

SIR GEORGE GREY'S
FEDERATION POLICY.

1854 - 1859.

The University of Cape Town

A THESIS FOR
THE DEGREE OF M. A.
BY NERINA. P.O. WATHE.

1946

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C O N T E N T S.

PREFACE	Page	1
I. INTRODUCTION	"	3
<u>SECTION A. DISUNITY.</u>		
II. THE POLITICAL PROBLEM - GENERAL ASPECT.	"	9
III. THE NATIVE PROBLEM	"	20
IV. FACTORS OF DISUNITY - GEOGRAPHICAL, POLITICAL, ECONOMIC, CONSTITUTIONAL AND SOCIAL	"	34
<u>SECTION B. MOVEMENTS FOR CLOSER UNION.</u>		
V. PRETORIUS' ATTEMPTS TO UNITE THE BOER REPUBLICS.	"	46.
VI. BULWER LYTON'S FEDERAL PROPOSAL.	"	52.
VII. SOUTH AFRICAN FEDERATION	"	60.
<u>SECTION C. GENERAL APPRAISAL OF GREY'S FEDERATION POLICY.</u>		
VIII. AN APPRECIATION OF SIR GEORGE GREY'S FEDERATION POLICY.	"	66.
IX. GREY'S RECALL.	"	77.
X. SIR GEORGE GREY AND FEDERATION	"	85.
BIBLIOGRAPHY		91.
APP A AND B.		

C O N T E N T S.

PREFACE	Page	1
I. INTRODUCTION	"	3
<u>SECTION A. DISUNITY.</u>		
II. THE POLITICAL PROBLEM - GENERAL ASPECT.	"	9
III. THE NATIVE PROBLEM	"	20
IV. FACTS OF DISUNITY - GEOGRAPHICAL, POLITICAL, ECONOMIC, CONSTITUTIONAL AND SOCIAL	"	34
<u>SECTION B. MOVEMENTS FOR CLOSER UNION.</u>		
V. PRETORIUS' ATTEMPTS TO UNITE THE BOER REPUBLICS.	"	46.
VI. BULER LYTTON'S FEDERAL PROPOSAL.	"	52.
VII. SOUTH AFRICAN FEDERATION	"	60.
<u>SECTION C. GENERAL APPRAISAL OF GREY'S FEDERATION POLICY.</u>		
VIII. AN APPRECIATION OF SIR GEORGE GREY'S FEDERATION POLICY.	"	66.
IX. GREY'S RECALL.	"	77.
X. SIR GEORGE GREY AND FEDERATION	"	85.
BIBLIOGRAPHY		91.
APPENDIX A AND B.		

P R E F A C E:

In arranging the material for this thesis on Sir George Grey's Federation Policy, it has been deemed expedient, in order to cut down repetition of data to a minimum, to divide the contents into three sections. Section A deals with the problems with which Sir George Grey was confronted during his administration of the Cape, and shows how these problems led him to put forward proposals for uniting the Orange Free State with Natal, British Kaffraria and the Cape Colony in a federal union.

Section B attempts to trace the three movements for closer union propagated by Marthinus Wessel Pretorius, the President of the Transvaal, Sir Edward Bulwer Lytton, the Secretary of State, and Sir George Grey, respectively.

As this thesis deals with Sir George Grey's Federation Policy, the writer has tried, in Section A to recapitulate the difficulties and problems as they appeared to Sir George Grey, and in Section B, to trace the movements for closer union, mainly as Sir George Grey and the Secretaries of State interpreted them. Thus, in an attempt to avoid ambiguity and afford lucidity to this account of Sir George Grey's Federation Policy, the writer has reserved the general evaluation of Grey's Policy for discussion in Section C. Section C, therefore, attempts to appraise Sir George Grey's Policy and to determine whether the Secretary of State was justified in recalling him. In Section C we also catch a glimpse of Grey himself and we briefly compare his Federation Policy with that of Carnarvon's.

The period covered in this thesis is from December, 1854 to August, 1859. Though Sir George Grey returned to South Africa as Governor in 1860 and remained here for another year, he did not, in this period, attempt in any way to reopen the question of Federation, to which the Colonial Office was opposed.

The research involved by this thesis has been both intensive and extensive, as this account of Sir George Grey's Federation Policy has necessitated a clear conception of the political, social, philosophical and economic developments from 1850 - 1859, not only in South Africa - in the colonies of Natal, British Kaffraria, Cape Colony and in the Republics of the Orange Free State and Transvaal - but also in Great Britain.

Actuated by the scanty and often contradictory accounts of biographers and historians on this subject, and by a desire to make this thesis as scientific a study as possible, the writer has drawn the bulk of her material from primary sources, housed mainly in the Cape Town Archives.

The detailed, well-written despatches, from Sir George Grey to the Secretaries of

State, affords the best material for the understanding of his Federation Policy. The Votes and Proceedings of Parliament were also found to be an invaluable source, especially as a detailed account of a Report of a Select Committee on the question of "Federation, Separation and Frontier Government" is contained in Volume 19.

The newspapers have afforded much information on this subject and it is especially from this source that we learn what the public thought about Federation.

Copies of minutes on despatches received from Sir George Grey, recorded by the Secretaries of State or Colonial Authorities, are unfortunately not procurable anywhere in South Africa and consequently, the writer is indebted to, and dependent on de Kiewiet for both the recording of some of these minutes and the interpretation of them in his book, "British Colonial Policy and the South African Republics 1848-1872."

The most useful secondary sources have been the unbiased account of South African Federation by de Kiewiet in the afore-mentioned book, and also Henderson's biography, "Sir George Grey, Pioneer of Empire in Southern Lands."

The writer has not aimed to produce a novel account of Sir George Grey's Federation Policy, but rather hopes that this will prove to be the first comprehensive detailed account of Grey's Federation Policy.

Sir George Grey's reasons for Federation, his federal proposals and his recall, are recorded in considerable detail, as these aspects have not, as far as the writer knows, been exhaustively dealt with. The appreciation of Grey's Federation Policy is based on considerable research and thus the conclusions drawn, the writer dares to say, may be accepted as a novel and authentic account.

In concluding this preface, the writer acknowledges her indebtedness, and proffers her grateful thanks to the staffs of the Cape Town University Library, the Parliamentary Library, the Cape Town Public Library and last, but not least, to the staff of the Cape Town Archives, for the use of both primary and secondary material at their disposal.

ABBREVIATIONS.

G.H. Government House: This refers to official manuscripts housed
in the Cape Town Archives.

Friend. The Friend of the Free State and Bloemfontein Gazette.

Cape Argus. The Cape Argus.

V. & P. Votes and Proceedings of Parliament and their annexures.

Egerton F & U. Federation and Union. (See Bibliography.)

C.H.S.E. Cambridge History of the British Empire.

de Kiewiet. British Colonial Policy and the South African Republics.

Report: Votes and Proceedings Volume 19.

Federation Despatch: G.H.23/27 D. Separate. Grey to Lytton November
19, 1858.

Corres: Correspondence (See Bibliography.) Page 93.

Secondary sources have been quoted generally in the name of the author.

CHAPTER 1.

INTRODUCTION.

A. FEDERATION:-

Federation - American Colonies	Page 3
Federation - Canada, Australia, New Zealand, South Africa.	" 4
Colonial Authorities Attitude towards Federation.	
Before 1850 - Lord Durham - Earl Grey.	" 5
After 1850 - Labouchere - Bulwer Lytton.	

B. SIR GEORGE GREY AND THE COLONIAL AUTHORITIES.

British Policy 1854 - 1859. At Home and Abroad	" 6
South African Policy - Grey's and Secretaries' of State.	

C. BIRD'EYE VIEW OF SOUTH AFRICA.

Natal, Cape Colony, Orange Free State, Transvaal.	" 7
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INTRODUCTION.CHAPTER 1.

Sir George Grey, in advocating the Federation of the South African states in 1858, was not putting forward the first federal proposal within the British Empire, although it was the first of any importance in South Africa.¹ Two centuries before this, as early as 1643, the New England group of colonies had federated. This union was never very effective and in 1684 it was dissolved.²

Franklin, in 1754, urged the thirteen American colonies to establish a common council of defence, in order to deal more effectively with the Indian and French menace. Owing to the jealousies among the several states, this scheme also failed.³ It was during the American War of Independence, when faced by the might of Britain, that the American colonies learnt that "union is strength" and "that a house divided against itself must fall." They consequently united and declared their independence on 4th July, 1776. The Constitution adopted by the United States of America in 1867 was predominantly federal. Federation allows for locality, as each state is left considerable latitude to manage its local affairs according to its own dictates, and thus new colonies, such as Canada, Australia, New Zealand and South Africa, zealous of their individual rights, were prepared to enter a Federation, rather than a union.

Egerton defines Federation as follows:-

" A federal form of government is found where communities, which possess for certain purposes a distinct political existence, join together to form a common whole, without losing their separate organisation."⁴

In the period under discussion in this thesis, the colonies in British North America, Australia, New Zealand and South Africa began to realise to a small extent that their progress would be accelerated if inter-colonial barriers were broken down in each country. The actual introduction of federal constitutions, except in the case of New Zealand, belongs to the latter part of the Nineteenth Century; but the following discussion shows that the foundations for the introduction of Federation were laid before 1860.

The Federation of the thirteen American colonies had a marked influence on the other British colonies, especially on Canada. Thus it is not surprising that soon after the independence of the United States was recognised, proposals in the form of memoirs, advocated the union of the remaining British North American colonies.

The isolation of the several provincial communities and their lack of unifying

1. Professor Walker mentions the attempts which had been made in regard to Federation in South Africa (History of South Africa Chapt. X p.281-2) The federal scheme proposed by the Aborigines Committee planned a Federation merely of the Cape with the border native tribes (Walker Chapt. 7. p.198.) The federal schemes of the Republics on the other hand were purely Federation of the Boer States. Saul Solomon's ideas about Federation are revealed in Chapt. 8

2 & 3. Egerton: F. & U. Chapt. 1. p.8-12.

4. Egerton F. & U. Chapt. 1 p.8.

interests, their social, racial and religious differences, made these early attempts ineffective.⁵

Most new colonies are not prepared to forego their independence and isolation unless they consider they will benefit directly from a closer union with other states. The racial difficulty in Canada between the English and French led both parties to favour Federation.⁶ In 1849 the British American League advocated a union of the British provinces in North America. This failed, as Howe, the Premier of Nova Scotia, considered the time was not yet ripe. He felt Federation would come when the country was more developed. The estranged relations between lower and upper Canada in 1859 led the Reform Convention of Toronto to advocate "the transformation of the existing union into a truly federal relationship between the two sections."⁷ Besides solving the racial problems of upper Canada, it was hoped Federation would also solve the economic divergencies between the various maritime and Canadian provinces. In 1858 this idea of Federation of the British North American states was very popular. Alexander Morris' pamphlet, "Nova Britannia", envisaging the political unification of North America from the Atlantic to Vancouver, awakened wide-spread interest in Federation.⁸

In Australia there was no pressing need for federating the various settlements. Though racial difficulties were absent in Australia, nevertheless William Wentworth, Deas Thomson and other prominent men pointed out that Federation was essential for the development of the colonies in order to break down economic barriers. Though select committees were appointed in New South Wales, Victoria and South Australia, to consider the matter of Federation, owing to the granting of Responsible Government in 1855, these colonies became more and more engrossed in their own local affairs, and it was not until 1870 that circumstances necessitated the calling of a Convention to discuss the adoption of a customs union.⁹

South Africa had a racial problem in common with Canada, and in both countries in 1854 the conquered people were in the majority. The most difficult problem in South Africa, as in New Zealand, was that of native administration. In South Africa too, as in British North America, Australia and New Zealand, customs disputes were prevalent.

5. C.H.S.E. Vol.6. Canada. Chapt. 13. p.438.

6. Egerton F. & U. Chapt. 1. p.20-27.

7. Ibid 5. C.H.S.E. p.438-439.

8. Egerton F. & U. p.27. Kennedy Chapt.18.

9. C.H.S.E. Vol.7 part 1. Chapt. XV. p.426-29. Egerton F. & U. p.40-46.

On the recommendation of Sir George Grey in 1852, the British Parliament passed the New Zealand Government Act, which gave to the six provinces of New Zealand a semi-federal Constitution. A Constitution for New Zealand had been previously drafted in Downing Street in 1847, but Sir George Grey considered that Federation was premature. By 1851, when the population had grown, however, from 2,000 in 1848 to 27,000, Grey recommended that a Federal Constitution be enacted.

As Sir George Grey, in 1858, advocated that the Federation of the South African states should be patterned on that of New Zealand, we will briefly comment on this Constitution. New Zealand was divided into six provinces, each of which had its own elected council. The Central Federal Government, however, had wide powers as it had a veto over provincial legislation.¹⁰ It is interesting to note that New Zealand, in 1852, had Representative Government but Sir George Grey, as we will see later, considered that the South African Federation should have Responsible Government.

Before 1850 some prominent officials of the Colonial Office also shared the colonists' interest in Federation. Lord Durham, in his Report, emphasized the need for union in South America and "sounded strongly the note of British American nationality as an aim for the future" to offset the power of the United States to the immediate South.¹¹ Earl Grey, the Secretary of State, when outlining the new Constitution for New South Wales in 1847, advocated that the colonies should establish a federal council to deal with economic issues such as customs, railways, roads and mails, and thus provision was made for a federal legislature. Owing, however, to the opposition from the colonists who accused Earl Grey of interfering in the affairs of the Colony, this provision for a federal legislature was withdrawn.¹²

In 1857, when William Wentworth of Nova Scotia interviewed Labouchere, the Secretary of State, on the matter of the Federation of the Australian colonies, he was met with cool indifference.¹³ James Johnstone fared no better when he too interviewed Labouchere on the advisability of federating the Maritime Provinces with Canada.¹⁴ Bulwer Lytton, like Labouchere, showed his disapproval of such a policy when A. T. Galt, the champion of British American Federation, interviewed him. He turned a deaf ear to the pleas of Galt that Federation alone would solve the constitutional difficulties of Canada and effectively prevented these colonies from being

10. Collier Chapt. 6. Egerton F & U. Chapt. 2-4 C.H.B.E. Vol. 7 part 2. Chapt. 6.

11. Ibid 5. Egerton F & U. p. 17.

12. Ibid 9 C.H.B.E. Chapt. XV.

13. Ibid 9. C.H.B.E. p. 429.

14. Ibid 5. p. 459

absorbed by the United States. Bulwer Lytton justified his refusal to sanction the holding of a Convention to discuss the matter of British American Federation on the grounds that he could not commit the Maritime Provinces.¹⁵

Sir George Grey, fresh from his spectacular success in New Zealand, entered upon his Governorship of the Cape Colony, knowing that he had the support of the Colonial Office behind him. This office was prepared to allow Sir George Grey much latitude, as they hoped his policy, especially towards the natives, would be as successful in South Africa as it had been in New Zealand.¹⁶

In order to see the British policy towards Sir George Grey in perspective, it is necessary to understand what the dominant interests of England from 1854 to 1859 were. From 1801-1854, the Secretary of State for War had controlled Colonial affairs, but after 1854 it was customary for the Secretaries of State for the Colonies to be members of the Cabinet.¹⁷ Thus, every change in the government necessitated a similar change in the office of Secretary of State. Owing to the breaking up of the Conservative party, this period, 1854-59, was one of confusion and instability; governments were consequently short-lived, as they had such small majorities and there were no clear-cut distinctions between the various party groups.¹⁸ This period was an extremely critical one for Great Britain, not only in domestic but also in foreign affairs.

England, until 1856, was engaged in the Crimean War, which naturally absorbed her financial reserves and led to an increase in the income tax.¹⁹ In 1857 there was a short financial crisis in Great Britain owing to American banks suspending payment. In the beginning of 1857, the Indian Mutiny broke out before Britain had time to recover financially from the Crimean War. At this time she was also engaged in a war in the Far East with China.²⁰ All these factors forced Great Britain to adopt a policy of financial retrenchment, especially as she distrusted Napoleon III's foreign policy.²¹

Sir George Grey viewed South African affairs from a completely different angle to that of the British authorities.²² The Secretaries of State were responsible to the Treasury for the expenditure of the British taxpayers' money which financed British Colonial policy.²³ Grey based his policy on the local needs of South Africa and allowed them to determine his judgment. The policy of the Colonial Office towards South Africa had, on the other hand, to be determined in connection with the

15. Kennedy Chapt. 18. p. 286; Ibid 5. p. 441. Ibid 5. p. 440.

16. Collier Chapt. 14. p. 96. G.H. 1/51. Sir George Grey to Governor Grey. March 12, 1855.

17. Woodward BK III. Chapt. 2 p. 351.

18. The Cambridge Modern History Vol. 11. Chapt. 11. Woodward BK 1. Chapt. 4 p. 154-166.

19. Woodward BK 2. Chapt. 111 & Ibid 17. Camb. History.

20. Woodward BK 3 Chapt. 3 p. 412-418. Woodward BK 2 Chapt. 6 p. 285-6.

21. Cape Argus April 17, 1858. Latest English News. Ibid 17. Chapt. 12. p. 327-329.

22. de Kiewiet Chapt. 8 p. 100.

23. G.H. 1/54 Separate. Lytton to Grey Sept. 6, 1858.

requirements of the other British colonies and, ultimately, by the amount of financial assistance the British Treasury were prepared to afford.

Ever since South Africa was reoccupied in 1806, the British Government had expended roughly one million per year on warfare. Thus, in 1854, South Africa was not viewed with much enthusiasm by the Colonial authorities. Only shortly before Grey's arrival, Great Britain had carried out the abandonment of the Orange River Sovereignty and was opposed to any policy of territorial expansion. We will see, in the following chapters, that it was this fear of territorial expansion on the part of the Secretaries of State, that led them to be estranged from Grey and, ultimately, to reject his Federation project.

It is expedient, before discussing Grey's Federation Policy in detail, to obtain a bird's-eye view of South Africa in this period, 1854-1859. South Africa attracted very few immigrants to its shores in this period. Canada, Australia and New Zealand had better prospects to offer settlers than South Africa. In the years 1854-59, life was very simple in South Africa. The horse and ox were the only available means of transport. The country was as yet without railways, though the most progressive part of South Africa, the Cape Colony, under the guidance of their Responsible Government, was concentrating on speeding up communications. Road-making, bridge-building, the constructing of passes and the establishing of lighthouses, absorbed a considerable portion of the yearly revenue. Projects for building railways and improving the harbour had been set on foot by the end of 1858.

Natal, in this period, also made rapid strides in improving means of communications. The two Republics, at this time, lagged far behind the British colonies in progress and development. This was to be expected, as they had not only recently been founded, but were hampered by internal discord and were surrounded by hostile native neighbours.

The trade of the Cape Colony and Natal increased rapidly at this time. The value of the exports, consisting mainly of grain, wine, wool, hides and skins had risen from £370,000 in 1834 to £1,330,000 in 1856. This consequently increased the purchasing power of the Colony and led to a complementary increase in the value of imports from £463,000 in 1834 to £1,588,000 in 1856.

The British Colonies, as well as the Republics, were predominantly agricultural. Industry, even in the Cape Colony, was in its infancy and of the handcraft variety. ²⁴

24. de Kock. Chapt. lll. V & P. Vol. 14. Balance Sheet. Imports & Exports. p.270.

As the social relation of any people always, ultimately, influences political development, it is as well to attempt to estimate what the inhabitants of the various states in South Africa thought of one another. In this period each of the states was engrossed in its own affairs. Natal had to adjust herself to the new dignity conferred upon her by Charter in 1856; the Cape colonists were jealous of safeguarding their new Constitutional privileges; the Eastern and Western Provinces were further engrossed in the question of Separation; the Transvaal was engaged in trying to bring order and stability out of chaos and insecurity; and the Free State was busily employed in putting her own house in order, while at the same time trying to keep out intruders. In this period there was a remarkable lack of anti-British feeling, and Sir George Grey was met with cordiality from all the states. The main characteristic of South Africa during these years was Disunity. Disunity, as we will later fully discuss, existed in the economic, geographical, political and social spheres. It was this disunity among the South African states that led Grey to propose Federation.

Just as the economic factors played an important part in British Colonial policy, so these factors also influenced the developments in South Africa during Grey's administration. When the Indian Mutiny broke out, the Governor of India appealed to Sir George Grey for assistance, and the Cape more than played her part in support of the Empire. The Cape, up to the end of 1857, had sent 2,260 soldiers, 1,000 horses, 100 draft mules, 2,000 barrels of flour and also £60,000 from the Colonial Treasury to India.²⁵ Grey's action in sending reinforcements to India in 1857 and 1858 had repercussions on the Cape, as it weakened the military protection and encouraged the natives to resist the Europeans.

In concluding this chapter, it is expedient to emphasise the fact that, for an understanding of Sir George Grey's Federation Policy, it is necessary to bear in mind continually, that he viewed the problems of South Africa purely from their local significance, whereas the British authorities determined their policy towards South Africa in consideration of the needs of the Empire as a whole, and also in the light of their past experience in South Africa.

25. G.H.1/54. Labouchere to Grey. Feb. 5, 1858.

SECTION A. DISUNITY.

CHAPTER 11.

THE POLITICAL PROBLEM - GENERAL ASPECT.

INTRODUCTION TO SECTION A.	Page 9
THE PROCESS OF DISINTEGRATION.	" 10.
DISUNITY ON GREY'S ARRIVAL.	" 11.
GREY'S EFFORTS TO COMBAT DISUNITY IN THE FREE STATE.	" 12.
GREY'S ATTITUDE TO THE TRANSVAAL.	" 16.
GREY'S POLICY TO BRITISH SOUTH AFRICA.	
Oheek's process of disintegration - Shepstone - Klip River - Separation.	" 17
Attempt to Consolidate position in British South Africa.	" 18.

POLITICAL PROBLEM - GENERAL ASPECT.

CHAPTER 11.

Sir George Grey's despatch, written on the 19th November, 1858, affords the best source from which we may learn what motives led him to propose that the Orange Free State be united in a federal union with British South Africa.¹ The value of this November despatch is considerably enhanced by the fact that it reiterates previous statements which Sir George Grey had made about Federation in his despatches to the Secretaries of State from December, 1854 to November, 1858.

When one accepts the premise that Sir George Grey evolved his Federation Policy in order to remedy the problems prevalent during his administration at the Cape (1854-59), one realizes that his federal scheme was not theoretical, but was above all else practical. The following sombre picture of the position in 1858 reveals Grey's reasons for considering that Federation was essential for the welfare of South Africa:-

" Ever since South Africa has been broken up....." Grey complained, "large portions of it have always been in a state of constant anxiety and apprehension from these causes. The smallness and weakness of the States, the knowledge that they are isolated bodies bound by no ties of interest or common government, has encouraged the natives to resist and dare them, whilst the nature of the existing treaties and the utter abandonment of the natives by Great Britain, to whom they had hitherto looked up, has led the natives to combine for their mutual protection, and thus to acquire a sense of strength and boldness such as they have not hitherto shown; so that while the Europeans have grown weak, they have themselves increased in strength and importance." "Again", he continued "such petty States must be constant foci of intrigue and internal commotions, revolutions, or intestine wars.....they can raise no class of statesman to take enlarged and general views.....can have no efficient administration of justice. Trade and commerce must, therefore necessarily languish. Their revenues will be so small that they cannot efficiently provide for their protection. Hence a new incentive is given to the surrounding natives to attack them. Life and property thus become insecure and a general lawlessness follows."

"South Africa (Grey said in summing up the position) appears to be drifting, by not very slow degrees, into disorder and barbarism, hopelessly giving itself up to an uncertain and gloomy future, to provide against the exigencies of which it is powerless." 2

An analysis of this long extract indicates that Grey considered that the native problem was the key to the whole situation and consequently, a separate chapter has been reserved for a full discussion of this important question. This extract shows too that Grey attributed the difficulties with which he had to contend to the disintegration of South Africa, and it is this topic of Federation, as opposed to Disunity,

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1. British South Africa is used throughout this thesis for the British S.A. possessions, namely, for the Colony of the Cape of Good Hope, the separate British Colony of British Kaffraria and for the Crown Colony of Natal.
 2. G.H.23/27 D.Separate. Grey to Sir E. Dalwer-Lytton Nov. 19 1858. para. 16, 17 and 26.

which first claims our attention.

The opening paragraphs of Sir George Grey's famous Federation despatch of the 19th November, 1858³ contains a strong indictment of the Convention Policy, which prevented the Colonial and British authorities from interfering in the affairs of the two independent Boer Republics, provided that the South African Republic and Orange Free State fulfilled the stipulations of the Sand River and Bloemfontein Conventions respectively. Sir George Grey, in 1858, asserted that this policy of dividing South Africa up into a number of independent states, between whom no mutual relations whatever existed,⁴ had occasioned him great difficulties.⁵

This process of disintegration⁶ was evolved in typical British fashion, in that it came about not by design, but as the result of expediency. In 1806, when the second British occupation of the Cape took place, British authority was extended only within the colonial boundaries. Owing, however, to the custom of the frontier Boers to trek further and further eastwards in search of better pasturage for their cattle, and to the restlessness which this occasioned among the Xosa tribes, who were also cattle farmers, the eastern boundary was moved from the Fish River to the Rivers Keiskama and Tyumie in 1819.

The reversal of Sir Benjamin D'Urban's Native Policy, whereby the frontier Boers had hoped to obtain some protection and security from the marauding Xosa, afforded a tremendous impetus to the trekking movement and resulted in a great exodus of frontier Boers between the years 1835-38.

In 1836 the British Government was not in favour of extending the boundaries of the Cape Colony to bring the Voortrekkers within the bounds of British jurisdiction. At the same time, however, Great Britain was not prepared to recognise the independence of the Boers and thus, in this year, the British Parliament passed the Cape of Good Hope Investment Act, which brought all trekkers south of the 25th degree of *Punishment* south latitude under British surveillance. In actual practice, however, this Act was not very effective and consequently Great Britain was compelled to pursue a line of policy to which she was averse, namely, that of territorial expansion.⁷

3. G.H. 23/27 D. Separate. Grey to Sir E. Bulwer-Lytton. Nov. 19 1858, para. 2-9. - Later references are noted as "Federation Despatch."

4. ditto. para. 8.

5. G.H. 23/27 D. 14. Grey to Labouchere March 5. 1858.

6. Walker - History of South Africa Chaps. VI-VIII.

7. W.P. Morrel. Colonial Policy of Peel and Russell - Chapt. 11. 1930 edition P. 41-46.

responsible for the administration of the Cape Colony and Natal, one cannot fail to be impressed by the onerous burden of responsibility which he was called upon to bear.¹²

Most of Sir George Grey's efforts were aimed at counteracting the process of Disunity within South Africa in his two spheres of influence, namely, across the Orange River and within the British Colonies. Before discussing what measures Grey adopted in British South Africa to check this process of Disunity, let us first review his policy towards the Boer Republics, commencing with that of the Orange Free State.

Sir Charles Adderley's forecast,¹³ that Britain's Policy of surmounting her immediate difficulties by entering into the Conventions with the Free State and Transvaal would only result in greater evils arising, was soon credited and emphasised repeatedly by Sir George Grey.¹⁴ There is no evidence that Grey came to South Africa with the preconceived idea that the Convention Policy was untenable and thus did all in his power to reverse this policy. It was the existing problems within the two Republics and their repercussions on British South Africa that led Grey to propose federating the Republics¹⁵ with the British possessions.

A clear expression of Sir George Grey's views concerning the abandonment of the Free State are given in the following extract:-

"the next step taken with the view of getting rid of territory," he said, "was the abandonment of the Sovereignty, a measure likewise carried out in opposition to the wishes of nearly all the wealthy and influential inhabitants of that country, as also in opposition to nearly all the European and native inhabitants of South Africa who live without the Orange River territories."¹⁶

As Sir George Grey not only considered that the abandonment was a mistake, but actually informed Labouchere, the Secretary of State, that many of the difficulties with which the Free State was beset were of British origin,¹⁷ it is not surprising that the whole policy he pursued towards this Republic was one calculated to promote a friendly and closer relationship between that State and British South Africa. It was Grey's duty, however, as Her Majesty's High Commissioner, to carry out the British

12. De Kiewiet Chapt. VII p.87

13. Extract. De Kiewiet. Chapt. VI. P.84. Reference given-G.O.48/367. Grey to Sec. of State, July 25, 1855. Minute by Molesworth, Oct. 7, 1855.

14. Ibid 5. D. 14. G.H.23/27 D. 66 Grey to Lord Stanley June 9, 1858: G.H.23/26 D.38 Grey to Labouchere May 22, 1856.

15. Grey never approached the Transvaal about entering his proposed Federation, but despatch (G.H.23/27 D.40 Grey to Bulwer-Lytton Feb.26, 1859 para.4) shows that he hoped the South African Republic would become one of the Federal States.

16. Federation despatch. para.6. This extract quoted was written in 1858 and a perusal of his despatches (1855-58) hints and then clearly expresses his denunciation of the British Policy of non-intervention. Ibid G.H.23/26 D.31 Grey to Lord John Russell Nov.17, 1855. Except for Adam Kok there is no evidence that the native inhabitants of South Africa were opposed to the abandonment of the Sovereignty.

17. G.H.23/27 D.178 Grey to Labouchere Dec. 1, 1857.

policy of non-intervention, which he found very irksome and consequently he agitated again and again that the Conventions should be modified, and ultimately declared that it was in the interest of humanity for Britain to change this policy of non-intervention.¹⁸ Sir George Grey's pleas, however, fell upon deaf ears, for although Labouchere was prepared to admit that the Conventions tended to complicate British relations with the native tribes in South Africa, he declared emphatically that the Conventions were to be upheld in both their letter and spirit and that the British policy of non-intervention, consequently, must be strictly maintained.¹⁹

The following extract from Grey's speech when he opened Parliament in March, 1855, reveals his friendly interest in the affairs of the Free State:-

" I can only hope that the anxiety we evince for their welfare and the generosity which the Government will exhibit towards them, may be such as to win their attachment and regard and to convince them that their interests and our own are in fact identical - and the more closely they can unite themselves with us the stronger and more prosperous they, together with ourselves, will be." ²⁰

We must not interpret this extract as meaning that Sir George Grey, as early as March, 1855, proposed that the Free State should be united with British South Africa in a federal union. Grey considered that the interests of the Free State and British South Africa were identical, principally because of the native problem. Grey soon realised that disturbances among the Europeans and native tribes without British South Africa had repercussions on the tribes within the Cape-Orange area.²¹ Consequently, this led Grey to consider that one indivisible line was formed by the boundaries between the Basutos and the Free State, between Natal and the Transvaal and the Eastern Frontier of the Cape Colony.²² Throughout Grey's administration of the Cape, it was the trouble between the Basutos and Boers which made the Free State the storm centre of South African politics.

Sir George Grey's position was a difficult one. The conventions prevented him from effectively interfering in the Basuto-Free State disturbances and yet, at the same time, he could not effect the immunisation of British South Africa from the influences of dissension north of the Orange River. His difficulties were aggravated by Great Britain's inability to station a sufficiently strong force on the frontier of British South Africa and, moreover, the Colonial Office did not attempt to carry

18. G.H.23/27 D.111 Grey to Labouchere Nov.1,1856 & Ibid 17 D.178

19. G.H.1/53 D.203 (60) Labouchere to Grey June 5,1857.

20. V.& P. Vol. 4 Address to the Cape Parliament March 15,1855. p.5

21. G.H.23/26 D.54 Grey to Labouchere June 7,1856 para.4.

22. Ibid Chapt.111 p. 23

out any extensive S. African colonisation policy, which Grey considered was vitally necessary.²³

Sir George Grey, in keeping with his policy of wooing the friendship of the Free State in 1855, persuaded the Secretary of State, Lord John Russell, not to appoint a British Resident to this State. Grey declared that not only was such an official unnecessary, as he, in his capacity of Her Majesty's High Commissioner, could satisfactorily discharge any needful duties, but that he feared this agent might interfere in the local affairs of the Free State.²⁴ The implication that a British Resident at Bloemfontein might again embroil the British Government in affairs north of the Orange River, and that this might result in territorial expansion, influenced Lord John Russell to leave the responsibility for the relations with the Free State in the hands of Sir George Grey.²⁵

The Conventions prevented Grey from playing an active part in the affairs of the Free State and thus he attempted to bridge, to a small extent, the political isolation of this State by winning her friendship. Hence, in his speech to Parliament in March, 1855, he evinced a most friendly interest towards the Free State.²⁶ President Boshof, in October, 1855, thanked Grey for this expression of his interest in the affairs of the Free State and mentioned that he was prevented through lack of means from carrying out an effective policy, and implied that he was expecting practical support from the Cape Parliament.²⁷ This was revealed when Boshof reminded Grey that, except for referring the matter to a select committee, nothing had yet been done about the payment of an annual sum of £5,000 to the Free State by the Cape Legislature.²⁸ This amount the Free State claimed as a right, in consideration of the increased revenue of the Colony due to the levying of custom dues on imported goods consumed in the Free State. There can be no doubt that Sir George Grey was in favour of this amount being paid to the Free State, as he had not only brought this request to the notice of the Colonial Legislature,²⁹ but had advised Her Majesty's Government that when this grant was made Adam Kok's stipend would be met from this source.³⁰ The Colonial Legislature refused to recognise the right of the Free State Government to any custom dues, and consequently this grant was never made. This question of customs dues, like that of native policy,

23. G.H. 23/26 D. Separate Grey to Molesworth Dec. 8, 1855.

24. G.H. 23/26 D. 9. Grey to Lord John Russell, April 9, 1855.

25. Ibid Minute by Molesworth, July 30, 1855. (Quoted de Kiewiet) p. 92

26. Ibid 20 V. & P. Vol. 4. p. 5.

27. G.H. 10/4a. No. 3. Boshof to Grey. Oct. 11, 1855.

28. Ibid 25 & G.H. 10/4a No. 5 Boshof to Grey May 11, 1856. Sir George Clerk had suggested that an annual grant be voted to the Free State in lieu of customs dues, in order to enable the Free State to adopt an effective policy and thus to stabilise her position. de Kiewiet. Chapt. VI.

29. Votes & Proceedings, Vol. 4. p. 5.

30. G.H. 23/26 Confidential Grey to Molesworth Dec. 10, 1855.

is of common interest to all the States and is reserved for further discussion in Chapter IV.

Sir George Grey, in keeping with his policy of promoting the friendship of the Free State with the British possessions in 1856, requested President Boshof to notify him in the event of any disturbances within the Republic.³¹ The Colonial Office approved of this action of Grey's and declared that the British Government was interested in the progress of the Free State.³² The presence of thousands of hostile natives, the economic instability of the Free State, and the paucity and dispersiveness of her population, made it practically impossible for this State to exist without assistance from either British South Africa or the Transvaal. It was owing to the disturbances among the Basutos and Free State Boers and to the instability of the Free State's position, that Grey was led, on two different occasions, in 1855 and 1858 respectively, to attempt to settle the dispute between the Boers and Basutos.³³ This mediation of Grey's, however, did not mean that the Convention Policy, which he declared had had a most mischievous effect on South Africa, had lapsed. On both these occasions, the Secretaries of State, while permitting Grey to mediate, nevertheless emphasised that he was to observe a strict neutrality and so uphold the Convention Policy.³⁴

Grey's action in preventing volunteers from going to the assistance of the Free State in the Basuto War was not in keeping with his policy of friendship towards this State. This action, he declared, was in accordance with the policy of strict neutrality insisted on by the British Government.³⁵ The most probable reason for his refusal to permit the colonists to support the Free State, was due no doubt to his desire to force this State into Union with the Cape Colony. As we have previously indicated, Grey enforced the Convention Policy when it suited him. This is seen also when he threatened that a union of the two Republics would result in the Conventions lapsing. This threat sufficed and had the desired effect, as it drove the Free State Volksraad to sound Grey on the possibility of federating that State with British South Africa.³⁶

The policy Sir George Grey pursued towards the South African Republic was devoid of the friendly interest shown towards the Free State. Whereas Grey had a feeling of respect and admiration for the Volksraad of the Free State,³⁷ he did not even consider that the South African Republic had a recognised Government. This is revealed when he declared that the Sand River Convention was made with "some people" across the Vaal,³⁸

31. Ibid 21. D.54 enclosure Grey to Boshof Corres.

32. G.H.1/52 D.109(57) Labouchere to Grey Oct.2, 1856.

33. Ibid 16. D.31 Nov.17, 1855; G.H.23/27 D.165 Grey to Bulwer-Lytton Sept.25, 1858.

34. G.H.1/52 D.78 Molesworth to Grey July 14, 1856. 1/54 D.33 Bulwer-Lytton to Grey, Sept.6, 1858.

35. G.H.23/27 D.31 Grey to Labouchere on March 25, 1858.

36. Ibid Chapt.5 and 6 page 63

37. Ibid 16. D.31 1855.

38. Federation Despatch para.5

and on another occasion when he complained that both Pretorius and the Volksraad claimed that they were respectively the head of the State.³⁹ Grey came into conflict with the South African Republic on the question of the north-east boundary of Natal and over the allegation of slavery in the Transvaal. (Both these issues are fully dealt with in a later chapter)⁴⁰

Sir George Grey refused to recognise the independence of the offshoots of the Transvaal and the Republics of Lydenburg and Zoutpansberg, as he declared these States were not entitled to the same treatment guaranteed to the South African Republic by the Sand River Convention.⁴¹ As will be more fully discussed later, Grey looked to Federation to solve all the problems of both these Republics.

Having considered how Sir George Grey had tried to combat the process of Disunity across the Orange River by the adoption of a policy of friendship towards the Free State [and by his refusal to recognise the independence of the Republics of Zoutpansberg, Utrecht⁴² and Lydenberg], it remains to see what positive scheme he proposed to adopt in regard to British South Africa. In reviewing the policy which he pursued towards British South Africa during his administration from 1854-59, two distinctive trends are apparent. Both these trends, however, are aimed at counteracting the process of Disunity within British South Africa. The one prevented any further development in the process of disintegration and the other, by improving the economic, social and political conditions at the Cape, was to consolidate the position in British South Africa.

Sir George Grey, in order to prevent the process of disintegration from being carried any further, in 1855 denounced Theophilus Shepstone's scheme for founding a Zulu Colony south of Natal in the territory of Faku, the Chief of the Pondos, especially as he considered that such weak, independent States would soon become the foci of intrigue.⁴³

In 1856, when Grey received a memorial from the inhabitants of Klip River area, in which they frankly acknowledged that they "never will be or can become good or faithful subjects of the English Government", he refused to hold out any hope to the memorialists that the British Government would recognise their independence. He considered, that if this process of dismemberment were carried any further, this Republic would increase the difficulties, with which he had to contend, both within and without British South Africa.⁴⁴

39. G.H. 23/26 D.10 Grey to Herbert May 11, 1855.

40. Ibid Chapt. 4, page 28

41. G.H. 23/27 D. 67 Grey to Labouchere June 6, 1857.

42. G.H. 23/27. D.5. Grey to Labouchere Jan. 18, 1857.

43. G.H. 23/26 D.22 Grey to Lord John Russell July 19, 1855.

44. G.H. 23/27 D. Separate Sir George Grey to Labouchere 20th Dec. 1856. Enclosure Corres. Memorial.

Throughout Grey's period of Governorship at the Cape, the Eastern Province agitated for separation from the Western Province, alleging that the Western Province used the revenue for feathering its own nest.⁴⁵ Grey replied to the Memorialists, who desired separation, that he could not interfere until the Parliament of the Cape of Good Hope should address him "upon the subject of a change in the form of Government."⁴⁶ (This determination of Grey's to uphold the constitutional privileges of the newly-elected Representative Government affords the explanation of the harmonious working of the constitution during the period of his administration.) Grey did not look with favour upon the possibility that the Cape Colony might disintegrate into three separate parts, as he considered these weak communities would be unable to handle their respective problems. He was, nevertheless, prepared to sanction the separation of the Eastern Province from the Western, on the condition that British Kaffraria, with the Eastern Province or part of it, formed one of the Federal States.⁴⁶

Unlike that of his predecessors, Grey's policy for British Kaffraria was not one of military control but of civil administration. He had put his ideas of civilising the natives into practice in New Zealand with a fair amount of success,⁴⁷ and he attempted to pursue a similar policy towards British Kaffraria. Grey's motive for adopting this civilising policy in British Kaffraria was the same as in New Zealand, viz., the education of the native people, in this case the Xosa, to play their part in the administration of their own affairs.⁴⁸

Sir George Grey did everything in his power to check the forces of Disunity within British South Africa and to promote the security of Natal, British Kaffraria and the Cape Colony. Thus it was he persuaded the Colonial Parliament, not only to vote £40,000 to finance a police force to maintain order on the frontier,⁴⁹ but also to earmark £50,000 for the furtherance of his immigration schemes.⁵⁰ When Grey sent the bulk of the troops to India, he took several precautionary measures to ensure the safety of British South Africa against the natives who took this opportunity to harass the European settlements. Thus Grey raised both a Hottentot levy and a Volunteer Corps and, further, he called up the German Legion for active service.⁵¹

Grey encouraged the development of the country by suggesting that a beginning be made in the construction of railways from Cape Town to Wellington in the Western

45. V. & P. Vol. 19, Select Committee report. Ibid Chapt. 8.

46. G.H. 23/27 D. 107 Sir George Grey to Labouchere Aug. 1857.

47. De Kiewiet Chapt. VII page 85 to 89. Collier Chapt. VII, page 59 to 65.

48. This is not an exaggeration. Grey's main reason for disapproving of the 1848 Constitution granted to New Zealand was, that the Maori would not qualify for the franchise. He considered that they had a right to share in the Government of their own country (Collier chapt. 6 page 57 and 58). In Grey's Federation Despatch para. 32 he shows that "even the native states" in South Africa might join the Federation.

49. G.H. 23/26 D. 63 Grey to Lord John Russell June 5, 1855.

50. G.H. 23/27 D. 96 Grey to Labouchere July 15, 1857.

51. G.H. 23/27 D. 154 Grey to Labouchere Oct. 30, 1857. G.H. 23/27 D. 88 Grey to Lord Stanley June 21, 1858 and G.H. 23/26 D. 45 Grey to Molesworth Dec. 14, 1855.

Province, from Grahamstown to Port Elizabeth in the Eastern Province, and from the port of Durban to Pietermaritzburg in Natal.⁵² He suggested, moreover, that various light-houses⁵³ should be established in dangerous areas along the coast and vainly attempted to persuade the British Government to finance the construction of the harbour works at Cape Town.⁵⁴

In discussing Grey's efforts to combat Disunity in this chapter, we have had indications that Grey disapproved of the Convention Policy. In subsequent chapters, when dealing with the problems which Grey was called upon to solve, it will be shown that he regarded the Convention Policy as a barrier to Federation.

53. G.H.23/27. D.130 Grey to Labouchere August 22, 1857.

54. G.H.23/27 D.37 Grey to Bulwer-Lytton July 1858

52. V. & P. Vol. 14. Page 466 to 470; Cape Argus March 24th 1858.

SECTION A. DISUNITY.

CHAPTER III.

THE NATIVE PROBLEM.

IMPORTANCE OF THE NATIVE QUESTION.	Page 20.
SUMMARY OF BRITISH NATIVE POLICY 1806 - 1854.	" 20.
SIR GEORGE GREY'S IDEAS ABOUT THE NATIVES.	" 21
BRITISH POLICY TOWARDS THE NATIVES.	" 22
BOUNDARY - ONE INDIVISIBLE LINE.	" 23
ANALYSIS OF DIFFICULTIES IN EACH STATE.	
a. Without the British Possessions.	
Orange Free State	" 23
South African Republic.	" 28
b. Within British South Africa.	
Natal,	" 29
British Kaffraria and Cape Colony.	" 31
ADVANTAGES OF FEDERATION.	" 33

THE NATIVE PROBLEM.CHAPTER 111.

Sir George Grey's Federation Policy, as was shown in the previous chapter, was evolved by prevailing circumstances existing during his administration of the Cape. Again it may be emphasised that his Policy was above all else practical and was designed, not only to remedy the evils existing in British South Africa, but also those of the Boer Republics. The most important and difficult problem with which Grey had continually to grapple, both within and without British South Africa, was that of native affairs. The importance of this native question, which was of common interest to all the European States, must not be underestimated, for Grey not only looked to Federation to afford the solution to this problem, but it was mainly the complications that arose from administering native affairs that led him to propose the Federation of the South African States.¹

As Her Majesty's High Commissioner, Sir George Grey was called upon to execute the new British Native Policy of non-intervention which dates from the signing of the Sand River and Bloemfontein Conventions in 1852 and 1854 respectively. A brief resumé of the British Native Policy from 1806-54 serves the useful purpose of explaining why it was that the Colonial Office instructed Grey to carry out this policy of non-intervention which he regarded as untenable.

In the early part of the 19th century, the humanitarian doctrine had dominated colonial² policy, and consequently Great Britain had looked upon the native tribes as her protégés and had protected and supported them at the cost of the frontier Boers. Thus it was that the incident known as the Black Circuit of 1812, the episode of Slachters Nek 1815, and the passing of the 50th Ordinance, had estranged the frontier Boers from the British authorities on account of their negrophilistic policy.³ The reversal of Sir Benjamin D'Urban's policy in 1835 afforded a tremendous impetus to the trekking movement when a great exodus of frontier Boers took place. These Voortrekkers preferred to face the dangers of the unknown rather than remain under the jurisdiction of a Government which supported the natives in preference to them.⁴ That this exodus of frontier Boers did not immediately effect a change in British Native Policy is evidenced by the fact that the Colonial Office, while refusing to recognise the independence of the Boer Republics of Natal and Winburg, negotiated treaties with the Chief of the Basutos, Mosheesh, (1843) and with the Griqua Captain, Adam Kok (1843).⁵

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1. Federation despatch para. 9 to 35.
 2. Henderson Chapt. 1 page 3 & 4.
 3. Walker Chapt. 7.
 4. Walker Chapt. 8, especially page 207 to 213.
 5. Walker Chapt. 7 & 8.

What the Colonial Office's outlook towards territorial expansion from 1835-60 was, can⁶ best be determined by the following words of Sir James Stephen, the Permanent Under-secretary.

" Territory in South Africa is not worth the having as part of the foreign dominions of the Crown. Our true policy, if it had not become impracticable, would be to abandon all the Colony, excepting the seaport towns and the immediate neighbourhood on which they depend for food."⁷

How was it then, one might ask, that if this was the policy of the Colonial Office, Natal was annexed in 1843 and the Orange River Sovereignty in 1848? In the case of the annexation of Natal, Lord Stanley, the Secretary of State, sanctioned this extension of British territory, partly as it was in keeping with British policy of patronage towards the native, but mainly because of the strategic value of the port of Durban.⁸ The Orange River area, however, was annexed by Sir Harry Smith in contravention of instructions received from the Colonial Office: The Secretary of State felt bound to sanction this action of Smith's as he considered that if he disallowed this, Britain, in adopting a vacillating policy, would lose prestige.⁹

With the impetus given to commercial activity by the development of free trade, philanthropy became a spent force in the forties and, as far as South Africa was concerned, received its death blow in 1854, when, owing to the drain on the British Treasury in financing the Basuto War, the Colonial Office, by signing the Sand River (1852) and Bloemfontein (1854) Conventions, revoked her pro-native policy.¹⁰ These Conventions turned the tables on the natives for now, "instead of treaties with the native tribes, the British Government began to think of treaties with the Boers, to check the restless tribes."¹¹

A period of at least three months had to elapse before Sir George Grey could receive an answer from the Colonial Office to his despatches.¹² He was, therefore, left a comparatively free hand in dealing with the natives and, consequently, he could put his own ideas into practice within British South Africa by virtue of his position as High Commissioner. Let us, therefore, consider what Grey's ideas in regard to the natives were.

Nineteenth Century England, Henderson declared, was ablaze with the doctrine of the utilitarians which Jeremy Bentham interpreted as being "the greatest happiness of the greatest number."

"Grey", Henderson continued, "was a child of the Nineteenth Century Renaissance, and nothing impresses the student more than his unbounded faith in the possibilities of human nature, his deep and lasting sympathy for the masses of the people and his splendid devotion to the natives of the Southern Hemisphere."¹⁴

6. Uys Chapt. 1 page 4. Note. Until the sixties, notwithstanding numerous ministerial changes the apathy felt towards territorial expansion remained the same.

7. C.O. 48/214 D. 136 G. Napier to Lord John Russell. Dec. 6, 1841. Minute by J. Stephen Jan. 31, 1842. (Quoted Uys Chapt. 1 page 5.)

8. Uys Chapt. 1 pages 17 to 20. Note. At this time Britain feared that France or Holland might obtain control of this port and thus threaten the safety of the Colony and of India.

9. Uys page 28.

this eulogy of Henderson's, is substantiated by the evidence of Grey's administration in New Zealand. In 1845 the Colonial Office, on the eve of the Maori rebellion, sent Grey (then a young man of thirtythree) to New Zealand with instructions to restore order, as Collier says, this "arena was one well fitted to call forth all his powers."¹⁵

Grey was not satisfied with his success in bringing hostilities speedily to an end, but went further and tried to introduce a policy calculated to promote the organisation and civilisation of the Maori and in this, as Collier says,

"He was fitted for the task. Genuine kindness of heart, sympathy with the wronged, a horror of injustice and perhaps something of the savage in his own nature, made him a born mediator".¹⁶

Well trained to endure physical hardships, as his expedition to Western Australia had shown, and with his wonderful ability to bring peace and security out of chaos, as his Governorship of both South Australia and New Zealand had proved, Sir George Grey was the most capable man the Colonial Office could appoint to conduct¹⁷ South African affairs in the critical years of 1854-60.¹⁸

A typical expression of British Colonial Policy which Sir George Grey, as Her Majesty's High Commissioner, was called upon to enforce in South Africa, is found in the following extract written to Grey by Lord Molesworth, the Secretary of State, in 1855:-

"Our policy should be to keep our frontiers safe from hostile attacks and to protect our own colonists. If beyond that limit the natives choose to slaughter each other, and Boers or other Europeans choose to assist them, it is not our part to have recourse to any active interference, nor could we do so with any good results."¹⁹

Grey soon realised that without a sufficiently strong garrison it was impossible to maintain the security of the frontiers of British South Africa and, consequently, this caused him to petition again and again that immigrants be sent out to the Cape.²⁰ The incapability of the Republics to maintain peace within their own borders, owing to their lack of means, had repercussions upon British South Africa. This led Grey to consider that the boundaries between the Europeans and native tribes of the Republics,

10. Uys Chapt. 2 page 26. Note. This does not mean that philanthropy no longer influenced the actions of men, but rather as De Kiewiet says (chapt. 8, page 101) "after 1854 humanitarianism had lost the fanatic glow of former years but it had become diffused into the common thought of the period."

11. De Kiewiet Chapt. 5.

12. Though the Colonial Parliament had earmarked £6,000 per annum to be expended by the Executive to speed up steam communications with England by one steamship per month, nevertheless in 1859 it still took 3 months for Grey to receive an answer to a despatch, e.g. Grey's despatch of 15th March 1859 was answered by Bulwer Lytton on June 4th. This answer reached Cape Town on July 15th.

13. Henderson Chapt. 1 page 3 & 4.

14. Collier Chapt. 4 page 31.

15. Collier Chapt. 7 page 59.

16. Collier Chapt. 2.

17. Collier Chapt. 3 to 10.

18. Collier Chapt. 14. Note. Critical years - Owing to British position in the Empire and Europe being difficult; and also representative Govt. and Convention Policy - recent change

19. G.H. 1/51 D. 73 Molesworth to Grey Oct. 16, 1855.

20. G.H. 23/26. Grey to Herbert March 7, 1855. G.H. 23/27 Grey to Labouchere Jan. 29, 1857. Argus May 18, 1858 page 2, Summary of events V. & P. Vol. 17. p. 174.

as well as British South Africa, were one extensive indivisible line as "from Natal to the Cape border by way of the Basuto border, whites and blacks were linked together in such a fashion that disturbances at any point on the line concerned the whole line."²¹ The cause of the dissension among the Europeans and native tribes in South Africa, both north and south of the Orange, was due to the land question. In New Zealand, Grey had encouraged the Maori to sell their lands to European colonists, and thus it was he did not realise that in South Africa the Xosa, Basutos and Hottentots all felt insecure in the possession of their territories. The malcontents, such as Kreli, Quesha, Fadanna and Moshesh, all claimed that the Europeans had deprived them of part of their lands, and their efforts were concentrated in an attempt to regain possession of their territories.²²

An analysis of the difficulties within each of the five European states with which Grey had to contend, and the repercussions of those difficulties, affords an explanation of his reasons for considering that Federation of the South African states alone would solve the native problem. As it was mainly the repercussions of the Free States' native policy which influenced Grey to propose uniting that state in a federal union with British South Africa, we will first discuss the native problem of the Free State.

Sir George Grey was opposed to the suggestion of the British Government of sending an agent to reside among the Basutos, on the grounds that he considered this act contrary to the Bloemfontein Convention and felt it might be regarded by the Free State "with the greatest jealousy."²³ This clearly reveals, as has already been stated, that Grey did not come to South Africa with the preconceived idea that the Convention Policy was untenable. Let us now, through a chronological discussion of the difficulties arising from the native question, ascertain Grey's reasons for his disapproval and his subsequent denunciation of the Convention Policy.

Before abandoning the Orange River Sovereignty, Sir George Clerk had attempted to settle the boundary dispute between Moshesh and the Boers, but as "he found such a bewildering complexity of claims, he judged it wiser and safer to leave the parties concerned to settle their dispute for themselves."²⁴ This failure of Clerk's to effect a settlement, led Grey to consider that the consequent troubles with the natives across the Orange were of British origin.²⁵

Throughout 1854 and 1855, the Free State Boers were harassed by the prodactory *prodal* raids of the Basutos. Actuated by the impotence of the Free State to subdue the native

21. De Kiewiet Chapt. 7 page 91.

22. G.H. 23/27 D. 186 Grey to Labouchere Dec. 3, 1857; G.H. 23/27 D. 148 Grey to Labouchere Oct. 5, 1857. G.H. 23/26 D. 33 Grey to Grey, Feb. 22, 1855. Cape Argus March 27, 1858.

23. Ibid 24 Chapt. 2 D. 9

24. De Kiewiet Chapt. 6 page 82.

25. Ibid 17. Chapt. 2 D. 178 Federation despatch para. 5 & 6.

tribes, President Hoffman, in December 1854, had written to Sir George Grey and proposed that the Orange Free State and Cape Colony enter into an agreement for "mutual assistance from volunteers in the event of unavoidable wars with the natives."²⁶

Grey's failure to answer the requests of this letter were no doubt due to the fact that he considered such an alliance between the Free State and Cape Colony to be incompatible with the Convention Policy.²⁷ Owing, however, to the continued trouble between the Free State and Mosheh, which was causing the native tribes on the Eastern Frontier to become restless, Grey, acting on the proposal of both Mosheh and the Free State Boers, offered to mediate between them. Grey's role was purely that of a mediator. He took no part in determining the conditions of the treaty as he feared to embroil British South Africa in this dispute across the Orange. As Grey was not satisfied with his interview with Mosheh on the 5th October 1855, he again interviewed him and his son the next day and in plain and strong, yet friendly language, pointed out the absolute necessity for Mosheh's coming to a friendly understanding with the Government of the Free State.²⁸ There is no doubt that Grey (confident, as usual, of his personal ability) regarded his mediation as entirely successful, for he said that the final meeting between Mosheh and Boshof was mutually satisfactory and "removed the prospect of a collision between them."²⁹

Sir George Grey, in reply to President Boshof's letter thanking him for his mediation, assured the Free State that -

"The British and Colonial Government alike watch the progress of this country (Orange Free State) with the deepest and most friendly interest, and will, to the utmost of their respective abilities, assist yourself and its Government in the efforts they are making for its advancement."³⁰

As "The Cape Argus" said, "Grey wrote well", and this extract, while assuring the Free State of British and Colonial interest in her affairs, yet was free from any commitments.

Grey's statement that the dissension between Mosheh and the Boers was ended, was soon proved to be fallacious, for though Mosheh refrained from aiding Mitsi, the Chief of the Bakolokwe against the Free State Commando, which drove the Bakolokwe into Basutoland, he continued to harass the frontier farmers in the Caledon River area.³¹

Sir George Grey informed Labouchere, Secretary of State, in April 1856, that trouble between Mosheh and the Boers was continuing in the Free State. This, Grey

26. G.H.23/26 D.6 Grey to Grey Dec.23, 1854.

27. Ibid D.31 Chapt.2 Note 16 Reveals Grey's reason for prohibiting volunteers from going to the assistance of the Free State at a later date, 1858.

28 & 29. G.H.23/26 D.31 Grey to Lord John Russell Nov.17, 1855. Corres.

30. Ibid 28 & 29 enclosure 2. Grey to Boshof.

31. G.H.23/26 D.15 Grey to Labouchere May 9, 1856; G.H.10/4a Boshof to Grey D.3 Oct. 11, 1856.

said, was having repercussions on the Eastern Frontier, as Moshesh, in striving to save himself, encouraged the Kaffirs to attack the colonists at the moment he himself was being attacked by the Free State. Grey was referring here to Moshesh's action of inciting the Xosa within both Kaffraria proper and British Kaffraria to rise up against the Europeans.³² In June 1856, owing to the repercussions that the Basuto - Free State dissension might have upon British South Africa, Grey informed Labouchere that it might be necessary for him to interfere in affairs north of the Orange.³³ With the passing months the troubled state of affairs within the Free State continued, and Grey's opposition to continuing the Convention Policy of non-intervention grew. He argued, in September 1856, that the Conventions not only prevented the British Government from entering into any treaties with the native tribes beyond her possessions, but forced her to act as police for another nation, in order to prevent the coloured races from obtaining arms and ammunition with which they might defend themselves.

" I think", he said "that she (Great Britain) should at least preserve such a control over the proceedings of the nations whom she thus benefits at the cost of others, that she might take care that they use these vast advantages justly and well for others, and in a manner which did not compromise the interest and safety of British territories".³⁴

From the above extract it must not be thought that it was Grey's intention to provide the natives with the sinews of war for, as in New Zealand, he realised the danger of such a policy.³⁵ He affirmed, however, that the British one-sided policy of allowing the Boers only to obtain arms and ammunition had had repercussions on the Eastern frontier. This, he declared, had led to a combination of the native tribes, as they assumed that British South Africa and the Republics were leagued against them for the purpose of annihilating them.³⁶

The above extract, dealing with Grey's opinion about the Convention, reveals that he was clamoring here for the power to modify the Conventions, as he wanted the Colonial Office to stipulate that the Conventions would only be regarded as in force so long as the powers conferred upon the Republics by them were not misused.

" Moreover," he asserted, "I ought to have the power to enter with all persons and with all races, into such arrangements as are necessary for the safety of that portion of Her Majesty's Dominions, the Government of which is entrusted to my care."³⁷

Sir George Grey, in November 1856, pointed out to Labouchere that it was an entirely erroneous opinion to consider that the territory of the native tribes beyond the Orange River was too remote from British South Africa to necessitate British intervention.³⁸

32. G.H. 23/26 D.32 Grey to Labouchere April 24, 1856.

33. Ibid 21 Chapt. 11. D.54 June 1856.

34. G.H. 23/26 D.94 Grey to Labouchere Nov. 27, 1856.

35. Ibid 32 D.94 para. 22.

36 & 37. Ibid 18 Chapt. 2. D. 111 1856, para. 8 & 10.

38. Ibid above D. 111.

Grey's unveiled and candid disapproval of the Convention Policy did not as yet bring him into disfavour with the Colonial Office. Labouchere even went so far as to admit that the existing Republics tended to complicate matters between the British Colonists and the natives, but he nevertheless emphasised that Grey must "avoid implicating the colonists in disputes which may occur among their neighbours".³⁹

In March 1857, when Martinus Wessels Pretorius, the nominal head of the South African Republic, was trying to force the Free State into a union with the Transvaal, Boshof informed Grey that Pretorius was instigating more trouble among the natives and was negotiating with Mosheesh against the Free State.⁴⁰ This distressed state of the Free State drew from Grey a candid denunciation of the Convention Policy when he said:-

" I have always regarded our retirement from that country and the principles on which it was effected as a great misfortune to South Africa. I believe it to have been the cause of all the recent difficulties and expenses to which we have been subjected".⁴¹

Grey was referring here to the national suicide of the Amakosa, as he considered that Mosheesh had encouraged the Xosa to destroy their cattle and thus caused them in desperation to rise up against the Europeans.⁴²

Considering the Conventions had proved so mischievous, Grey enquired whether the British Government was not disposed to depart from their policy of non-intervention and suggested the form their new policy should take, when he said:-

" It is by a federal union alone these South African Colonies can be made so strong and so united in policy and action that they can support themselves against the native tribes".⁴³

Thus we have evidence that Grey considered there was only one remedy - Federation, which would enable the Free State to maintain her very existence.

The outbreak of hostilities between Mosheesh and the Free State⁴⁴ in March, 1858, led Grey once more to denounce the Convention Policy. He complained that this war would have repercussions on the British possessions, for he considered that in the event of a Basuto victory, the native tribes from all over the country would join Mosheesh and a general insurrection would result; on the other hand the defeat of the Basuto would result in their fleeing over the Orange River, and consequently the peace of the Colony would be endangered.⁴⁵ Thus it was that Grey declared:

" It is however mortifying, as I have so frequently expressed to you, that a State so recently a part of our possessions, should have it in its

39. Ibid 34 Chapt.2. D.78 1856 para.6.

40. G.H. 10/4a D.18 Boshof to Grey July 28, 1857.

41. G.H.23/27 D.34 Grey to Labouchere March 20, 1857. para.9.

42. G.H.23/26 D.10 Grey to Grey Dec.30, 1854. Ibid 32 D.32 1856.

43. Ibid 41 D.34 para.9.

44. Ibid 5 Chapt.2 D.14 March 1858. From the enclosure to the above despatch we learn that Boshof declared that the Basuto War was caused by Bushuli, Mosheesh's brother, invading the Free State. The Argus on May 4, 1858 page 3, declared that hostilities had resulted through the action of the Free State in driving some natives off farms which they had inhabited for some considerable time.

45. Ibid above, para.10. D.14. 1858.

power to bring on a war with the native tribes in which we cannot avoid becoming embroiled.*

Moreover, he complained that these wars could be waged at any time, no matter how detrimental and catastrophic it might prove to Colonial interests.⁴⁶

Grey, as has already been mentioned, in keeping with the policy of strict neutrality, prohibited volunteers from the British Colonies from going to the assistance of the Free State. Once again in March, 1858, he pointed out that the Colonial Office was not maintaining a strict neutrality, as it permitted one party to obtain the means of destroying the other.⁴⁷

Grey, after several requests from President Boshof⁴⁸ for assistance and after an address from the Cape Parliament,⁴⁹ offered to mediate between Moshesh and the Free State.

The following extract indicates that Grey considered that the only way, in which the Free State would be able to maintain peace within her borders and consequently not have repercussions on the native tribes within British South Africa, was by the Federation of the South African States.

" I still believe that nothing but a strong federal Government, which unites within itself all the European races of South Africa, can permanently retain peace in this country and free Great Britain from constant anxiety for the peace of her possessions here." ⁵⁰

Sir George Grey effected an agreement, known as the first Treaty of Aliwal North, between Moshesh and the Free State on September 15, whereby though generally maintaining the Werden Line, Moshesh acquired additional land at the confluence of the Orange and Caledon Rivers.⁵¹ This Grey regarded as a temporary agreement and looked to Federation for the permanent solution of the Free State native problem.

The British policy towards Adam Kok, the Griqua Captain, caused Grey, in December, 1857, once again to denounce the Conventions which forced him, he said "from a sense of duty, to serve Her Majesty to the utmost of his ability, although he was compelled to carry out a line of policy, the propriety or expediency of which he could not concur." Sir George Grey argued that if the Free State and Adam Kok were left to settle their dispute on their own, not only would Britain lose face, as these disputes should have been settled before the Free State was abandoned, but the influx of refugees would have repercussions on the Colonial border.⁵² A full

46. Ibid 44. para.10.

47. Ibid 35 Chapt.2 D.31 March 1858: Labouchere (G.H.1/53 D.106 Oct.10,1857) pointed out that the Bloemfontein Convention could not be interpreted as preventing the British Government from supplying the Free State natives with ammunition.

48. G.H.10/4a D.26 Boshof to Grey April 27,1858; G.H.23/27 D.62 Grey to Stanley May 27,1858. Enclosure Boshof to Grey May 18,1858; G.H.23/27 D.53 Grey to Stanley May 20,1858.

49. Ibid 48.D.53; V.& P.Vol.13 page 143.

50. Ibid 14 Chapt.2 D.66,1856 para.10.

51. G.H.23/27 D.165 Grey to Bulwer-Lytton Sept.25,1858; G.H.10/5 pages 459 to 495; Map of settlement G.H.10 4a page 379. See Map A.

52. Ibid 17 Chapt.2 D.178 Dec.1857.

discussion of this dispute is dealt with in Chapter IV.

Grey succeeded in persuading the British Government that it was its duty to continue the payment of Adam Kok's stipend and he also obtained the consent of Labouchere to supply the Griquas with ammunition, provided that it would not be purveyed to other native tribes.⁵³

Grey came into conflict with the Transvaal on account of the practice of virtual slavery in this Republic, the "inboeking" system, and because of her treatment towards some of the native tribes and missionaries. The system of "inboeking", Grey asserted, was 'virtual slavery' and consequently was practised in direct contravention of a stipulation in the Sand River and Bloemfontein Conventions.⁵⁴ To enforce rigidly this stipulation was not easy, Grey declared, as during the British occupation of the Free State "inboeking" had been sanctioned by British Officials.⁵⁵

Grey considered that the Volkraad of the Free State was doing all in its power to prevent "inboeking"⁵⁶ but not so the Transvaal. In February, 1856, Mr. Surtees' Commission reported that the Transvaal Boers obtained their labour supply "by seizing the children of the natives when young, and subjecting them to an involuntary servitude which is called an apprenticeship or "inboeking" system until the age of 25 for a male and 22 for a female."⁵⁷ Grey knew that Pretorius' proclamation prohibiting the exploitation of native children was of no value, as he had evidence that Pretorius himself practiced this form of forced labour.⁵⁸

Grey deplored the fact that the Sand River Convention left him powerless to prevent Pretorius from adopting a hostile attitude towards the missionaries, such as the Commando attack upon the Bakwain natives among whom David Livingstone was working.⁵⁹ The restrictive clause of the Sand River Convention, prohibiting Grey from supplying the natives with ammunition, was extremely irksome to him and permitted the Boers, he declared, to shoot natives such as Mahora and his men 'down like ducks' with the ammunition the British Government supplied.⁶⁰

It was these difficulties and the closing of the road to the north that led Grey to hope that the Transvaal would be forced, on account of her isolated position,

53. G.H. 1/53 D. 105 Labouchere to Grey Oct. 10, 1857. Boshof (10/4a D. 2 Boshof to Grey Nov. 23, 1855 G.H.) declared that the Griquas did purvey ammunition to the Basutos. This was proved by an investigation of a special committee (G.H. 10/4a D. 10 Boshof to Grey September 12 1856).

54. G.H. 25/26 D. 121 Grey to Labouchere Dec. 23, 1856.

55. Ibid 54. From enclosure to above we learn that Sir George Russel Clerk had consented not only to sending out a party to capture Bushmen who were harassing the farmers, but actually agreed to hire them out to farmers.

56. Ibid 14, Chart. 2. D. 38 May 1856.

57. G.H. 1/51 D. 113 Labouchere to Grey Feb. 12, 1856.

58. G.H. 25/26 D. 38 Grey to Labouchere. Enclosure letter of Pretorius' wife, May 22, 1856.

59. G.H. 1/55 112/44. Bulwer-Lytton to Grey March 17, 1859 enclosure to Missionary report.

60. G.H. 25/27 D. 63 Grey to Bulwer-Lytton April 21, 1859.

During 1857 a civil war broke out in Zululand between Cetewayo and Umbalazi, the sons of Panda, over the question of a successor to Panda. After Cetewayo had murdered Umbalazi, Panda drew swords and Pretorius supported Cetewayo. As Grey had sent the bulk of the troops to India, he advised the British Government that they had better send a force to South Africa, and in the meantime it was expedient to maintain the convention policy of non-intervention. He declared that they should concentrate their efforts on augmenting the population and increasing the prosperity of Natal, thus imparting to it a stability and strength which it had never previously known.⁶⁷

Sir George Grey, as was characteristic of him, had gone to Natal in 1855 to obtain a first-hand account of the difficulties within this area.⁶⁸ While not entirely in agreement with Mr. Owen that the Zulus in 1855 were as barbarous as they were 1,000 years before, nevertheless he attributed the uncivilised state of this tribe to the fact that they were isolated from European influence, as they lived in locations,⁶⁹ and were ruled in accordance with Bantu law as long as it was not "repugnant to the dictates of humanity."⁷⁰

Grey sympathised with the colonists in their lack of labour and, while he deprecated the introduction of convict labour,⁷¹ he did all in his power to attract Indian coolies to Natal.⁷² To weaken the power of the natives in Natal who could obtain land through the payment of a hut tax of 7/- per year, Grey proposed various schemes whereby the Europeans might obtain land at a low price, or on the payment of an annual quitrent.⁷³ Grey hoped that if land was cheaply and easily procurable, a large influx of immigrants would be attracted to Natal and consequently raise the proportion of Europeans to Zulus. Grey felt that the adoption of a common native policy, which would result from his proposed Federation, would be beneficial to the interests of this Colony⁷⁴ for the following reasons:- The isolated position of British Natal from the other British possessions in South Africa; the fact that this State was hemmed in on three sides by barbarous natives; the interference of Pretorius in the affairs of Zululand; the failure of the British Government to send out a sufficient number of immigrants and its desire to diminish the size of the garrison in Natal.

Sir George Grey, on his arrival at the Cape as Her Majesty's High Commissioner, was faced with the formidable task of controlling native affairs, not only on the Eastern Frontier, but within British Kaffraria, which was solely administered by him.

67. G.H.23/27 D.72 Grey to Labouchere June 18, 1857.

68. Ibid 64. D.22.

69. G.H.23/26. D.41. Grey to Molesworth Dec. 1855.

70. Walker Chapt. 10. page 283

71 & 72. G.H.23/26 D.32 Grey to Lord John Russell Nov. 17, 1855.

73. G.H.23/26 D.44 Grey to Molesworth Dec. 1855. The Colonial Office disapproved of his land schemes and consequently withheld their sanction.

74. Federation despatch. para.30.

to join the Federation of the Free State with British South Africa.

Having considered the nature of the native problems in the two Republics, which influenced Grey to put forward his federal proposal, it now remains for us to ascertain the difficulties facing him in his administration of native affairs in British South Africa.

In September, 1854, Lt.-Governor Pine sent Grey a memorial signed by 339 persons of Pietermaritzburg, who petitioned for British abandonment of Natal.⁶¹ The main reason for desiring British abandonment was, as of old, the way in which the authorities conducted native affairs. Lt.-Governor Pine sympathised with the Memorialists as he was also not satisfied with the administration of native affairs. What Natal needed was a stronger military force, he declared.⁶² As the British Government was averse to increasing military expenditure, and as Britain required her soldiers in the Crimea and later in India, one realises that Grey's responsibility for native affairs was indeed onerous.

Before Grey's arrival in South Africa, Her Majesty's Government had expressed approval of Theophilus Shepstone's plan to move into the country of Faku, the Chief of the Pondos, with 50,000 out of 15,000 Zulus from Natal who lived in locations. Sir George Grey, however, managed to persuade Labouchere, to disallow this proposal.⁶³ His chief reason for disapproving of Shepstone's scheme was his fear that this would result in native wars. Faku had declared that on the arrival of Shepstone and his Zulus, he would move to the upper reaches of the Umzimvubu River to be near his friend, Moshesh. Grey argued that before Faku could take possession of this new territory he would have to subdue the resident tribes by warfare. Grey considered too that the removal of these 50,000 Zulus from Natal would result in a general displacement of the natives, in which case others would enter British Natal. Grey felt too that Shepstone's proposal would mean their removal from the civilising influence of the Europeans in Natal.⁶⁴ When one considers that the total population of Natal in 1855 was 108,500 and only 8,500 were Europeans, one realises why Grey tried to maintain peace at all costs in this Colony.⁶⁵

It was partly due to this fear of upsetting the peaceful relations with the Zulu, that Grey refused to sanction the proposal of the Klip River Boers to set up an independent republic, as he felt the policy of such a republic might embroil Natal in a Zulu war.⁶⁶

61. G.H.23/26. Grey to Grey Dec.30,1854. Enclosure Pine to Grey Sept.25,1854. Corres.

62. Ibid above. G.H.9/5 No.35. Pine to Governor May 29,1854.

63. G.H.3/14 D.29 Labouchere to Grey Feb.15,1856. Withdraws instructions of March 20, 1855.

64. G.H.23/26. D.22 Grey to Lord John Russell July 19,1855.

65. Ibid¹⁰ Chapt.3. D.34 Nov.1855.

66. Ibid 4. Chapt.2 Dec.20,1856.

Grey, unlike his predecessors, did not propose to govern British Kaffraria under martial law, but the policy he pursued was one calculated to civilise the Xosa tribes within this area. This civilising policy he planned to adopt for all the natives within the British possessions. The following extract summarises the immediate purpose of Grey's policy:-

"The plan I propose to adopt to pursue with a view to the general adjustment of these questions, is to attempt to gain an influence over all the tribes included between the present North Eastern boundary of this Colony, and Natal, by employing them upon public works, which will tend to open up their country; and the relief of their sick, by introducing amongst them institutions of a civil character suited to their present condition; and by these and other like means to attempt gradually to win them to civilisation and Christianity, and thus to change by degrees our at present unconquered and apparently irreclaimable foes into friends who may have common interests with ourselves." 75

In order to enforce this civilising policy, Grey petitioned the British Government to grant him £40,000 per annum and pointed out that general annual expenditure in waging war had previously been £1,000,000. 76 The British Government, with great confidence in this Governor, who had managed to subdue the rebellious Maori, voted this annual grant and left him a comparatively free hand in regard to native administration. 77 Grey wanted the British Government to send many immigrants to British Kaffraria as he hoped that the natives, in time, would adopt European civilisation. 78 Grey's task of administering Kaffraria was not an easy one. In 1856 there were only 1200 79 Europeans, other than the 2541 soldiers in Kaffraria, 80 scattered among a native population of 90,000. 81 Most of these natives owed allegiance to Krel, the Galeka chief, who lived in Kaffraria Proper and of whom Grey said "he owed us no allegiance and in no way recognises our authority." 82 Moshesh, as already pointed out, throughout this period 1854-58, sowed seeds of dissension amongst the natives both in Kaffraria Proper and in British Kaffraria against the Europeans. The prevailing cattle sickness (1855-6), Grey maintained, made the barbarians more formidable owing to the loss of their cattle, and yet at the same time this calamity made the chiefs more willing to receive the stipend which Grey offered to those who accepted European magistrates. 83

Grey's handling of the episode, known as the National Suicide of the Amakosa, illustrates what Labouchere called "Grey's wonderful ability to turn disadvantage to advantage." Grey refused to be harassed by the threat of insurrection and carried on "as if a war was a contingency not to be thought of." At the same time he exerted every effort to put "the country in the best possible position both for its own defence

75 & 76. G.H. 25/26 D. 7 Grey to Grey. Dec. 22, 1854

77. G.H. 1/51 D. 130 Labouchere to Grey, March 20, 1856.

78. Ibid 20.

79. G.H. 25/27 D. 102 Grey to Labouchere Oct. 18, 1856.

80. Ibid 76 D. 7, 1854.

81. Ibid 80 D. 102, para. 18. Enclosure 1 population.

1856 European population		Natives British Kaffraria	
Kingwilliamstown	626	Gaikas	38,000
East London	1848	Talambies	39,000
Izeli	1853	Galekas	5,000
Murray	1848	Fingoes	8,000
Keiskama Hoek	1853		
Dohne	1853		
			<u>90,000</u>

82. Ibid 80 D. 102, para. 13.

83. G.H. 25/27 D. 39. Grey to Labouchere March 25, 1857

and for the purpose of aggressive movements against the enemy.⁸⁴ It is very likely that had this incident not taken place the country would once more have been plunged into war. Grey himself attributed much of the success of his civilising policy to this episode, for, as the native population was reduced to 38,559 in 1858,⁸⁵ the remaining natives were more amenable to British influence. This event also resulted in the opening up of more land for European settlers, whose influence, Grey felt, would accelerate the civilising process.⁸⁶ As thousands of natives had fled into the Colony, this event resulted too in the Cape obtaining a good labour supply.⁸⁷

Grey regarded the reduction of the British grant to Kaffraria in 1858 as catastrophic,⁸⁸ and it is characteristic of him that he used £6,000 of his own money to increase the available funds.⁸⁹ He complained too that he feared this reduction would result in the failure of his civilising policy.⁹⁰ The Colonial Office had not only refrained from adopting a colonisation policy towards Kaffraria, but had censured Grey's attempts to promote further immigration.⁹¹ Grey looked to Federation, however, to solve most of his difficulties in British Kaffraria.

In February, 1858, as Kreli was encouraging insurrection among the natives of British Kaffraria and was thus taking advantage of the reduction of the military force of the Colony due to the Indian Mutiny, Grey determined to rid himself of "the thorn left in his side." Thus he drove Kreli beyond the Bashee and proposed settling other tribes friendly to the British on his land.⁹² It is interesting to note that Grey's prophecy that another Kaffir war would never again take place in South Africa and that the Kaffir tribes would never again cause Great Britain any further annoyance, was fulfilled as far as the Eastern Frontier is concerned.⁹³

Grey hoped to introduce the same civilising system among the Fingoes and Tambookie natives as he had in British Kaffraria. In the case of the Tambookie, one man, the Resident, had to manage 1,500 barbarians in such a manner as to ensure the peace of the Frontier, and yet he was not in possession of a particle of legal power which enabled him to do this.⁹⁴

Grey declared that, in so far as the two Boer Republics, Natal, British Kaffraria and Cape Colony, were concerned -

"they were independent countries with no common council which could arrange measures for the general safety and defence, although they were surrounded by barbarous enemies to repel or to resist whom, union was so necessary. All the European states (he argued) had, residing within their limits, numbers of dangerous barbarians and were surrounded by nations of wily and able enemies, who had, for a series of years, been engaged in wars with

84. G.H. 23/27 D.7 Grey to Labouchere Jan. 27, 1857.

85. V. & P. V. 17 page 708 - Many natives took refuge in the Colony where they obtained work - This reduction was not caused through the death of those who perished.

86. Ibid 83. D. 39

87. Collier Chapt. XIV. P. 102: V. & P. V. 16. Grey's speech to Parliament P. 4

88. G.H. 1/54 D. 24 Stanley to Grey May 5, 1858.

89. G.H. 23/27 D. 85 Grey to Lord Stanley June 19, 1858.

90. Collier Chapt. XIV. p. 102: Ibid 89.

91. G.H. 23/27 D. 95 Grey to Labouchere Sept. 29, 1856: G.H. 23/27 D. 35 Grey to Labouchere March 23, 1858.

92 & 93. G.H. 23/27 D. 11 Grey to Labouchere Feb. 13, 1858, page 259 to 260: G.H. 23/27 D. 9 Grey to Labouchere Feb. 11, 1858.

94. V. & P. Vol. 14, page 585 Warner to Grey Jan. 1858; p. 588 Warner to Grey April 1858.

them and the usual difficulties had been created which follow the abandonment of territory in the face of a barbarous people. Prestige was lost and the barbarians hoped, if they pressed us hard, that still larger tracts of country would be abandoned." 95

The above extract summarises Grey's reasons for Federation, namely, the failure of any state to pursue an independent and effective policy towards the natives.

Grey felt, on the other hand, that under Federation, success was assured. In cases of dispute between "one of the states and a native chief, the demands made upon such a chief would be just ones, for they would be considered by "a large and impartial body", and for this reason they would command respect and also, as these demands were made in the name of such a strong Federation, the natives would realise they would certainly be ultimately enforced. 96

Surely this bright prospect put forward by Grey, that under Federation another large native war would probably never again take place, would prove sufficient inducement to gain British support for this project of Federation!

95. Federation Despatch para.9

96. Federation Despatch para.23.

SECTION A. DISUNITY.

CHAPTER IV.

FACTORS OF DISUNITY - GEOGRAPHICAL, POLITICAL, ECONOMIC,
CONSTITUTIONAL & SOCIAL.

A. BOUNDARY DISPUTES:- GEOGRAPHICAL - POLITICAL.

Moshesh and Free State	Page 34.
Adam Kok and the Free State.	" 35.
Transvaal - Natal.	" 36.
Transvaal - Missionaries.	" 37.
Advantages of Federation.	" 37.

B. ECONOMIC DISUNITY.

Republics.	" 37.
British South Africa.	" 38.
Development of the Republics.	" 39.
Result of Federation.	" 39.

C. DISUNITY - CONSTITUTIONAL, POLITICAL.

Cape Colony.	" 40.
Natal.	" 41.
British Kaffraria.	" 42.
Republics.	" 42.
Federal Machinery.	" 43.

D. SOCIAL DISUNITY. " 44.

E. SUMMARY OF SECTION A. " 45.

FACTORS OF DISUNITY - GEOGRAPHICAL, - POLITICAL, - ECONOMIC,
CONSTITUTIONAL AND SOCIAL.

CHAPTER IV.

We have seen in the previous chapters that Sir George Grey had proposed uniting the South African States in a federal union, in order that the process of disintegration should be effectively checked and to afford a solution for the native problem. There were other factors too, which influenced Grey to put forward his Federation proposal.

The failure of both the Sand River and Bloemfontein Conventions to define precisely the boundaries of the South African Republic and Orange Free State with their neighbouring native tribes and with British Natal, was to complicate the problems that Grey, in his position of High Commissioner, was called upon to settle.¹

On the 27th August, 1849, Warden had forced Moshesh to accept the boundary which he had laid down between the Basutos and the Free State in an attempt to meet the conflicting claims of the Boers and Basutos to the fertile Caledon-Orange area.² It is not surprising that this Warden Line was not upheld, as Moshesh had lost the whole area between the Orange and Caledon River recognised by the Napier Treaty, especially as he had agreed to the proposed boundary 'as a dog consents to walk with him who drags him with a riem'.³ Owing to lack of military support, Warden was unable to enforce the boundary line. In 1851, believing Moshesh to be the propogator of insurrection in the rich cornlands of the Caledon River, Warden marched against him with an inadequate force.⁴ In 1852, after suffering a reverse at Berea, Sir George Cathcart was, however, glad to terminate the war by accepting Moshesh's offer of peace.⁵

Sir George Grey complained in 1855 that Sir George Clerk's failure to fulfil his promise of settling the boundary dispute between Moshesh and the Free State had since 'remained a constant source of irritation,' especially as the natives on the Free State border considered that with the abandonment of the Sovereignty by Great Britain, the treaties negotiated by Sir Harry Smith had also lapsed.⁶ As Grey considered that the troubles on the Basuto border were of British origin,⁷ he offered to mediate between Moshesh and Boshof. The peace treaty agreed upon by Moshesh and the Free State at Smithfield amounted to a recognition by each party to maintain the Warden line.⁸ Owing to lack of means the Volksraad could not enforce the recognition of this

1. 25/27 D. 178 Grey to Labouchere Dec. 1, 1857.

2. Theal Vol. 111 Chapt. LV. p. 305. See Map A.

3. Walker Chapt. 9 page 229 and 255.

4. Theal Vol. 3. Chapt. LV. p. 318.

5. Walker Chapt. 9 page 262

6. Ibid 16. Chapt. 2 D. 31 Nov. 1855. Enclosure Boshof to Grey Oct. 1855.

7. Ibid 1. D. 178 para. 7.

8. Ibid 6 and Theal Vol. 3 page 459.

boundary line, and throughout the years 1856 and 1857, the Free State was drifting closer and closer into open conflict with the Basutos.⁹

In March, 1858, as the following extract shows, Boshof informed Grey what he considered the cause of the Basuto war to be:-

" Pretending that we occupy a considerable portion of the Basuto country and wilfully misinterpreting the treaty entered into by Moshesh and myself at Smithfield in October, 1855, they have, from time to time, in defiance of our laws to the contrary, entered far into the state." 10

Whether one accepts Boshof's interpretation of the cause of the war or considers that the Free Staters were the aggressors, the fact remains that it was this boundary dispute which led to the war.¹¹ Though Grey again mediated in September, 1858 between the Basutos and Free State and gave Moshesh a little more land, he regarded this as a temporary arrangement and looked to Federation to afford a permanent solution to this problem. Much of the unrest of the frontier was attributed by Grey to Sir George Clerk's failure to settle the boundary question between the Basutos and the Free State, and also between the Griquas and the Free State.¹²

The abandonment of the Sovereignty had left Adam Kok in an ambiguous position which Grey first attempted to clarify as he contemplated mediating between the Free State and Adam Kok over their boundary dispute. Sir Harry Smith's proclamation of the 3rd February, 1848, had extended British Sovereignty over the territory of Adam Kok. Therefore Grey wanted to know whether the Napier Treaty of 1843 with Adam Kok had ended or was merely in abeyance, as Adam Kok's land had been included in the area abandoned by Great Britain in 1854. Consequently Grey wanted to know too whether Adam Kok's lands belonged to the Free State, whether he was an independent ruler and finally whether the Napier Treaty was still effective.¹³ Labouchere, the Secretary of State, did not agree with Grey that this Free State-Griqua dispute could be laid at Clerk's door, as he asserted that Clerk had offered the Griquas "suitable liberal terms" which Adam Kok refused.¹⁴ Labouchere, while maintaining that the Bloamfontein Convention recognised the British relationship with Adam Kok, considered that the action of the Griquas in selling land in the inalienable reserve to the Boers of the Free State "left only a general obligation on our part to exercise our good office on his behalf." Thus, Labouchere, while not prohibiting Grey from mediating, yet discouraged him from making any overtures to Adam Kok, as he feared this might prevent

9. G.H.10/4A D.10 Boshof to Grey Sept. 12, 1856; G.H.10/4A D.11. Boshof to Grey Sept. 1, 1856; G.H.10/4A D.18. Boshof to Grey July 28, 1857.
 10 & 11. V. & P. 14. Page 581, Boshof to Grey, March 16, 1858.
 12. G.H. 23/27 D.28. Grey to Labouchere, March 11, 1857.
 13. G.H. 23/27. D.110. Grey to Labouchere Aug. 4, 1857.
 14. Ibid 53, Chapt. 3 D.106. Oct. 1857.

the Free State and the Griqua Captain from coming to some agreement.¹⁵

Labouchere might easily shelve British responsibility towards Adam Kok, but not so Grey. He contended that Adam Kok was in ignorance of the agreement made by Her Majesty's Commissioner with the Free State when the Sovereignty was abandoned, and that if any Griqua land was sold to persons of European descent, such land fell at once under the Government of Free State. Consequently, after 1854, Europeans bought much of Adam Kok's land and on January 31, 1857 a proclamation of the Free State Volksraad divided Kok's lands into two, one part of which was annexed to the Free State. Grey reacted to this by declaring that he felt Great Britain was pledged by her treaties to support Adam Kok in keeping his lands intact, and consequently asserted that the action of the Free State in encroaching on Kok's territory should be declared void.¹⁶

Grey's solution to this complicated boundary dispute was his panacea for all South African ills, namely, Federation -

"For in the event of such a Federation," he wrote, "Adam Kok has expressed to me his desire to resign his sovereignty and to allow his possessions to be incorporated in those of one of the federated States. If, therefore, such a Federation takes place, the whole of this question is settled."¹⁷

Besides the boundary disputes between the Free State with Adam Kok and Mooshesh respectively, Sir George Grey was also involved in a boundary dispute between Natal and the South African Republic.

The dispute between the Transvaal and Natal over the north-east boundary of Natal arose through a geographical inaccuracy. The north-east boundary of Natal was defined as follows - "From the mouth of the Tugela River along the right bank of that river to the junction of the said river with the River Umzimyati, from thence along the right bank of the Umzimyati to its source in the Drakensberg or Cuathlamba Mountains." The difficulty with the Transvaal arose when it was realised that the source of the Umzimyati was not in the Drakensberg Mountains but in the Langalebalele Berg.¹⁸ Grey declared that this north-east boundary must be clearly defined, as one district on this border, Klip River, had petitioned to be separated from the Government of Natal.¹⁹ The territory which Pretorius acquired from Panda, the Zulu Chief, Grey considered to be "within the undoubted limits of Her Majesty's possessions."²⁰ Pretorius' action in sending magistrates to Utrecht and his interference with the

15. G.H.1/53 D.273 (135) Labouchere to Grey Dec.10,1857.

16 & 17. G.H.23/27 D.5 Grey to Bulwer-Lytton, Jan.12,1859.

18. G.H.23/27. D.5 Grey to Labouchere, Jan.18,1857.

19. Ibid 18 D.5 and Ibid 44 Chapt.11. D. Separate. Dec.1856.

20. Ibid 18. Chapt.2 D.111. Nov.1856.

with the Boers of the Klip River, Grey regarded as presumptuous and declared that "when we entered into a Convention with the Transvaal Boers we in no way recognised any territory as belonging to them."²¹

The British Government left Grey to settle this dispute as he deemed best, but expressed their desire that the definition of the boundary should, if possible, take place in concert with the Transvaal Republic.²² No sooner had the north-east boundary been settled by Scott and Pretorius,²³ when Grey received a letter from the Lydenburg Republic claiming the district of Utrecht, which threatened to reopen the whole dispute.²⁴ The Colonial Office did not agree with Grey that no territory was guaranteed to the Transvaal Boers by the Sand River Convention. The reaction to Pretorius' action in preventing Doctor Livingstone from proceeding to the north,²⁵ indicates that the British Government did not recognise all the territory north of the Vaal, however, as being under the suzerainty of the South African Republic. This was evidenced when Grey was instructed to inform the Transvaal that her action in stopping Livingstone in the territory of Sechela and Maekeng, independent Chiefs, was declared by the Queen's Advocate to be not only a contravention of the Sand River Convention, but also of international law.²⁶

Thus we have seen that Grey looked to Federation to afford the solution of the dispute between Adam Kok and the Free State as his lands would be incorporated in those of one of the federal states and, consequently, come under the control of the federal authorities. Similarly Moshesh, when faced by a strong Federation, would be forced to maintain his treaty agreements, and Grey hoped that when the Transvaal entered the Federation, the security of the north-east boundary of Natal would not again be threatened and that the missionary policy of the Transvaal would undergo a radical change.²⁷

The economic disunity of South Africa was another factor which led Grey to propose Federating these states. He declared that the customs policy was responsible for the ill-feeling of the Republics towards the rest of South Africa, as it had deprived them of a share in the customs dues.²⁸

Grey soon realised that which Clerk had feared, namely, that the Republics were unable, through lack of revenue, to enforce an effective policy.²⁹ The action of the South African British ports, in keeping the customs dues levied on goods

21. Ibid 18. D.5

22. G.H.1/55 D.266. (168) Labouchere to Grey, Dec. 5, 1857.

23. G.H.25/27 D.69. Grey to Labouchere. May 18, 1857.

24. Ibid 41. Chapt.2 D.67 June 1857.

25. G.H.1/55. D.112 (44) Bulwer-Lytton to Grey March 17, 1859: L.M.S. Missionary Report.

26. G.H.1/55. D. Separate Bulwer-Lytton to Grey, June 6, 1859. G.H.1/55. D.127 (61)

Garnarvon to Grey, April 15, 1859.

27. G.H.25/27. D.40 Grey to Bulwer-Lytton. Feb.26, 1859.

28. Ibid 44. Chapt.2 D. Separate Dec.20, 1856.

29. Clerk to Newcastle, Aug.14, 1854. Quoted De Kiewiet. Chapt.6. p.81.

destined for the Republics and using them for their own purposes, he said, had deprived the Republics of their main source of revenue.³⁰

On the occasion of the receiving of a memorial from the Klip River Boers, who desired to be freed from their allegiance to Great Britain, Grey declared:-

" I feel satisfied that an agitation for the relinquishment of other portions of our territories will for years be kept up until the interior states obtain some seaport within a healthy latitude where Europeans could live, or until some arrangement is concluded by which duties of customs can only be imposed and expended by representations from all provinces which contribute to them."

If a federal union had been formed whilst the states were yet united under British rule, much agitating, Grey considered, would have been avoided.³¹

We have already mentioned in Chapter 11 that Grey tried in vain to influence the Colonial Parliament to vote £5,000 per year to the Free State in lieu of customs dues collected at the Cape ports.³²

In June, 1857, Labouchere, while encouraging Grey to promote friendly relations between the Republics and the British authorities by coming to some agreement about giving a proportion of the customs dues to the Republics, at the same time pointed out the fact that, as the British Government could tax them, this "might be rendered a means of promoting concord rather than a source of quarrel and illwill." Labouchere, by this, implied that the policies of the Republics could be brought into alignment with the views of the British authorities, by pressure being brought to bear upon them through the customs rates.³³

Difficulties emanating from the control of customs were prevalent in British South Africa as well as in the Republics. The crux of the matter, Grey declared, was that the revenues derived from customs levied at Cape Town, Port Elizabeth, East London and Simon's Bay, were all placed under the control of the Cape Legislation for the sole benefit of the Cape Colony.³⁴ Grey also asserted that before Representative Government had been granted to the Cape, some system of Federation should have been arrived at "whereby the revenues derived from customs dues should have been divided in some proportion having some fair relation to the several populations between the different states and territories which really pay them."³⁵

The small revenue brought in by British Kaffraria, Grey declared, was no fault of his but was due to the action of the British Government in making East London, and an area two miles round it, part of the Cape Colony for customs purposes. Owing to the difficulty of preventing smuggling 'over the stream' into British Kaffraria from

30. Ibid 28, Dec.20, 1856. para.10.

31. Ibid 28, Dec.20, 1856. para.12 to 13.

32. Ibid Chapt.2 page 14.

33. G.H.1/53 D.203 Labouchere to Grey June 5, 1857. para.8.

34. Ibid 28, Dec.20, 1856 para.11.

35. G.H.23/27 D.24 Grey to Labouchere March 20, 1858. para.11.

Cape Colony, Grey considered that there were only two possible solutions to meet the expenditure of Kaffraria. That was by either annexing Kaffraria to the Colony, or uniting it with the rest of South Africa in a federal union.³⁶ After Grey's Federation project had failed, he asserted that the Colonial Parliament had agreed to sacrifice East London to Kaffraria rather than recognise the claim of the consumers having any right to customs dues, as this, no doubt, would have influenced the Republics to demand a share of the customs revenue.³⁷

There were difficulties over the control of customs, not only between British Kaffraria and Cape Colony, but within the Colony between the Western and Eastern Provinces. The Eastern Province complained that though she contributed as much to the revenue in customs and taxation as the Western Province did, the lion's share of the revenue was expended on the latter Province.³⁸ As this was one of the reasons why the Eastern Province agitated for separation, Grey felt that if a federal system were adopted, the Eastern Province might then be separated from the Western and one or both these parts of the Eastern Province, together with Kaffraria, would constitute one of the federal states.³⁹

For all the existing difficulties arising from the control of customs, Grey considered there was again but one solution, namely, Federation. In his speech to Parliament on 16th March, 1859, Grey expressed what the results of that Federation would be:-

"Prosperity, contentment", he said "would also follow from a fair proportionate application throughout of the whole of South Africa of the general customs revenues to which all alike contribute, whilst a great increase to the revenues would result from the stimulus given to trade and industry by peace and prosperity, so that the very province or provinces which might abandon a share of the whole revenue they now enjoy, might reasonably hope to gain more than they gave up." 40

Another reason why Grey considered it would be an economic advantage for the Republics to be federated with British South Africa, was because he felt that the Republics were "very fertile and productive, and some of them to a high degree," that Natal, though very fertile, was extremely limited in extent and that the Cape Colony was probably the least fertile part of South Africa. Another point that carried weight with Grey was that, whereas the boundaries of British South Africa were defined, the extent of the Republics "may be said to be boundless" and moreover, the population of the Colony, he declared, was "continually spreading into these countries."

"In a few years, therefore," he warned Lytton "they must, in products, resources and number of inhabitants, far surpass the united colonies of Cape of Good Hope and Natal." 41.

36. G.H.23/27 D.112 Grey to Lord Stanley. June 30, 1858, para. 5 to 8.

37. G.H.23/27 D.86. Grey to Bulwer-Lytton July 17, 1859, para. 3 & 11.

38. V. & P. Vol. 19. Select Committee Report, page 959 to 960.

39. G.H.23/27 D.191 Grey to Labouchere, Dec. 8, 1857.

40. V. & P. Vol. 16. Minute 11. Governor's speech to both Houses page 7.

41. Federation Despatch, para. 13: G.H.23/27 D. Private, Grey to Bulwer-Lytton, Jan. 14, 1859.

The following extract reveals that Grey deplored the political dismemberment of South Africa:-

" No mutual relation whatever existed between these (states of British South Africa). They were independent countries which had no common council which could arrange measures for the general safety and defence.....Two of them (Natal and Cape Colony) had free representative legislatures, between which no mutual intercommunication existed. Then there were two or more independent European republics lying beyond our borders, the governments and legislatures of which were in no way bound up with ours, and which, like all bodies who had newly gained their freedom, were likely to take every opportunity of exercising it for the sole purpose of assuring themselves and others that they really possessed it." 42

In order to understand how great the differentiations were between the five European states, it is expedient to give a brief analysis of their respective constitutions. The constitution of the Cape Colony, practised during Grey's administration, was of recent origin, as it had only been introduced in 1853. The colonists had been gradually trained to handle their own affairs. With the introduction of the Legislative Council in 1834, the colonists were enabled to play a small part in administering their own affairs. The establishing of Municipal Councils after 1836, the setting up of road boards, and the founding of local school committees, prepared the colonists to take a larger share in administration. The united action of the colonists in resisting the landing of convicts from the "Neptune" in 1848 and the increased material prosperity of the country, led the Colonial Office to grant the Cape Colony Representative Government in March, 1853.⁴³

Learning, no doubt, from the experience of the deadlocks occasioned in Canada between the nominated Legislative Council and elected assembly, the Cape Colony was granted a most liberal form of Representative Government, as both Houses were elected by the electorate.

Executive authority was in the hands of the Governor and his Executive Council, the members of which were appointed by, and responsible to him. The Colony was divided into two electoral districts, the Eastern and Western Provinces. The Eastern Province returned 22 members to the House of Assembly and 7 to the Legislative Council and the Western Province returned 24 members to the House of Assembly and 8 to the Legislative Council. The franchise was low. Every adult male was entitled to vote and eligible for election as a member of the House of Assembly, provided that he occupied property worth £25 in value or received a minimum salary of £50 or £259^{and} board and lodging. About 80% of the adult male European population was enfranchised and, although there was no colour bar and the non-Europeans out-numbered the European population in the

42. Federation Despatch, para.8.

43. Source for Constitution of Cape Parliament found in O.H.B.E. Vol.8 S.A. Chapt.15.

ratio of 55 to 45, nevertheless, "the ratio of registered voters was heavily in favour of the Europeans."⁴⁴ There was a higher age qualification for membership to the Legislative Council (30 years) and also a high property qualification (landed property to the value of £2,000 or general property to the value of £4,000).

The Cape Parliament had the power to modify the constitution but money bills were introduced only at the request of the Crown. The Crown also reserved the sole right to pass coinage acts, to issue charters, and to curtail the executive powers of the Governor. Apart from the question of the amending power of the Legislative Council in regard to money bills, the main issue which dominated Cape Colonial opinion was the question of Separation.⁴⁵ In 1857, six of the seven Eastern Province members of the Legislative Council resigned. This was done, they said as the form of the Constitution existing in the colony was not calculated to promote fairly the interests of the Eastern Province.

No doubt, owing to the strength of Grey's personality and to his scrupulousness in respecting the newly-acquired rights of the Cape Parliament, he was able to say truthfully when he opened Parliament in March, 1859:-

" The first Parliament of this Colony has presented the unusual example of the earliest elected legislature in a new country continuing to sit during the whole period of its legal existence undisturbed within itself by factions or party passions." ⁴⁶

Natal, on Grey's recommendation in 1856, was granted a limited form of Representative Government.⁴⁷ The colonists of Natal had been educated by a gradual process from 1843-56 to take a larger part in the administration of their own affairs. Thus it was

44. Cape of Good Hope Statistical Register (Quoted C.H.B.E. Vol.8 Chapt.15, p.378)

45. Note on Separation Movement. Most of the 1820 Settlers had remained in the Eastern District and had from 1825 clamoured for Separation from the Western Province. The Grahamstown Journal from 1825 had kept up the demand for Separation. The appointing of a Lt.-Governor did not satisfy the Eastern Colonists as he was subservient to the Governor. D'Urban proposed that as an alternative for Separation the capital should be moved to the Eastern Province. Sir Harry Smith, owing to the disturbances on the Frontier, proposed that the Eastern Province should receive a separate government at an opportune date. During his administration, Grey received many petitions from the Eastern Province praying for either Separation or the removal of the seat of government to the Eastern Province. Grey's solution to this question of Separation was Federation. Sources of information:- (1) C.H.Vol.8 S.A. Chapt. XV. (2) Taylor's thesis. (3) G.H.25/27 D.107 Grey to Labouchere Aug. 1, 1857 (re resignation of Eastern Province members) (4) G.H.25/27 D.61 Grey to Stanley May 21, 1858. Re petition from Uitenhage requesting removal of seat of government.

Extracts from Argus 1858. Jan.6 page 3 re Mr. Shepperson M.P. Grahamstown. Resigned on the grounds "that local self-government was essential to the security, social prosperity and future progress of the Eastern Province." Jan.9, page 2, shows members of Eastern Province were not unanimous. Jan.13 page 3, re Godlonton and Wood going to the Imperial Government for redress about Separation. Grahamstown Journal Jan.14, 1858 exhorts Eastern Province public to be unanimous on this question of Separation.

46. V.& P. Vol.16 Minute 11. Grey's speech to Parliament page 3.

47. Ibid 10 Chapt.2 D.34 Nov. 1855.

that Natal obtained local justice machinery, and after 1854 she was empowered to establish Municipal Councils.

The type of Government granted to Natal in 1856 was modelled on that of New South Wales.⁴⁸ There was only one house, consisting of 4 nominated and 12 elected members. The franchise qualification⁴⁹ was very low. Any adult male owning immovable property to a minimum value of £50, or who paid £10 in rent per year, was eligible for the franchise.

The main contentious issue, as far as Natal was concerned, was the demand of the Legislative Council to control the £50,000 voted for native administration, which was in the hands of the Executive Council. Agitation continued throughout the years 1857-58, and in 1859, when Grey left the Cape, the elected members of the Council⁵⁰ resigned as a protest against the Executive control of native administration.

British Kaffraria was despotically ruled by Grey. Provision had been made in the Charter constituting British Kaffraria a separate Colony for the introduction of administrative machinery. During the year 1858, the Secretaries of State and Grey were engaged in a controversy over the latter's failure to promulgate the Charter.⁵¹ Grey's action in failing to ^{apply} enforce the Charter reveals his autocratic propensities. He objected to the establishment of an Executive Council of five to assist him, on the grounds that his administration of British Kaffraria would be hampered if he had first to obtain the consent of the Executive Council to his proposals. He argued too that the establishment of such a Council would increase the cost of administering this Colony.⁵²

Grey tried to counteract this political disunity within South Africa by applying the laws of the Cape Colony to British Kaffraria by proclamation, and by suggesting a similar legislature to the Legislative Council of Natal. Thus for example, in November, 1855, Grey induced the Lt.-Governor and his Council of three to pass a law exempting British colonists who married in Natal from the Roman Dutch Law, and extending to them the same privileges as in the Cape of Good Hope.⁵³

The Constitutions of the two Boer Republics differed very greatly from those of the British Possessions, but there was a certain degree of similarity between these Republican Constitutions. In both these Constitutions there was a legal colour-bar and any European adult male was eligible for the franchise and could be elected to any position in the State. After the Bloemfontein Convention 1854, the Free State drew up

48. C.H.B.E. Vol.8. S.A. Chapt.15, page 389 to 390.

49. Ibid 6.

50. Cape Argus 1858 to 59

51. G.H.23/27 D.191 Grey to Labouchere Dec.8,1857. G.H.23/27 D.24 Grey to Labouchere March 20,1858. G.H.1/54 D.21 Stanley to Grey May 3,1858.

52. G.H.23/27 D.70 Grey to Lord Stanley June 11,1858.

53. G.H.23/26. D.29 Grey to Lord John Russell Nov.16,1855.

a Constitution based, to a certain extent, on that of the U.S.A. The Sovereignty resided in the Volkeraad, and the President, elected by direct popular vote, was in most matters subservient to the Volkeraad.

The Transvaal, during the years 1854-59, was divided into many factions and though Marthimus Wessel Pretorius drew up the Constitution (Grondwet) in 1858, the Boers of Zoutpansberg and Lydenberg refused to accept it.⁵⁴ The main difference between this Constitution and that of the Free State, was that the Sovereignty in the South African Republic resided in Het Volk (the people), while in the Free State (as already mentioned) Sovereignty resided in the Volkeraad. Another difference was that the President of the Transvaal had wide discretionary powers, while the individual functions of the Free State President were "few and narrow."⁵⁵

Grey considered that the position of the High Commissioner was a difficult one.

"He must generally", he said, "be a stranger unacquainted with the people, their language or form of thought and with no general council to advise him, nor with any means whatever of becoming acquainted with the general current of public opinion or feeling throughout this mass of estates and people. A slight failure of temper or judgment on his part might, at any time, bring on a native war, a general rising of the natives, or a European rebellion."⁵⁶

Grey, bowed down with the weight of responsibility, looked to Federation to relieve him of this burden, for he felt (as we have previously seen) the dismemberment of South Africa had kept large portions of it in a state of constant anxiety and apprehension. "Such petty states", he complained, "must be foci of intrigue and internal commotions", and consequently they could not produce a class of statesman with broad and liberal views.⁵⁷

Grey not only declared that Federation would remedy the political disunity of South Africa, but laid down proposals for the federal machinery and enumerated the advantages which would accrue from such a Federation. He recommended that the British Parliament pass a Permissive Federation Act permitting the various legislatures of the states to found a federal union, "such as their several interests would show them to be for the common good."⁵⁸ This proposal shows how liberal Grey's views were, for what he was suggesting was that the South African states be left a free hand to draw up their own Federal Constitution. Grey pointed out that British influence would not be lessened, as the head of the Federation, the Governor, was to be represented and appointed by Her Majesty's Government and would exercise the same powers towards the Federal Legislature as he did towards that of the Cape Parliament.⁵⁹ The Governor was

54. Theal Vol. 3. p. 427

55. G.H.S.E. Vol. 8 S.A. Page 388/9. Ibid Chapt. XV.

56 to 59. Federation Despatch paras. 15, 19, 29 respectively.

to be assisted by an elected legislature which would legislate upon all matters of general interest, such as customs and defence.⁶⁰

"The Governor," he continued, "should, I think, be assisted by what is called a Responsible Ministry, possessing the confidence of the general legislatures without whose advice it would not be competent for him to act."

Grey favoured Responsible Government as he considered "a knowledge of the requirements and feelings of every part of this vast country would be brought to bear on each question which arose." Grey proposed too that the several states should have their own local governments to deal with affairs relative "to their own individual prosperity or happiness", and that the heads of the state governments should correspond with the general Federal Government upon all important matters, so that they might co-operate in affairs affecting "the general safety or weal."⁶¹

Grey painted a glowing picture of the advantages which would flow from the adoption of Federation. A class of statesmen "trained to take general views upon the highest questions relating to the common welfare" would arise, just demands would be made upon the native, the citizens would enthusiastically defend their Federation in time of war, no longer would the British Government be involved in serious disputes with the inhabitants of South Africa, and commerce and trade would be stimulated, as security would result from Federation.⁶² The British Government, Grey declared, would no longer be embarrassed by her existing treaties with the native, as the Federal Government would control native policy by enforcing laws which "would be subject to the confirmation or disallowance of Her Majesty's Government."⁶³

Grey attempted by a diplomatic utterance to clench his arguments and gain British assent to his federal project when he said:-

"I feel sure that such a system will save Great Britain from vast future expense and anxiety, if it is adopted, it will only be necessary for her to determine in each case of difficulty which may arise - and I do not think many such would arise - what aid it is in her power to afford."⁶⁴

There were two factors of social importance, Grey pointed out which were favourable to Federation. Though the Republics, he said, were treated like foreign states, "their inhabitants bear the same family names as the inhabitants of this Colony and maintain with them ties of closest intimacy and relationship. They speak generally the same language, not English, but Dutch" - "for the most part are of the same religion (Dutch Reformed) and have the same laws (Roman Dutch)." In short, Grey declared, "They have the same sympathies, the same prejudices, the same habits and the mere fact of calling these people different nations would not make them so."⁶⁵ In his Federation Despatch, Grey also pointed out to Bulwer-Lytton that the Colonial Office was labouring

60 to 65. Federation Despatch paras. 20; 21 and 22; 25 to 26; 29; 26; 15; and 2 to 4 respectively.

under a serious misapprehension if they considered that the colonists did all they could to promote warfare with the natives for the sake of personal gain.⁶⁶ In the following extract from Grey's speech to Parliament in March 16, 1859 (after six years of peace in the Colony), Grey substantiates his statement by evidence when he said:-

" This almost unexampled increase of our commerce, of our private wealth and of our public revenues, shows how groundless is the supposition that the prosperity of this colony depends on war and on expenditure from the military chest." 67

In order to understand the main ideas dealt with in Section A, they are briefly summed up in conclusion. Firstly, let us review which states Grey wished to federate. Grey's references to the "Republics" in his Federation and other despatches, show clearly that he desired that the South African Republic, together with the Free State, the British colonies of Natal, British Kaffraria and Cape Colony, should be united in a federal union. Secondly, let us note what factors Grey considered were favourable to Federation. All the states, except British Kaffraria, had representative institutions, most of the problems of one state were common to the others, the population of the states were of a similar complexion and, finally, the material prosperity of the Colony had increased to a very large extent. Thirdly, in conclusion, Grey looked to Federation to combat the process of disintegration, to solve the South African native problem and to change political, geographical, economic and social disunity into unity.

66. Federation Despatch paras. 20; 21 and 22; 23 to 26; 29; 26; 13; and 2 to 4 respectively.

67. Ibid 46. V. & P. Vol. 16.

SECTION B. MOVEMENTS FOR CLOSER UNION.

CHAPTER V.

PRETORIUS' ATTEMPTS TO UNITE THE BOER REPUBLICS.

INTRODUCTION TO SECTION B.	Page 46.
PRETORIUS' FIRST ATTEMPT - PRIOR TO GREY'S ARRIVAL.	" 46.
PRETORIUS TRIES TO FORCE UNION. IN 1857.	" 47.
DIPLOMATIC MOVEMENT TO UNITE REPUBLICS 1858.	" 49.

PRETORIUS' ATTEMPTS TO UNITE THE BOER REPUBLICS.

During the years 1854-59, it is evident that reaction against the dismemberment of South Africa had set¹ in, as three federal movements are clearly distinguished in this period. Two of these movements, the one advocating a union of the two Boer Republics of the Free State and Transvaal, and the other a scheme proposed by Bulwer-Lytton, the Secretary of State (June 1858-June 1859), for federating the British possessions in South Africa, were foiled by Sir George Grey, as they both threatened to render his own Federation Policy ineffective.

The movement for closer union between the two Boer Republics during Grey's administration falls into two separate attempts, the first in 1857 by conquest, and the other in 1858 by diplomacy.

In December, 1856, Grey informed Labouchere, the Secretary of State, that if England were going to maintain her policy of non-intervention, then he would like "to see all jealousies cast aside and every effort made to build up from the abandoned portions of our territories, a state so strong that it could protect itself against the natives and with such large interests that a fair chance might exist of public men being able to consider questions of policy under a general and extended point of view."²

The fact that Grey used the singular "state" shows clearly that the expression of his views (expressed in the extract above), applied only to the Free State and not to the Transvaal. His subsequent actions, however, tended to depreciate the value of these sentiments. Though Grey himself complained about the disintegration of South Africa and deplored the lack of co-operation between the several states, he frowned upon the schemes of Pretorius to unite the two Boer Republics. Grey's friendly overtures to the Free State, which we have already discussed, show that he did desire that the Free State should progress and prosper, but this advancement, he considered, must accrue from a closer union between the Free State and British South Africa and not through a union of the Republics.

In 1840 the three Boer settlements of Natal, Winburg and Potchefstroom had been united in a Voortrekker "Maatschappij". This union broke down, however, owing to the British annexation of Natal in 1843, and the Orange River area in 1848. We have already mentioned that the British Commissioners recognised the independence of the Transvaal in an attempt to prevent the Transvaalers from encouraging the Free State Boers to resist the British.

1. Walker Chapt. X. P.281.

2. G.H.23/26 D. Separate. Grey to Labouchere Dec.20,1856.

In 1853, Marthinus Wessel Pretorius claimed the Sovereignty on the grounds that this territory had belonged to his father and asked Clerk to hand it over to him.³ This the British refused to do and the Free State became a separate Republic. Certain adherents of Pretorius' in the Free State, especially in the district of Winberg, agitated from 1854-60 for a union of the two Republics.⁴

Pretorius' first attempt to unite the Republics in September, 1854 proved a failure and he, persuaded by Orpen, the Landdrost of Winburg, wrote a letter in which he declared he had entered the Free State with the purpose of doing private business with the Raad.⁵

In February, 1857, Pretorius was back again in the Free State and claimed this state as his territory. Pretorius and Goetz, a member of the Executive, had been sent by the Potchefstroomraad to the Free State, to protest against the proposed ordinance of Boshof's to confiscate any unoccupied farms which had not been disposed of within six months. Pretorius' adherents flocked to meet him and considerable agitation arose. Pretorius' claim to the Free State, on the grounds that this territory had been allocated to him by the Queen was repudiated by the Free State Volkeraad and they ordered him to leave the State. Pretorius, considering that the time was not yet ripe for the use of force, after he had exhorted his adherents to be ready on his return, went to Natal.⁶

In March, 1857, Grey received a letter from President Boshof informing him of Pretorius' attempted coup d'etat. In this letter Boshof requested Grey "to warn Moshesh against attending to the persuasions of Mr. Pretorius" and "to notify by proclamation that Mr. Pretorius' pretensions to right of property in the Orange Free State are entirely unfounded." Boshof also asked Grey to stop the sale of gunpowder to the Transvaal and to find out whether Her Majesty's Government would be willing to enter into a treaty of alliance with the Free State. Grey replied to these requests that as far as Moshesh was concerned, he could not interfere. He declared too that no proclamation was necessary to disprove Pretorius' claim to the Free State, as it was quite unfounded. He considered that stopping the sale of ammunition was contrary to the Sand River Convention. It was only on this question of an alliance that Grey informed Boshof he would ascertain the views of the Secretary of State.⁷ Grey thus took this opportunity of once more impressing upon Labouchere that as all the recent difficulties with which

3. R. 579/53 Pretorius to Sir George Clerk. Nov. 29, 1853. O.R.S. 98/12 (Quoted McGill Chapt. V. p. 63.)

4. Orpen "Reminiscences" p. 393 (quoted McGill).

5. Walker Chapt. IX. pp. 272-3. McGill Chapt. V. P. 65

6. McGill Chapt. V pp. 66-70.

7. G.H. 23/27 D. 34 Grey to Labouchere March 20, 1857 and enclosure to above: Boshof to Grey 1857.

he had been beset had originated from the British policy of non-intervention, this policy should be radically changed. Only by Federation, he declared, would the difficulties of the Republics be effectively dealt with.⁸

Sir George Grey considered it improbable that Pretorius would be able to invade the Free State, owing to hostile factions within the Transvaal.⁹ It is expedient to digress here to consider what the position of the Transvaal was in 1857.

Pretorius could brook no opposition to his desire to be the undisputed and sole leader of the Transvaal. He felt that Cornelis Potgieter, the Chairman of the Volksraad, was his chief rival and many of his efforts were aimed at weakening his authority, and consequently that of the members of Lydenburg in the Volksraad. In fact he accused Potgieter of treason and had the Lydenburg members of the Volksraad removed. Lydenburg refused to recognise the legality of the new Constitution of January 5, 1857, and consequently seceded. The Boers of Zoutpansberg, under the leadership of Schoeman, repudiated the Constitution and refused to recognise Pretorius as President.¹⁰

Boshof negotiated with the two republics of Lydenburg and Zoutpansberg to assist him in defeating Pretorius.¹¹ Kruger and the Boers of Potchefstroom, in the meanwhile, had tried to overcome the opposition of the two republics, but failed to effect a reconciliation. In May, 1857, Pretorius returned from Natal and the Potchefstroom Volksraad declared that Pretorius' claim would be upheld.¹²

Boshof's attempt to stop hostilities failed and on May 22, 1857 Pretorius crossed the Vaal River with 300 supporters to make good his claim to the Free State and to punish the Volksraad for the action taken against his adherents.¹³

As most of the Boers flocked to join the Free State Commando and as Boshof¹⁴ had refused to support Pretorius, the Free State Commando far outnumbered that of the Transvaal. On May 25, when both commandos were drawn up on the banks of the Rhenoster River waiting for orders to fire, from different points in the enemy's lines there suddenly came forward several men with white flags. The following extract reveals why it was that the Transvaal Boers did not desire to fight against the Free State:-

"We do not want to fight against you for your territory (one Transvaaler declared), we lay no claim to it, we are only defending ourselves in the affair of Schoeman, which you have espoused and why do you want to shed our blood in a matter that does not concern you?"¹⁵

8. G.H. 23/27 D. 34 Grey to Labouchere March 20, 1857 and enclosure to above: Boshof to Grey 1857.

9. G.H. 23/27 D. 54 Grey to Labouchere April 23, 1857.

10. McGill Chapt. IV. pp. 40-60. Walker Chapt. IX. Theal. Vol. I. p. 427.

11. Lydenburg Archives D. 6. Boshof to Joubert; Boshof to Schoeman May 9, 1857. (Quoted McGill p. 83)

12. McGill p. 76 "Friend" May 9, 1857.

13. McGill pp. 84, 85 "Friend" May 9, 1857.

14. G.H. 13/4a D. 18 Boshof to Grey Apr. 28, 1857; G.H. 10/4a D. 14 Boshof to Grey Apr. 14, 1857

15. Theal Vol. III Chapt. LXV Walker Chapt. XI. McGill pp. 87-89.

On June 1, 1857, the Peace Treaty was signed whereby Pretorius recognised the independence of the Free State. The Transvaal deputies declared that Pretorius' action in inciting the citizens of the Free State to rebel was illegal and withdrew Pretorius' claim to any Free State territory. Thus we see that Pretorius' second attempt to unite the Republics by force had completely failed.

As Grey believed that nothing would come of Pretorius' attempt, he took no step to prevent the union of the two Republics.¹⁶ and awaited the arrival of instructions from the Colonial Office. As usually happened, these instructions arrived too late to influence the trend of events. When they were received, Pretorius had already returned to the Transvaal. The Secretary of State had, however, declared:-

"that Her Majesty's Government should enter into no treaty guaranteeing the security of the Free State against its neighbours or in any other way binding us to interfere in its internal concerns."

In short, Labouchere was determined to uphold the Convention Policy.¹⁷

On April 9, 1858, Boshof wrote to Pretorius and Schoeman and, after informing them of the precarious state of the Free State owing to the Basuto War, begged them to come to his assistance. This letter of Boshof's had a flavour of Grey's November Federation Despatch about it. Boshof pointed out that the Transvaal should assist the Free State as the misfortune of one of the Republics was that of the other too. Trade would be furthered, and he declared too that both Republics had the same local interests, were of the same families, and were both opposed by hostile native tribes.¹⁸ Pretorius, in his reply to Boshof on April 14, 1858, assured him of his personal interest in the Free State and said that he would lay Boshof's letter before the Volkeraad.¹⁹ Grey took exception to Boshof's letter of the 9th April, 1858, soliciting the aid of Pretorius. He declared that Boshof had not informed him about this letter when he (Boshof) had asked Grey to assist him on the 29th April.²⁰ Had he known of this, Grey complained, he would not have offered his services, as he doubted the possibility of mediating successfully with Pretorius in the vicinity.²¹

Grey severely censured Boshof's duplicity in requesting his assistance, while at the same time speaking derogatively of the British authorities. Grey was referring here to part of Boshof's letter to Pretorius. Though this letter was marked "confidential" it was published in the Staats Courant. In it Boshof had declared that Grey's action, in preventing volunteers from leaving the British Colonies, was due to the fact that

16. Ibid 9. D. 54 April 1857.

17. G.H. 1/53 D. 206 (63) Labouchere to Grey June 5, 1857.

18. G.H. 10/4a Boshof to Pretorius & Schoeman 9th April 1858.

19. G.H. 10/4a Pretorius to Boshof. April 14, 1858.

20. G.H. 10/4a D. 26. Boshof to Grey, April 27, 1858.

21. G.H. 23/27 D. 62. Grey to Lord Stanley May 27th 1858.

he wished the Free State, on account of its weakness, to petition the British Government to re-annex the territory. He also asserted that the Basuto War was largely due to the British Government.²² Whatever Boshof's justification was for seizing and selling the property of British residents in Basutoland,²³ it is not surprising that as Grey had made it illegal for volunteers to assist the Free State²⁴ and had refused to lend them cannons, Boshof in desperation, had approached his inveterate enemy, Pretorius, with a view to his assisting the Free State in their losing battle against the Basutos.

Pretorius received many petitions from the inhabitants of the Free State imploring him to assist them against Mosheesh. On May 5, 1858, the Transvaal Volkeraad sanctioned Pretorius' request to proceed to the Free State and gave him a free hand to take any measures necessary to promote the "prosperity of the two Republics."²⁵

Owing to the influence of Schoeman on the Transvaal public, the Volkeraad refused to send help to the Free State against Mosheesh.²⁶ Consequently, when Boshof realised that Pretorius' intervention would not turn the scales in favour of a Free State victory over the Basutos, he requested Mosheesh to come to terms.²⁷

The two Presidents met on May 24, and Pretorius declared that volunteers could legally assist the Free State only if the two republics were united. Pretorius accepted Boshof's recommendation to lay this request before the Free State Volkeraad.²⁸

When Grey heard that the Presidents of the Free State and South African Republic had met at Winburg and that it was agreed that Pretorius should appear with a deputation before the Free State Volkeraad "to urge the propriety of an immediate union between the two republics," he immediately took action. He informed the Free State Government that, in the event of union between the two republics, he must be notified immediately, "as it would remain for Great Britain to decide which of the stipulations, contained in the Conventions she had concluded with them, would be binding upon her."²⁹ Grey's authority for making the above reply to the Free State was the instruction he had received from Labouchere on the previous occasion when Pretorius attempted to unite the Republics by force.³⁰ This hint of Grey's that a union of the two republics might contravene the clauses of the Conventions, was followed up on the 24th June, 1858, by a definite declaration that in the event of such a union, as the conventions were made with independent and separate states, the conventions would lapse.³¹

22. Ibid 18, April 1858.

23. G.H.23/27 D.63 Grey to Lord Stanley May 27, 1858.

24. G.H.23/27 D.31. Grey to Labouchere March 25, 1858.

25. McGill p.118 see note 16 Minute of Volkeraad.

26. McGill p.118, Note 17. Schoeman to Pretorius May 15, 1858. In January 1858, Zoutpansberg and South Africa Republic reunited and on Feb. 23, 1858 new Constitution was accepted by Zoutpansberg. Potgieter and N. Buhrmann from Lydenburg had helped to draw up this constitution.

27. Ibid 21. Enclosure two Boshof to Grey May 18, 1858.

28. McGill, p. 120.

29. G.H.23/27 D.66 Grey to Lord Stanley June 9, 1858. para.6.

30. Ibid 17 D.206 June 1857.

31. G.H.23/27 D.97 Grey to Lord Stanley June 24, 1858.

Grey alleged to Lord Stanley that he disapproved of the union of the two Boer Republics as he feared the amalgamation of these states would result in the continuation of the Basuto War, which would, he asserted, have repercussions on the Colonial border. Grey's real reason for not favouring this union was probably his fear that the Free State, if united with the Transvaal, would not desire to be united in a federal union with British South Africa. This opinion is substantiated by one of Grey's June despatches in which, after having reported the possibility of union between the two Republics, he asserted that only a federal union composed of all the European states would bring peace and security to South Africa.³² On June 10, 1858, when the Free State Volkeraad received the intimation from Grey that in the event of union the Conventions would become void, they did not consider this matter any further.³³ Boshof, the same day, notified the Transvaal Volkeraad that, as an armistice had been signed with Mosesh and as the Volkeraad had accepted Grey's mediation, they no longer required the assistance of the Transvaal.³⁴ On June 11, the Volkeraad accepted Boshof's proposal that a deputation from both states should wait upon Grey, when he came to mediate, to enquire whether the British Government would be prepared to enter into a new Convention with the two Republics.³⁵ When Grey was notified that this deputation would wait upon him, he informed Boshof that he had received no instructions empowering him to conclude a new Convention and consequently declared it would be useless to receive such a deputation.³⁶

There is little doubt that had Grey not prevented it, this union would have been effected. This was shown by the memorials received on 9th June, 1858. There were 23 memorials signed by 1445 persons in favour of union and only 5 bearing 90 signatures against union.³⁷ This letter of Grey's had the desired effect of turning public opinion away from union with the Transvaal and impelled the Free State, on account of her precarious position, to propose that she be united in a federal union with British South Africa.³⁸

32. Ibid 29 D.66 June 1858 para.7. 8.10.

33. G.H.10/4a No.31a. Minutes of Volkeraad June 10, 1858.

34. McGill p.120.

35. Enclosure to G.H.23/27 D.99 Grey to Stanley June 24, 1858.

36. McGill p.122. Grey to Boshof July 20, 1858.

37. McGill p.120.

38. Ibid Chapt. VII. p. 10

SECTION B. MOVEMENTS FOR CLOSER UNION.

CHAPTER VI.

BULWER LYTTON'S FEDERAL PROPOSAL.

BRITISH COLONIAL POLIOY.	Page 52.
KAFFRARIAN VOTE - CRITICISM OF GREY'S POLIOY.	" 54.
BULWER LYTTON'S FEDERATION PROJECT.	" 56.
GREY DISMISSES LYTTON'S FEDERAL PROPOSAL.	" 58.

MOVEMENTS FOR CLOSER UNION.BULWER LYTON'S FEDERAL PROPOSAL.CHAPTER VI.

A clear indication of British policy towards South Africa is contained in a despatch written by Lord John Russell in June, 1855 to Sir George Grey.

"So far as the interests of the Empire are concerned British Kaffraria might be abandoned and the Eastern districts of the Cape Colony left unprotected, without injury to the power of the United Kingdom and with considerable saving to its finances."¹

This extract echoes the outlook of the Colonial Office towards the colonies, especially those of South Africa. Under-secretaries Sir James Stephen 1836-47, and Herman Merivale 1848-59, looked upon the colonies as a "liability, a trust which could not be given up, but which brought little or no advantage to the trustee."² As the Orange River Sovereignty had necessitated such a large expenditure of the British taxpayers' money, it is not surprising that the abandonment was hastily carried out,³ nor is it surprising that the Secretaries of State (1854-59) were opposed to a policy of territorial expansion. It must not be thought that because Britain regarded the colonies as a burden she did not meet her obligations towards them. The Colonial Authorities tried in many ways to promote the development of the British Colonies.⁴

Lord John Russell, in his June despatch of 1855, told Grey too that it would not be honourable for Great Britain to abandon the Eastern Province and British Kaffraria, as she had a duty towards the colonists, and hence "Her Majesty's Government, impelled by these high motives", were prepared to vote £40,000 per annum to be expended on carrying out Grey's civilising policy in British Kaffraria.⁵

Throughout this period, the economic factor dominated British South African Policy. As already mentioned in the Introduction, the Colonial Office and Sir George Grey, each looked at the affairs of the Cape from a different standpoint. Grey's policy was determined solely by the exigencies and circumstances prevalent during his administration, whereas the Colonial Office's policy was largely determined by the expenditure which had to be met by the British Treasury. Unless one realises that the years 1850-60 were fraught with many difficulties, both within Europe and the

1. G.H.1/51. D.26 Russell to Grey. June 5, 1855.

2. Woodward Book III. Chapt. II. p.350-32. Morrell, p.51.

3. de Kiewiet Chapt. VI.

4. Stephen considered that the colonies must have more control over their own affairs - He believed "they must pass through infancy and youth to manhood." Melesworth's policy was not to "doddle and fondle them but to throw them upon their own resources, and to let them rough it and battle it with the world." (Egerton, speeches of Melesworth: Morrell, p.42 & 202.)

5. Ibid I. D.26. 1855.

Empire, one is apt to consider that the British Policy was parsimonious. During this period too, South Africa was not in the focus of colonial interest. That distinction was shared at the time by Australia and Canada.⁵ During this period (1854-60), many changes were also taking place in England. Industrialisation was tremendously speeded up and capital was being invested in industrial concerns rather than in agricultural. Great Britain, during this period, was preparing for her new policy of economic imperialism.⁷ Thus it is not surprising that each government in power tried to retain the support of the electorate and frowned on any colonial ventures which would necessitate increased taxation in Great Britain. Fearing these facts in mind, one is enabled to see British Policy towards South Africa from 1854-60 in perspective.

One might wonder whether the British vote of £40,000 per annum for British Kaffraria was consistent with the British policy of financial retrenchment. The following minute by Morivale helps to clarify this issue:-

" We must remember", he said "that we have entrusted these affairs to a man of singular and approved ability in dealing with savage races. If he succeeds in this experiment, he will have accomplished what none of his predecessors ever dreamt of - if he fails, I do not see how we can be the worse, except to the extent of a few thousand pounds."

Lord John Russell expressed his feeling about this grant in the following manner:-

" If we succeed, we secure the colony of the Cape from invasion, we civilise savage tribes, we open a vast territory to the influences of Christianity. If we fail, the Parliament of the United Kingdom will give up its work in despair." 9

Grey's suggestion that British Kaffraria should either be incorporated with the Cape Colony or be united with part of the Eastern Province, in the event of Federation,¹⁰ was repudiated by Labouchere, but later in September, 1858, adopted by Bulwer-Lytton.

Labouchere had warned Grey, in 1857, that every available surplus must be used to lessen the Parliamentary grant to British Kaffraria and that he must economise as much as possible. Grey had done nothing constructive about this and even failed to

6. de Kiewiet Chapter VIII P.111; Morrell Chapt. 12 p. 14.

7. Camb. Modern History Vol. XI. Chapt. XII. Woodward. Ek IV. The Age of Reform.

8. S.O. 48/366. Grey to Sec. of State. June 11, 1855. Minute by Morivale July 19, 1855 (quoted de Kiewiet p.90) This extract shows that humanitarian principles were

9. not non-existent. See note 11 Chapt. 5. Ibid 1. D.26. 1855: para. 13 & 14.

10. S.H. 23/27 D.192. Grey to Labouchere Dec. 8, 1857.

send in detailed accounts of how this money had been spent.¹¹ It should not have come as such a great surprise to him as it did, when Lord Stanley, the Secretary of State, notified him that the Kaffraria vote had been reduced to £20,000. The Lords of the Treasury, Lord Stanley declared, felt that Grey had "dwelt on the confidence due to his character and position and on the importance of an enlarged and providential policy towards Kaffraria... and had not shown that the grant of £40,000 could not be reduced consistently with the objects for which it had been made."¹³

This criticism of Grey's Kaffrarian Policy by the Lords of the Treasury, the Secretary of State's refusal to sanction his immigration and land schemes in Kaffraria,¹⁴ and their censure of his action in regard to his dealings with the firm of Goddefroy¹⁵ led Grey, in June 1858, to express his willingness to retire if Lord Stanley

11. G.H.23/27.D.115. Labouchere to Grey. March 31, 1857. Grey in Dec. 1857 (G.H.23/27 D.212 Grey to Labouchere Dec.30,1857,) informs Labouchere that the estimates of expenditure in British Kaffraria were being closely scrutinised to make any possible reductions. Grey regretted that British Kaffraria had not up till then paid its way but pointed out that his policy had done much to secure the frontier. Grey considered that if it had not been for the Amakosa incident it would have been possible to reduce the grant. However, the power of the Kaffirs he said, had been broken and the country was rapidly advancing in wealth and prosperity. "Now that the end is in sight" he hoped all "would not be permitted to be lost from a misplaced desire for economy." Grey felt that the development of Kaffraria depended on his settling immigrants here. These schemes the British Government foiled as they would not allow him to employ funds from the sale of land for immigration schemes. (G.H.1/53 D.267 Labouchere to Grey Dec.4,1857: 23/27 D.187 Grey to Lytton Nov.21, 1858) On May 5, 1858, (G.H.1/54 D.24 Lord Stanley to Grey) Lord Stanley informed Grey that he had not yet sent the detailed estimates of how the British Kaffrarian funds had been expended. Labouchere, he pointed out, had asked as early as May 5,1857 and again on Dec.4, 1857 for these estimates. Lord Stanley pointed out that though he had done his best to prevent cutting the grant the Lords of the Treasury refused to grant more than £20,000. Grey, confident that the British Government would not carry out the line of policy to which he was averse, had not only not economised, but had spent £14,000 in the first quarter and thus had only £6,000 left for the rest of the year. He suggested that the cutting of the grant be made effective from 1859. (G.H.23/27 D.133 Grey to Stanley July 17,1858) In this despatch (G.H.23/27 D.134 Grey to Stanley July 17,1858) Grey remarked that the cut would throw the country.... into a state of confusion and war. Grey's position was a difficult one - economy threatened the success of his policy and yet the British Government, faced with an increased national debt at the beginning of 1858, had to retrench. (de Kiewiet Chapt.8 p.124.)
12. & 13. G.H.1/54 D.24 Lord Stanley to Grey. May 5, 1858.
14. G.H.23/27 D.187 Grey to Bulwer-Lytton Nov.27, 1858.
15. G.H.23/27 D.206. Grey to Labouchere, Dec.26,1858; G.H.1/54 D.23. Lord Stanley to Grey. May 4, 1858. The matter of the German immigrants caused considerable friction between Sir George Grey and Labouchere. German legionaries had been sent out to British Kaffraria after the Crimean War. (G.H.1/52 D. Confidential Labouchere to Grey March 25,1856; G.H.1/52 D.115 Labouchere to Grey Nov.10,1856; G.H.1/52 D.138 Labouchere to Grey Dec.13, 1856.) Grey was instructed that they were to obtain land and other implements, and after 3 months their full military pay was to be stopped. Grey came into conflict with the Colonial Office over these settlers as he kept them on full pay for longer than the specified time. He justified his action by informing Labouchere that this was necessitated for the following reasons. Firstly, war with the Xosa was threatening; secondly, Grey had greatly reduced the military strength of the Cape by sending as many regiments as possible to India; thirdly, in order to keep the legionaries under discipline (b) (G.H.23/27 D.154 Grey to Labouchere Oct.30,1857; G.H.23/27 D.175 Grey to Labouchere Nov.26,1857; G.H.23/27 D.27 Grey to Labouchere March,1858.) some of them had deserted and gone to the assistance of the Free State. After Grey had justified his actions, Lytton finally condoned them and said, "I assure you that I am satisfied that in keeping the German Legion under arms, you were actuated by a sense of duty and by your conviction of the necessity of that step." G.H.1/54 D.37. Lord Stanley to Grey June 1,1858.

(Continued at foot of next page)

had the slightest desire to remove him from office.

"My life", he complained, "is one of ceaseless toil and anxiety of long separation from such which renders life valuable to men."

His only reason for remaining so long in the Colony was that he felt he was "useful to Her Majesty and to his country."¹⁶

When one considers the difficulties with which he was beset and the weight of responsibility which rested upon him, one can well believe that he would have cheerfully and gladly made way for a successor.¹⁷ Bulwer-Lytton replied to this letter of Grey's indicating his willingness to retire, as follows:-

"It is my duty at once and without hesitation to inform you that Her Majesty's Government, far from giving any such intimation, are very anxious to retain your services in your present office. They are much too well informed of the advantageous results which your policy has in many respects secured to the Colony and to the frontier and set far too high a value on your abilities for this employment to contemplate your retirement from those critical and difficult duties which are now entrusted to you."

In this despatch Lytton also impressed it upon Grey that the Secretary of State had difficulties as formidable as those he had to deal with, and declared that, though he was prepared to leave local affairs in the hands of a Governor in whom he

15. (Contd.) The other contentious issue connected with the German settlers between Grey and the Secretaries of State in 1857 and 1858 was Grey's action in dealing directly with the firm of Goddefroy in Hamburg to send immigrants to South Africa. This scheme was to be financed by debentures raised on the estimated revenue of British Kaffraria. Grey contended that the authorities had not carried out their part of the bargain in connection with these settlers. Firstly, Grey pointed out the Colonial Parliament had granted £40,000 to help finance the scheme of introducing 8,000 settlers who would, it was promised, be accompanied by a fair proportion of females. This was not done, Grey complained, as only 2,500 were sent. This number, Grey felt, was not sufficient to ensure the success of the scheme. After Labouchere had rejected his proposal to introduce 1,000 German families, Grey himself entered into an arrangement with the Hamburg firm to send out immigrants. Lord Stanley, on May 4, 1858 told Grey that the British Government had put a stop to this unauthorised project and censured his action of disregarding his instructions. Grey had received Labouchere's despatch on the 27th July and in contravention of the views expressed therein had on the 19th July entered into arrangements with the agent of the Hamburg firm in South Africa. (d) (G.H. 23/27 D.205 Grey to Labouchere Dec. 26, 1857 and G.H. 1/54 Stanley to Grey May 4, 1858 and 1/54 D.52 Lytton to Grey Oct. 1, 1858.) Grey, as usual, had an answer to this charge. In his despatch refuting the charges that led to his recall, Grey declared that he had not in this incident been disobedient to his instructions, as he had not considered that Labouchere objected to the principles of his scheme, but had merely not been prepared to finance and undertake the responsibility for the introduction of these German immigrants. Grey considered Lytton's censure of his plan on the grounds that too many foreigners would have been introduced into South Africa, was illogical, as the British Government had itself in 1857 proposed to settle 24,000 Germans in South Africa. (G.H. 23/27 D.128 Grey to Lytton July 20, 1859 para. 28 to 37)

16. & 17. G.H. 23/27 D. Separate. Grey to Lord Stanley, June 25, 1858.

had confidence, nevertheless, they could not leave him the same latitude in expending British funds for which he was responsible to Parliament.¹⁸

From the time Grey had entered upon his duties as Governor and High Commissioner, seven Secretaries of State had directed British colonial affairs. A perusal of the despatches received from the Colonial Office from 1854-1858 reveals that Sir George Grey, Herbert, Lord John Russell, Sir W. Molesworth, Labouchere, Lord Stanley and Sir E. Bulwer-Lytton, had all expressed their opinion that the Convention policy must be maintained.¹⁹ Labouchere had admitted that the Convention Policy tended to complicate British relations with the natives and suggested that Grey might be able to modify the stipulations of the Conventions in the event of a union of the two Republics. Labouchere desired that the British Government should be free to supply the natives with ammunition as well as the Boers.²⁰ Bulwer-Lytton, on the other hand, considered that if the Conventions were modified and the natives were enabled to obtain ammunition, they would threaten the safety of the Europeans in South Africa.²¹

Grey's appeals for the adoption of a federal scheme in place of the Convention Policy, had little effect on the Colonial Secretaries who refused to revoke their policy. This was probably due to the fact that they felt that a sufficiently long period of time had not elapsed to test its efficacy. With the failure of the British Government to successfully administer the affairs of the Sovereignty still fresh in their minds, they feared to sanction any extension of British influence which might, as it had in the past, increase the financial obligations of Great Britain.²²

In a despatch written on the 6th September, 1858, Bulwer-Lytton invited Grey to reconsider and express his views about a sentence he had previously written, namely, "that it would be expedient to keep in view the ultimate policy of incorporating British Kaffraria with the Cape Colony and even, if possible, of uniting all her Majesty's Dominions in South Africa under some common (and of course free) government."

Lytton declared that he hoped he had not misinterpreted Grey's views, which was

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18. G.H. 1/54. D. Separate. Bulwer-Lytton to Grey Sept. 6, 1858.
19. Secretaries of State: Grey June 1854-55. Herbert Feb. 1855; Lord John Russell, Feb.-July 1855. Molesworth July-Oct. 1855; Labouchere Oct. 15, 1855 - Feb. 1858; Lord Stanley Feb.-June 1858. G.H. 1/52. D. 78. Labouchere to Grey July 14, 1856
G.H. 1/53 D. 60 (203) " " " June 5, 1857
G.H. 1/53 D. 63 (206) " " " " 5, 1857
G.H. 1/53 D. 24 " Lytton " " March 15, 1857
G.H. 1/54 D. 33 Bulwer-Lytton to Grey Sept. 6, 1858
20. Ibid 19. D. 63 June 5, 1857; G.H. 1/52. D. 137 (75) Labouchere to Grey Dec. 12, 1856.
21. G.O. 48/389 D. 84. Grey to Stanley. Minute by Merivale, Aug. 2, 1858 and by Lytton Aug. 11, 1858. (Quoted de Kiewiet p. 128.) Ibid G.H. 1/54 Lytton to Grey Sept. 6, 1858.
22. de Kiewiet Chapt. VIII. pp. 129-134.

so easy under the circumstances.

" The experience (Lyttton wrote to Grey) which your administration of these dependencies has now given you, added to the ability and political knowledge which you have displayed in former employment, as well as in this, gives a high value in the eyes of Her Majesty's Government to the expression of your deliberate sentiments on such a question. And it appears to me that it is one on which it is highly desirable, however difficult, that a definite understanding should be arrived at."

Before expressing his views on Federation, Bulwer-Lytton briefly outlined the policy of his predecessors under four headings. Firstly ^{his} predecessors, he said, considered that "all further extension of British Dominion in South Africa should be sedulously guarded against" and were determined to uphold the Treaties (Conventions). Secondly, his predecessors had considered that "the time was not yet ripe" to relieve South Africa of military force. Thirdly, it was deemed inadvisable to interfere much in the civil affairs of the Colony; and fourthly, in order to administer British Kaffraria effectively, this province had been placed under the civil jurisdiction of the Governor. Bulwer-Lytton pointed out to Grey:-

" You will fully understand that I guard myself carefully against the supposition that I either adopt or controvert these views; my present purpose is to obtain the benefit of your opinion in order to assist in fixing my own."

He requested Grey to inform him whether he concurred with or dissented from this British Policy of non-intervention and to express his opinion on this matter.

Bulwer-Lytton expressed clearly in this despatch, that he had a strong desire to effect a reduction in the military force of South Africa. Thus, he asked Grey whether he did not consider "the time had come in which the military force in South Africa might be substantially and permanently reduced." The British Parliament, he pointed out, was keenly anxious to reduce the military forces in the colonies which were paid for by the Imperial Government. Bulwer-Lytton realized that Kaffraria could not stand alone and consequently asked Grey, "Do you think it would be safe and expedient to unite British Kaffraria with the Cape Colony, placing it under the same constitution, the same Parliament and the same Executive?" Would it be practical, he questioned, to include Natal in this union of British Kaffraria and the Cape Colony, and, in the event of Separation, did Grey consider these British dependencies could be united in a federal union which would leave the control of the frontier tribes in the hands of the British Government?

The following extract from this important document reveals that Bulwer-Lytton did not intend that the Transvaal or the Free State should be federated with British South Africa, and was determined to uphold the Convention Policy:-

" Are your opinions," he asked Grey, "on these subjects in any way modified by consideration of the policy to be adopted towards the Free States? And what is the permanent line of policy you would recommend towards these states, consistent always with the maintenance

of public faith pledged by the existing treaties?²³

This request of Bulwer-Lytton furnished Grey with the opportunity for which he had long been waiting, namely, to express his own ideas about Federation in detail.

A comparison of Bulwer-Lytton's Federation Policy with that of Grey's shows how vastly different these two schemes were. Bulwer-Lytton's proposed Federation was to be composed of only the British South African Colonies, whereas in Grey's the Free State, together with British South Africa, were to be foundation members and in time, Grey hoped, the Transvaal, on account of its isolated position, would be forced to join this South African Federation. Grey's aim was to extend British influence. This extension of British influence, the Colonial Office authorities feared, would extend British liabilities and consequently they refused to sanction Grey's proposals.²⁴ The aim of Bulwer-Lytton's Federation Policy, on the other hand, was to lessen British financial liabilities by effecting a reduction in the civil administration, as there would be only one government in place of three, by reducing the strength of the garrison and by placing the responsibility of British Kaffrarian policy in the hands of the Cape Parliament. Grey's Federation scheme necessitated the revoking of the Convention policy and its replacement^{by} a federal form of government, whereas Bulwer-Lytton's scheme, though uniting Natal, the Cape Colony and British Kaffraria in a federal union, effected no change in the relationship of the British authorities to the Trans-Orange Republics.

In his Federation Despatch, Grey dismissed Bulwer-Lytton's proposals for federating British South Africa as impracticable.

"I do not think" he said, "that Natal could conveniently be united in a federal union with this colony unless the Orange Free State was included in the same union, otherwise it would be entirely separated from the Colony of the Cape of Good Hope by large intervening tracts of country occupied by another nation."²⁵

Grey was referring here to the Transkei area occupied by the Pondos and other native tribes. This argument of Grey's against Natal being included in a federal union, as she was isolated from the other British South African colonies, was sound. The only alternative, as he pointed out, would have been to annex the Transkei area and thus pursue a policy which the British authorities disapproved of.²⁶

British Kaffraria, Grey considered, could not be advantageously united with the Cape Colony without the consent of the Colonial Parliament.²⁷ His inference that the Colonial Parliament would not favour the incorporation of British Kaffraria within

23. G.H. 1/54 D. Private Bulwer-Lytton to Grey Sept. 6, 1858.

24. Ibid 22. de Kiewiet.

25. Federation Despatch para. 50

26. Ibid 19.

27. Federation Despatch para. 31 G.H. 23/27 D. 75 Grey to Lytton, May 21, 1859.

its precincts, was authenticated by later events. In 1859 the Colonial Parliament, due no doubt to a realisation of what liabilities might be entailed by the Government of British Kaffraria, declared that they were averse to extending the Colonial boundary to include British Kaffraria.²⁸

Grey succeeded in checking Pretorius' and Bulwer-Lytton's Federal proposals which threatened to make his Federation Policy ineffective. Pretorius' federal scheme aimed at uniting the two Boer Republics, whereas Bulwer-Lytton proposed to unite British Kaffraria and Natal with the Cape Colony. Both these schemes, therefore, if they had been successful, would have isolated the Boer Republics from British South Africa, or British South Africa from the Republics to a greater degree than they were in 1858. This extract from "The ^{Cape} Argus" reveals what Grey probably thought about Federation :-

" The British flag flying over the whole of Southern Africa, border wars at an end, white and black at peace with each other and the fertile lands on the border enriching us all." 29

28. V. & P. V.19. Select Committee Report p.947. G.H.23/27 D.86 Grey to Lytton, June 17, 1859. Enclosure 1 address from House of Assembly.

29. The Cape Argus. March 5, 1859.

SOUTH AFRICAN FEDERATION.CHAPTER VII.

Though Sir George Grey's enthusiasm for Federation was evoked by the difficulties with which he had to contend, both in British South Africa and across the Orange River, the very fact that he had successfully propagated and seen New Zealand adopt a federal constitution must have influenced his actions at the Cape.¹ Grey, as de Kiewiet points out, had not heard that the New Zealand Federation was occasioning great difficulties, and he believed Federation was proving to be the solution for the ills of New Zealand.² Grey therefore felt that there was no reason why Federation should not similarly solve the problems of South Africa, which were singularly like those of New Zealand, for were not the states or colonies in these countries surrounded by hordes of natives, and were not the same evils of disunity prevalent in both?

In the previous section, we have seen how the problems with which Grey had to grapple, led him to propose the Federation of the South African states. Grey's Federation Movement falls conveniently into two periods, the first from December, 1854 to March, 1857, in which Grey hinted that Federation was the only solution for the problems of South Africa, and the second from March, 1857 to March, 1859, in which Grey openly advocated federating the British colonies with the Republics.

These words of Grey's, written in June, 1855, have a veiled reference to Federation:-

" I think there is every possibility that the Colonial Parliament, in the course of the next session, will mature a plan which will be more advantageous to South Africa." 3

Though it is impractical to consider that Grey came to the Cape with the preconceived idea of suggesting Federation as the remedy for the South African ills, nevertheless, soon after he became conversant with the problems of the states, he favoured Federation. Sir George Grey's speech to Parliament in June, 1855, reveals that he was at this time considering the feasibility of uniting the South African states. After thanking Parliament for providing for the police protection of the country, he said:-

" This action will confirm the Home Government in its intention of wisely using the present time of tranquility and peace for the purpose of maturing measures which look beyond the mere exigencies of the present moment, and may lay the basis of future permanent prosperity and peace, not only for this colony, but for the states and tribes which lie beyond, or which immediately abut upon our frontier." 4

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1. Ibid 10. Chapt. 1.
 2. de Kiewiet Chapt. 7 p. 86.
 3. Correspondence D. 66 Grey to Lord John Russell June 8, 1855.
 4. Enclosure to above: Grey's speech to Parliament. V & P. Vol. 4.

Whether the Secretary of State interpreted this statement of Grey's as being merely a general laudatory and diplomatic expression, is not reported; but what we do know is that Grey was not called upon to explain what this policy of the Home Government was.

Throughout his despatches in 1856, as we have noticed in Section A, Grey again and again emphasised that the British policy of non-intervention across the Orange was most mischievous. For, had the Conventions not made it impossible for him effectively to prevent virtual slavery, and was he not forced to stand by while the South African Republic interfered with the missionaries and exploited the natives? Many of the evils of the Free State, he felt too, were caused or aggravated by the Convention Policy. Great Britain, he considered, had caused these troubles by abandoning the Free State without recognising her right to any customs dues and by supplying the Boers and not the native tribes with ammunition. The Convention Policy, he complained, had tied his hands so that he could not prevent the Republics from adopting measures, the repercussions of which threatened the success of his policy in Natal and British Kaffraria. Though Grey agitated for a modification of the Convention Policy, the Colonial authorities refused to sanction any changes.⁵

In December, 1856, Grey pointed out to Labouchere the various problems which the British policy of non-intervention had given rise to, and exclaimed:-

" Formerly, a federal union amongst all these territories, in which great individual freedom of action had been left to each province, whilst they were yet all united under British rule, would have given very general satisfaction. A great state would thus have been eventually built up in South Africa, which would have been strong enough to protect itself, as by its unity, strength and power it could alike have overawed and have punished the native tribes."⁶

Grey did not actually propose the Federation of the South African states in this despatch, but expressed the hope that Britain would not continue the policy of abandonment.⁶

The threat of the union of the two Boer Republics led Sir George Grey in March, 1857 to come into the open and directly propose that the Free State be united with the Cape Colony in a federal union.

" From communications with the Government of the Orange Free State I have seen that the inhabitants of that country would be gladly united with the Colony under a federal union and I believe that it is by a federal union alone these colonies can be made so strong and so united in action that they can support themselves against the native tribes."⁷

From the above extract it is clearly revealed that Grey's main reason for

5. G.H.1/52 D.78. Labouchere to Grey, July 14, 1856.

6. G.H.25/26 D.Separate: Grey to Labouchere. Dec. 20, 1856.

7. Ibid 7. Chapt.V: D.34 March 18, 1857.

6b. Henderson and Collier both quote this extract as showing that Grey in Dec. 1856. advocated Federation.

Federation was to afford a solution for the native problem, not only in the two Republics, but also in Natal, British Kaffraria and Cape Colony.

The fact that the Colonial Office, in 1857, did not view the Convention Policy in as favourable a light as they did in 1855, is shown by Labouchere's declaration that the conventions were "merely a general indication of the policy of Her Majesty's Government, namely, to avoid embarrassing these states by the entertainment of any separate relations with the tribes" on their border. Though Labouchere, probably with the Englishman's constitutional dislike of restrictive and binding clauses applicable for all future time, did not interpret the Conventions as removing 'a tout jamais' the right to make treaties with the native tribes, nevertheless, he implicitly instructed Grey that the policy of non-intervention must be maintained and "combined with the strictest neutrality."

"To that policy", Labouchere observed, "they (British Government) are anxious to adhere, both with a view to the scrupulous maintenance of good faith, and because convinced of its fundamental expediency."⁸

Throughout 1857 and 1858, Grey, on all possible occasions, pointed out that Federation would solve the South African problems, and, by his very pertinacity, sought to wear down the opposition of the Colonial Office; he was, in fact, rather like the proverbial English bulldog that, having once got his teeth in, would not let go.

The war between the Basutos and Free State broke out in March, 1858, and in June, owing to the critical state of affairs in this state, Grey at last offered to mediate between the belligerent parties. He was not prepared to allow the Free State to be solely dependent on assistance from the Transvaal, and it is significant that the same day, June 24, on which he wrote to Lord Stanley that he was willing to mediate, he also reported that he had notified the Free State Volksraad that, in the event of union between them and the Transvaal, the conventions would lapse.⁹ This threat of Grey's, as we have noticed in a former chapter, had the desired effect of inducing the Free State to consider the advisability of union with British South Africa.¹⁰

In July, Grey received several petitions from persons in the Orange Free State praying for union with the Cape Colony.¹¹ The theme of all these petitions is similar, and the following extract shows that although the Free State felt, on account of her losing battle with Mosesh, that she must be more closely allied with the Colony, she was only prepared to enter Federation provided that she was recognized

8. Ibid 17. Chapt.V. D.206 (63) June 1857.

9. Ibid 31. Chapt.V. June 1858.

10. Chapt.VI. p.63.

11. G.H.23/27. D.72. Grey to Stanley June 15, 1858: Imperial Blue Sk.Vol.8. Responsible Government p.156. Aug.14, 1858.

as equal in status with the other states:-

" It is.....our earnest opinion, that unless the country, called Orange Free State, is allied in federal union with our parent colony, it never will enjoy the blessings of peace and prosperity. Such federal union, if Her Majesty would deign to grant us, would enable us to preserve our officers of Government, our National Assembly called "Volksraad": It would also afford us the means to continue transacting our public business in the Dutch language.....We will also claim, as a right, that part of the revenue arising from duties on goods consumed in the Orange Free State, and also of sending the members to the general parliament, that our voice may be heard in the congress of our common Fatherland. Whilst thus allied for better or for worse to the mother colony.....we would, joining our sister colony of Natal to the east, and the districts of Colesberg and Albert to the South, form a compact union, and the prestige of such national Federation would alone be sufficient to prevent these lamentable strifes with the native races, which of late we had to deplore." 12

The various memorials Grey received from the Free State, and the tone of "The Cape Argus",¹³ must have influenced his decision to openly advocate the union of the Free State and the colony. The following extract from "The Friend of the Free State and Bloemfontein Gazette" demonstrates that Grey, on the occasion of his visit to the Free State in September, 1858, discussed the matter of Federation fully and freely:-

" The Governor, it appears then, gives us fully to understand, what from the outset we anticipated, namely, that the organisation of a system of Federal Union, with the train of happy results we may cheerfully expect, depends upon nothing more or less than the expressed desire of the Free State and Colony, as conveyed first through a measure to be submitted to our Volksraad; secondly, through the approval of that measure - assuming as the postulate that it be carried here - by the Colonial Parliament; and thirdly, through the confirmation of the acts or propositions, as the case may be, of the South African legislative chambers by the Government of the Queen of England. Thus the state vessel is fairly launched, with a skilful pilot at the helm, only awaiting instructions from the people, which course he is to steer and promising at the same time to guide and direct them in their choice." 14

Here we have evidence to believe that Grey must have outlined his whole Federation programme to the Free State even before he had written his Federation Despatch.

As we have already fully dealt with Grey's proposals for Federation, it is not necessary to reconsider these, except to say that the fundamental principle in Grey's Federation Policy was to unite the Free State with the British colonies. He envisaged a South African Federation composed of most, if not all, of the South African communities.

We have yet to discuss, however, how the Colonial Office received this November Despatch of Grey's. Bulwer Lytton called it a "great waste of ability" full of "impractical plans and vague declamations."¹⁵ Though the merits and demerits of this

12. G.H.28/73 Enclosure Petition from O.F.S. to G.H.23/27 D116. Grey to Stanley July 5, 1858. Ibid 11. Imperial Blue Ems. Vol.8. p.156.

13. Cape Argus, March 10 1858, p.3.

14. The Friend. Sept. 17, 1858.

15. Undated minute by Lytton. (Quoted de Kiewiet Chapt.8. p.129.)

document will be more fully discussed in Section C, here it is expedient to point out why it was Lytton considered this Despatch to be a "great waste of ability." He had invited Grey's opinion on the question of federating the British South Africa colonies, and Grey's reply dealt with the Federation of the Free State with the British colonies, a matter to which Lytton was definitely hostile, and hence, he considered Grey had just wasted his time in writing this November Despatch.

Sir George Grey's proposals were received with mixed feelings by Merivale, Carnarvon and Lytton. His outspoken denunciation of the Conventions, his intimations that the troubles of the Free State were of British origin, greatly annoyed Herman Merivale, the Permanent Under-secretary, who had supported the abandoning of the Free State in 1854.¹⁶ It is not surprising that Lytton remarked to Adderley, that Grey's Federation Policy seemed to him "wild and at variance with sound legislative and colonial principles;"¹⁷ Grey, in reserving to the Federation the right to control all matters of importance, such as defence, the native question, customs and the adoption of a Responsible ministry, was really conferring upon the South African Federation a form of government known later as 'Dominion Status'. He, like most great men, was ahead of his time, whereas the British authorities, weighed down by the problems of the Empire, had not the same vision.

These words of Adderley's that Federation meant either "enormous expense to the Mother Country, or the independence of South Africa,"¹⁸ reveals that in 1858 the Colonial Office had no conception of an Empire bound to Great Britain by the ties of loyalty, and they still considered that, in the event of Federation, the colonies would drop off like ripe fruit and declare their independence. Carnarvon had similar sentiments:-

"We may justly hesitate to sacrifice what we have," he said, "for what we probably never shall obtain."¹⁹

Seeing that the Colonial Office refused to extend her dominion over the Free State, and agitated for a reduction in the military force stationed at the Cape, surely she would have been glad to allow the Federation of the South African colonies, and thus leave them to pay for their own administration, defence and native policy. Grey had pointed out that, for a short while, it would be necessary for Great Britain to assist the colony in the matter of defence, but, in time, he considered

16. Minute by Merivale, Jan. 1, 1859 on Grey's Separate of Nov. 19, 1858: Quoted de Kiewiet p. 129.

17. Lytton to Sir G. B. Adderley, Oct. 21, 1856. Quoted de Kiewiet p. 129.

18. Minute by Merivale Oct. 5, 1858 on Grey's Aug. 14, 1858 Despatch. (Quoted de Kiewiet p. 133.)

19. Minute on Federation Despatch (Quoted de Kiewiet p. 133.)

65.
their support could be withdrawn.²⁰

Carnarvon doubted that Federation would lessen British liabilities and declared that public opinion would not permit Great Britain to stand aloof and allow the South African states to pursue any policy they might choose towards the natives, and, moreover, he wondered if Great Britain would not be drawn into the conflict also, if these states quarrelled among themselves, or if native wars arose.²¹

Thus it is not surprising that the Secretary of State, in February, 1859, replied to Grey's Federation proposals, as follows:-

" I must inform you that after weighing the arguments which you have adduced, Her Majesty's Government are not prepared to depart from the settled policy of their predecessors by advertising the resumption of British Sovereignty in any shape, over the Free State."²²

Before this February Despatch reached Grey he had received a resolution from the Free State Volkraad recommending that they be notified of the terms of the proposed Federation, and that a Commission be appointed by the Cape Parliament to discuss this matter with them.²³ In March, 1859, Grey brought this resolution of the Free State Volkraad before Parliament and on March 28, he notified the House that he had received instructions from Bulwer Lytton that the British Government was averse to Federation with the Free State.²⁴ When Bulwer Lytton heard that Grey had brought the Free States resolution about Federation before Parliament, he recalled him. Owing to a change in the ministry in June, 1859, however, Newcastle became Secretary of State. He, too, censured Grey's action in regard to Federation, but thought so highly of other parts of his administration that he requested him to come to England and discuss the matter of his return to South Africa, provided he felt he had not compromised either his own, or the British Government's position to such an extent that he would be unable to carry out the British policy of non-intervention.²⁵ Before this despatch of Newcastle's had reached Grey, he had already left the Colony for England. Grey's recall concluded his Federation project. Though the South African Federation was stillborn, nevertheless it influenced subsequent events, as we will discuss in a later chapter.

20. Federation Despatch para.24.

21. de Kiewiet Chapt.8. pp.129-130.

22. G.H.1/55. Separate & Confidential: Lytton to Grey. Feb.11,1859.

23. G.H.23/27. D.8. Grey to Lytton. January 13, 1859.

24. V.& P. Vol.16. Minute 2. p.7. Message No.4 p.32 March 28, 1859.

25. G.H.1/55. D.13 (102) Newcastle to Grey Aug.4, 1859.

SECTION C. GENERAL APPRAISAL OF GREY'S FEDERATION POLICY.

CHAPTER VIII.

AN APPRECIATION OF SIR GEORGE GREY'S FEDERATION POLICY.

EVALUATION OF GREY'S FEDERATION DESPATCH.	Page 66.
GREY'S TENDENCY TO EXAGGERATE.	" 66.
HISTORIANS' CRITICISMS OF GREY.	" 68.
FEASIBILITY OF GREY'S PROPOSALS.	" 69.
Public Opinion in regard to Federation.	
If Downing Street had consented would Federation have been effected.	" 72.
Obstacles to Federation - Form of government - Powers of the Central government.	" 73.
What Saul Solomon thought about Federation.	" 74.
Collier's criticism of Grey's proposed form of government.	" 74.
ARGUMENTS FOR AND AGAINST GREY'S FEDERATION POLICY.	" 74.
JUDGMENT ON GREY'S FEDERATION POLICY	" 76.

AN APPRECIATION OF SIR GEORGE GREY'S FEDERATION POLICY.CHAPTER VIII.

In Sections A and B, we have discussed the Federation panacea, as viewed through the eyes of Sir George Grey, and thus in this Section C, the difficult task remains of placing his Federation Policy in its historical setting.

Henderson, in his book, "Sir George Grey, Pioneer of Empire in Southern Lands", considers that Grey's Federation Despatch of November, 1858¹ was not a "dream", as some writer called it, but "a long cherished ambition, for which he laboured and suffered."² Moreover, this November Despatch, Henderson considered, was the best Grey ever wrote and if it were a dream, it was a very wide-awake one.³

Collier also commends this despatch of Grey's as being "remarkable for its large and statesmanlike views, its prevision of eventualities, its imaginative delineation of future social states and the glowing ardour that animated it."⁴

What a contrast there is between the views of these two writers and those of Bulwer Lytton who, as we have previously mentioned, regarded this despatch as "a great waste of ability."⁵ de Kiewiet also considers that "for such a famous document, Grey's Federation Despatch is disappointing."⁶

While not agreeing with the point of view of de Kiewiet and the Colonial Office authorities about this November Despatch, Henderson's and Collier's eulogy may, nevertheless, be accepted only with certain reservations. Professor Walker's evaluation of this Federation Despatch is more in keeping with the evidence available:-

"The picture which Grey drew of the position of South Africa in 1858 was intentionally dark, for he was trying to persuade a cautious Secretary of State to give him a free hand, but essentially the picture was true."⁷

The following analytical discussion of Grey's November Despatch bears out the above statement of Professor Walker's.

Sir George Grey, carried away by his enthusiasm to persuade Bulwer Lytton that Federation was essential for the welfare of South Africa, was prone to exaggerate. As de Kiewiet says, the danger that the British Colonies would be overshadowed by more populous and prosperous republics⁸ was "entirely hypothetical."⁹ What evidence Grey had for considering that the republics were more fertile than the British possessions, is not known. As far as the Transvaal is concerned, Grey never put his foot on

1. There is evidently some mistake in the dating of the despatches in the Colonial Record Office as both Henderson and Collier quote August 1858 as being the month when Grey wrote his Federation Despatch. I have rechecked the date, as evidence at the Cape Archives shows that this Federation Despatch was written on 19th Dec. 1858, and marked "separate."
2. Henderson, Chapt. 1. p. 13.
3. Henderson, Chapt. 12. p. 169.
4. Collier Chapt. 18. p. 123.
5. Undated Minute by Lytton on Grey's Federation Despatch (quoted de Kiewiet Ch. 8. p. 129)
6. de Kiewiet, Chapt. 8. p. 129.
7. Walker, Chapt. 10. p. 280.
8. Ibid Chapt. 4 p. 39.
9. de Kiewiet. p. 129.

its soil¹⁰ and his visits to the Orange Free State were confined to the area round Smithfield. He probably considered, however, that the fertility of the Caledon-Orange lands were characteristic of the whole of the Free State.¹¹ Grey certainly had no evidence for considering that the Republics might become more populous than the British colonies for, as de Kiewiet says, one of the greatest weaknesses of the Free State was the "absence of any reserve of population from which they could draw support."¹² Before the national suicide of the Amakosa, the immigrants had settled on the frontier, while British Kaffraria,¹³ after this event, absorbed most of the immigrants and only a few migrated to the Republics.¹⁴

Grey's opinion that the abandonment of the Sovereignty was carried out in opposition to the views of "nearly all the European and native inhabitants of South Africa who live beyond the Orange River,"¹⁵ is not substantiated by any available evidence and, as de Kiewiet shows, the abandonment was not carried out in opposition to the wishes of the majority of the inhabitants of the Free State.¹⁶

Collier considers Grey exaggerated when he said the Drakensberg Mountains were the key to South Africa.¹⁷ The discussion on the Native Problem, however, disproved this idea of Collier's, for, as we have seen, trouble at any one point along the Drakensberg had repercussions on British South Africa.¹⁸ The following extract from "The Cape Argus" bears out Grey's statement that the native question was the key to the South African situation in 1858:-

"The first and most important and vital question that affects this country, the Alpha and Omega, the beginning and the ending of all its troubles, difficulties, disasters and drawbacks, is the native question."¹⁹

From the evidence taken by the Select Committee, appointed to discuss the question of "Frontier Government, Separation and Federation," it was realised too, that the most important problem which South Africa had to solve, was the Native Problem.²⁰

Sir George Grey exaggerated when he declared that the natives had formed a general combination against the Europeans.²¹ There is evidence to prove that Moshesh encouraged Kreli to resist the Europeans in 1855,²² and there is little doubt that Moshesh sent messengers into Kaffraria to incite the Xosa to destroy their cattle and their corn,

10. de Kiewiet Chapt. 8 p. 135. G.H. 10/4a and 10/5.

11. G.H. 23/26 D. 31 Grey to Lord John Russell Nov. 12, 1855.

12 & 14. de Kiewiet Chapt. 8. pages 116 to 118.

13. Especially in the rich lands evacuated by the Amakosa.

15. G.H. 23/27 Grey to Bulwer Lytton Nov. 19, 1858, para. 6.

16. de Kiewiet Chapt. 6.

17. Collier Chapt. 16. p. 112.

18. Ibid Chapt. 3 Native Problem p. 25.

19. Cape Argus Jan. 11, 1859. p. 2

20. Votes and Proceedings Vol. 19. pp. 973, 977, 985. Further reference "Report".

21. Federation Despatch para. 10.

22. G.H. 23/26 D18. Grey to Russell June 14, 1855.

so that, in desperation, they would fall upon the Europeans.²³ There is no available evidence, however, to prove that the Fingoes, Pondos, Zulus, Griquas and the Tambookie tribes were all leagued with Moshesh and Kreli in a general combination against the Europeans.²⁴

The abandonment of the Sovereignty was an act of scuttle, as one writer put it, but Labouchere did not agree with Grey, that the Free States' difficulties with Moshesh and Adam Kok could be attributed to Sir George Clerk's failure to settle the contentious issues in the Sovereignty before it had been abandoned. Labouchere's opinion is borne out by the facts.²⁵ For, as Labouchere said, many of these difficulties had not arisen through the signing of the Conventions, but were rather inherent in the circumstances prevalent in South Africa.²⁶ Ever since the Frontier farmers in the 18th century had come into contact with the Bantu, the crux of the trouble between the Boers and Xosa and, later in the 19th century, with the Basutos, was the land question. The natives claimed that the Boers occupied their territory and they concentrated all their efforts in attempting to recover their land. As the Orange Free State was not in a strong enough position to prevent the Basuto raids, trouble naturally ensued, not as a result of the Convention Policy, but rather as the outcome of this natural rivalry for the possession of the land.

There are several statements made by various historians about Grey which can, if not actually be disproved, be argued against. Collier's statement, that soon after the British Resident of Kaffraria had reported against his civilising policy, Grey got rid of him on the Turkish principle, is inaccurate. As there is no evidence that Shaw, the British Resident in Kaffraria, reported against Grey's civilising policy, it seems Collier confused him with Maclean, the Resident of Kaffraria, who did strongly criticise Grey's civilising policy.²⁷ Even if Collier considered it was either Maclean or Shaw, he was incorrect in assuming that Grey caused either of these two men to be dismissed for criticising his policy. Shaw was removed from office by Labouchere on the grounds that he had learnt from Mr. White, not Grey, that Shaw had set himself up as a de facto chief and had accepted tribute from the Gaikas. As far as Maclean is concerned, Grey could not speak highly enough of him and suggested that the honour of the Civil Order of the Bath should be conferred upon him.²⁸

23. G.H.23/26 D.32 Grey to Labouchere April 24, 1856; G.H.23/27 Grey to Labouchere March 25, 1857.

24. The previous history of the Native tribes shows that there was little love lost among them, and thus it is improbable that they would ever have combined against the Europeans.

25. G.H.1/53 D.244(106) Labouchere to Grey Oct. 10, 1857; G.H.1/53 D.273(135) Lab. to Grey Dec 10, 1857.

26. G.H.1/53 D.206 Labouchere to Grey June 5, 1857 para.9.

27. Collier Chapt.14 page 97. Corres. D.46. Grey to Lab. Dec. 1855. enc.2.

28. G.H.23/27 D.46. Grey to Labouchere, April 8, 1857. G.H.23/26 Separate Aug.1, 1855.

The documental evidence further shows that Collier's statement, that Grey induced the Secretary of State to agree (to his civilising scheme for Kaffraria) on the understanding that the expenditure should be met by Cape funds, is also inaccurate.²⁹ The evidence reveals that Grey did not promise, as de Kiewiet asserts,³⁰ that the grant for Kaffraria would be reduced in three years, but that he hoped it would be, if circumstances were favourable. Certainly, from the beginning Grey had no intention that this grant should be met by Cape funds,³¹ for, as he pointed out, the British Treasury had up to 1854, paid out £1,000,000 per year on a war policy, and thus £40,000 was not a sum which should be refused, as it was to be used to civilise the natives and thus lead to the prevention of war.³²

Collier also takes too strong a view of Grey's reason for disapproving of Shepstone's proposal to move into Pondoland with 50,000 Zulus. The root of Grey's objection, he said, lay in the position to be granted to Shepstone.

"That touched him to the quick. That an imperium should be created in imperio of the real ruler of South Africa was intolerable. That it should be assigned to a missionary's son, and that son Shepstone, was monstrous. The High Commissioner would have no brother ruler near his throne." 33.

While not denying the fact that Grey was autocratic and liked to hold the reins in his own hands, nevertheless a perusal of the despatches illustrates that Grey's arguments, as already mentioned, were sound, and that his chief motive in disapproving of Shepstone's proposal was due to his fear that this would have serious repercussions.³⁴

An appraisal of Grey's Federation Policy is best dealt with by considering the feasibility of Grey's proposals. Collier declared that "Grey's imagination was ardent, capacious and constructive", and his question, "was it the imagination of a statesman or a Utopianist?"³⁵ is best determined by the following discussion of the practicality of Grey's federal scheme.

The first question to consider is: Was public opinion in favour of this Federation Scheme? The two best sources from which one is enabled to gauge what the public of the Cape Colony thought of Federation are "The Cape Argus", and a report of a Select Committee on the question of "Frontier Government, Separation and Federation."³⁶

The following extract from "The Cape Argus" in July, 1858, illustrates that the public were interested in Federation:-

"The question of a federal union of the South African colonies is being brought before the colonists by the natural course of events. It is therefore not likely to be treated with indifference, for under these circumstances it will command attention." 37

29. Ibid 27 Collier.

30. de Kiewiet Chapt. 8 page 89.

31 & 32. G.H. 25/26 D. 7 Grey to S. Herbert, Dec. 22, 1854.

33. Collier Chapt. 18 pp. 113 to 114.

34. Chapt. 3 Native Problem. p. 29.

35. Collier Chapt. 18. p. 123.

36. The writer has found, as Mr. Ziervogel M.P. for Graaff Reinet said "the newspapers of the Eastern Province do not in many cases express public opinion but rather that the writers endeavour to present their own opinions as those of the public." (Report p. 1080 para. 663) Consequently I prefer to gauge the public opinion of the Eastern Province from the Select Committee's Report on "Frontier Government,

The Western Province, to a large extent, favoured Federation, but the general opinion was:-

" The Free State must clearly understand what a great sacrifice we are willing to make in the cause of humanity by consenting to union which will revivify its dead bones." 38

There is no doubt that the public of the Western Province were willing to play for Federation, but their tune was "beggars cannot be choosers." This is clearly revealed by the following extract from "The Cape Argus" in 1859:-

" It may save the Volksraad some trouble if we inform it that the Cape Parliament will not listen to any scheme of Federation which is not based on making the Free State, first of all, a British Colony with its chief officers appointed by the Crown. Anything short of this is all nonsense.".....

There was no hope of their receiving customs dues, this article declared, for if they would inhabit the interior they had to take the disadvantages with the advantages. 39

Mr. Solomon, in his evidence before the Select Committee mentioned above, said:-

" My own impression is that the colony will, in the natural course of events, extend itself, and it will be a very great advantage for the outlying colonies to be able to join, upon fair terms, the older and more advanced colonies. 40---If it could be carried out, I would certainly be in favour of Federation, not because I think it is the easiest to carry out, or the easiest to be worked, but because I think that in the hands of an intelligent people it is decidedly the best system and would perhaps in the working, give the most satisfaction." 41.

Petitions received from the Eastern Province reveal that the easternmost or frontier section of the colony favoured Federation, as petitions from Port Elizabeth, Albany, Bathurst, Port Peddie and Alexandria were signed by 7,173 persons altogether. 42

The following extract reveals the opinion of the Eastern Province towards Federation:-

36. (Contd.) Separation and Federation" rather than from the Grahamstown Journal, Cape Frontier Times or Port Elizabeth Herald. The Cape Argus affords the best source from which to gauge public opinion of the Western Province. At this time the Cape Argus was controlled by Mr. Solomon M.P. for Cape Town. The best judgment of the value of the Argus is contained in this extract - "The Cape Argus is always an impartial observer, but in the spirit which makes the distinction between an impartial observer and an inconsiderate partisan." (April 7, 1859 Argus) A perusal of the Argus 1858 to 1859 bears out this extract and hence we have taken the comments of the Cape Argus on Federation as being more or less an expression of public opinion.

- 37. The Cape Argus July 13, 1858, p.2.
- 38. The Cape Argus Sept. 9, 1858. p.2.
- 39. The Cape Argus Feb. 3, 1859 p.2 column 2.
- 40. V. & P. Vol. 19. Report p.1104 para.792.
- 41. Report page 1096, para. 764.
- 42. Report pages 1121 to 1131.

" Your petitioners humbly submit that the division of the provinces into separate local governments under a federal union of the whole, is the only system which will be found practicable and such as to reconcile the jarring interests of the various territories of such an extensive colony as this now is, and promises still more to be..... A general federative parliament will tend to prevent future wars and misunderstandings with the neighbouring independent tribes.....as well as accelerate the development of the almost boundless commercial and agricultural resources." 43.

Another extract reads as follows:-

" Statistics show that three states⁴⁴, at least, may now be declared independent and be united into a federal union, each being fully capable of maintaining its own establishments." 45.

These extracts show that the Eastern Province was in favour of Federation, but a careful analysis of the opinions expressed by Messrs. Harries, Watermeyer, Clough, Ziervogel, Scanlen, Munday and Bowker, Members of Parliament for the Eastern Province, before the Select Committee, reveals that they considered that some change in the form of government was imperative and that they favoured Federation, but preferred separation.⁴⁶

The two extracts which follow, reveal that in 1858 the Orange Free State was definitely in favour of forming a federal union with the Cape Colony. A July extract reads as follows:-

" This question of a federal union is exciting more attention in the Free State than within the Colony. There is a strong feeling in favour of connecting themselves with this colony, on the principle of federal union." 47

In the September issue this extract appears:-

" The Orange Free State has broken out all over in favour of federal union with the Colony, President and landdrost, Boer and bywoner, advocate and smous, are all busy throwing up their hats in favour of it." 48

The Orange Free State newspaper also bears out "The Cape Argus" that public opinion favoured union with the Cape Colony, but only after Grey had thwarted Pretorius' plan to unite the two Boer Republics. A September, 1859 extract reports:-

" They (Free Staters) are fully convinced that a judicious policy of federal union of the various states of South Africa would be followed by such happy results, and accompanied by such inestimable blessing, that it may be justly inferred that such a step would be the greatest boon ever received in the southern portion of this continent." 49.

The following extract shows that Federation was still very popular in March, 1859 -

" The importance of this question cannot well be overrated. Perhaps the most sincere well-wishers of South Africa, will be found in the ranks of the advocates of Federation. 50 The time has now arrived when the sentiments of the vast majority of the inhabitants, the federalists, should meet with the maturest and more careful consideration."

43. Report. Petition from Port Elizabeth p. 1121.
 44. These States are the Western Province, the Eastern Province (including Kaffraria to the Bashee River) and Natal. The Bashee - as Grey had driven Krelli out of this area and proposed to settle friendly tribes and colonists there.
 45. Report. Petition from Albany p. 1122. Petition from Cradock, Bathurst and Peddie reads the same as that from Albany.
 46. Report page 959 to 1119.
 47. The Cape Argus July 13, 1858 p. 3.
 48. The Cape Argus Sept. 9, 1858.
 49. Friend of Free State and Bloemfontein Gazette Sept. 10, 1858.
 50. Friend March 11, 1859 p. 3.

Though Federation was still very popular in March, 1859, the extract which follows reveals that a note of caution was being sounded in case Federation did not result:-

" It is all very well for him (Grey) and us to place our main reliance on a federal union of the civilised states of South Africa. This is truly the chief anchor of our hope. But is it prudent to be wholly without an alternative?" 51

As already mentioned, it must not be imagined that the Free State was prepared to be united with the Cape Colony in a Federation on terms dictated by the Cape Colony. For, as we have already noted in Chapter VII, evenⁱⁿ June, 1858, the Free State favoured union with the Colony, but only on terms of equality. This is again seen in December, 1858, when the Volkeraad sounded Grey on the possibility of uniting the two colonies, and requested that a commission should be appointed from the Cape Parliament to meet a deputation from the Free State to discuss the terms of such a Federation. 52

Thus we have seen that public opinion in South Africa (excluding the Transvaal)⁵³ was definitely in favour of Federation, with certain reservations. The Free State wanted to be recognised as equal in status with the Cape Colony and claimed as a right the duty on goods consumed in that state. The Eastern Province wanted separation rather than Federation, and Federation rather than no change at all, while the Western Province, in turn, was not prepared to be dictated to and told what she should give up.

This state of public opinion as regards Federation, brings us to our next question of discussing whether Federation would have resulted if the British Government had not withheld their sanction. Natal would probably have favoured Federation, as she would have obtained a more liberal constitution, and British Kaffraria in 1858, owing to her financial instability, would definitely have benefited through being incorporated with part of the Eastern Province in a federal union.

The main obstacle to Federation, as seen in analysing the Report of the Special Committee would probably have been the question of the form the Federation was to take. The members of the Eastern Province, such as Ziervogel, Watermeyer and Scanlen, were all emphatic that the bulk of the questions must be reserved for the local legislatures. The Free State and Natal, no doubt, would have supported the Eastern Province in its demands for decentralisation of authority. Mr. Harries advocated that South African Federation should be on the same pattern as that of New Zealand, and that the Cape Colony should be divided into two or three provinces. Each province should be presided over by an elected Lieutenant-Governor who, with three or four officials, was

51. Friend Feb. 18, 1859 page 3.

52. G.H. 25/27 D.8 Grey to Lytton Jan. 13, 1859 Friend Sept. 17, 1859. p.3

53. From McGill Chapt. 8. p. 122 we learn: "In the S. African Republic the "Staats Courant" pleaded for independence and the Union of the Republics."

to constitute an Executive Council. Each province was to have an elected assembly which was to control all matters of local interests, while subjects such as customs, native policy, declaration of peace and war, were to be reserved for the Federal Government. All bills, when approved of by the Lieutenant-Governors, were to be submitted to the Governor-in-Chief for his consent, and then only could they be promulgated. Mr. Solomon, the Attorney-General, was not in favour of Federation on the New Zealand plan, but on the American pattern, whereby "upon all subjects, not reserved for the central legislation I would consider the provincial legislatures to be supreme," and as in America, the Supreme Court should arbitrate between the provinces and central government in determining the validity of legislation.⁵⁴

There was not only no agreement as to what form the Federation would have taken, but in the event of Federation probably the provinces, judging from the evidence before the Select Committee, would only, with difficulty, have come to any agreement about what powers should be reserved for the Central Government. Mr. Clough, the Member of Parliament for Grahamstown, considered that each province "should have a distinct control over its affairs," and only the subjects of peace and war should be reserved for the Federal Government.⁵⁵ Mr. Scanleg, the Member for Cradock, wanted the decisions of the local parliaments to be final.⁵⁶ Mr. Pointer, Member for Fort Beaufort, declared that he was decidedly not in favour of the native question being left to the Central Government, as he said, "the native question is the all-important question with us."⁵⁷ Grey, as we have seen, had advocated Federation as the best solution for the native problem, but the question of who was to control native policy, the Federal Government or the States, would have proved a difficult problem to solve. Mr. Harries was in favour of the local legislatures legislating for the native within their precincts, in such matters as taxation and pass laws, but he suggested that the Central Government should determine native policy in general. The Eastern Province was not in favour of this, on the grounds that those not on the spot would be unable to judge what were the best measures to take. Natal with her Zulu population, and the Free State with her Basutos, would probably each have wanted to control their own native affairs. The Eastern Province, Natal and the Orange Free State would all have claimed the right to a share in the customs revenues.

Saul Solomon, in the following extract, seems to give a fair picture of what a Federation, which left the bulk of the power in the hands of the provincial legislature,

54. Report p.1108. para.803 to 806.

55. Report p.963. para.27.

56. Report p.974 para 111.

57. Report p.976.

58. Report p.1101 para. 782

would mean to the Western Province:-

" But I think that, if you take the Federation it is meant to introduce to be the federation which has been mentioned by some of the witnesses before the committee, then undoubtedly I do not see how the Western Province can enter into it at all, for it appears to me that it is not federation in any form or shape, but it is a separation which throws upon the shoulders of the Western Province the burden and the responsibility of frontier defence, without giving them the right to say anything upon those questions which, to a great extent, affect frontier defence - a federation which, I think, the Western Province will never submit to and which I am satisfied they never ought to submit to." 58

Collier points out that, as it had proved a mistake to leave large powers to the states in New Zealand, it would also have proved a mistake in South Africa.⁵⁹ When one considers the circumstances prevalent at the time, however, one realises that it would have been impracticable for Grey to make any other proposals. In South Africa at this date, communications, except in the Western Province, were as yet undeveloped. This is grasped when it is realised that a journey of 360 miles from Beaufort to Cape Town took eight days by horse waggon.⁶⁰ The building of the railway had just been commenced in the Western Province, and though this province was developing at a rapid rate, nevertheless a central government could only have operated efficiently in a country which had rapid communications.⁶¹

The best method of gauging the feasibility of Grey's federal scheme is to consider the arguments for and against this Federation project. Let us first deal with the arguments against his policy.

de Kiewiet put forward certain arguments against Grey's policy. In huge sprawling South Africa, he said, personal contact was impossible, and thus he did not consider that a sufficiently strong Central Government could have been formed, which would have prevented the local governments from taking independent action against the natives. In a huge territory with a sparse population, it is only quick transport and rapid communication, he observed, that makes a central government at all possible.⁶² These arguments of de Kiewiet are sound, and so is his argument that Federation would have thrown the major burden of federal finance on the Cape, which was the only state financially stable at the time. On the other hand, one can argue, as Grey had pointed out, that the Colony was in a state of prosperity; the revenue had increased had increased by two-thirds in four years. This extract from ^{Cape} "The Argus" in 1859, also discloses what the economic position of the colony was:-

" The state of this country during the year just closed, has been exceeding prosperous, even more so than that of the year preceding. The exports and imports are steadily increasing in a rapid ratio and there is considerable excess of revenue over yearly expenditure. The export of wool has increased to £18,000,000 in 1858 from £3,500,000 in 1848." 63

59. Ibid 35. Collier.

60. Report 1082, para. 675.

61. & 62 de Kiewiet p. 136.

63. Cape Argus Jan. 20, 1859. V. & P. Vol. 14 p. 270.

Though one realises that "the sum of weaknesses do not necessarily constitute strength", nevertheless, it can be argued that, had the British Government sanctioned Grey's Federation proposals and actively supported him in his attempt to persuade the Western Province to share her customs dues with the other provinces, Federation, as Grey said, would have stimulated trade and commerce. He also felt Federation might have speeded up communications and promoted the development of trade to such an extent that, in a short while, the financial stability of the Western Province might have characterised the other federal states as well. It is a debatable point whether the native tribes, even though the federal states largely pursued their own native policies, would not have realised that agreements, backed up by the Federal Government, must be respected. In course of time, with the speeding up of communications, it is possible too that the control of native policy would have passed more and more into the hands of the central government.

Though de Kiewiet's argument, that it was difficult enough for the separate government to obtain the support of their citizens, is sound, nevertheless, ⁶⁴ in the event of Federation, as Grey has said, the colonists would have been educated to take a greater interest in their own affairs. ⁶⁵

As far as the boundary disputes are concerned, they would not necessarily have been solved with the introduction of Federation, but Federation would have resulted in these and other difficulties having been more amicably settled.

As we have already shown in a previous chapter, Grey proposed to confer upon the South African Federation a form of government which to-day is known as Dominion Status. An interesting fact emerges from a perusal of "The Cape Argus" of 1858 and 1859, and from the Select Committee Report, namely, that the colonists were not in favour of Responsible Government; and leading men such as Justice Bell had declared it would be an evil day for the Colony when Responsible Government was introduced. ⁶⁶

"Grey projected a Federation," Collier states, "where two English colonies, one half Dutch, would be balanced by two Dutch states... (this he says) would be Federation on a Dutch basis with Dutch necessarily the official language - Dutch affinities, interests and antipathies - a Federation that never would have acted harmoniously with British policy, or taken its place as a constituent member of the British Empire - a Federation which would have hoisted an alien flag and declared itself independent of Great Britain." ⁶⁷

This statement reveals that Collier had no conception that colonies could be bound to the Mother Country by ties of sentiment and loyalty. In 1858, it should be reiterated, that there was very little animosity and bitterness towards the British. This is evinced from evidence before the Select Committee and by the newspapers of

64. de Kiewiet p.136.

65. Federation document para.54.

66. Cape Argus May 8, 1858 p.2.

67. Collier Chapt.18 page 124.

the Orange Free State.

Grey's plan of introducing thousands of immigrants, which he considered were essential if the Cape were to progress, could also have met the threat of Boer superiority. For in time, as in Canada, systematic immigration would have adjusted this matter in favour of the English settlers. Grey was above all an Englishman, and his actions during his colonial career disprove the sweeping statements made by Collier that he either did not foresee the possibility of South Africa being alienated from Great Britain or ignored it. Here is another of Collier's sweeping statements:-

" In the eyes of the Department....Grey stood convicted of disloyalty, if not to the nation to which he belonged - at least to the Government he served." 68

Collier gives as his source for this statement, the despatches of the Colonial Office in 1858-59. From these same despatches, we infer that Grey was not convicted of disloyalty either to Great Britain or to the Colony, as there is no evidence to substantiate Collier's statement. What Grey was convicted of, as will be seen in the next chapter, was disobedience.

In summing up this discussion on the feasibility of Grey's federal proposals, one may argue that his proposals were practical, and had the Colonial Office backed up Grey's attempt to persuade the Western Province to concur with the wishes of the other federal states, we have no doubt that Federation would have resulted. There was a section of the Western Province in favour of Federation, and with the realisation of the progress the colony was likely to make, we consider it improbable that the progressive Western Province would have held aloof from a movement which promised to promote the development and prosperity of South Africa.

Having fully discussed the above points, we are now in a position to return an answer to Collier's question. We may say that Grey's imagination had a strong Utopian flavour about it, but, nevertheless, it was that of a statesman - a statesman of the finest calibre, and with the great gift of prevision.

SECTION C. GENERAL APPRAISAL OF GREY'S FEDERATION POLICY.

CHAPTER IX.

GREY'S RECALL.

GREY'S REPLY TO THE FREE STATE CONCERNING FEDERATION.	Page 77.
LYTTON'S SEPTEMBER DESPATCH 1858.	" 77.
GREY'S SPEECH TO PARLIAMENT MARCH 1859.	" 77.
CARNARVON'S REACTION TO GREY'S MARCH DESPATCH.	" 78.
GREY ATTEMPTS TO ACQUIT HIMSELF OF CHARGE OF DISOBEDIENCE. April 1859.	" 78.
LYTTON'S DESPATCH OF JUNE 4, 1859 RECALLING GREY.	" 80.
GREY'S REPLY TO LYTTON'S JUNE DESPATCH.	" 81.
JUDGMENT GIVEN.	" 83.
EXTENUATING CIRCUMSTANCES.	" 83.

GREY'S RECALL.CHAPTER IX.

On the 4th June, 1859, Sir Edward Bulwer Lytton penned the despatch which recalled Sir George Grey. In Chapter VII we have dealt with the events which led up to Grey's recall, but have not as yet discussed Grey's defence, or determined whether the Secretary of State was justified in recalling him.

Though Grey knew that the Colonial Office was not prepared to depart from the Convention Policy¹, he issued a subtle invitation to the Free State to approach the Cape Parliament.² In reply to the report from the Free State Commission, requesting Grey "to state what was the possibility of obtaining a federal union between the different states in South Africa",³ he said that he could not intervene unless he was addressed by the Volkeraad of the Free State, "especially as no Federation could be brought about otherwise than through the intervention of the Volkeraad of the Free State and of the Parliament of the Cape of Good Hope, which legislatures would respectively give expression to the wishes of the inhabitants of the two countries."⁴

In October, Grey received a despatch from Bulwer Lytton written on September 6, 1858, which invited his opinion on the question of federating British South Africa, and yet made it quite clear that he must maintain the Treaties. In this despatch Bulwer Lytton instructed Grey implicitly that his reply to any request from the Free State on the question of Federation must be that he could say nothing without previous instructions from Her Majesty's Government.⁵

Grey, as de Kiewiet says, read into this September despatch from Bulwer Lytton, what he wanted to find there.⁶ Consequently, when he received the resolutions of the Free State Volkeraad, praying that a Commission from the Free State might meet a deputation from the Cape Parliament to discuss the terms of Federation, if this body favoured such a policy,⁷ Grey promised Boshof that he would lay these resolutions of the Volkeraad before Parliament.⁸ In his speech to Parliament on March 16, 1859, Grey not only invited the House to consider these resolutions, but encouraged Parliament to adopt his federal proposals, as the following extracts show:-

" You would, in my belief, confer a lasting benefit upon Great Britain and upon the inhabitants of this country, if you could succeed in devising a form of federal union, under which the several provinces comprising it should have full and free scope of action left to them, through their own

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1. Ibid 19. Chapt. VI.
 2. G.H. 23/27 D. 156 Grey to Lytton. Aug. 14, 1858.
 3. Enclosure 1 to above. Free State Commission Report.
 4. Enclosure 11 to above. Grey's reply to Free State.
 5. G.H. 1/54 D. Private. Bulwer Lytton to Grey Sept. 6, 1858.
 6. de Kiewiet Chapt. VIII. p. 129.
 7. Ibid 52. Chapt. 8
 8. V. & P. Vol. 16. p. 7. Grey's speech to both Houses.

local governments and legislatures upon all subjects relating to their own individual prosperity and happiness."

"Under such a system (he continued)additional security would be obtained throughout all South Africa for life and property. Prosperity and contentment would also follow...." 9

When Carnarvon received a copy of this speech in May, 1859, he immediately expressed his disapproval of Grey's action in inviting the Colonial Parliament to consider the propriety of a federal union with the Free State.

" Even had no previous correspondence passed upon this subject (he said) I am bound to say that its great gravity and its connection with Imperial interests should have been sufficient to deter you from adopting so grave a step as such a recommendation to the local legislature without some previous reference to Her Majesty's Government."

Carnarvon pointed out that Grey had received definite instructions in a despatch written on November 5, which should have made it more incumbent upon him not to have acted in such an important matter "without express authority." Grey had, he declared, been instructed to reply to all applications of the Free State on the subject of Federation that the matter had first to be referred to the Secretary of State. Carnarvon, in concluding this despatch, said:

" It is impossible for me to enter into any detail upon the consideration of the course which, in opposition to the tenour of these instructions, you have thought it right to adopt." 10

A previous despatch of Carnarvon's, written on March 5, 1859, contains very similar sentiments to those expressed in his May despatch. In this former despatch he reprimanded Grey very severely, when he said:-

" I am forced to conclude that you thought proper to give the President not that answer which you were instructed to give by Her Majesty's Government, but a different answer, in accordance with your views and not with theirs."

The British Government, he considered, were the authorities ultimately responsible for South African policy and though Grey might express his views, he nevertheless had not to leave his instructions "unnoticed and act in opposition to them."¹¹

Grey, on April 19, 1859, answered Carnarvon's March despatch and tried to acquit himself of the charge that he had acted in contravention of his instructions. He said that he had done his best to carry out a line of policy to which he was averse. The British policy towards the native tribes of the interior especially galled him, as the "convictions of his whole life were in opposition to this course." Nevertheless, from his sense of duty, he maintained, he had attempted to stifle his own convictions, and had "faithfully and zealously carried out the British policy."

9. V. & P. Vol. 16. p. 7. Grey's speech to both Houses.

10. G.H. 1/55. D. 137 (72) Carnarvon to Grey. May 5, 1859. Bulwer Lytton was very often away from his office owing to illness. On these occasions Carnarvon deputised for him.

11. G.H. 1/55 D. 108. Carnarvon to Grey. March 5, 1859.

Grey was not influenced by Carnarvon's censure of his actions, as he felt quite satisfied that Carnarvon's despatch was written under a misapprehension of what had taken place in reference to the resumption of British Sovereignty over the Free State.

Grey went on to say that Lytton, on September 6, 1858, had asked his opinion about federating all the British South African possessions. By this, he implied that his action in including the Free State in such a union was in keeping with Lytton's September despatch, as there was much doubt in the Colony, he remarked, whether the abandonment of the Sovereignty was legal, as no act of Parliament had been passed to relieve the Free State colonists of their allegiance. Many of the Free State colonists had refused to abandon their allegiance, and maintained that they had received land through Crown title and consequently, they declared, they could not be deprived of it. Grey agreed that they were "in point of law and as of right entitled to it."¹²

Grey was incorrect in assuming that the abandonment of the Sovereignty was illegal. It was a recognised constitutional principle that, if the Crown granted a representative assembly to a conquered colony, the franchise could not be withdrawn, and the Crown no longer had the power to legislate. Thus it was due to a lucky chance that the Sovereignty could be abandoned. Owing to Sir Harry Smith having been engaged on the Eastern Frontier, the Letters Patent of 1851 granting the Sovereignty a constitution, were not promulgated, and thus the Sovereignty could be legally abandoned without parliamentary legislation.¹³

Grey had been instructed in 1855 by Molesworth that, if the Free State Volksraad again agitated for its colonists to be legally freed from their allegiance to Great Britain, he was to produce a Draft Bill which he had sent to relieve the citizens of the Free State from any allegiance to Great Britain.¹⁴

Grey considered that his action in inviting Parliament to consider the question of Federation was in keeping with the opinions Lytton expressed in his September despatch, namely, that "no such Federation should take place without the assent of the Parliament of the Cape of Good Hope having been previously obtained to it." Thus Grey pointed out that the only way he could inform the Secretary of State what the Cape Parliament thought about Federation would be to discuss it with them. After ascertaining the views of Parliament on this issue, Grey declared:-

" I would have said to them that I should acquaint Her Majesty's Government with their views, and refer to them for instructions regarding the course I was to take, and that I could say nothing further in relation to the matter until I had received those instructions." ¹⁵

12. G.H. 23/27 D.58. Grey to Lytton. April 19, 1859.

13. de Kiewiet Chapt. VI. p. 70-71. Keith, Responsible Govt. Vol. 1. Chapt. 1. p. 2 & 3.

14. G.H. 1/51 D. Confidential Molesworth to Grey Aug. 10, 1855. This was an unprecedented request and President Hoffman had requested that an act be passed to free "Free State citizens from natural allegiance to Great Britain."

15. Ibid 12. D.58

Grey, in making this justification for bringing Federation to the notice of the Cape Parliament, was just glossing over the main point of Carnarvon's censure. Carnarvon's main reason for disapproving of Grey's policy was not so much that Grey had brought the subject of Federation before Parliament, but that he had invited Parliament to consider uniting with the Free State in a federal union. The whole tenour of British policy, as we have frequently seen, was strongly averse to the possibility of extending British control over the Free State or Transvaal. Thus Grey's assurance that the whole matter had been dropped and that Her Majesty's Government had not been embarrassed, did not modify Carnarvon's disapproval of Grey's actions.

On the 4th June, 1859,¹⁶ Bulwer Lytton replied to Grey's April despatch, in which Grey had sought to justify himself from the "charge of disobedience to instructions." There is no doubt that Bulwer Lytton read Grey's despatch "with the sincerest desire"¹⁷ to find Grey's justification acceptable. In this despatch he expressed clearly his admiration for Grey:-

" I must add for my own part the expression of my deep regret, that administrative qualities of so high an order, as those which you possess, should have their value seriously impaired by a disposition to refuse obedience to instructions. 18... No one can be insensible either to the high value of those services or to the spirit of real and self-devotion in which they have been rendered. It is painful to me that a despatch in which it is my duty to signify to you your recall, should, at the same time serve as my opportunity for conveying to you my high appreciation of many parts of your government and my respect for the motives which have actuated you." 19

Let us now consider why it was that Lytton recalled Grey. Grey's April despatch, he observed, left "untouched the grounds of the disapproval" which the British Government had expressed. "The facts remain uncontradicted and unexplained", Lytton felt, as to why Grey had acted in direct contravention of his instructions. Grey, he complained, had wholly disregarded them and had not even acknowledged, except by general despatch, the receipt of the November instructions.

Lytton accused Grey not only of acting in opposition to his instructions about the Free State, but also of bringing the matter before Parliament "with the strongest intimation of his own opinion in favour of the policy of this measure."²⁰

Lytton said he could not understand how any persons in the Free State could consider they were British subjects, as no single act of sovereignty had ever been performed by the Government of Great Britain over that territory, and as Grey had been instructed to treat the Republics as if they were foreign states. The fact that Grey

16. G.H.1/55.D.147 (81) Lytton to Grey June 4, 1859. 17. Page 2. 18. Page 15.
19. p.24. 20. p. 3 & 4.

had acted in concert with his Executive Council, Lytton thought, was no justification for disobedience to his instructions.²¹

The Secretary of State also pointed out that when Grey notified the House on March 28 that the British Government was opposed "to the resumption of dominion over the Free State", he told Parliament that he had "previously received an intimation of the views of the British Government." This led him to consider "that they would not unfavourably regard any comprehensive plan which he submitted to them for promoting that object." If Grey was referring here to Federation with the Free State, Lytton declared, "I cannot take too early an opportunity of distinctly affirming that Her Majesty's Government never intended to convey any such intimation at all and that I find no record whatever of their having done so in any shape."²²

Grey's action in raising the question of Federation, Lytton felt, had placed both the British Government and the Colonial Governments in "a position of extreme embarrassment and had threatened the success of British policy. The matter of policy was not one of minor importance but was, on the contrary, "one of the highest and most vital importance."²³ It was the duty of the Colonial Office alone, he observed, to determine whether any change in policy should take place, and hence no alternative was left but to remove a governor who acted on his own initiative in contravention of his instructions. Lytton accused Grey of overstepping the mark, not only in this connection, but also in his scheme for introducing German immigrants, and in his financial arrangements in regard to British Kaffraria.²⁴ He realised, he said, the difficulties of governing and laying down policies from Downing Street for the Empire, and thus he always consulted "the judgment of able and enlightened functionaries who are placed on the spot."²⁵

Grey, in a long and interesting despatch in July, 1859, ably defended himself against the charges made by Bulwer Lytton in his June despatch.²⁶ Grey considered that the grave charges brought against him, in each particular instance, were founded upon wrong data, or owing to Lytton having read only part of his correspondence on the matter.²⁷ Sir George Grey began his defence on a note of self-confidence:-

"Feeling satisfied therefore" he said, "that you have been led, unintentionally, to commit an act of great injustice to me, I request you to consider the following....."

His April despatch, Grey said, was not an answer to all the inculpations against him and only dealt with part of them. He attempted in this despatch to show that he did

21. Ibid 16. p.56. 22. p.7.8.9. 23. p.10.11: 24. p.17. 25. p.22
26. G.H.25/27 D.128 Grey to Lytton. July 20, 1859. 27. para.4.

not disobey his instructions.²⁰

That his removal was necessitated by the fact that he did not hold the same views as the Secretary of State, Grey pointed out, was illogical. Since he had been Governor of the Cape, Grey commented, there had been seven Secretaries of States, all with divergent views.²⁹ This argument of Grey's was not sound, because, although the seven Secretaries of State differed on minor points of policy, they nevertheless all refused to change the Conventions Policy and to extend British dominion again over the Free State. Bulwer Lytton's September despatch had led Grey to consider that Britain favoured a Federation which included the Free State. This is shown, he maintained, by Lytton having said that he (Grey) had not to give a definite answer to the Free State but had to refer the matter to him (Lytton). If Lytton had not favoured a Federation which included the Free State, Grey argued, he would definitely have informed him. "This was a course of policy which the Crown had been distinctly advised by its present Ministers not to adopt." Instead of that, Lytton gave him an evasive answer, namely, that he had already instructed him to give his opinion about Federation, and "on the permanent line of policy consistent with the maintenance of public faith pledged by the existing treaties."³⁰ Lytton, Grey felt, had not yet made up his own mind about the matter and consequently was unable to state what his views were, or to instruct him.³¹

Grey, in the following extract, attempted to prove that he did not contravene his instructions in his dealings with the Free State about Federation. With reference to the fact that if the Free State request union, he must reply:-

" I can say nothing without previous instructions from Her Majesty's Government.... This state of affairs never arose. The inhabitants of that State said they would not make such a request until they knew what the terms of such a Federation would be and they asked, in fact, that the Parliament of the Cape of Good Hope should be requested to tell them what were the terms of such a Federation as would, in their opinion, be likely to suit the circumstances of the different provinces of the Colony stating that when this point had been decided they would then, not before, make up their minds whether or not they would ask again to be united with the Colony." 32

His actions, he said, had not caused the British Government or the Colony any difficulty or embarrassment, as on March 28,³³ when he had notified Parliament that the British Government was opposed to Federation, the question was dropped. "All is proceeding here," he said, "as quietly and tranquilly as if the question had never been mooted." 34

After refuting the charges brought against him in regard to British Kaffraria

28. Ibid 26. para. 56, 78. 29. para.9: 30. para 10-19: 31. para.11.

32. para.20:

33. V. & P. V.18. Minute 6. Grey to Parliament, March 28, 1859. G.H.23/27 D. Separate Grey to Lytton, April 1, 1859.

34. Ibid 26. D.126 para.21.

and his immigration schemes, he replied to Bulwer's accusation that he had overstepped his duties as Governor on several occasions in the following words, concluding his despatch by justifying his action on the pretext of the ancient Roman plea, 'Salus Populi.'

" To condemn a man so circumstanced for overstepping the duties of an ordinary British Governor whose functions are confined to the British territories confided to his care, and to the British subjects inhabiting them, would be to ensure his destruction. For he must either overstep such limits and be condemned for so doing, or he must neglect to overstep these limits and be condemned for great evils which in consequence necessarily fall upon Her Majesty's possessions and subjects." 35

Having dwelt at considerable length on the evidence brought forward by the plaintiff, Lytton, and that of the defendant, Grey, it remains for judgment to be given. A perusal of these despatches of Lytton's and Grey's justifies the passing of the following sentence upon Grey. Grey is found guilty of disobedience to instructions, and thus Lytton was justified in recalling him.

The only possible explanation for Grey's misunderstanding of Bulwer Lytton's September despatch is to infer that he must have read this despatch very hastily and then placed it on one side. The evidence in his defence, however, disproves this. Even if Grey had considered that Lytton favoured union with the Free State, he acted in opposition to his instructions in the answer he returned to the Federation Commission in the Free State. His defence that the Free State did not request to be united with the Cape Colony, shows his ability to split hairs. Grey knew very well that Bulwer Lytton and his predecessors were opposed to a change in the Convention Policy. Though one admits that there might be occasions when a Governor 6,000 miles from the Home Government might have to overstep his authority, there was no need of such desperate haste in dealing with this matter of Federation, which Grey must have realised was of momentous importance.

There were two extenuating circumstances which should be considered in justice to Grey. He, no doubt, acted as he did in regard to Federation with the idea that, if he presented Lytton with Federation as a *fait accompli*, he would have no alternative but to accept it. In New Zealand he had been instructed to promulgate the Constitution in 1847. He objected to the terms of this Constitution and it was replaced by one, the main author of which was Sir George Grey himself.³⁶ He had left New Zealand without having received any instructions from the Colonial Office, and had returned to England.³⁷ The Colonial Office forgave him for this and appointed him Governor of the Cape Colony

35. Ibid 26. D.128 para.53.

36. Collier Chapt.VI. p.51 - 64.

37. Collier Chapt.VI. p.90-92.

and Natal. He instigated, and carried out, his scheme in Kaffraria of appointing European magistrates as assessors to the chiefs without any instructions from the Secretary of State.³⁸ This scheme was also sanctioned. The War Office had complained of the action of the Governor in supplying the German Legion with boots and clothes from the military stores, of raising a Hottentot levy and a cavalry corps, and of keeping the German Legion on full pay longer than the period specified.³⁹ The Secretaries of State supported Grey, and these actions were also condoned. In spite of Grey's failure to economise in Kaffraria and in spite of his dealing with the German firm of Goddefroy, Lytton, in June 1858, informed him that Her Majesty's Government had no desire that he should retire.⁴⁰ All these instances must have led Grey to consider that the Colonial Office would ultimately sanction any of his schemes.

The second extenuating circumstance was due to the fact that, except for short visits, Grey had been away from England for over 20 years and thus he was not conversant at this time with public opinion in England towards the colonies.⁴¹ The great distances between England and the colonies of Australia, New Zealand and, to a larger extent, South Africa, had enabled Grey to rule these colonies more or less autocratically, and thus he was prone to follow the dictates of his own conscience, rather than the instructions of the Home Government.

38. G.H. 1/52 D. 45. Labouchere to Grey. March 20, 1856.

39. Ibid Chapt. VI. notes 15. p. 54.

G.H. 1/54 D. 14. Stanley to Grey. March 26, 1858.

40. G.H. 1/54 D. 39 Bulwer Lytton to Grey. Sept. 6, 1858. G.H. 1/55 D. Separate. Bulwer Lytton to Grey Jan. 17, 1859.

41. G.H. 23/27. D. Separate. Feb. 18, 1859.

SECTION C. GENERAL APPRAISAL OF GREY'S FEDERATION POLICY.

CHAPTER X.

SIR GEORGE GREY AND FEDERATION.

PERSONALITY OF SIR GEORGE GREY.

Popular with the people.	Page 85.
His actions in regard to his fellow workers.	" 86.
His Native Policy.	" 86.
Grey's love for his work.	" 86.
Friendship with the Boers.	" 87.
Grey's Faults.	" 87.

RESULTS OF GREY'S FEDERATION POLICY.

Immediate and subsequent results.	" 87.
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FEDERATION IN THE TIME OF CARNARVON.	" 89.
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GREY'S TIME MORE PROPITIOUS FOR FEDERATION.	" 90.
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SIR GEORGE GREY & FEDERATION.CHAPTER X.

We have attempted to view Federation in Sections A and B as it appeared to Sir George Grey, and thus little scope was afforded for emphasising his character, other than that which was indirectly revealed through the context.

Sir George Grey was extremely popular with most sections of the South African community. This is most clearly evinced by the following extract from "The Cape Argus", which newspaper we have already noted, prided itself on its impartiality and scorned any suggestion that it would be influenced by mob heroics:-

" No one can deny that Sir George Grey was popular at the Cape from the day of his landing to his departure." 1

The petitions received on the occasion of Grey's recall also reveal how popular he was. The following is an extract from a petition signed by 2,272 persons in the Cape Colony:-

" That your Majesty's loyal subjects in South Africa have derived great benefit from the wise, prudent and active administration of the Colonial Government by his Excellency, Sir George Grey.... That by the adoption of a line of policy at once wise, temperate, humane and effective, his Excellency, under the blessing of Divine Providence, has successfully grappled with and overcome every obstacle, and, while by the increasing devotion of his time and talents to the encouragement of education, religion, science, art, of agriculture, commerce, public works, and indeed of everything likely to promote and confirm the welfare of the community, he has succeeded in bringing about a state of contentment and prosperity hitherto unknown to this part of the world; he has at the same time, deservedly earned for himself here a reputation as imperishable as any of his works, and a name which will be uttered by the present and future generations with feelings of respect and veneration." 2

A hundred petitioners from Graaff-Reinet declared:-

" They have learnt with surprise and regret of the recall by the Imperial Government of Sir George Grey and appreciating very highly... His Excellency's eminent success in administering the government of this Colony, they hereby humbly petition.... to withdraw the said recall, and continue to us the valuable services of his Excellency, Sir George Grey." 3

Grey also received petitions from some of the native tribes in South Africa who desired that he should continue in office. This extract shows how much the Fingoes admired Grey:-

" We saw when he arrived that he was just such a chief as we black people needed. He manifested his love towards us in many things... to-day we are sad... to-day our hearts weep... we say: Has our Queen forsaken us... Having deprived us of our father, we are now orphans." 4

We learn from "The Friend" of the Free State that Grey was so popular with the

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1. Cape Argus: Aug. 23, 1859. Grey had left the day before and 20,000 people assembled to see him off. Ibid note 36. Chapt. 8 p. 61.
 - 2 & 3. Blue Book. "Responsible Government" p. 29.
 4. Ibid 2. p. 27.

people of that State that they wanted him to become their President. They felt, however, that they did not have sufficient money to pay him.⁵

Let us now consider a few reasons for Grey's popularity. Sir George Grey, on the whole, worked well with his fellow men. He had been careful, throughout his administration, not to infringe upon the rights and privileges of Parliament.⁶ Grey gave credit where credit was due, as the following extract reveals:

" The Governor, in closing this the last meeting of the Executive Council under his presidency, tendered them his cordial and grateful thanks for the advice and most valuable assistance he for so many years received from them - an assistance for which he should ever feel most thankful and for which he had no hesitation in saying any success that had attended his administration, was to a very large degree to be attributed." ⁷

Grey was not arbitrary in his dealings with his fellow-workers, as Collier implies;⁸ on the contrary, in many of Grey's despatches one finds examples of the expression of his indebtedness to the various officials and of his high respect for them. Grey, for example, had suggested that Mr. Brand, the Speaker of the House of Assembly, should be knighted and that Maclean should receive the Civil Order of the Bath.⁹ The following extracts are typical of the manner in which Grey wrote of his contemporary office-bearers:-

" I cannot speak in too high terms of the manner in which Baron von Stutterheim has performed his duties here".
and " The manner in which Major Gawler conducted the duties assigned to him merits my warm approbation." ¹⁰

One of the main reasons for Grey's popularity was the manner in which he conducted native affairs. The merits and demerits of Grey's civilising policy are outside the scope of this thesis, but what interests us is that though Grey was inspired by humanitarian ideals in his dealings with the natives, nevertheless he was practical, and thus, when Kreli threatened the success of his civilising policy, he did not hesitate to subdue this chief by force.¹¹ Though Grey was negrophilistic, he was also practical, in that he encouraged the natives to improve their own conditions by dint of hard work, either in road making or in the service of the farmers.¹²

There is no doubt that Grey loved his work and, consequently, put all his energies into it. This is especially seen when Grey, on hearing that the Kaffrarian grant had been reduced, offered not only to give up his leave, but also contributed £6,000 of his own money to the funds of Kaffraria.¹³ Grey, in spite of having had no

5. From "The Friend of Free State. Quoted "Cape Argus" Aug. 23, 1859.

6. Ibid Chapt. 2 p. 18.

7. V. & P. Vol. 18. Minute 52.

8. Ibid Chapt. 8. Note 27.

9. G.H. 23/27 D. 29. Grey to Lytton. Feb. 18, 1859.

10. G.H. 23/27 D. Separate. Grey to Labouchere Oct. 29, 1857; G.H. 23/27 D. 23. Grey to Labouchere March 13, 1858. During Grey's administration every official that was removed from office, had been convicted of some charge necessitating this step. e.g. Shaw Ibid 28 Chapt. 8 p. 68

11. Ibid 92. Chapt. 3.

12. G.H. 23/27. D. 27. Grey to Lytton Feb. 17, 1859.

13. Collier Chapt. 14. p. 104.

leave for 22 years, informed Lytton in February, 1859, that he would only go to England on furlough if such a change were really necessary to enable him to perform his duties satisfactorily.¹⁴

Another reason for Grey's popularity was that he was not prejudiced against the Boers, and his action in endowing the Bloemfontein College reveals his heartfelt interest in the progress of the Free State.¹⁵

There are two sides to every question and Grey, like most great men, had his faults. His principal weakness was lack of patience. This is clearly revealed in the Chapters VII and IX. Grey was impatient, extremely self-confident, pertinacious and autocratic. These qualities are all revealed in the change of policy he effected in British Kaffraria,¹⁶ in his attitude towards the War Office,¹⁷ and in his dealings with the Free State on the question of Federation.¹⁸ From Grey's Federation Despatch we realise that he had great statesmanlike qualities; he was liberal and practical, and yet he had foresight.

After a detailed analysis of evidence for and against Grey's actions in regard to Federation, we may best sum up the position in Grey's own words:-

" If any error arose, it arose from that sanguineness which springs from over zeal, not from intentional disobedience." 19.

Having drawn a character sketch of Grey as he appears through his actions in regard to Federation, let us now consider what were the results of Grey's Federation Policy.

The immediate consequence of Grey's Federation Policy, as it has previously been shown, was his recall. With the failure of Grey's federal project, the Free State again favoured an alliance with the Transvaal, and in 1860 the event took place which Grey had done all in his power to prevent, namely, the union of the two Republics under Marthinus Wessel Pretorius.

Perhaps one may say that the history of South Africa from 1860 - 1910 was determined by the failure of Grey's Federation Policy. Had Federation been introduced, the Free State would have been linked with the British Colonies and, in time, the Transvaal probably would have come in. South African history would then have been determined by the voice of the South Africans themselves, instead of by the vacillating policy of the Imperial authorities. Englishmen and Boers would have

14. G.H.23/27 D.Separate. Grey to Lytton Feb.18, 1859.

15. Henderson Chapt.12, p.171.

16. Ibid Chapt.6. Note 11; Ibid Chapt.9 Note 38.

17. Ibid 39 Chapt.9.

18. Ibid Chapt.7. p.63.

19. Ibid 26. Chapt.9. para.26.

learnt to live together in harmony, and in time these two people would most likely have been welded into one nation. Anti-British feelings arose in the Free State owing to the British having annexed Basutoland, when the Free Staters had just managed to subdue Moseesh. The British Government's action in stepping in and claiming the diamond fields, not only aroused bitter opposition to British policy in the Free State, but also divided the colonists in British South Africa into two camps. The Boers were now (in 1871) definitely hostile to the English. The annexation of the Transvaal (1877) further inflamed the feeling of resentment and increased the hatred of Boer towards Briton.²⁰

Henderson considers that "had Grey's view been accepted then, there would in all probability have been no necessity to dilay a feeling of bitterness which is one of the legacies of the Boer war."²¹ There would have been no dispute about the diamond fields in the event of Federation, for Adam Kok, as we have already seen, was prepared to allow his territory to be incorporated in that of one of the federal states.²²

Grey's Federation Policy had been condemned, chiefly as it had threatened to extend the territorial possessions of the Crown and thus increase British liabilities. Had Grey's federal schemes been accepted, Great Britain probably would not have broken her plighted word to the Republics. In contravention of the Conventions, Basutoland, was annexed by Wodehouse in 1868, and Griqualand West by Sir Henry Barkley in 1871.²³ Territorial expansion over Kaffraria, Basutoland, Griqualand West, and later the Transvaal, was necessary, in the eyes of the Colonial Office, to safeguard British interests in South Africa.²⁴ If the Free State had been united with British South Africa, there would perhaps have been no need of these precautionary measures. Reitz, an Englishman, in 1893, wrote of Grey's Federation Policy:-

"Had British ministers in times past been wise enough to follow your advice, there would undoubtedly be to-day a British dominion extending from Table Bay to the Zambesi."²⁵

Henderson wisely points out that though the advantages were such as to justify the adoption, in 1858, of Federation, nevertheless one must see the other side of the question too and not lightly denounce the "impolicy of Downing Street." The Colonial Office, Henderson considers, denounced Grey's Federation Policy for three reasons. Firstly, British policy was opposed to territorial expansion; secondly, this would

20. Froude Lecture 1. p.28 - 35.

21. Henderson Chapt. 12. p.172.

22. Ibid Chapt. 14. 16. p. 36.

23. de Kiewiet Chapt. 16, 17. p.298.

24. Froude Lecture 1. p.28. p.34. Lecture 2 p.102. de Kiewiet Chapt. 16. p.261.

25. Quoted Henderson Chapt. 12. p.173.

have necessitated the adoption of a vacillating policy towards the Free State which had so recently been abandoned; thirdly, England was financially exhausted and thus feared any possible increase in her liabilities.²⁶

The main criticism, which may be levied against Bulwer Lytton, is that whereas Grey had vision, Bulwer Lytton was short-sighted. He, and the Colonial Office in general, were prepared only to meet the exigencies of the moment, and thus they failed to grasp their opportunities and thereby laid up trouble for the future.

By 1875, the policy of the Colonial Office was completely revolutionised in regard to this matter of Federation. Lord Carnarvon, the Colonial Secretary, himself, advocated the Federation of the South African States. Since the days of Sir George Grey, the position in South Africa had changed - Britain had annexed Kaffraria, Basutoland, and Griqualand West; and the Cape Colony had Responsible Government. The following extract from a speech of Carnarvon's bears a close similarity to sentiments Grey expressed in his Federation Despatch:-

" Hitherto the interests and systems of all the states in South Africa have conflicted with each other. My wish is to see those interests and systems brought into greater unity. I desire, in the first instance, to see a greater development of those great resources which South Africa possesses. Secondly, I desire to see a uniform system adopted in these states, because as long as different systems exist among them they will be a perpetual source of danger, and, lastly, I look most earnestly to a better understanding being created between the two Dutch Republics and ourselves. I think it would be in the interest of all parties to concur in demanding there should be a better understanding and a more conciliatory course of action between these Republics and our Colonies." 27

Carnarvon's Federation proposal was greeted in the House of Assembly with bursts of laughter, and Molteno, the Premier, lost no time in informing Carnarvon that the question of a Federation was a matter for the Responsible Government of the Colony to propose.²⁸ The reaction of the colonists to Carnarvon's Federation Policy is not surprising when we realise that the colonists felt Carnarvon was trying to involve them in his quarrel with the Free States over the diamond fields. One of Carnarvon's main reasons for sanctioning the annexation of the Transvaal in 1877 was to federate this state with the Free State, Natal and Griqualand West, and thus force the Colony, on account of its isolated position, to join them. Carnarvon's action in annexing the Transvaal had serious repercussions on the Federation movement, as it caused the Free State to shy away from the question of Federation, lest she too lose her independence; and it also fanned the fires of Boer animosity to Great Britain within the colony.²⁹

26. Ibid 25. p.175.

27. de Kock thesis: Chapt.1 quoted page 51. Hansard 3rd series Vol.23.

28. de Kock's thesis: Chapt.11. p.59-61. Froude Lecture 2. p.83-85.

29. Froude Lecture 2 p.84. de Kiewiet Imperial Factor Chapt.2 p.26.

This brief resumé of Carnarvon's Federation Policy reveals that, had Federation come to South Africa, it would have come more easily in 1858, when the Colony had not yet increased her revenue through the trade of the diamond fields, and when Boer and Briton could have worked harmoniously together.³⁰ The sentiments expressed in the following extract from the Cape Argus (1858) are substantiated by a comparison of Grey's and Carnarvon's Federation Policies, and also in the light of subsequent history.

" Those in favour of the introduction of Federation into the government of the South African colonies could not have the circumstances or the time more propitious than at present. In Sir George Grey, the present Governor of the Colony, we have a man who seems to be a federalist on principles, believing it to be the best system for the Government of most of the British Colonies." 31

Sir George Grey must have felt that he was destined to effect the Federation of the South African states, and his following words have proved singularly prophetic:-

" I have much fear that the opportunity of establishing such a Federation as I had proposed has now been lost for ever." 32

30. Froude Lecture 2. page 74. de Kiewiet Imperial Factor Chapt. 1 to 6.

31. Cape Argus July 15, 1858 p.2.

32. G.H.23/27 D.143 Grey to Lytton July 31, 1859.

APPENDIX

SOURCES AND BIBLIOGRAPHY.

APPENDIX.SOURCES AND BIBLIOGRAPHY.SOURCES FOR BIBLIOGRAPHY.

Cambridge History of the British Empire Vol.8 South Africa. Section X. p.943.
de Kiewiet. British Colonial Policy and the South African Republics. p.308.

1. UNPUBLISHED PRIMARY SOURCES.

The bulk of the manuscript material used in this thesis was found in the Cape Town Archives. The despatches, together with their enclosures, as well as the duplicate despatches from the Secretaries of State, are the best source for determining the attitude of the Colonial Office to Federation. Sir George Grey's despatches and the few available enclosures to the Colonial Authorities are extremely well written and detailed. The comments on the following Archives' groups indicate their value.

(a) From the Colonial Office.

G.H.1/50 to G.H.1/57 containing the original despatches from the Secretaries of State to Sir George Grey from 1854 to 1861.

G.H.3/14 to G.H.3/15. Duplicate Despatches received from the Colonial Office. (1853 - 1856 and 1857 - 1881 respectively) Not as complete a source as G.H.1/50 series.

G.H.5/2 to G.H.5/5: Circular Despatches received from Colonial Office (1853 - 1855 and 1856 - 1859). Of no value whatsoever to this subject of Federation.

G.H.6/5 to G.H.6/6. Index to Despatches received from the Secretaries of State (1852 - 1856 and 1857 to 1867). Of value in discussing Chapter IX "Grey's Recall", as shows exactly what despatches Grey had received before he introduced the question of Federation to Parliament.

(b) Despatches to the Colonial Office.

G.H.23/26 to G.H.23/28 being the original Despatches sent to the Secretaries of State by Sir George Grey.

G.H.28/69 to G.H.28/75. Enclosures to Despatches sent to the Colonial Office, very few of which are recorded here.

G.H.26/56 to G.H.26/61 containing duplicates of all despatches sent to Secretaries of State from the Cape (September 1854 to December 1856). Incomplete. G.H.25/26 series better source.

(c) Despatches received from Officials in South Africa.

G.H.9/5 to G.H.9/6. Despatches from Lieutenant Governor of Natal (1853 - 1855 and 1859 - 1865). Unfortunately there is a gap from 1856 to 1859. This is still more unfortunate as there are no Natal Newspapers available from 1854 - 1859 in Cape Town, either at the Archives or at the Public Library.

G.H.8/16. Despatches received from Lieutenant Governor of Eastern Districts 1854 -

to 1860. Best source for obtaining knowledge of Eastern Province and especially of frontier affairs.

G.H.10/4a G.H.10/4b and G.H.10/5. Despatches from Presidents of the Free State, the South African Republic, Lydenburg and native chiefs (1854 to 1858 and 1859 to 1874). Incomplete, yet best available source in Cape Town.

G.H.11/1. Letters from South African Republic, only recorded from 1859.

(d) Letters despatched and received.

G.H.30/10 to G.H.30/14. Letters despatched miscellaneous - some letters concerning Republics found in other sources.

G.H.39/5 Letters received miscellaneous.

G.H.42/1 to G.H.42/2 General letter book. Letters despatched - from January 1855 to May 1860.

G.H.44/1. Register of letters received and despatched 1858 - 1859.

(e) Other Archive Groups consulted but only of minor importance.

G.H.18/6. Letters from private individuals; disappointing source, very few for our period.

G.H.14/4 to G.H.14/5. Letters received from Civil Commissioners of Aliwal North and Superintendent Wittenbergen Reserve (1855 - 1857 and 1858)

G.H.14/2. Letters from Griqua Chief Waterboer and his agent 1859 - 1872.

G.H.14/3 Letters received from Adam Kok and Council 1857 - 1875.

These last three mentioned sources G.H.14/2 to G.H.14/3 are only of interest as far as the Native Problem is concerned.

2. PUBLISHED PRIMARY SOURCES.

(a) The Newspapers.

The South African Public Library has the finest collection of the Cape newspapers. These old newspapers are extremely interesting. To our modern ears they appear very refreshing with their candid comments on all topics and persons. These newspapers help considerably to form a background for the issues discussed in the Despatches, and, as already mentioned, are of considerable value in a subject like Federation, as they enable one to gauge public opinion.

The following newspapers were consulted:-

The Cape Monitor 1854 to 1856. Nothing of importance found in this early period.

The Cape Argus. 1857 to 1859. This Newspaper was found to be of the most value owing to its summarising events in the Eastern Province, the Republics, Natal and British Kaffraria and to its monthly review of the latest English News.

The Grahamstown Journal. 1854 to 1856, affords interesting material on debates in the House and on conditions in the Colony generally, but owing to it being the organ of a faction, it has been deemed advisable to confine our attention to more representative sources such as the Report.

The Friend of the Free State and Bloemfontein Gazette. 1857 to 1859.

Only available source from which to derive public opinion in the Free State, but slightly biased as it favoured Federation.

There are no Natal newspapers available for this period in Cape Town.

(b) Official Published Sources.

1. Cape Annual Blue Books 1854 to 1860. These are of value in determining the position and development of the Cape in this period. (Found in the Public Library)
2. Votes & Proceedings of Parliament and Annexures. Vol.4 to 19. (Found in the Archives) These are of great value in supplying the economic background of the period. Though the speeches of the Governor to the Houses, and the Committee Reports enable one to understand the main political, economic and social interests within the Colony, and of the Colony with her neighbours. Volume 19, as previously mentioned, has been of inestimable value as it contains the Report of the Committee on the question of "Federation, Separation and Frontier Government." This Committee at first considered Federation with the Free State, but after Grey had notified the House that the British Government was opposed to Federation the Committee continued to meet until 1859 (June). It however, hereafter confined its discussion to the question of British Kaffraria and the Federation or Separation of the Colony.
3. Imperial Blue Books Vol.8. Responsible Government. Deals with Grey's Federation Despatches and the index of despatches dealing with Federation affords a useful means of checking the manuscripts found in other sources. (Found in the Archives).
4. Correspondence between Sir George Grey and Her Majesty's Principal Secretaries of State on affairs of the Cape Colony, Natal and adjacent territories, (1855 to 1857). Found in the Archives. Contains enclosures not found in other sources.
5. Federation Commission. Mendelssohn Collection. Parliamentary Library. No.10421 cla. a. 968.021. This Report of the Federation Commission reveals that the Colony was not in favour of Federation in 1872.
6. Recall of Sir George Grey. Mendelssohn Collection Parliamentary Library. Correspondence 1860. cla.a968. 7055.

3. CONTEMPORARY SOURCES.

(a) Contemporary Publications from the pamphlet collection in the South African Library.

1. Federal Union.London. 1868 (575e905/6) Copy of Grey's Federation Despatch 19th November 1858.
2. Molesworth, Sir W.O. Materials for Speech, in defence of the policy of abandoning the Orange River Colony. London 1854. 575e894.2. Useful as it shows clearly what the Colonial Office thought about the South African Colonies.

(b) Contemporary Publications - books.

1. Adderley, Sir O.B. Review of the Colonial Policy of Lord John Russell's Administration. London 1869. Of value in revealing the interests of the Colonial Authorities towards the colonies.
2. Eybers. Select Constitutional Documents illustrating South African History, London 1918. Useful in determining constitutional development.
3. Merivale, H. Lectures on Colonisation and Colonies. 2nd edition 1860. Lecture Four, reveals that Merivale considered that the Cape was very unprogressive.
4. Struben, H.W. Recollection of Adventure 1850 - 1911. Cape Town 1920. Chapters 5 - 8 portrays a picture of the times.

4. SECONDARY SOURCES.

- Brookes, E.H. History of Native Policy in South Africa, Cape Town 1924. Mere outline and thus not of much value for consultative purposes.
- Cambridge History of Modern Europe Vol. XI. Chaps. XI. XII. XXVII. consulted.
- Cambridge History of the British Empire, Vol. VI. (1950) Chapt. XVIII. The coming of Confederation.
- O.H.B.E. Vol. VII part I. Australia Chapt. XV. The Federation Movement and the Founding of the Commonwealth.
- O.H.B.E. Vol. VII part II. New Zealand. Chapt. VI.
- O.H.B.E. Vol. VII South Africa. Indispensable to an understanding of any South African Problems. As these chapters are written by experts they may be accepted as authentic. Chapt. XIV to XVI of especial interest.
- Collier, James. Life of Sir George Grey. Collier is prone to exaggerate on occasion, as we have noticed before. This is due, no doubt, to insufficient research having been carried out by Collier. He is inclined to infer rather than to study the despatches in detail. Collier, the writer of this thesis feels, was not, however, willfully antagonistic towards Grey. Collier was a student and the root of his prejudice against Grey was probably due to the fact that he was irritated by Grey's action of leaving the collection of Polynesian Mythology in Cape Town. The writer is led to believe that in New Zealand there are documents relative to Grey's administration which should be here, whereas we, as Collier says, have the Polynesian Collection which is of value only to New Zealand students. (Published 1909 New Zealand).
- Cory, George. The Rise of South Africa Vols. 3 to 5. London 1921 - 1930. Useful reference for period prior to 1854.
- de Kiewiet, Dr. C.W. British Colonial Policy and The South African Republics 1848 - 1872. London 1929. The most valuable of all the secondary sources. Well written and, on the whole substantiated by documental evidence used in this thesis. The scope of the book covers an important transition period at the Cape 1854 - 1872, and, consequently the Author is unable to develop the internal position in South Africa very fully as regards Federation. The recording of some minutes of the Colonial Secretaries have been a source of great value.
- de Kiewiet, Dr. C.W. The Imperial Factor in South Africa. Camb. 1957. The first few Chapters useful for comparing Federation in the time of Sir George Grey and in that of Lord Carnarvon.
- de Kock, M.H. Economic Development of South Africa, Cape Town 1927.
- Egerton, H.E. A Short History of British Colonial Policy. London 1910. A good outline; too brief.
- Egerton, H.E. Selected Speeches of Sir W. Molesworth. London 1903. Gives one a good idea of the feelings of the Colonial Authorities to the Colonies.
- Egerton, H.E. Federations and Unions within the British Empire. Oxford 1910. Chapters 1, 2 and 3. Serves useful purpose of placing Sir George Grey's Federation scheme in wider setting.
- Henderson, G.C. London 1907. (Edition used 575d 219 Public Library) Sir George Grey, Pioneer in Southern Lands. The title is singularly apt. The writer of this thesis endorses de Kiewiet's statement that this account is "So far the best biography of Grey" and agrees with James Collier that "evidence of bias there is none and all the more weight therefore attaches to the author's unsparing judgment."

- Kennedy, The Constitution of Canada. Oxford 1922. Chapt. XVIII The Growth of Federation.
- Kilpin, R. The Romance of a Colonial Parliament and The Old Cape House. Gives insight into the political life of this period.
- Lucas. History of South Africa to the Jameson Raid. London 1899. Clear, good outline.
- Morell & Bell. British Colonial Policy. Oxford 1928. Select Documents. Reveals the ideas of the Colonial Secretaries to South Africa. Section 6. Page 44 to page 541.
- Morell, W. British Colonial Policy in the age of Peel and Russell. Oxford 1930. Very well written and of special interest in revealing what Stephen and Merivale thought about the South African Colonies.
- Milne, James. The Romance of a Proconsul. London 1899. Good character sketch of Sir George Grey. Not detailed enough to be of much use this thesis.
- Nixon, J. Story of the Transvaal. London 1885. Too brief to be of much use.
- Orpen, J.M. Reminiscences. Durban 1915. Gives good idea of how the Boers regarded the abandonment of the Sovereignty. page 352.
- Rees, W.L. Life and Times of Sir George Grey. Auckland, 1892. In the preface (page XI.) the following words appear which make one realize that Rees was prejudiced in Grey's favour:- "There are in the world two human beings, and two only, who from the month of June 1837, till the present day have been ceaselessly and ultimately connected with the progress and development, the happiness and welfare of the Colonial portion of that Empire." These two people to whom he was referring, were Sir George Grey and Queen Victoria. The writer of this thesis agrees with Collier's criticism of this book; "Mr. Rees' biography is commendable - coming fresh, in large part, from the lips of Sir George Grey, it has an authority that no other work can rival - But even Mr. Rees would not claim that it is an impartial biography". (Collier Preface p.VIII.)
- Theal, G.M. History of South Africa. Vol.III. Useful for more detailed account of local events, picturesquely written - but owing to Theal's failure to quote his sources on many occasions, one hesitates to accept his views unless they are authenticated from other sources.
- Uys, Dr. O.J. In the Era of Shepstone. Lovedale 1933. Chapters 1-3. This account, dealing with the Conventions, leads one to believe that the writer is biased in Shepstone's favour and thus he does not present the picture in perfect perspective.
- Walker, A. History of South Africa, London 1935. Useful as a reference book but not sufficiently detailed to be of much use on this subject.
- Walker, A. The Great Trek. London 1934. Serves useful purpose of portraying the feelings of the Boers to the British Authorities in the earlier period.
- Walker, A. Atlas of South Africa. Used for Maps.
- Woodward, The Age of Reform. 1815-1870. Oxford 1838. Very useful and comprehensive. Chapters consulted:- Book I Chapt. 11 and 14. Book II. Chapt. 111 and 14. Book III, Chapt. 11 and 111.

EXTRACTS OF INTEREST.EXTRACTS FROM BULWER LYTTON'S PRIVATE DESPATCH OF SEPTEMBER 6, 1858. (Found G.H. 1/54)

"The experience which your administration of these dependencies has now given you, added to the ability and political knowledge which you had displayed in former employment, as well as in this, gives a high value in the eyes of Her Majesty's Government to the expression of your deliberate sentiments on such a question. And it appears to me that it is one on which it is highly desirable, however difficult, that a definite understanding should be arrived at.".....

"You will fully understand that I guard myself carefully against the supposition that, I either adopt or controvert these views, (of his predecessors) my present purpose is to obtain the benefit of your opinions in order to assist in fixing my own - nor is it material whether I may or may not, have accurately represented the personal opinions of those who have preceded me in the office which I now hold. I can only state the impressions which I have derived from the written materials in my possession."

"I am anxious to know from yourself, whether you concur in, or dissent from this course of policy as a whole, or in any important parts.".....

"Supposing you be of opinion that the present force of something approaching to it must be maintained. Do you think it would be safe and expedient to unite British Kaffraria with the Cape Colony, placing it under the same constitution, the same Parliament, and the same Executive? Do you think that it would be practicable to carry this extension further, so as to include Natal? In the event of the Cape Colony being thus extended where would the seat of Government be?"

Are you of opinion, on the other hand, that the present unity of the Cape Colony is likely to be long maintained, or do you think the separation of the Eastern and Western provinces which has been often urged by local interests on Her Majesty's Government, a better and probable solution?"

And if you think this description an event to be looked for, do you consider that it may be practicable to establish a federal union? And if established, to make such union under a free Government, consistent with the maintenance of a British military force, and with the consequent necessity of keeping in the hands of the British Government as an Imperial Officer, the relations with the frontier tribes.

Are your opinions on these subjects in any way modified by consideration of the policy to be adopted towards the two free states. And what is the permanent line of policy you would recommend towards those states consistently always with the maintenance of public faith pledged by the existing treaties.".....

"I shall be glad to be prepared before the meeting of Parliament next winter with your general answer, and should wish it to be written in the fullest sense and with whatever explanation or comment you may deem it discreet to distinguish as confidential."

EXTRACTS FROM GREY'S FEDERATION DESPATCH, NOVEMBER 19, 1858. (Found G.H. 25/27; and pamphlet Federal Union, Cape Town Library)

"When the policy was adopted of dividing South Africa into many states, bound together by no ties of Union, it was thought that the mother country, derived no real benefit from this part of the African continent, except in holding the seaport of Simon's Bay. It was also thought that peace was ruin to the Cape Colony; that the expenditure of British money during wars made the fortunes of its inhabitants; that they therefore encouraged such wars, often in the most profligate and unscrupulous manner. The European inhabitants beyond the Orange River were believed to be really rebels. It was thought that, even in Cape Town, it might, at any moment, be necessary to employ a military force to punish the inhabitants and to prevent the commission of disgraceful scenes.".....

"It was thought; the occupation of Great Britain of the country beyond the Orange River was considered a 'bubble and a farce' in which the Cape colonists were all interested for that it was to them a great gaming table, and out of the reach of the police."

"These opinions prevailing regarding the country and its inhabitants, the necessary consequence was, that Her Majesty's Government determined to rid themselves of such costly and troublesome possessions, and the measures necessary for doing this were hurriedly carried out before any free form of government had been introduced into or tried in any part of South Africa. Necessarily, therefore, the wishes of the inhabitants were in no way consulted in regard to what was done."

"The first step taken was to get rid of the people living beyond the Vaal River. A convention was concluded with some people who lived there. The majority of the inhabitants of that country were not consulted on the subject, nor were the Legislatures of the colony of the Cape of Good Hope, the Orange River Sovereignty or Natal, or the chiefs

of the neighbouring native nations so consulted. All these persons, therefore, justly or unjustly as may be, believed and still believe, their interests to have been injured by the convention. It gave no satisfaction to the mass of the people inhabiting the Trans-Vaal country, who are trying to split into several republics, and it left all the boundaries of the Trans-Vaal but one undefined, so that the Government of Portugal, Government of Natal and several native states have, at various times, lodged complaints with the Government in reference to the course Great Britain pursued in making this convention, which has, in no respect, promoted peace or union, but has, apparently sown the seeds of many future disagreements."

"The next step taken, with the view of getting rid of territory, was the abandonment of the Orange River Sovereignty. A measure likewise carried out in opposition to the wishes of nearly all the wealthy and influential inhabitants of that country, as also in opposition to nearly all the European and native inhabitants of South Africa who live without the Orange River territory. In this case also the boundaries were left unsettled and many outstanding questions with the neighbouring tribes left unadjusted, from which constant difficulties have since sprung.".....

"I would recommend...that an Act of Parliament should be passed, or that some measure should be taken, which would permit of the several states and legislatures of this country forming amongst themselves a federal union, such as their several interests would show them to be for the common good."

"This union of federated states would possess a general government administered by a Governor representing and appointed by Her Majesty, assisted by a Legislature chosen by the people of the several states, which would have powers of legislation upon all points of general interest, and relating to the proportions in which the general revenues should be divided between the several states. To the general Legislature would also belong the duty of providing for the general safety."

"The Governor, should, I think, be assisted by what is called a Responsible Ministry, possessing the confidence of the general legislature without whose advice it would not be competent for him to act. Such council, would probably be made up of the representatives of the several states, so that a knowledge of the requirements and feelings of every part of this vast country would be brought to bear on each question which came under discussion; an advantage which only those who have to carry on the government under the present system could fully estimate."

"The several states should, I think, through their own local governments and legislatures, have full and free scope of action left to them in all subjects which relate to their individual prosperity or happiness.".....

"I do not think it necessary to aver to the additional security which could be obtained for life and property under the system I have proposed; to the confidence which would then be created in the decisions of the constituted courts; to the encouragement which would be given to talent by the openings offered in the administration, in the senate, on the judicial bench, at the bar; to the encouragement and security which would be given to trade and commerce by uniformity of insolvency laws and laws regulating bills of exchange, as also from the prevalence of general peace and security".....

"I feel sure that such a system will save Great Britain from vast future expense and anxiety; if it is adopted, it will only then be necessary for her to determine in each case of difficulty which may arise (and I do not think many such would arise) what aid it is in her power to afford.".....

"But I think the answer that should be made to any objections raised to reopening these questions should be that the arrangements now in force in South Africa were not necessarily made without the sentiments of its inhabitants having been consulted, but even against their wellknown wishes, and that now they have representative bodies and have become used to self government, it is at once a generous and prudent line of policy to readjust these, in conformity with their well ascertained desires, fortified as these would be by local knowledge and experience. By adopting this course, all sympathies and interests would be evoked in favour of the line of policy it was determined to pursue; and a willing people would strive to make successful that which they had themselves recommended. Now the difficult question constantly arises, how the inhabitants of this country to be induced to give their personal services, and to vote large sums of money for the promotion of objects which they deem unsuited to their circumstances and adverse to their interests, and I fear that this difficulty will, year by year, increase, and that England will find it more and more difficult to retire from the costly system on which it has entered.

"All the foregoing considerations, as they successively arise, appear conclusively to show how desirable it is to allow the people of South Africa an opportunity of exercising some influence on their future destiny."

"I have not thought it necessary to trouble you with any details of the form of Government I should propose for the states of the contemplated federal union. The constitution of New Zealand embodies the model which I should propose for adoption, and that form of government could easily be so altered as to suit in every particular the circumstances of South Africa."

THESES CONSULTED (University Library.)

McGill. History of the Transvaal. Chapters 1 to VI.

de Kock. Confederation. Chapt. 1-V.

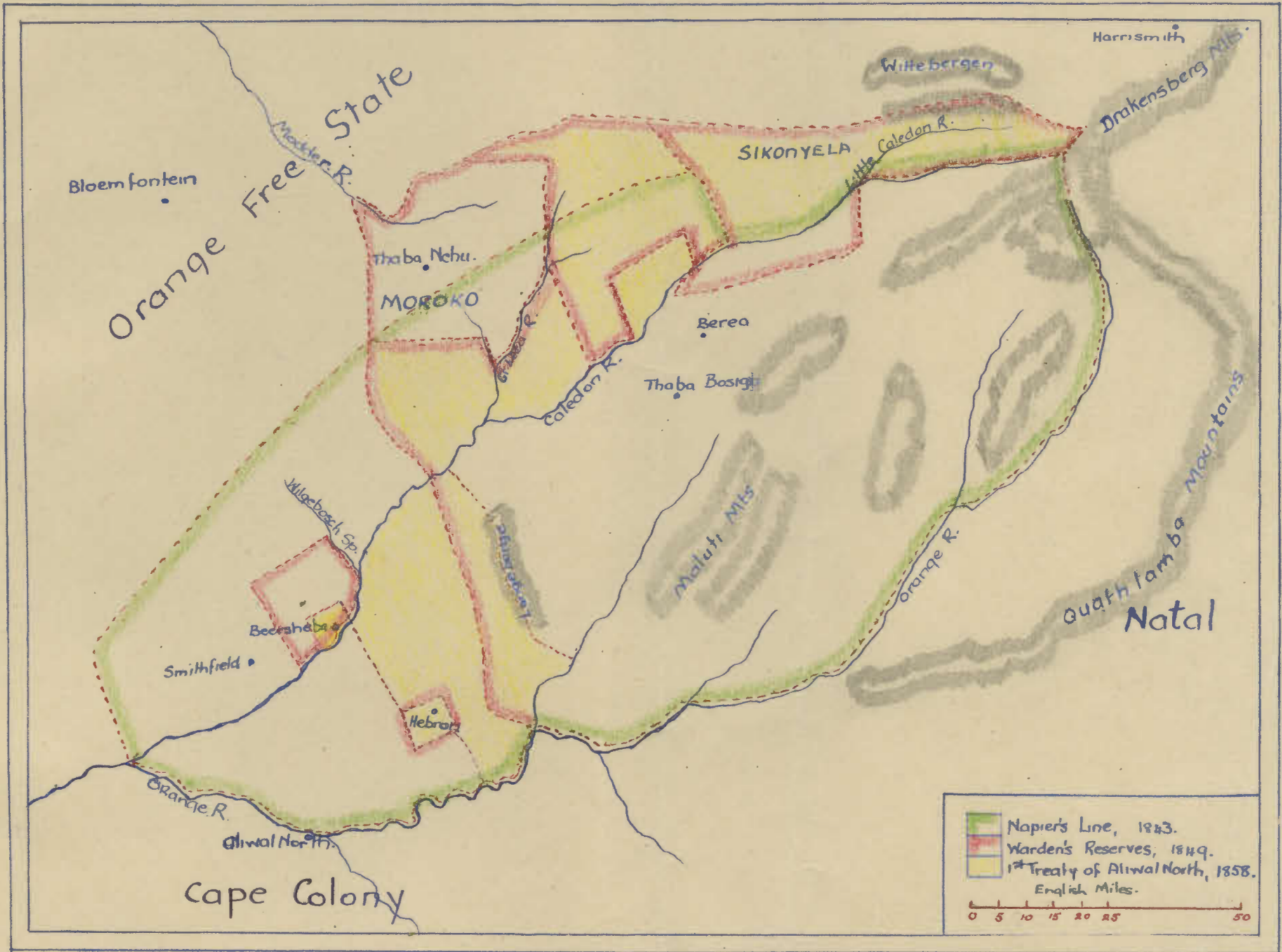
Taylor: The Separation Movement 1852 - 1872, Chapt. 1 - 3.

van der Pool. The Basutos.

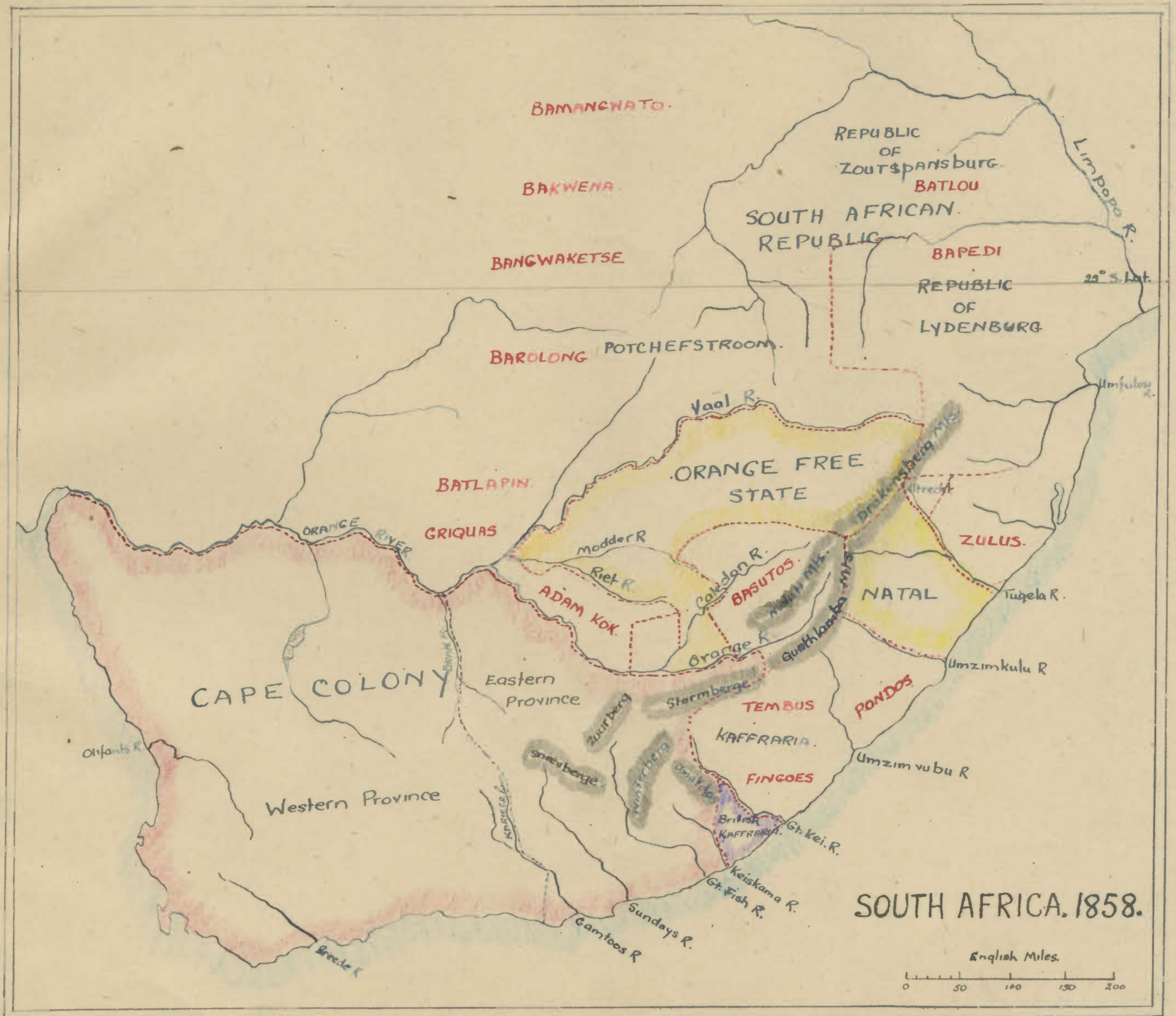
In concluding this Bibliography the writer would like to draw attention to the need of:

1. Obtaining copies of the minutes recorded on despatches by the Secretaries of State.
 2. Copies of all enclosures sent to the Secretaries of State from the Cape.
 3. Copies of documents and newspapers relative to Natal 1855-1859.
 4. Detailed copies of material relating to the Orange Free State and Transvaal in this early period.
 5. Exchange of Polynesian Mythology with New Zealand for documents of South African interest.
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MAP A.



MAP B.



SOUTH AFRICA. 1858.

