident within the party, and, most important, the Party's dependence on a floating English-speaking vote, Labour's Parliamentary Caucus would have been wiser to insist not upon the postponement of the Bill, but upon its total withdrawal - at least for some years. Perhaps Creswell, over-anxious not to disturb the harmony of the Pact, was too prepared to placate Malan and the Nationalists.⁹⁵ As leader of the Labour Party his primary concern should have been to safeguard his Party; difficulties with Malan were the concern of the leader of the Nationalist Party. In all events, withdrawal of the Bill at this stage, and as a result of the inability of Labour's Caucus to support it on the grounds that Labour voters opposed it, would not have involved great loss of face for the Nationalists or precipitated Malan's resignation.

95. Note, for instance, his assurance to Malan, at the time of his request for the postponement, that he and his followers would support the Bill even if the postponement were not granted.

However, Creswell's failure to realize the importance of securing the demise of flag legislation at this point, despite warnings from Strachan, Hay and others, probably stemmed mainly from the failure to sufficiently appreciate the attachment of English-speakers to the Union Jack. His belief that it would not be difficult for him to persuade 'the sane, sober and moderate' to accept the 'reasonable' Bill (one which specified only four days on which the Union Jack would be flown definitely), reveals his failure to grasp the nature and intensity of the English section's feelings for the Union Jack. Accordingly, his attempts at persuasion proved abortive, while the National Council's dual flag plan (for lack of general support, and not only Creswell's) had to be abandoned. As the flag controversy advanced, the position of the Labour Party progressively worsened, so that its long term interest would unquestionably have been best served by an insistence on the Bill's withdrawal.⁹⁶ However, by the end of the first half of 1927 most of its floating vote had probably been alienated and it then made more sense to push the Bill through as quickly as possible in the hope that wounds would heal by mid-1929 when the next general election would be held. Thus Labour's leadership, beset with internal disputes, left much to be desired during the flag conflict, and the oft-repeated charge that the leader of the Party, Creswell, was out of touch with its rank and file appears to have been justified, though the point should be made that the charge was equally applicable to many other leading Labourites.

96. However, withdrawal of the Bill during the short period of toenadering which followed the Imperial Conference, might not have been to its advantage.

Reflections on the Labour Party

Viewed from the broad perspective the South African Labour Party reveals during this period many features similar to those found in European socialist parties at a similar stage of development, and a few of these may be noted.⁹⁷ Struggle for control over the party between its internal and parliamentary leaders, for instance, was common in socialist parties. The emergence of a group of 'internal leaders' had the effect of weakening the position of parliamentary members and may be seen as reflecting a conflict of interests between two communities: that of the members of the socialist party, who choose their internal leaders, and that of the members of parliament who are elected by voters who usually include many non-party members. Trouble arises because the party members are more committed to the goals of socialism, and therefore more demanding and uncompromising. In Europe the acceptance of socialists of the primacy of parliamentary government led to priority being given to parliamentary representatives, but in South Africa, as has been seen, consensus was not reached, and the Party split (for a variety of reasons) after commencing a decline not unusual for junior partners in a coalition government.

Distrust of parliamentary deputies amongst Socialists arose for a number of reasons that were similar and the attempts to control them also took similar form. Socialists feared that once in parliament their deputies would identify themselves with its middle class environment or be corrupted by power or bribed by the financial powers whom they imagined to be clandestine

97. I am much indebted to the works of Duverger and Michels for what follows. See M. Duverger The Idea of Politics, and Political Parties; R. Michels, Political Parties.

and powerful. In time deputies might become more inclined to follow the wishes of their constituents or the electorate, weaken their ties with their socialist electors and ignore the militants in the party. In an attempt to preclude this, socialist parties tried to ensure domination of the parliamentary members by the party. Thus we see repeated efforts at Labour Party conferences in South Africa (and Europe) to restrict the number of M.P.s who could sit on the Party's controlling body - the National Council, and attempts by the Council to impose policy on the parliamentary section of the Party.

Distrust of deputies was also manifested in many socialist parties over the question of whether socialists should share in government as junior partners. Those who refused to participate reflected the views of the more militant socialists, the parliamentarians being generally in favour of participation. The latter were motivated not only by personal interest and desire for power, but by the belief that if placed at the centre of power they could more easily introduce reforms and better the lot of the working class. Participation, however, poses many problems: pacts must be made about electoral tactics and policy. The former is relatively easy, requiring merely a negative agreement against a common enemy; by contrast, the latter requires a positive agreement upon a programme. However such a programme is almost certain to be vague, consisting of slogans more likely to win votes than a plan for positive action; and differences between partners in doctrines and because of the interests they represent can soon reveal themselves. Once in power, M.P.s and particularly ministers become aware that the complexity of interests with which they

have to deal is very great - that there are limitations of finance, problems of legislative drafting, intractable problems created by the existing laws and forms of expenditure, and many other difficulties. Before long socialist deputies may sympathize with government actions, even though outside parliament they continue to attack its principles. Thus the party may soon lose its original zeal and concentrate on what are seen as 'safe' issues - questions unlikely to create disharmony with its senior governing partners. Egoistic and objective motives work hand in hand and the result is a state of comparative calm which, while agreeable to the party leaders, is deeply resented by the rank and file who have voted them into office and rarely see beyond their individual interests or know all the real facts about the difficulties facing the government and the small margin of possibilities left to it. Much of the above was evident in the flag controversy, and their ultimate effect was to gravely weaken the Party.

As may also be seen from the controversy, it is better from the point of view of the leading coalition party to take allies into government where they will have to share the responsibilities and the natural unpopularity of office, than to allow them to take shelter in parliamentary support alone, which is less compromising in the eyes of the voters. In 1924 the Labour Party had the option of joining government or supporting it from the refuge of parliament and it may be asked whether in choosing the former it made the better choice. Had it remained outside government it could have maintained the coalition in weakened form while benefiting from the advantages of criticism and opposition. As the Nationalist Party depended on Labour's support to stay in power, the latter's influence over legislation

would have been strong; embroilment in a flag controversy would have been less likely and, most important, Labour would not have incurred the opprobrium it did for the absence of socialistic measures its supporters expected once it took office. Probably the two most important features of the Pact Government's labour policy were its Civilized Labour policy and the Mines and Works Amendment Act of 1926. The former was intended to protect unskilled whites who had emigrated to the towns; as they were mostly Afrikaners, this policy presumably owed nothing to Labour prompting. In the latter, Labour's influence may be discerned for it was designed to protect skilled white artisans who were mostly English-speaking. Could not the same or similar legislation have been championed (and even demanded) and obtained by the Labour Party from outside government - as the price of its support? Trade Union pressure had demanded such protection (which was not directed against unskilled Afrikaners but against non-white competition) and it was in keeping with Nationalist thought. Bearing in mind European examples, Labour's leaders might have reflected more carefully that alliances in a parliamentary democracy are ultimately dominated by the most moderate party, the others nearly always being compelled on the parliamentary level to support some measures which conflict to some degree with their own interests. Failure to support these measures means the collapse of the alliance; acquiescence in them results in the junior partner finding itself marching in step with its governing partner, with its 'extremism' dulled - and with a consequent loss of credibility and support. On balance, it would seem that Labour would have gained more by remaining outside government than it did by joining it, and that the Pact

proved far more beneficial to Labour's Nationalist partners than to itself.

Natal and the flag struggle

Although the part played by Natal in the flag conflict has already been dealt with in detail, a few concluding remarks on Natal and the controversy are desirable. One year after coming to power the Pact embarked on a policy of protective tariffs and in 1926 the first important move towards sheltering agriculture came in the form of the Fahey sugar agreement.⁹⁸ As this protected sugar farmers from competitive imports, it was welcomed in Natal and was seen by some as a means of weaning Natalians, and particularly influential sugar interests, away from the S.A.P. It is therefore perhaps not fanciful to suggest that S.A.P. politicians, especially representatives of largely sugar-planting areas, were not altogether displeased by the eruption and some prolongation of the flag issue and the consequent alienation of any incipient support for the Pact. In all events, the flag conflict dealt a severe blow to such advances as the Nationalists had been making in Natal,⁹⁹ and left a legacy of distrust which was doubtless a significant factor in the slow growth of the Party in this Province.

The political parties chiefly involved in the controversy in Natal were the Labour and S.A. Parties. The former never

98. M. Wilson and L. Thompson (eds.), The Oxford History of South Africa, vol. II, pp. 137-8.

99. See H.P. vol. 28, letter from President of the Umzimkulu branch of the Nationalist Party, 24 May 1926; Die Burger, 20 July 1927, 'van ons korrespondent', Pietermaritzburg. The Indian Agreement also harmed the Party in Natal (see E.G. Jansen Papers, vol. 2, letter from Gustav Holz to Jansen, 24 March 1927).

recovered from its losses in 1929 and no Labourite was ever again sent to Parliament from Natal. The S.A.P. was the chief beneficiary of the conflict in Natal, and, within the Natal branch of the Party, Heaton Nicholls. The leading part he had played amongst the Natal parliamentarians in the conflict enhanced his reputation and assisted in his emergence as the Province's leading politician for most of his political career.

The flag controversy was the first real trial of strength between the Natal parliamentarians and the Pact. Being an issue of immense importance to Natalians, it was imperative that every effort to meet their wishes should be made by their M.P.s. Clearly, the latter were likely to achieve more if they took a united stand. Thus, during the controversy, Natal parliamentarians met regularly, forming a Natal Caucus within the S.A.P., and determined on a united flag policy. Their joint stand, they believed, had precluded Smuts from reaching a compromise earlier - and on less favourable terms. The success of their concerted efforts must have encouraged them to act as a united group in subsequent issues,¹⁰⁰ and it is probable that in the following years they were in this way able to exert an influence over their Transvaal and Cape colleagues - who lacked the same sense of unity and purpose - greater than their representation warranted.¹⁰¹

In Natal, the flag conflict had been seen largely in terms of a fight to maintain the British link and the British way of

100. See G.H. Nicholls, South Africa in My Time, p. 173 for the 'independent body' formed by Natal Members.

101. See M.K. Williamson, Natal and the Flag Controversy (unpub. M.A. thesis, Natal), pp. 146-7.

life, both of which were being threatened by a rising Afrikaner Nationalism. This firm conviction had steeled Natal's resistance. The degree of success Natalians achieved in their struggle - when measured against the Government's original intentions - together with their heightened suspicion of Nationalists, strengthened their determination to resist any Nationalist encroachment on the rights of their established institutions. Determination was bolstered by awareness of the fact that without Natal's support, Smuts had no hope of returning to power. Thus, not long after the controversy, Natalians were emboldened to agitate for an extension of the powers of the Provincial Council; and tactics similar to those used in the flag controversy were again evident.¹⁰² One month after the flag settlement, Nicholls, in defending the provincial council system against abolition, declared that though some might maintain that a centralized system of government could help to create racial unity, the opposite had been evidenced by recent events.¹⁰³ This agitation - the devolution movement - aroused Natalians once more and again Nicholls figured in it prominently; we may safely assume that his and other Natalians' attitude and tactics were strongly influenced by the flag struggle.¹⁰⁴

Finally, though unquestionably the most persistent and concentrated opposition to the Government's flag measures

102. See, B.C. Vickers, Natal and the Provincial Councils, 1929-1932 (unpublished M.A. thesis, Natal) for a treatment of the conflict; also G.H. Nicholls, South Africa in My Time, pp. 217-27.

103. Williamson, op. cit., p. 150, citing Natal Mercury, 10 November 1927.

104. Provincial feeling remained strong in Natal well after this struggle and culminated in the establishment in 1953 of the Union Federal Party in which Nicholls was the leading figure (D.W. Kruger, The Making of a Nation, pp. 275-6).

occurred in Natal,¹⁰⁵ it is worthwhile emphasizing that Natal never 'forced' Smuts to adopt any policy he would not have followed of his own accord. Rather, as we have noted, Smuts protracted negotiations in 1925/6 because he suspected that flag legislation presaged an early general election which he did not want, and then came to see the question as a valuable issue that could be used to weaken the Pact (by harming Labour) and to strengthen the S.A.P. (by providing it with a unifying and new issue by contrast with colour legislation). Smuts, therefore, never had to be 'forced' by Natal to fight the flag conflict or to toe its particular line - except perhaps in the final S.A.P. Caucus meeting on the agreement in October 1927.¹⁰⁶

The politics of ideology

The flag controversy provides a valuable case study of what may be termed 'the politics of ideology'. All political parties are ostensibly unities; and each professes to be based on a body of principle. Each continuously declares its own internal harmony and ascribes this to the concord on principle which exists amongst its supporters, who are alleged to be

105. However, it should be observed that the Natal Mercury and particularly the Natal Witness often adopted more moderate attitudes towards the Government's compromise proposals than did, for instance, The Star, Cape Times or Daily Despatch. The Natal Mercury, for example, was prepared to consider the dual flag plan and did not reject the proposal for the incorporation of the royal standard in the national flag (instead of the Union Jack); see also Natal Witness on the latter proposal.

106. For an approach (leaning much on Nicholls' account) which emphasizes Natal's pressure almost to the exclusion of other factors, see Williamson, op. cit.

committed to the achievement of an aim which they regard as an ideal. In their more rhetorical moments, all political parties indulge in talk of this nature. But those with strong ideological bases, such as many nationalist parties, tend to stress their ideological beliefs more and to relate them to policies to a greater degree. This, together with the fact that appeals to 'the nation' appear to arouse a more intense enthusiasm than calls to other groups, often produces particularly heated political conflict. Where both parties to a conflict cling to strongly held and apparently irreconcilable ideologies, the resultant political struggle is likely to assume a peculiar intensity. The above is decidedly true of the flag controversy where the bearers of the two rival ideologies were the Nationalists and the so-called jingoes and where the intensity of the conflict was certainly extraordinary.

While the rational element in political conflict should not be unduly emphasized - emotive language and words of abuse, for instance, are nearly always employed - in ideologically orientated struggles the rational element is certain to be even less evident than usual. Indeed, the greater the influence of ideology, the less will attitudes be ruled by the facts of the particular situation. The flag controversy provides abundant evidence of this. Neither side scrupled to elevate sentiment above logic when logic proved embarrassing to an argument; nor did either hesitate to do the reverse, or to denigrate others for using the same methods. And where logic could not be met by counter-logic or sentiment, 'common-sense' and 'political wisdom' were called in. Thus, to one side, the Union's new status made a new flag imperative, to the other unnecessary; to the Nationalists it made the royal standard

logical as representing their link with the king; to the opposition it made the Union Jack more logical, as representing their equal partnership with Great Britain. The crux of the matter was that logic was clouded by such factors as dislike and fear: in one group reason was dominated largely by abhorrence of the Union Jack and its association with domination and defeat, in the other by fear of secession and Afrikanerization. And as all ideologies, even those which pride themselves on their objectivity, are in some measure value-systems, their interpretations of value concepts are likely to be different, depending as they do on faith and voluntary allegiance. Thus appeals by Malan to 'equality and justice' were merely met by calls to the 'High Priest of Little Afrikanerism' to practice those very qualities himself.¹⁰⁷

Another characteristic of many forms of political thought, and particularly of those emphasizing the goals of the volk or the nation, is to denigrate separate loyalties and to disparage other interests as sources of privilege and disloyalty. A common method used to decry a plurality of interests is to argue that although several interests apparently exist, they are in fact reducible to two: the interests of one group, and the interests of its enemies. He who fails to support the former (which, in the eyes of the nationalist, are ultimately the interests of the volk) is against them and in collusion with the colonial power or other enemies. In the flag controversy, the Nationalist press revealed a predilection for this line of argument, or variations of it, and so too did its politicians. Thus in reply to a protest meetings' demand for the inclusion of

107. See Natal Mercury, 4 October 1927.

the Union Jack in the new flag, Hertzog argued that those who wanted this regarded themselves as Englishmen first, and South Africans only second; on a question of national concern the South African spirit should triumph and sectional and other interests should be subordinated to the national whole.¹⁰⁸ On 24 May 1927 the Cape Times complained that even at this advanced stage of the struggle Malan, and apparently Hertzog, were convinced that if a man retained any affection for the country from which he sprang, he could not be as good a South African as one who had not. In urging Labourites to place racial loyalty above all other interests, the opposition too had resorted to similar tactics.

In an ideological struggle which aroused such strong partisanship it was perhaps inevitable that the press should misrepresent, distort, make false analogies and tell half-truths. Thus we find the Nationalist press insisting, for instance, that the S.A.P. opposed the introduction of the 1926 Flag Bill because it objected to any bill which would give South Africa its own flag; that the S.O.E. dominated the S.A.P.; that the English section maintained that South Africa was not independent and therefore had no constitutional right to its own flag - a viewpoint argued by only a very small section of it; that Smuts was inconsistent because he assailed the Government for proceeding with flag legislation without a mandate but continued to attack it for handing the matter over to the people to decide in a referendum - the essential objection, that the referendum question was not comprehensive, being almost always ignored; that the representatives of the Flag Organization at the Flag

108. The Star, 2 June 1927; Cape Times, 3 June 1927.

Conference had accepted the St George's Cross flag, and that so too would the Organization's followers have if the S.A.P. had not exerted pressure on them; that the English press was un-South African and, of course, that whereas the bills' supporters were the 'sons of South Africa' its opponents were the enemies of South Africa - a view also propagated by O.C.F.O.¹⁰⁹ The opposition press too was very far from blameless as evinced by its accusation that the Government had betrayed its word by introducing the 1926 Bill before securing mutual agreement: Malan and the Government had clearly only promised to do their best to obtain agreement. In any political conflict leaders may struggle to mask their real aims behind alleged general interests, identify themselves with the needs of the nation, and hide one political goal behind another that is broader, more acceptable and nobler than the first in order to gain greater support. But the distortion and extreme partisanship which marked the pronouncements of the press and politicians during the controversy, must be seen as emanating chiefly from a politics of ideology.

One of the consequences of the elevated and pseudo-philosophical sentiments which have become part and parcel of the baggage of nationalism, has been to inject self-righteousness into political conflicts involving nationalists. From a monopoly of loyalties, it is but a short step to a monopoly in decency and self-righteousness. Thus not only do we find in the controversy that the Nationalist Party had a higher and nobler calling than any other party in South Africa, but that,

109. See, for example, Die Burger, 21, 22 May 1926, 13 April, 27 May 1927; Die Volksblad, 27 May 1926, 14, 30 May, 11 July 1927; Sunday Times, 17 October 1926.

according to Die Volksblad, its calling was higher and nobler than that of any other party in the world.¹¹⁰ By contrast, the S.A.P. was a Party with no principles at all; its real purpose was to serve the interests of a small group of capitalists - people who had no patriotism and were therefore unable to understand other peoples' national love (volksliefde).¹¹¹ However, to an English-speaker writing to The Star, Nationalists were motivated by no form of love at all, rather by hatred, and this despite the fact that only the English would have treated 'a recalcitrant section of the people' with the magnanimity shown by British governments. Where would 'these people' have been if Germany had conquered South Africa? Would bilingualism have been permitted? Would they have had any say in the government? Clearly not. Yet the English were 'having it rubbed in with a vengeance' by these people.¹¹² By the time of the first reading of the 1927 Bill, when Lewis Michell entered in his diary: 'Flag Bill re-introduced out of spite, and against the wish of all decent people of both races',¹¹³ decency had become for many people a quality limited to one's own political group.

Yet another common feature of such ideological conflicts is a particular lack of sensitivity towards the feelings and aspirations of opponents. Intense loyalty to one group, often precludes understanding of and sympathy for the feelings and ideals of others. Hence Nicholl's suggestion, probably made in good

110. Die Volksblad, 8 October 1927.

111. Ibid. 22 May 1926.

112. The Star, 4 June 1927, letter from W.M. Mackie. That no injustice had been committed under the Union Jack against Afrikaners was often asserted. See, for example, Senate Debates, 1053, 25 June 1927, Cochrane.

113. See pages 291-2.

faith, that Nationalists might include, as their symbol in the national flag, a replica of the Vrouemonument.¹¹⁴ This, he thought, could be a quid pro quo for the inclusion of the Union Jack. That the latter was (symbolically) held responsible for the tragedy which the monument commemorated seems not to have occurred to him. At the start of the controversy many English-speakers were probably unaware that many Afrikaners disliked the Union Jack and this lack of awareness, in 1925, is readily understood. But even by mid-1927 many English-speakers refused to recognize that this hostility existed and that there were grounds for it. When Smith and Jansen visited Johannesburg in May 1927 and explained the hostility,¹¹⁵ the Rand Daily Mail headed its report of their speeches with a surprised eight-column headline which stretched right across the page: DELEGATES CONFESS TO DISLIKE OF UNION JACK.¹¹⁶ No less obdurate were the Nationalists in refusing to recognize the real and legitimate attachment of many English-speakers to the Union Jack and in clinging to their belief that the agitation for the Union Jack had been inspired wholly artificially - by newspaper editors, a few patriotic societies, foreign born Englishmen,¹¹⁷ and the like. Nationalists too remained insensitive to the feelings of their opponents well into 1927.¹¹⁸

114. See page 525.

115. See pages 274 ff.

116. 12 May 1927.

117. There was a belief amongst Nationalists that the strongest opposition to the flag bills came from 'foreign adventurers' - English-speakers who had been born in England, rather than those born locally; however, generally, the reverse appears to have been the case. See P.S.M.I. vol. 3, letter from J.A.I. Agar-Hamilton to Blommaert.

118. Thus even Havenga, like so many others, appears to have anticipated little difficulty in May 1927 in getting the Flag Bill through Parliament (see Havenga Papers, vol. 1, letter to wife, 11 May 1927).

The belief that politics is a struggle is a heritage of nationalism. And probably few features are as characteristic of nationalistic ideology as the belief in, and emphasis placed on, struggle and conflict as necessary conditions of human progress; only through struggle, some nationalists contend, will their nationalist utopia be attained. Certainly, the flag conflict lent itself to the practice and expression of these views. For example, Die Volksblad, in urging the Government to proceed with flag legislation in 1926, declared:

Dit is 'n onverbiddelik wet van die natuur dat daar eers opoffering, en in sommige gevalle self dood moet wees aler daar lewe te voorskyn kan kom. So gaan dit ook met 'n volk. Sy vryheid kan hy slegs verkry en behou as hy gewillig is om deur diep-waters daarvoor te gaan....dit skyn asof [die Afrikaner volk] die noodlot om eers deur die woestyn wil lei aler hy Kanaan mag binnetree. Hierdie stryd met al sy bitterheid, met sy nasleep van ellende, tweedrag, haat en nyd moet eers deurgemaak word aler daar 'n verenigde Suid-Afrikaanse nasie sal verrys.¹¹⁹

When strong nationalism is thwarted, emphasis on struggle is readily transmuted into threats of violence; indeed, attendant on all value-orientated politics goes the use of violence as a tactic for achieving one's aims. Thus we find Vere Stent urging that 'If the flag's worth having, it's worth fighting for, not vicariously, through the Imperial army, but actually and personally.'¹²⁰ Malan too insisted that the flag was worth fighting for;¹²¹ and attention need hardly be drawn again to the various threats of civil war.

The more ideologically inclined a political party is, the more likely its manoeuvreability will be restricted when it

119. 20 September 1926.

120. Vere Stent, A Hundred Years of Humbug, p. 15.

121. See pages 470 and 534.

assumes power. Should it, once in power, embark on legislation which embodies a vital party principle, changes which impinge on this principle become extremely difficult to arrange. If, for instance, loyalty to one's own volk is accepted as an overriding principle, concessions to the loyalties of other groups may be seen by followers as a contradiction, and a complete withdrawal of legislation in the face of obstacles as a gross betrayal. These two problems - of concessions in and withdrawal of legislation - arose in the flag controversy and the attitude of Nationalists to both was typically revealed in Die Volksblad. Responding to the dual flag plan compromise proposal it warned that to buy peace and unanimity at the cost of principles was too great a price for any volk to pay; to suggestions that the Bill should be withdrawn it protested, 'daar is soiets as nasionale eer en nasietrots en geen opoffering mag van 'n volk te groot wees wanneer dit op die spel is nie.'¹²² Malan's anxious attempt to convince Nationalists at the end of the controversy that the Government had gained ground was a consequence of this style of politics which bedevilled and dominated the controversy.

Pressure groups and the flag conflict

As will be shown briefly, the flag conflict also provides a useful case study for the part played by pressure groups in politics.¹²³ These groups are usually of two types, and the

122. 23 June 1926 (compromise), 25 April 1927 (withdrawal).

123. There is much disagreement amongst political scientists over the problem of defining and classifying pressure groups and various terms - including 'pressure group', 'interest group', 'the lobby', 'political group' - are often used interchangeably.

controversy was to witness the workings of both. The first, into which most pressure groups fall, includes non-political organizations whose main concern is not to influence government but to promote its own special interests. They are often regarded as 'partial' pressure (or interest) groups and obvious examples of such bodies active in the flag conflict were the B.E.S.L., Caledonian Society, and most important, the S.O.E. After the conflict, these partial pressure groups characteristically dropped their political interests and continued with their original purposes. To the second group belong the 'exclusive' pressure groups - those who were concerned to act only in the political field. The Flag Organization, O.O.F.O. and the Empire Group were examples of this type of pressure group - though there were others.¹²⁴ Having sprung into existence exclusively to influence flag legislation, characteristically, at the end of the conflict they disbanded.

As the flag controversy also typically reveals, distinctions between the two groups must not be exaggerated. Thus we find that by September 1926, the partial groups, including the S.O.E. and B.E.S.L., had already joined together with the Flag Organization to form the joint Co-ordinating Council of Patriotic Societies; and in 1927 leaders of the patriotic societies ordered their members to channel all their efforts against the Flag Bill into the Flag Organization.

All pressure groups avoid formal affiliation with a political party and try to attract supporters from a wide

124. Such as the Unity League and British Patriotic Union. These were small groups which mushroomed almost exclusively in Natal and soon disappeared; they played no significant part in the controversy.

political spectrum. Thus both the Flag Organization and O.C.F.O. attempted to emphasize that they were not instruments of political parties and that all voters, irrespective of their political loyalties, were welcome in their midst.¹²⁵ Nevertheless, as the controversy demonstrated, most pressure groups have a partisan orientation and the bulk of its friends are

125. However, not necessarily irrespective of their race - and it may therefore be convenient to deal here with the very limited activity in the flag controversy of non-whites. O.C.F.O. (and the Nationalist Party) made no attempt to canvass the support of non-whites. When their opponents attempted to do so the Nationalist press in 1927 warned against the disastrous consequences of drawing Africans into the flag struggle: they were playing with fire because Africans already believed they had enough grievances against the Government. When Opposition politicians complained that the Africans were not being consulted in the choice of a national flag, the press replied that Afrikaners were apparently expected to remain without their flag not only until it was approved of by Pitchers and Byrns but also by Kadalies and Motes. (See, for example, Die Burger, 28 June, 1 September 1927; Ons Vaderland, 2 September 1927.)

Africans saw the Union Jack as a symbol of liberal guardianship; as the flag under which slavery had been abolished and under which such rights as they still enjoyed were protected. Altogether they held three protest meetings during the controversy: in Durban, on 24 May (Empire Day) 1926, when several thousand marched in procession to Queen Victoria's statue where they loudly cheered the demand of speakers that the Union Jack be retained; in Cape Town, in August 1926, where a protest meeting was held under the auspices of the Cape African National Congress; and in Johannesburg, in May 1927, where a similar meeting was held under the auspices of the I.C.U. Support was also expressed by the paramount chief of the Xhosas (July, 1926) and by a spokesman for the Zulu leader, Solomon Dinizulu (June, 1927). (See Cape Times, 25 May 1926, 1 June 1927; Daily Despatch, 30 July 1926; Rand Daily Mail, 9 August 1926; Die Burger, Die Volksblad - 1 June 1927.)

From August 1926 to February 1927, J.B. Nyombolo, a representative of the Native General Vigilance Flag Executive (which was apparently established by the Flag Organization in August 1926) toured the Cape Province and Natal in order to gain Africans' support for the Union Jack and signatures for a petition to the Union or British Government. Though he complained bitterly in February that African involvement in the flag controversy had brought them into party politics and therefore created more white enemies for Africans, and that particularly in Natal he had received a very cool reception - one suspects from whites

as well as Africans - the work of this body continued. A few representatives were sent to the Free State and Transvaal and by May 1927, 97 000 signatures had been collected. In the following month the Native General Vigilance Committee declared that it was convinced that the Government intended to exclude all Africans from voting in the referendum and that it would send a deputation to England as grave constitutional issues were involved in the conflict: the question could not be settled by a referendum from which millions of loyal British subjects would be excluded, or in an Assembly in which Africans were not represented. However, apparently before sufficient funds could be collected for the deputation's journey, the conflict was settled. (See Fremantle Collection, Minutes of Executive Committee, 6 August 1926, and The African Defender file; The Star, 3, 14 May 1927; Die Burger, 14 February, 3 May, 8, 17 June 1927; Die Volksblad, 9 June 1927; Cape Argus, 15 June 1927.)

Coloured involvement was even smaller, and from the beginning of the controversy until September 1927 only the Coloureds in the Stellenbosch constituency (May, 1927) and in Grahamstown (June, 1927) had resolved against the proposed flag legislation. In September, doubtless because the possibility of a referendum had grown larger, activity increased, and two meetings were called. The first, held in Cape Town under the auspices of the Afrikaanse Nasionale Bond, resolved in favour of the Flag Bill; in the next month a Congress of the Afrikaanse Nasionale Bond approved of the flag measure and some promises were made by Transvaal members (who did not have the vote) to give financial support to members in the Cape Province. The second meeting was held at the Strand under the auspices of the African Peoples' Organization and proved very lively. The meeting, which had Dr A. Abdurahman as its main speaker, opposed the flag (and colour bar) legislation; a week later a new branch of the A.P.O. was established at Sir Lowry's Pass and efforts were made to get people on the voters' roll. In the following month, the flag agreement was reached. (See Die Volksblad, 17 September, 10, 12 October 1927; Grocott's Daily Mail, 16 June 1927; Hansard, vol. 9, 4314, 30 May 1927; Cape Times, 15, 19, 27 September 1927; Cape Argus, 15 September 1927.)

Although during the second reading of the Flag Bill in 1927, several Opposition speakers drew attention to the fact that the sentiment of Africans was being ignored, the point was not often made by the S.A.P., probably because of the racial appeal of the Nationalist counter-blasts; thus Ons Vaderland's regular columnist, 'Coraloor', responding to such a complaint, protested: 'Watter benul het hulle Kaffervrinde van 'n vlag?'. The activities of the non-whites were never regarded as important by the main contenders in the struggle, as is indicated by the opposition press's reference to the 97 000 African signatures as a 'sidelight' to the controversy. In sum, it may be concluded that the agitation of non-whites had no influence on the course of the flag struggle. (Hansard, vol. 9, 4309, Gibson: 4261-2, D.M. Brown: 4272, O'Brien: 4345, Ballantine: 4433, Heatlie; Cape Times, 2 September 1927, G.B. van Zyl; Ons Vaderland, 2 September 1927.)

likely to belong to the same party. In the case of the Flag Organization, this was the S.A.P., and in the case of O.O.F.O., the Nationalist Party.¹²⁶

Many of the means used by pressure groups to gain their ends were evident in the flag controversy. We find, for instance, attempts to influence public opinion by means of public meetings, door-to-door canvassing, pamphlets, advertisements, letter-writing to newspapers (probably inspired partly by pressure groups), and the establishment of national organizational networks. The assumption behind such activities is always that if public opinion is sufficiently aroused, government will feel compelled to respond in a manner acceptable to the pressure group's interests. However, even though national campaigns are the most conspicuous form of pressure group action, they are an indication of weakness if not combined with activity in other spheres as well. Pressure groups, wherever possible, will therefore also try to exert pressure where it is likely to have the maximum effect. If power resides in the hands of a relatively strong executive, efforts will be made to influence it; hence both sides made use of petitions, and of deputations - the most notable being the Flag Organization's deputation of February 1927. These direct attempts to influence government at its highest levels,¹²⁷ are usually accompanied by

126. When lines became drawn by the second half of 1927 and it appeared that the issue would have to be decided not by Parliament but by a referendum, the mutual need for the pressure groups and political parties to marshall their organizational resources became urgent and both the Flag Organization and O.O.F.O. then linked up with the parties who espoused their goals.

127. One might mention here the Empire Group's plan to petition the British Parliament. In 1927 it sent telegrams to the Premiers of Great Britain, Australia and New Zealand, appealing for assistance.

pressure on lower echelons of government, for instance, on members of parliament. The parliamentary lobbying of members of the Flag Organization, the letters to parliamentarians of the S.O.E., the telegrams to M.P.'s of the Empire Group, are typical examples of pressure at this level.

Electioneering too provides opportunities for pressure groups to gain their ends. By instituting a special kind of electioneering campaign in which one issue - the special concern of the interest group - predominates, the government (or opposition) may be pressurized into altering its policy. The Provincial elections of February 1927, are a case in point, for they were made to turn on the Government's flag policy. Related to this means of exerting pressure, is that of extracting a pledge from electioneering candidates to support a particular group's interests - another means of pressure employed in the flag controversy. Finally, violence, and the threat of violence, may be used as a form of pressure by interest groups; this too was evinced in the conflict.

It is difficult to measure precisely the influence exerted by a pressure group. In this regard, both the strength of its support and the nature of the sanctions it can use are important. Certainly the support obtained by the most important of the pressure groups active in the flag controversy, the Flag Organization, was large. Nevertheless it is not possible to ascertain what part it played in the postponement of the Bill in May 1926, as the organization came into being at just this time and most of its activities in May might have occurred after Labour had made its appeal to the Government to postpone legislation and the Government's assent to the request had been

given. But there can be little doubt that its subsequent activities strengthened the hand of the Opposition and that over-all it influenced the Government's decision to incorporate the Union Jack in the national flag in 1927, and perhaps too, though more indirectly, to grant official recognition to the Union Jack in the final settlement. The nature of the sanctions which the Flag Organization could employ could not be ignored lightly. Its refusal to accept a compromise of which it disapproved, and its encouragement of the compromises' rejection by its supporters, would have immediately precluded the acceptance of the national flag by a large section of the people, and therefore have negated the purpose of a national flag.

Symbolism, religion and the flag controversy

The dominant associations stirred by the Union Jack in the flag controversy have already been discussed. But any account of the struggle which fails to draw attention to other features - political and otherwise - which the English section associated with the Union Jack would be incomplete. One of these was an association between the Union Jack and the British monarchy. The origin of the emotional appeal of the monarchy is lost in antiquity, but late in Queen Victoria's reign affection for the monarchy rose simultaneously with the final decline of the monarch's effective role in government. Though esteem for the monarchy in the 1920's was probably less than it had been in the late nineteenth century, it was nevertheless great, and was doubtless heightened amongst English people who were far away from the 'mother country'. In addition to the political

emotions aroused by the concept of Empire and Commonwealth - already dealt with - there were those evoked by the concept of England as a world power. Its partial detachment from Europe's political affairs, its maritime power (and the advantages of early modernization) sustained a sense of superiority to other nations and unquestionably was a source of pride to Englishmen throughout the world. And if the above emotions were symbolized by the Union Jack, so too did it symbolize their sense of loyalty to the British community at large, and to British kinsmen and friends in particular.

Symbols also embody values important to a society, and while the Union Jack stirred the above associations, they were in turn fused with certain values. Accordingly at the beginning of 1927 we find a well-known Anglican preacher asking why, since God had no favourites, he had raised the British Empire to such heights? The answer, he suggested, was because this Empire had generally been true to two great ideals which God cherished - freedom and justice. He believed that the Union Jack symbolized those values; under it everyone, irrespective of race, was assured of fair play; the greatest inspiration, after religion, he submitted, was the flag.¹²⁸ Indeed, no one acquainted with the flag controversy can fail to note the significant part played in it by English-speaking clergymen - in addressing protest meetings, seconding proposals or holding office on flag committees,¹²⁹ and this must be explained at

128. Cape Times, Die Burger - 18 January 1927, the Rev. Basil Bouchier.

129. Those active in May 1927 alone included the Reverends Francis Robinson, G. Davies, G.R. Veel, Irving, M. Turnbull, J.O. Venables, Warden and Bishop Fuller (The Star, 13, 14, 16, 20, 23 May 1927; Cape Times, 16 May 1927; Natal Witness, 25 May 1927.)

least partly by the values they (and others) associated with the Union Jack.¹³⁰ When apparently endangered, values and ideals may gain added legitimacy and lustre by assuming a religious dimension, and by mid-1927 this had occurred. The services of dedication to the flag reflect this. At one such dedication service at Dundee in June 1927, the officiating minister declared:

This is a Solemn Service, because the Government are seeking to undermine the constitution of this country and to rob us of our British Birthright.... At such a time any sensible citizen or true patriot cannot be indifferent. It might be said why not leave this matter to the politicians (sic). We reply, the question is a National one and also religious. Religion is meant not only for Sundays and Churches but should touch every aspect of our life. Religion has largely to do with freedom, justice and mercy. What nation is more truly free than Great Britain? What Empire ever enjoyed such liberty as the British Empire? The Union Jack is a symbol of that freedom. What nation more wisely and generously tempers justice with mercy? The Union Jack is the symbol of that justice and mercy.¹³¹

Similarly, at Ladysmith, where the same type of service was conducted by three clergymen, the protest meeting was told that it had met 'to invoke the aid of Almighty God to retain their inheritance'.¹³² The English section's attachment to the British link and the Union Jack were, to the Cape Argus, 'almost a sub-religion'; to the M.P. Byron, 'a national religion'; and to the Rev. Caradoc Davies of Simonstown, a threat to the flag

130. Also important was the fact that most of them were British-born and educated (frequently in public schools), and that as prestigious members of their communities it was natural for them to be asked to play a leading role in a controversy or to take a lead themselves.

131. P.S.M.I. vol. 3, 'Dedication of Flag' pamphlet, 10 June 1927. See also dedication of flag ceremony in Durban, pages 282-3.

132. The Star, 23 May 1927; Natal Witness, 25 May 1927.

was a threat to the 'soul of their existence'.¹³³

All three characteristics determining the potency of a symbol were abundantly present in the Union Jack: it was cognitive, in that it directed attention to certain meanings; it was affective, since the response to it was never emotionally neutral; and it was conative, because it impelled men to action.¹³⁴ For English-speaking South Africans, then, the symbolism attached to the Union Jack was extremely powerful and highly complex, having both political and non-political associations, many of which could not, in fact, be verbalized. Recognition of this is essential to an understanding of the flag controversy.

So too is recognition of the need in all nationalisms, especially in their era of struggle - through which Afrikaner nationalism was then passing, for symbols with which the volk can identify. The elevated and pseudo-philosophical language characteristic of nationalism lent itself easily to religious connotations, and accordingly we find the much esteemed Dutch Reformed Church leader and Afrikaner nationalist, Professor J.D. Kestell, maintaining that a volk could no more exist without a flag than a person could without a heart: 'Die vlag is die siel van 'n volk, dis 'n sinnebeeld van eenheid.' A few days later the following verse appeared in Ons Vaderland's editorial:

133. Cape Argus, 10 May 1927; Natal Witness, 25 April 1927 (Byron); Cape Times, 21 May 1927, Caradoc Davies.

For Smuts's observation that to many the flag 'was like a religion', see Kokstad Advertiser, 16 September 1927.

134. For the use of these terms, see Abner Cohen, 'Political anthropology: the analysis of the symbolism of power relations', Man, vol. 4, 1969, p. 217.

Dit is ons vlag,
 Ons eige vlag,
 Wat God ons het gegee.
 Dit is ons vlag,
 Ons eige vlag,
 Gevolg op ons gebee.¹³⁵

Factors such as the above help to explain why the flag controversy assumed the fervent character it did.

Peoples, parties and the flag struggle

The flag controversy was an unfortunate episode in the history of South Africa and it is difficult to see that any aspect of it benefited its most important politicians (apart from Nicholls) or the country in the long run. The national flag it produced was never truly embraced by the entire nation and this fact alone largely vitiates the struggle on its behalf. A flag, obtained at a later date and in a better atmosphere, would have been a more unifying symbol. The Labour Party suffered. Though the S.A.P. gained thereby it did not succeed in re-gaining power in 1929, and though the Nationalist Party picked up some Labour votes too, they were not material in its return to power in 1929.

The reputations of the chief participants - Smuts, Hertzog, Roos, Creswell and Malan - were not enhanced by the conflict, rather the reverse. True, Smuts enjoyed increased prestige amongst English-speakers as a result of the struggle; but this was probably more than counterbalanced politically by the further diminution of his standing amongst most Afrikaners who found his championing of the Union Jack distasteful, were

135. Ons Vaderland, 30 September 1927 (Kestell), 11 October 1927 (poem).

convinced that he had abandoned an earlier support for a clean flag for political motives, and believed that he was an Afrikaner in the clutches of jingoes. Smuts's continued loss of Afrikaner support in the 1929 general election could well have been partly influenced by his role in the controversy.

Roos emerged from the conflict as the man of the hour. But his popularity proved ephemeral. We have seen that he soon found himself in difficulty with his confused Transvaal rank and file and that he failed to win support for toenadering from his chief Transvaal lieutenants, Kemp and Grobler. As Kemp chose to back Malan rather than his Transvaal Party leader in the last months of the controversy, the struggle could not have benefited relations between Roos and Kemp, or, indeed, between Roos and Grobler, who was Roos's chief rival for the Transvaal Party leadership and with whom Roos was not on good terms.¹³⁶ Thus Roos's position in the Cabinet, where he had additionally to contend with Malan and Creswell, must have been most uncomfortable; in Parliament in 1928 he adopted an openly hostile and bitter tone towards 'the Cape crowd' of Nationalists.¹³⁷ By the end of the controversy Roos had earned a reputation amongst politicians of all shades as an intriguer and a politician who could not be trusted by friend or foe¹³⁸ and this reputation may, to some extent, have hampered his efforts to emerge as the leader of a new centre party in 1933.

136. See, for instance, Volkseenheid, pp. 75-6.

137. Esselen Collection, Smuts to Esselen, 9 February 1928.

138. For example, see S.P. vol. 40, no. 131, Smuts to N. Levi, 17 January 1928: van der Poel, no. 237; Creswell Papers, vol. 3, to wife, 20 December 1926.

In August 1927, Smuts prophesized, 'Tielman is yet going to end as a most discredited figure - on the bench.' S.P. vol. 97, no. 94, to Cohn, 29 August 1927.

Roos's role in the controversy reveals that the Nationalist Party in 1927 was still sufficiently elitist for provincial leaders to take their own line of policy. Roos's personal following in the Transvaal exceeded that of his Party leader, Hertzog, and the same may be said of Malan's following in the Cape Province. Thus we find Roos attempting to thwart the responsible Minister with, for example, his advocacy of the dual flag plan; and, indeed, by his manifesto, he acted contrary not only to the official line but ignored the flag resolution of his own (Transvaal) Party's congress. The controversy shows that the existence of this elitism was a threat to government by joint cabinet responsibility and, while it enabled Hertzog to play one Provincial leader against the other, it weakened his hold over the Party as a whole making it more difficult for him to assert his own policy.// Indeed Hertzog's position was pregnant with paradox and irony. Paradoxically, the more plainly he told Nationalists after the Imperial Conference that secession was a dead issue, the more difficult it was for him to ask them, amidst the prevailing hostility, to sacrifice their undoubted constitutional right to a new flag. Irony lay in the fact that when Hertzog and Botha had clashed in 1913, Hertzog had charged that his Prime Minister had forgotten the rights of his own people and was therefore no longer fit to be their leader. Now that he himself was Prime Minister, he had to walk warily lest the same charge be levelled at him by one of his own Ministers - particularly Malan. As the Cape Times pointed out, fear of a Nationalist revolt followed by a grass roots campaign with the cry that 'Hertzog had gone over to the English while in England', was a danger that

new
para.

Hertzog could not overlook.¹³⁹ Ideological and pragmatic political considerations circumscribed his actions, and the very reasons which the opposition so often advanced for the withdrawal of the Bill, such as the extreme racial tension, made it more difficult for Hertzog to draw back or make concessions. Viewed in this light, the concessions which Hertzog did make, usually in the face of bitter opposition,¹⁴⁰ were courageous political acts. Nevertheless, Hertzog gained no laurels for his part in the conflict. The opposition branded him as a weak leader who was completely dominated by extremists. Ardent champions of a clean flag regretted that he had not taken a stronger stand and excluded the Union Jack. Amongst the latter must be counted Malan. Both he and Hertzog had 'gone over each other's heads' in the controversy, Malan, for instance, in his public address on the day of Hertzog's return from the Imperial Conference, Hertzog in taking the flag question out of Malan's hands in October 1927 - without a word of prior consultation with Malan. Yet if Malan felt unhappy about Hertzog's role in the controversy, Hertzog could hardly have failed to feel exasperated by Malan's opposition to some of his proposals. One does not wish to overinterpret, but the flag controversy may have left a legacy of ill-feeling and distrust between the two men which surfaced in their break six years later.

Both among Nationalists and the opposition, Malan's stature was diminished by the controversy. His quest for a national flag - essentially his own brain child for there was no substantial demand for it until well into the controversy - Malan

139. 16 May 1927.

140. See H.P. vol. 28.

mismanaged. Probably it would have been wisest to submit flag legislation in the form of a private member's bill. In all events, Malan's Flag Bill of 1925 had been ill-conceived, providing as it did for the establishment of a national flag by executive fiat. Failing to see the danger signals - such as English-speakers' reaction to the 1925 Bill, Smuts's lack of co-operation during the 1925/6 recess, the Select Committee's inability to agree on a design before the Bill was introduced - Malan went ahead with the 1926 flag measure. But to introduce a bill on such a subject before general agreement on the design had been reached between the three main parties was, as Pirow observed, a tactical blunder,¹⁴¹ worsened by the fact that the S.A.P. controlled the Senate. As the Select Committee had failed to reach agreement, it should have been clear that Parliament too would almost certainly not reach agreement, that a protracted struggle was likely, and that the S.A.P. would gain a valuable political weapon. Perhaps, however, it was less a case of Malan not seeing these possibilities, than of his not wishing to heed them - believing in the essential righteousness of his case and the need for struggle in the nationalist cause. However, as Malan's handling of the flag legislation has already been discussed in detail, suffice it to say that even if most Nationalists were indifferent to his management of the legislation, many were deeply disappointed with its final outcome. As the Rand Daily Mail and several observers pointed out at the time of the agreement, Malan had suffered a loss of prestige: despite his public declaration at the end of the 1926 parliamentary session, the new flag included the Union Jack.

141. Ons Land, 24 June 1926; Die Burger, 26 June 1926.

Many Nationalists, having come to expect a clean national flag, felt they had been betrayed, and in this connection it is significant to note that even thirty years after the conflict Malan felt it advisable to write an account of the flag struggle that is essentially an apologia. Long after the end of the controversy, Malan was remembered by opponents of his flag legislation as the originator of the flag controversy, as a stubbornly obstinate politician who was the incarnation of extreme Afrikaner nationalism and as an 'intemperate fanatic'.¹⁴²

But this view of Malan, based on his role in the controversy, is inaccurate. For however determinedly Malan insisted on proceeding with flag legislation, he did agree to compromise proposals. New theories, however artificial - such as the entombing of the Union Jack in a shield which was 'on' but not 'in' the national flag - did bring him a considerable distance from his original position. Yet all along Malan maintained that he had been consistent; it was unnecessary, he said at the conclusion of the controversy, for F.S. Malan to 'insinuate that I have lapsed, even for once, from my usual consistency'.¹⁴³ In the end, however, such a standpoint could only be maintained by stretching the credulity of Nationalists. By insisting, for example that the removal of the shield was a quid pro quo for a somewhat smaller Union Jack in the national flag, when the essential point was his recognition of the Union Jack in the national flag as an integral part of it. Disappointed Nationalists quite understandably saw the alteration as a surrender rather than an equal exchange. The picture of Malan as a

142. Lewis Michell Collection, Diary, 26 May 1926.

143. Cape Times, 5 November 1927.

politician inflexibly wedded to principle, is probably no more true of the flag controversy than of his later career.¹⁴⁴ He too had to bend theories to accommodate events.

The flag controversy may be seen as a conflict, broadly speaking, between Afrikaner nationalism and English jingoism -- an episode in line with the Jameson Raid and the Anglo-Boer War. Indeed, during the controversy Malan insisted that the settling of the conflict would end South Africa's last great racial question. In the years ahead, English-speakers were never again, in their rivalry with Afrikanerdom, to defend what they regarded as their heritage with anything like the same degree of determination and conviction.¹⁴⁵ The reasons for this lie beyond the ambit of this study, but it will suffice to suggest that Malan's prediction that the controversy would be the last great conflict between the (white) races in South Africa has proved correct.

144. An example of Malan's later opportunism may be seen by comparing his statements on secession during the controversy (after the Imperial Conference) and the stand he adopted on the subject after his break with Hertzog in 1933. Though Malan always held that the Union had the right to secede and to remain neutral in a war involving Great Britain, he clearly was not a champion of republicanism. In October 1927 he told a congress of his Party in the Cape Province that South Africa possessed the greatest degree of freedom that any people could possess and that there was therefore no reason for them to secede; they could only secede from a greater freedom and safety to lesser freedom and safety. Cape Times, The Star - 7 October 1927.

145. English-speakers rose to defend their heritage in the Second World War, but few saw this as a fight against Afrikanerdom.

THE MINISTRY

Prime Minister	}	Gen. the Hon. J.B.M. HERTZOG, M.L.A.
Minister of Native Affairs		
Minister of External Affairs		
Minister of Justice		The Hon. T.J. DE V. ROOS, M.L.A.
Minister of the Interior	}	The Hon. Dr D.F. MALAN, M.L.A.
Minister of Education		
Minister of Public Health		
Minister of Defence		The Hon. F.H.P. CRESWELL, D.S.O., M.L.A.
Minister of Finance		The Hon. N.C. HAVENGA, M.L.A.
Minister of Railways and Harbours	}	The Hon. C.W. MALAN, M.L.A.
Minister of Mines and Industries		
Minister of Agriculture		Gen. the Hon. J.C.G. KEMP, M.L.A.
Minister of Lands		The Hon. P.G.W. GROBLER, M.L.A.
Minister of Posts and Telegraphs	}	The Hon. W.B. MADELEY, M.L.A.
Minister of Public Works		
Minister of Labour		The Hon. T. BOYDELL, M.L.A.

MEMBERS OF THE HOUSE OF ASSEMBLYAND THE ELECTORAL DIVISIONS REPRESENTED BY THEM

Alexander, M., K.C. - Cape Town (Hanover Street)	Brits, G.P. - Losberg
Allen, J. - Springs B	Brown, D.M., O.B.E. - Three Rivers
Anderson, H.E.K. - Klip River	Brown, G. - Germiston
Arnott, Brig.-Gen. W., C.M.G. - Natal Coast	Buirski, E. - Swellendam
Badenhorst, A.L. - Riversdale	Pyron, Brig.-Gen. the Hon. J.J., C.M.G., D.S.O. - East London (North)
Ballantine, Maj. R. - Kingwilliamstown	Chaplin, Sir F.D.P., G.B.E., K.C.M.G. - South Peninsula
Barlow, A.G. - Eloemfontein (North) (Deputy-Chairman of Committees)	Christie, J. - Langlaagte
Basson, P.M. - Beaufort West	Cilliers, A.A. - Harrismith
Bates, F.T. - Uitenhage	Close, R.W., K.C., - Rondebosch
Bergh, P.A. - Malmesbury	Collins, Col.-Cdt. W.R., D.T.D., D.S.O. - Ermelo
Beyers, Hon. F.W., K.C. - Edenburg	¹ Conradie, Dr. D.G. - Bethlehem
Blackwell, L., K.C., M.C. - Bezuidenhout	Conradie, J.H. - Gordonia
Boshoff, L.J. - Ventersdorp	Conroy, E.A. - Hoopstad
Boydell, Hon. T. - Durban (Greyville)	Coulter, C.W.A. - Cape Town (Gardens)
Brink, G.F. - George	Creswell, Hon. F.H.P., D.S.O. - Denver
	Deane, Hon. W.A. - Umvoti

De Jager, Dr A.L. - Paarl
 De Villiers, A.I.E. - Witbank
 De Villiers, P.C. - Klerksdorp
 De Villiers, W.B. - Barkly
 De Waal, J.H.H. - Piquetberg
 (Deputy-Speaker and Chairman
 of Committees)
 De Wet, S.D. - Heidelberg
 Duncan, Hon. P., K.C., C.M.G.
 - Yeoville
 Du Toit, F.J. - Victoria West
 Fick, Rev. Mr M.L. - Potchef-
 stroom
 Fordham, A.C. - Turffontein
 Geldenjuys, L. - Johannesburg
 (North)
 Gilson, L.D. - Griqualand
 Giovanetti, C.W., C.B.E. -
 Pretoria (East)
 Grobler, Lt.-Col. H.S., D.T.D.
 - Bethal
 Grobler, Hon. P.G.W. - Rusten-
 burg
 Harris, Col. Sir D., K.C.M.G.
 - Beaconsfield
 Hattingh, Rev. Mr B.R. -
 Krugersdorp
 Havenga, Hon. N.C. - Fauresmith
 Hay, G.A. - Pretoria (West)
 Heatlie, C.B. - Worcester
 Henderson, J. - Durban (Berea)
 Hertzog, Gen. the Hon. J.B.M. -
 Smithfield
 Heynes, J.D. - Middelburg
 Hugo, D. - Wepener
 Jagger, Hon. J.W. - Cape Town
 (Central)
 Jansen, Hon. E.G. - Vryheid
 (Speaker)
 Kemp, Gen. the Hon. J.C.G. -
 Wolmaransstad
 Kentridge, M. - Troyeville
 Keyter, J.G. - Ficksburg
 Krige, Hon. C.J. - Caledon
 Lennox, F.J. - Durban (Stamford
 Hill)
 Le Roux, S.P. - Oudtshoorn
 Louw, G.A. - Colesburg
 Louw, J.P. - Stellenbosch
 Macintosh, Sir W., Kt. - Port
 Elizabeth (South)
 Madeley, Hon. W.B. - Benoni
 Malan, Hon. C.W. - Humansdorp
 Malan, Dr. the Hon. D.F. -
 Calvinia
 Malan, M.L. - Heilbron
 Marwick, J.S. - Illovo
 McMenamin, J.J. - Boksburg
 Miller, Maj. A.M., D.S.O. -
 Durban (Point)
 Moffat, L. - Queenstown
 Moll, H.H. - Christiana
 Mostert, J.P. - Namaqualand
 Mullineux, Rev. Mr J. - Roode-
 poort
 Munnik, J.H. - Vredefort
 Nathan, E., K.C. - Von Brandis
 Naude, A.S. - Wakkerstroom
 Naude, J.F. Tom. - Pietersburg
 Nel, O.R. - Newcastle
 Nicholls, G.H. - Zululand
 Nieuwenhuize, J. - Lydenburg
 O'Brien, W.J., O.B.E. - Pieter-
 maritzburg (South)
 Oost, H. - Pretoria District
 (North)
 Oppenheimer, Sir E., Kt. -
 Kimberley
 Papenfus, H.B., K.C. - Hospital
 Payn, A.O.B. - Tembuland
 Pearce, C. - Liesbeek
 Pienaar, B.J. - Wonderboom
 Pienaar, J.H. - Marico
 Pirow, O., K.C. - Zoutpansberg
 Pretorius, J.S.F. - Fordsburg
 Pretorius, Lt.-Col. N.J., D.T.D.,
 D.S.O. - Witwatersberg
 Raubenheimer, I. van W. -
 Bechuanaland
 Reitz, Col. the Hon. D. - Port
 Elizabeth (Central)
 Reitz, Dr H. - North-East Rand
 Reyburn, G. - Durban (Umbilo)
 Richards, Maj. G.R. - Weenen
 Rider, Rev. Mr. W.W. - East
 London (City)
 Robinson, C.P. - Durban (Central)
 Rockey, W., O.B.E. - Parktown
 Rood, W.H. - Barberton
 Roos, Hon. T.J. de V., K.C. -
 Lichtenburg
 Roux, J.W.J.W. - Ceres
 Sampson, H.W., O.B.E. - Jeppes
 Sephton, C.A.A. - Aliwal
 Smartt, Rt Hon. Sir T.W., P.C.
 K.C.M.G. - Fort Beaufort
 Smuts, Gen. the Rt Hon. J.C.,
 P.C., C.H., D.T.D., K.C. -
 Standerton
 Snow, W.J. - Salt River
 Stals, Dr A.J. - Hopetown
 Steyn, Dr C.F., K.C., - Bloem-
 fontein (South)
 Steytler, L.J. - Albert

Strachan, T.G. - Pietermaritzburg (North)	Van Hees, A.S. - Delarey
Struben, R.H., O.B.E. - Albany	Van Niekerk, P.W. le R. - Waterberg
Stuttaford, R. - Newlands	Van Rensburg, J.J. - Boshof
Swart, C.R. - Ladybrand	Van Zyl, Maj. G.B. - Cape Town
² Terreblanche, Lt.-Col. P.J. - Kroonstad	(Harbour)
Te Water, C.T. - Pretoria (Central)	Van Zyl, J.J.M. - Ladismith
Van Broekhuizen, Dr H.D. - Pretoria District (South)	Vermooten, O.S. - Wodehouse
Van der Merwe, Dr N.J. - Winburg	Visser, Dr T.C. - Vrededorp
Van Heerden, G.C. - Cradock	Vosloo, L.J. - Somerset
Van Heerden, I.P. - Graaff-Reinet	Waterston, R.B. - Brakpan
	Watt, Hon. Sir T., K.C.M.G. - Dundee
	Wessels, J.B. - Frankfort

CLERK OF THE HOUSE: Danl. H. Visser

✓¹Elected on 20 January, 1927, vice J.H. Brand Wessels, deceased✓.

✓²Elected on 19 June, 1926, vice A.J. Werth, resigned✓.

APPENDIX I

NATIONALIST PARTY POLITICAL MEETINGS, JULY - SEPTEMBER 1927

	Name	Place	Date ¹
July			
	Malan D F	Grootvlei	31
	Reitz H	Germiston	25
	Swart C R	Clocolan	23
		Ladybrand	24
	van Broekhuizen H D	Brixton	28
August			
	Conradie D G	Bothaville	13
		Bethlehem	18
		Kestell	18
	Conroy E A	Viljoenskroon	18
		Virginia	18
	Grobler P G W	Pretoria	2 (with Roos)
		Rustenburg	17 (with Malan)
	Havenga N C	Fauresmith	22
		Jacobsdal	29
	Hertzog J B M	Smithfield	4
		Rouxville	5
	Kemp J C G	Bloemhof	8
		Christiana	8
		Vrede	17
		Frankfort	18
		Heilbron	19
		Vredefort	19
	Le Roux S P	Oudtschoorn	18
	Malan D F	Vereeniging	1
		Hermanus	3
		Villiersdorp	3
		Stanford	4
		Napier	6

-
1. Most of the dates given are approximate, as the reports of local correspondents were often written, dated and received well after the meetings had occurred.

It should also be noted that a comparison between the proposed itineraries of several politicians and press reports of their meetings indicates that many meetings held in small centres were not reported. This list is therefore not complete.

Name	Place	Date
Malan D F (contd.)	Bredasdorp	6
	Caledon	8
	Rustenburg	17 (with Grobler)
Malan M L	Bloemhof	31
Oost H	Pretoria	28
Rood W H	Waterval Boven	25
	Nelspruit	26
Roos T	Pretoria	2 (with Grobler)
	Germiston	4
	Bloemfontein	7 (with C.Steyn)
	Aliwal North	8
	Barkly East	9
	Lady Grey	9
	Rhodes	11
	Maclear	11
	Antelope Park	11
	Indwe	12
	Ugie	12
	Elliot	12
	Dordrecht	12
	Napier	15
	Ida	15
	Molteno	15
	Sterkstroom	15
	Roodepoort	18
	Mayfair	19
	Lichtenburg	20
	Geysdorp	21
van Broekhuizen H D	Benoni	27
van der Merwe N J	Ventersburg	23
	Brandfort	29
	Bloemfontein	30
van Rensburg J J	Boshof	30
September		
Basson P N	Beaufort W	12
	Fraserburg	16
Conroy E A	Viljoenskroon	10
de Villiers W B	Kuruman	3
	Danielskuil	9
	Windsorton	23
de Wet J C (M.P.C.)	Zastron	17
Grobler P G W	Waterberg	3
	Zoutpansberg	3
	Pietersburg	6
	Potgietersrust	8
	Warmbaths	9
	Zeerust	19
	Koster	24
Hattingh B R	Langlaagte	12 (with J.S.Pretorius)

September (contd.)	Name	Place	Date
	Havenga N C	Luckhoff	2
	Hertzog J B M	Pretoria	26
	Joubert Capt F	Jansenville	26
	Kemp J C G	Wolmaransstad district (8 meetings)	2-8
		Fochville	13
		Losberg	14
		Potchefstroom	15
		Klerksdorp and western Tvl.	22 etc
	Lamprecht A H (M.P.C.)	Rietspruit	20
	Langenhoven C J	Paarl	28
	Malan D F	Malvern	5 (with Creswell)
		Calvinia	14
		Clanwilliam	16
		Niewoudsville	17
		Hopetown	27
	Oost H	Klipspruit	2
		de Wildt	22
	Pirow O	Brits	17
	Pretorius J S F	Langlaagte	12 (with B.R.Hattingh)
	Rood W H	Barberton	9
	Roos T	Johannesburg	1
		Louis Trichardt area (six meetings)	3-6
	Stals A J	Brakfontein	5
		Niekerkshoop	7
		Griquastad	8
		Postmasburg	9
	Steytler L J	Steynsburg	20
	Terreblanche P J	Lindley	23
	van Broekhuizen H D	Somerset East and Jansenville area (six meetings)	3-12
	van der Merwe N J	Mossel Bay	6
		Kroonstad	30
	van Heerden I P	Aberdeen	6
	van Niekerk P W le R	Waterberg	29
	van Zyl W (M.P.C.)	Klaasvoogds (Worcester)	23
	Vermooten O S	Halseton	22
		Dordrecht	23

APPENDIX 2

SOUTH AFRICAN PARTY POLITICAL MEETINGS, AUGUST-SEPTEMBER 1927

	Name	Place	Date ¹
August			
	Anderson H E K	Dundee	26 (with Watt)
	Byron J J	Wynberg	18
	Henderson J	Durban	23
	Krige C J	Robertson	28
	Lennox F J	Durban	11
	Malan F S	Molteno	11
		Queenstown	15
		Steynsburg	17
		Venterstad	18
	Marwick J S	Kloof	25
	Smartt T W	Alice	23
		Adelaide	28
		Bedford	29
	Smuts J C	Fochville	3
		Losberg	4
		Buffelshoek	4
		Potchefstroom	6
		Rustenburg	19
		Sybrandskraal	
	Struben R H	Port Alfred	19
	van Zyl G B	Sea Point	25
	Watt T	Newcastle	28
September			
	Buirski E	Riversdale	16
		Mossel Bay	15
		Heidelberg	14
		Albertinia	13
	Burton H	Claremont	21 (with R. Stuttaford)
	Close R W	Mowbray	14

1. See Appendix I, n. 1.

Name	Place	Date
September (contd.)		
de Wet W	Dordrecht	24
Duncan P	Langlaagte	29 (with Stallard)
Heatlie C B	Worcester	23 (with Coulter)
Joubert J A	Knysna	16
Krige C J	Elgin	5
	Botrivier	6
	Caledon	7
	Genadendal	7
	Greytown	6
	Lindeshof	7
	Riviersonderend	7
	Stormsvlei	8
	Hermanus	8
	Villiersdorp	15
Malan F S	Springfontein	2
	Bethulie	3
	Philipolis	5
	Trompsburg	7
	Edenburg	9
	Ceres	17
Marwick J S	Pinetown	16
Mentz H L	Engelbrechtsdrift	2
	Vlakvontein	3
	Odendaalsrus	15
	Vredefort	17
	Kroonstad	17
	Wesselsbron	14
Miller A M	Point (Durban)	29
Moffat L	Cathcart	10
	Queenstown	11
Nel O R	Dannhauser	16
Nicholls G H	Eshowe	19
Reitz D	Brits	3
Smuts J C	Premier Mine	1
	Pietermaritzburg	7
	Durban	9
	Matatiele	12
	Kokstad	13
	Ixopo	14
	Randgate	16
	Pretoria	23
	Kensington	28
van Zyl Col. C	Albany area...	20...

Name	Place	Date
September (contd.)		
van Zyl Maj. G B	Camps Bay	1
	Swellendam	15
	Riversdale	15
	Mossel Bay	16
	George	17
Watt T	Pietermaritzburg	7 (with Smuts)
	Glencoe	19

S O U R C E S

I

PRIVATE COLLECTIONS

Cape Archives, Cape Town

H.E.S. Fremantle Collection

L. Michell Collection.

W. Stanford Papers

Jagger Library, University of Cape Town

M. Alexander Papers

C.P. Crewe Papers

P. Duncan Papers

Orange Free State Archives, Bloemfontein

D.J. Malan Papers

N.J. van der Merwe Papers

H.D. van Broekhuizen Papers

Institute of Contemporary History, University of the O.F.S.

T. Boydell Papers *

E.G. Jansen Papers

E.H. Louw Papers

C.W. Malan Papers

Central Archives, Pretoria

F.H.P. Creswell Papers

F.V. Engelenburg Papers

L. Esselen Collection

P.G.W. Grobler Papers

N.C. Havenga Papers

J.B.M. Hertzog Papers

J.P. Jooste Collection

J.C.G. Kemp Papers

J.H. Pierneef Papers

J.C. Smuts Papers

Johannesburg Public Library, Johannesburg

W.D. Norval Papers

J. McPherson Papers

Gubbins Library, University of the Witwatersrand

J.H. Hofmeyr Papers (photocopies)

Killie Campbell Library, University of Natal

G.H. Nicholls Papers (photocopies)

Miscellaneous

A.G. Barlow Papers	(in the possession of Mrs. F. Waring, Cape Town)
J.H. Pim Papers	(in the possession of Mr. H. Pim, Johannesburg)
Lothian Muniments	(photocopies)

II

OFFICIAL RECORDS

Central Archives, Pretoria

Archives of the Private Secretary (W.H.Louw)¹
to the Minister of the Interior

III

NEWSPAPERS

Cape Province

✓ Die Burger	1919*	1924*	1925	1926	1927
	1934*	1938*	1957*	1973*	
✓ Cape Argus	1925	1926	1927	1938*	
✓ Cape Times	1919*	1925	1926	1927	1929*
Daily Despatch	1925	1926	1927		
✓ Eastern Province Herald		1925	1926	1927	
Grocott's Daily Mail (Grahamstown)			1927*		

1. Louw succeeded W.D. Norval as Malan's secretary a short while after the latter's transference to another state department.

* Asterisk indicates occasional consultation of the newspaper during the the year specified.

Kokstad Advertiser 1927*

Northern News (Vryburg) 1921*

Ons Koerant (Graaff-Reinet) 1927*

Ons Land 1919* 1925* 1926* 1927*

South African Nation (Cape Town) 1925* 1926* 1927*

Orange Free State

✓ The Friend 1925 1926 1927

✓ Die Volksblad 1926 1927

Transvaal

Forward 1926 1927 1929*

Monthly Herald and Industrial Record (Johannesburg) 1926 1927

✓ Pretoria News 1926 1927

✓ Rand Daily Mail 1925 1926 1927 1954*

✓ The Star 1923* 1925 1926 1927 1928*

Sunday Times 1924 1925 1926 1927

✓ Ons Vaderland 1924* 1925 1926 1927

✓ De Volkstem 1919* 1926 1927

Natal

Die Afrikaner (Pietermaritzburg) 1921*

✓ Natal Mercury 1925 1926 1927 1928* 1929*

Natal Witness 1924* 1925 1926 1927

England

The Times (London) 1926 1927

IV

OFFICIAL PUBLICATIONS

A

i)

Union Government

A 2 - 25 Correspondence, during the period 1st June 1910, to 6th September, 1910, between the Union Government and the Secretary of State for the Colonies on the subject of designs for the Union Flag

A 10 - 25 South African Nationality and Flag Bill

Act No. 23 of 1925 Railways and Harbours Service Act

A B 72 - 26 South African Nationality and Flag Bill, Amended

A 52 - 27 Union Nationality and Flag Bill

A B 52 - 27 Union Nationality and Flag Bill, Amended

S C 12 - 27 Report of the Select Committee on the South African Nationality and Flag Bill

Government Gazette No. 1401, 27 June 1924

Government Gazette Extraordinary, 22 January 1925

Government Gazette No. 1510, 17 October 1925

Government Gazette No. 1578, 10 September 1926

Government Gazette No. 1788, 21 June 1929

Statutes of the Union of South Africa, 1926

Statutes of the Union of South Africa, 1927

ii)

Hansard (House of Assembly) Debates

volume 3 13 February - 15 April 1925

volume 4 16 April - 11 June 1925

volume 5 12 June - 25 July 1925

volume 7 30 March - 8 June 1926

volume 8 28 January - 14 April 1927
 volume 9 25 April - 29 June 1927
 volume 10 14 October 1927 - 3 April 1928
 volume 84 January - March 1954

iii)

Senate Debates 28 January - 29 June 1927

iv)

Joint Sitting of Both Houses of Parliament, Mines and Works Act, 1911, Amendment Bill, 7th May to 12 May, 1926

B

British Government

South Africa Act, 1909

Cmd 2768 Imperial Conference, 1926. Summary of Proceedings

C

Irish Government

An Bhratach Náisiúnta, 1966

D

Nationalist Party

Toespraken geleverd door de leiders van de Nasionale Partij bij het gesamentlike kongres van de Nasionale Partij der vier provinsies te Blomfontein op 16 Januarie 1919

Die Nasionale Party van die Kaap-Provinsie vierde jaar kongres gehou op Paarl, van 2 tot 4 Oktober, 1919, met verslag van die herenigings-konferensie wat daar plaasgevind het

Nasionale Party O.V.S. verslag van die agste jaarlikse kongress gehou op Bloemfontein op 11-12 Oktober 1922

Nasionale Party O.V.S. verslag van die negende jaarlikse kongress gehou op Kroonstad op 17-18 Oktober 1923

Die Nasionale Party van die Kaapprovinsie notule van negende kongres gehou op De Aar op 7 tot 10 Oktober 1924

E

Labour Party

The Labour Congress 1926, Report of the Labour Congress held at Port Elizabeth, January 1926

Minutes of the annual conference held at Bloemfontein on 1, 2, 3 January 1927

South African Labour Party, Transvaal Annual Conference, 24-25 September 1927, Secretary's Report

Resolutions to be submitted to the annual conference of the South African Labour Party at Bloemfontein on 1st January 1928

Report and Recommendation of National Organising Committee, 1928

South African Labour Party Report of Special Commission of Enquiry appointed by National Council, May, 1928

South African Labour Party, Durban Conference, 8 July 1928

Minutes of the Annual Conference of the South African Labour Party held in the Trades Hall, Johannesburg, on Wednesday - Thursday, Jan. 1st - 2nd, 1930

S. A. L. P. Annual Conference, Johannesburg, 1 - 2 January 1931, Agenda

S. A. L. P. National Administrative Council, 12 January 1931, Report, Annexure A

V

PUBLISHED DOCUMENTARY SELECTIONS

Krger, D.W., (ed.), South African parties and policies 1910-1960: a select source book, Cape Town, 1960

van der Poel, J. (ed.), Selections from the Smuts Papers, volume V, September 1919 - November 1934, Cambridge, 1973

VIII

SELECT ARTICLES

- Cohen, A. 'Political anthropology: the analysis of the symbolism of power relations', *Man*, vol. IV, 1969
- Garson, N.G. The role of Smuts in the South African Party-Unionist fusion of 1920, unpublished article
- O'Dowd, C.E.M. 'The general election of 1924', *South African Historical Journal*, number 2, November 1970
- Pirow, O. 'Drie manne uit die dae van samesmelting: Hertzog, Smuts en Tielman Roos', *Die Huisgenoot*, 5 December 1952

IX

PERIODICALS

The Commercial Bulletin of South Africa, volume V, number 54, July 1927

De Kerkbode, October 1927

Round Table, volume XVI, number 64, September 1926

Round Table, volume, XVII, number 63, September 1928

The State of South Africa, volume IV, number 3, September 1910

Watchman, volume VI, number 68 [August, 1927]

X

WORKS OF REFERENCE

- Anon. Crockford's clerical dictionary, vol.64
Oxford, 1935
- Anon. Verkiesings, 1910 to 1970
Johannesburg, 1970
- de Kock, W.J. (ed.) Dictionary of South African Biography, vol.I
Cape Town, 1968
- de Kock, W.J. and Krüger, D.W. (eds.) Dictionary of South African biography, vol.II
Cape Town, 1972
- Donaldson, K. (ed.) South African Who's Who 1925-1926
Cape Town, 1925
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Cape Town, 1927
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Cape Town, 1971
- Union of South Africa Public Service List, 1925
- Union of South Africa Public Service List, 1934

XI

UNPUBLISHED THESES

- Human, F.J. Die totstandkoming van die unievlag
M.A. Pretoria, 1960
- Vickers, B.C. Natal and the provincial councils, 1929-1932
M.A. Natal, 1970
- Wickens, P.L. The Industrial and Commercial Workers' Union
of Africa Ph.D. U.C.T., 1973
- Williamson, M.K. Natal and the flag issue, 1925-1928
M.A. Natal 1972