

## THE AFRICAN ROLE IN THE FAILURE OF SOUTH AFRICAN COLONIALISM, 1902-1910: THE CASE OF LESOTHO \*

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When the Union of South Africa was inaugurated on May 31, 1910, the small kingdom of Basutoland (Lesotho) was scheduled to be incorporated into the Union Government. The white politicians from the two British colonies of the Cape and Natal and the Boer or Afrikaner republics of the Transvaal and the Orange Free State that constituted the Union, had long demanded the annexation of Lesotho to one of the colonies.<sup>1</sup> Also included in their demands was the inclusion of two other British protectorates, Bechuanaland (Botswana) and Swaziland within South Africa. However, by Section 151 of the Schedule of South Africa Act (Constitution) of 1909, the incorporation of Lesotho, along with Botswana and Swaziland, was deferred indefinitely.<sup>2</sup>

Scholars have generally emphasized the role played by Great Britain, the colonial overlord of Lesotho, as the reason for the postponement of incorporation. They have argued that Britain made a deliberate decision against incorporating Lesotho, together with Botswana and Swaziland, because of its “moral obligation” to the welfare of the people of these three territories or protectorates. This so-called moral obligation was based on the British Government’s earlier promises and pledges to the chiefs of Lesotho, Botswana and Swaziland. Thus, Hyam has argued that the decision to defer incorporation “was in fact a decision taken in Whitehall...Local [African] pressures on the high commissioner were purely secondary.”<sup>3</sup> Chanock has also argued that Great Britain withheld Lesotho and its sister protectorates from the Union Government to ensure an imperial presence in the region and to influence the direction of the Union policy. In addition, Britain postponed incorporation to ensure the “stability” of an otherwise “weak” and “divided and poor” Union that did not need further responsibilities of administering new territories.<sup>4</sup>

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<sup>1</sup> See, for example, J. M. Mohapeloa, *Government by Proxy* (Morija, Lesotho: Morija Sesuto Book Depot, 1971); and S. B. Burman, *The Justice of the Queen’s Government: The Cape’s Administration of Basutoland 1871-1884*. African Social Research Documents V. 9 (Cambridge: African Studies Center, 1976). In fact Cape Colony had attempted to annex Lesotho leading to the 1880/81 Gun War and the consequent British Government’s resumption of direct administration of Lesotho in 1884.

<sup>2</sup> Margery Perham and L. Curtis, *The Protectorates of South Africa: The Question of Their Transfer to the Union* (Oxford: Oxford University Press, 1935), pp.32-44. Any future incorporation of Lesotho, Botswana and Swaziland (also known as the High Commission Territories because their affairs were overseen by the British High Commissioner who also was the Governor-General of South Africa until early 1930s) required the approval of the British Government, as well as the acquiescence of the peoples of the three territories.

<sup>3</sup> Ronald Hyam, “V. African Interests and the South Africa Act, 1908-1910,” *The Historical Journal*, XIII, 1 (1970), see pp.85-86. In 1975, Hyam and Martin also argued that the British withheld Lesotho, Botswana and Swaziland to pressure South Africa to adopt a more liberal policy towards its own Africans. Ronald Hyam and G. Martin, *Reappraisals in British Imperial History* (London: The MacMillan Press Ltd., 1975), p.12, pp. 187-88. In 1998, David Torrance held the same view by praising both Lord Selborne as the architect of the Schedule of the Act and the British Government’s decision against incorporation because it has ensured African welfare in the above territories. David E. Torrance “Britain, South Africa, and the High Commission Territories: An Old Controversy Revisited,” *South African Historical Journal*, Vol. 41, No. 3 (Sept. 1998), pp. 751-772. For further discussion of Lord Selborne’s Role in the consolidation of British South African empire, refer to David E. Torrance, *The Strange Death of the Liberal Empire: Lord Selborne in South Africa* (Montreal: McGill-Queen’s Univ. Press, 1996). Although dealing with a later period, on a related issue A. Jackson has also argued that by making provision in Section 151 of the 1909 South Africa Act that besides the British parliament the consent of the Africans be obtained before incorporation, Great Britain was admitting its weakness in influencing South Africa’s African policy. Ashley Jackson, “Tshekedi Khama, Bechuanaland, and the Central African Federation,” *South African Historical Journal*, 40 (May 1999), pp. 202-222, see pp. 202-03. Yet Jackson fails to recognize the centrality of African opposition in the failure of incorporation.

<sup>4</sup> Martin Chanock, *Unconsummated Union: Britain, Rhodesia and South Africa, 1900-1945* (Manchester: Manchester University Press, 1977), pp.1-37. By Section 150 of the Schedule of the South Africa Act, Southern Rhodesia (Zimbabwe), too, was to become part of the Union of South Africa.

And, Stevens has maintained that the British Government had decided as early as 1906 against the incorporation of the three protectorates because the new self-rule constitutions of the Transvaal and Orange Free State had not provided for an African franchise.<sup>5</sup> No consideration is given to the possibility that the British decision was influenced by African opposition.

Moreover, other studies on the incorporation issue have focused upon post-1910 developments and discussed the advantages and disadvantages that would have resulted from the inclusion of Lesotho, and Botswana and Swaziland in the Union of South Africa,<sup>6</sup> as well as the legalities involved.<sup>7</sup> Similarly, the studies of Arden-Clarke<sup>8</sup> and Hailey<sup>9</sup> have subordinated African opposition to the argument of the British “moral obligation” and cited South Africa’s segregation policy as the primary reason for the failure of incorporation. Halpern<sup>10</sup> and Doxey<sup>11</sup> have concentrated on the British-South African negotiations regarding incorporation, the British obligation to the Africans, and Lesotho’s and the other protectorates’ dilemma given their economic reliance upon South Africa.

Nonetheless, a few studies have attempted to recognize the significance of the African role in the failure of South African colonialism in 1910, although not always successfully. For instance, Booth’s study credits African opposition, particularly in Lesotho, to Lord Selborne’s advice in that the Basotho (people of Lesotho) send a delegation to England to reinforce the high commissioner’s warnings that Basotho would rebel if they were incorporated.<sup>12</sup> In his discussion of the African opposition in Swaziland, Nyeko has castigated Hyam’s Eurocentric approach and associated himself with what he terms Booth’s African-centered study of incorporation.<sup>13</sup> Finally, Machobane has briefly discussed the centrality of the Basotho role in the failure of South Africa’s territorial ambitions in his study of Lesotho colonial institutions.<sup>14</sup> In this study, I utilize previously ignored sources and argue that it was the Africans (principally the chiefs and the western-educated elite of the affected territories) and not Great Britain who played the primary role in the defeat of South African colonialism during the formation of the Union in 1910.

<sup>5</sup> Richard P. Stevens “The History of the Anglo-South African Conflict Over the Proposed Incorporation of the High Commission Territories,” in C. P. Potholm and R. Dale, eds., *South Africa in Perspective: Essays in Regional Politics* (New York: The Free Press, 1972), pp. 98-100. But B. Magubane has strongly rejected this characterization of British policy in South Africa. He has compellingly argued that what mattered to the British was not franchise for the Africans, but Great Britain’s long sought imperial interests in South Africa of controlling the vast mineral resources as well as cheap African labor for the British mining magnates to accumulate wealth and influence. These imperial interests, Magubane argues, were achieved by the the Union of South Africa’s constitution with the Afrikaners as “junior partners” in the exploitation of mineral wealth and African labor. Bernard M. Magubane, *The Making of a Racist State: British Imperialism and the Union of South Africa, 1875-1910* (Trenton, NJ: Africa World Press, Inc., 1996), pp. xii, 252-77.

<sup>6</sup> Perham and Curtis, *The Protectorates of South Africa*.

<sup>7</sup> See for example, Robert C. Tredgold “The Constitutional Position of the South African Protectorates: An Address Delivered at a Meeting of the Cape Town Branch of the Empire Group of South Africa,” *Journal of African Society*, UK, No. 133, Vol.33 (October 1934), pp.382-97; and Richard C. Fitzgerald “South Africa and the High Commission Territories,” *World Affairs*, UK, Vol.4: Pt. 3 (July 1950), 306-20.

<sup>8</sup> Sir Charles Arden-Clarke “The Problem of the High Commission Territories,” *Optima*, S.A., Vol.8 (Dec. 4, 1958), pp. 163-70.

<sup>9</sup> Lord William N. Hailey, *The Republic of South Africa and the High Commission Territories* (London: Oxford University Press, 1963).

<sup>10</sup> Jack Halpern, *South Africa’s Hostages, Basutoland, Bechuanaland and Swaziland* (London: Penguin Books, 1965).

<sup>11</sup> G. V. Doxey, *The High Commission Territories and the Republic of South Africa* (London: Oxford University Press for Royal Institute of Int’l Affairs, 1963). For details regarding Lesotho’s economic dependence upon South Africa, see for example, Colin Murray, *Families Divided: The Impact of Migrant Labor in Lesotho* (London: Cambridge Univ. Press, 1981); and G. Winai Strom, *Migration and Development Dependence on South Africa: A Study of Lesotho* (Motala, Sweden: Motala Grafiska, 1986).

<sup>12</sup> Alan R. Booth “Lord Selborne and the British Protectorates, 1908-1910,” *Journal of African History*, X, 1 (1966), pp. 133-48. This notion of Selborne being sympathetic to the Africans contradicts his policy particularly in Swaziland where he supported the imperial position of appropriating most of the African land for white farmers. By 1907, this policy had turned thousands of Swazi into tenants on white farms. See for example, Jonathan Crush “The Culture of Failure: Racism, Violence and White Farming in Colonial Swaziland,” *Journal of Historical Geography*, 22, 2 (1996), pp. 177-197.

<sup>13</sup> Balam Nyeko “The African Voice in Colonial Swaziland: The Question of the Transfer, 1910-1939 (1),” *Mohlomi, Journal of Southern African Historical Studies*, Vol. III/IV-(1981), see pp. 7-8.

<sup>14</sup> L. B. B. J. Machobane, *Government and Change in Lesotho, 1800-1966: A Study of Political Institutions* (London: The Macmillan Press Ltd. 1990), pp. 111-25.

Once the incorporation of Lesotho, along with Botswana and Swaziland was postponed, it became increasingly difficult to implement in subsequent decades as Africans were more vigilant and vigorous in their opposition to South Africa's colonial intentions. By placing Lesotho in its wider regional setting, I am able to recognize the often ignored regional unity of the African responses across Lesotho, Botswana, Swaziland, as well as South Africa, as the critical factor that torpedoed incorporation. Although the Basotho took a lead role in opposing incorporation (perhaps because they faced the greatest risk since their territory is entirely surrounded by South Africa), it is possible that Lesotho would have been forced into the Union had Basotho resisted alone.

The broader question I address transcends whether or not it was Great Britain that decided against the incorporation of Lesotho as Hyam has argued, but why Whitehall took the decision in the first place. I demonstrate that it was the united African opposition through petitions and delegations to the colonial officials in both southern Africa and England, and potential threats of rebellion that convinced the British Government that the immediate incorporation of Lesotho into a newly formed Union might be disastrous. Thus, while the British were interested in the "stability" and therefore security of the fragile Union of South Africa as Chanock has argued, it is also true that they feared that this stability and security would be at risk if rebellious African territories were included in the Union. These fears were partly based on the wider history of southern Africa, and in particular of Lesotho.

The British were not oblivious to the 1850s and 1860s Basotho-Boer wars when Lesotho lost huge chunks of territory (including a significant number of Basotho) to the Orange Free State, at which point Great Britain intervened in 1868 after repeated Basotho requests to protect them. The so-called British moral obligation to the Basotho arose during this period because Great Britain made promises and pledges to ensure the continued protection of Lesotho. The British were also mindful of the Cape Colony's attempt in the 1870s to annex Lesotho and the resultant disaster of the Gun War of 1880/81 between the two that compelled Britain to resume direct administration of Lesotho in 1884 (see sources cited in footnote 1). Basotho's opposition to incorporation was partly based on these earlier experiences with the colonists, whereas the imperial government was anxious to avoid a repeat of such wars. This was particularly so because, as we shall see, there were persistent rumors of rebellion in Lesotho from 1903 through 1910 should the welfare of the territory be jeopardized. In South Africa itself, African political groups were protesting the 1902 Vereeniging (Union) Peace Treaty that concluded the South African War of 1899-1902 between the British and the Boers, because the treaty denied the Africans a franchise.<sup>15</sup> Further, the British apprehension of a possible African rising in the event of incorporation was starkly illustrated by the 1906 Bambatha Rebellion in Zululand, Natal, the violent suppression of which also heightened African anxiety and resentment against the colonists in South Africa. I therefore contend that it was the African opposition that constantly reminded the imperial government of its pledges and responsibility regarding Basotho welfare and that had Africans acquiesced, Lesotho would have been summarily incorporated into South Africa

### **African Protest in South Africa**

African protest in South Africa played a major role in the failure of the South African incorporation of Lesotho. It portrayed South Africa as a very unpleasant and inhumane place for Africans, especially for those who were not yet part of that country such as the Basotho. In addition to the many discriminatory laws and the daily cruelties the Africans endured from colonists, African protest focused on several events that were injurious to their well being namely, the terms of the 1902 Vereeniging Peace Treaty, the brutal suppression of the 1906 Bambatha Rebellion, the new constitutions of the Boer republics, and the unification of South Africa. During the South African War the British had promised that the African condition in the Boer republics would be improved after the war. For example, British Prime Minister Lord Salisbury, pledged: "Due precaution will be taken for the philanthropic and kindly and improving treatment of these countless indigenous races of whose destiny I fear we have been too forgetful."<sup>16</sup>

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<sup>15</sup> Leonard Thompson, *The Unification of South Africa, 1902-1910* (Oxford: At the Clarendon Press, 1960), pp. 11-12. Thompson's study is preoccupied with the activities of the South African colonists and the British Government regarding unification rather than African opposition.

<sup>16</sup> Quoted in Andre Odendaal, *Vukani Bantu! The Beginnings of Black Protest Politics in South Africa to 1912* (Cape Town: David Philip, 1984), p.30.

Yet, through the Peace Treaty, the British Government betrayed the Africans by both denying them franchise as well as additional land ownership that the Africans had hoped to receive.<sup>17</sup>

Thus, the war settlement and its aftermath compelled Africans to organize in order to press more efficiently for their rights. Between 1900 and 1904 they formed organizations such as the Cape-based South African Native Congress (SANC), the Transvaal Native Congress (TNC), the Transvaal Basotho Committee (TBC), and the Orange River Colony Native Vigilance Association (ORCVA). In 1902, the ORCVA petitioned the British High Commissioner in South Africa to restore African political, economic and land rights,<sup>18</sup> while the following year, the SANC categorically rejected the terms of Article 8 of the Peace Treaty that postponed an African franchise.<sup>19</sup> Moreover, the TBC, which was among the organizations represented at the 1904 South Africa Native Affairs Committee to hear African grievances, testified against the unfair treatment of Africans in Johannesburg, the dispossession of African land and the burden of taxes imposed upon the Africans.<sup>20</sup>

Africans also reacted angrily to the planned constitutions of self-rule for the former Boer republics, which they rightly feared would reject a franchise for them. For instance, in 1906, the Orange River Colony Native Congress (ORCNC) demanded that the new Orange Free State constitution allow for African franchise and therefore representation in the parliament. The Congress also expressed the African sense of betrayal to King Edward VII: "Indeed, it seemed to the [petitioners] deplorable that before bloodshed ceased the avowed cause of Justice, Freedom, and Equal rights, for which the war had been undertaken, should have been so easily abandoned."<sup>21</sup> These sentiments were echoed by J. Tengo Jabavu, a Cape Colony African politician and proprietor of *Imvo Zabantsundu* (Black Opinion), when he and thirteen others petitioned the British House of Commons to press for an African franchise in the self-government constitutions of the Boer republics.<sup>22</sup>

It was within this environment of African protest that the Bambatha Rebellion broke out. Indeed, this rebellion itself was part of the larger African response to the oppressive and exploitative colonial policies. The rebellion was sparked by the imposition of a poll tax in 1905 in Natal, in addition to the continued land dispossession of the Africans. The rebellion's brutal suppression and the humiliation of Zulu King Dinizulu by imprisoning him shocked and infuriated Africans,<sup>23</sup> and influenced their opposition to the incorporation of Lesotho and other protectorates into the Union of South Africa.

As the momentum toward the unification of South Africa became apparent, the African demand for rights also intensified. The drive towards the unification of South Africa was set in motion in early 1907 by the Selborne Memorandum, which proposed to unify the railways and customs and the colonial administrations. The memorandum further argued that the South African colonies "agree, that two or more native policies, inconsistent with each other, cannot end otherwise than in confusion and miscarriage, and cannot therefore accomplish the results foreseen or intended by the exponents of either course."<sup>24</sup> Therefore, part of the reason for unification was to adopt a common policy toward Africans either way. Africans were alarmed further by the British High Commissioner's refusal to specify their status in the future union. Their fears were partly expressed by the November 1907 SANC conference at Queenstown, Cape Colony, that adopted the following important resolution affecting Lesotho and its fellow Protectorates:

<sup>17</sup> Peter Warwick "Black People and the War," in Peter Warwick and S. B. Spies, eds. *The South African War: The Anglo-Boer War 1899-1902* (Burnt Mill: Longman Group Ltd. 1980), p. 7.

<sup>18</sup> Odendaal, *Vukani Bantu!*, pp.54-59.

<sup>19</sup> Thomas Karis and G. M. Carter, eds. *From Protest to Challenge: A Documentary History of African Politics in South Africa 1882-1964*. Volume 1. *Protest and Hope 1882-1934* by Sheldon Johns III. Pbk. (Stanford: Hoover Institution Press, 1987), p. 22.

<sup>20</sup> Odendaal, *Vukani Bantu!*, pp. 40-53.

<sup>21</sup> Karis and Carter, eds. *Protest and Hope*, pp. 48-49.

<sup>22</sup> Ibid., pp. 49-50.

<sup>23</sup> For details about the causes of Bambatha Rebellion, see Shula Marks, *Reluctant Rebellion: The 1906-8 Disturbances in Natal* (Oxford: The Clarendon Press, 1970); and Thompson, *The Unification of South Africa*, esp. pp. 42-5.

<sup>24</sup> Great Britain, *The Selborne Memorandum. A Review of the Mutual Relations of the British South African Colonies in 1907* [with an Introduction by Basil Williams] (London: Humphrey Milford & Oxford Univ. Press, 1925), pp. 112. For the policy details, see pp.108-120.

(e)The present so-called native territories (Swaziland, Basutoland and British Bechuanaland) should be regarded outside Federal territory and under the protection of the Imperial Government represented by the High Commissioner for such native territories, unless or until provision shall be made for the representation of such territories in the Federal Parliament by members elected on the same basis as in the Colonies forming the federation.<sup>25</sup>

The adoption of this resolution reveals a clear sense of African unity and cooperation regarding the proposed union. The SANC recognized the need to ensure the protection of the territories against unjust incorporation. Meanwhile, the Inter-colonial Conference on Railways and Customs was called in May 1908 to resolve the colonies' conflict over the railways and customs. The conference agreed on the need for a "Closer Union" and proposed a National Convention of South Africa to discuss the modalities of the union and draft a union constitution.<sup>26</sup> Once the convention assembled in Durban, Natal, later that year, African elite hoped that, at least, the Cape qualified franchise that allowed some Africans to vote, would be adopted by the rest of the colonies before the union was formed. They wrote petitions to the convention demanding "equal rights of all civilized" people in the Union constitution being drafted.<sup>27</sup> However, the draft constitution of February 1909 confirmed African fears because it did not extend the Cape franchise to the rest of the colonies. As to the future of Lesotho, Botswana and Swaziland, their welfare was secured in the Schedule of the South Africa Act (1909); nevertheless, it still had to be approved by both the Union and British parliaments. Although the outcome of the convention was not completely unexpected, the reaction of A.K. Soga, editor of the SANC political organ, *Izwi Labantu* (Voice of the People), best summed up African frustrations:

This is treachery! It is worse. It is successful betrayal, for the Act has virtually disenfranchised the black man already even before the meeting of the Union Parliament, which will complete the crime by solemn vote of the two Assemblies... This is a replica of the treaty of Vereeniging.<sup>28</sup>

Despite continuing efforts,<sup>29</sup> the African attempts to have the British Parliament block the passage of the South Africa Act unless it guaranteed African franchise and rights failed; but their opposition clearly strengthened the case of Lesotho and the other two protectorates against their inclusion in the Union regime. Thus, the African struggle in South Africa was intricately linked to the African resistance to South African colonialism regarding Lesotho. Nevertheless, Lesotho had to make its own case against inclusion in South Africa.

### **Lesotho's Opposition to Inclusion in the Union**

Recall that the roots of tension between the Basotho and the colonists stemmed from the 1850s and 1860s Basotho-Boer wars during which Lesotho lost a large amount of territory to the Orange Free State, as well as the Cape colonial misrule of Lesotho in the 1870s. The Basotho also cited the African opposition in South Africa to oppressive policies as a reason to oppose incorporation. Further, through Basotho newspapers such as *Naledi ea Lesotho* (Star of Lesotho) and various African organizations especially in neighboring Free State,<sup>30</sup> the Basotho were aware of the changes happening in South Africa. This strengthened their resolve to oppose any attempt to include them in the contemplated union.

From 1903 onward, the leading representative of the Basotho in their opposition to South African colonial ambitions was the Basutoland National Council (BNC). This body of Basotho chiefs was established in 1903 and subsequently promulgated in 1910 by the British colonial regime, to facilitate colonial administration in Lesotho. But the fact that the Basotho chiefs had since 1883 rejected the creation of this council to replace the traditional all males' assembly, the *Pitso*, citing its possible adverse effects upon the chiefs' powers, raises the question of why they accepted it soon after the South African War. In light of Great Britain's granting the Boer republics self-rule constitutions by the Vereeniging Treaty, it is possible that the Basotho chiefs saw the BNC as a vehicle towards the eventual independence of Lesotho.

<sup>25</sup> Quoted in Odendaal, *Vukani Bantu!* p. 101.

<sup>26</sup> Ibid., pp. 108-12.

<sup>27</sup> Ibid., p. 143

<sup>28</sup> Quoted in Ibid., pp. 152-53.

<sup>29</sup> Ibid., pp. 200-07.

<sup>30</sup> Ibid., pp. 40-53.

Thus in asking the Lesotho Resident Commissioner (RC) for the creation of the council, Paramount Chief Lerotholi hoped it would become a legislative body so that eventually “we may be released from slavery.”<sup>31</sup> The council consequently became the spokesperson for the Basotho on all issues regarding their welfare.

Since the end of the South African War in 1902, the Basotho had become increasingly anxious about their future in the face of the planned administrative changes in South Africa that culminated in the unification of the colonies. This is evidenced by the rumors of an uprising in 1903 that circulated in Lesotho as Natal’s map surveyors were secretly collecting information in the territory, forcing H.C. Sloley, the RC of Lesotho, to quickly halt the activities of the surveyors.<sup>32</sup> While inquiring about the rumored uprising, the High Commissioner’s office said that it had information indicating that “preparations are being made by the Basutos for a rising at Xmas or New Year, and that one of the chiefs living not far from here in Basutoland had called his men together and ordered them to economize their ammunition and save their horses for a matter which would occur next month.”<sup>33</sup> These rumors led to an investigation to establish their authenticity. A Bloemfontein administrator linked them to the construction of a railway from the Orange Free State to Lesotho’s capital, Maseru.<sup>34</sup> Lagden, a former RC of Lesotho tied them to the demobilization of the African “auxiliary corps” in South Africa after the war, alleging the Basotho feared the British were planning to disarm them and institute administrative changes.<sup>35</sup>

Although the investigation concluded that the rumors were false and pledged to punish those who spread false rumors in the future,<sup>36</sup> these rumors were not without cause. They came at a time of much anxiety after the war when significant administrative changes were either happening or were being contemplated. The construction of the railway to link Lesotho to South Africa and the demobilization of the African auxiliary corps in South Africa were not unrelated events in the minds of many Basotho because they were perceived as an attempt to subordinate Lesotho to the South African colonies.

Further tension between the Africans and the colonists was heightened by the Bambatha Rebellion and its violent suppression, causing the British to rethink their policies, especially how to avoid future African rebellions. Possibly, it was with this consideration in mind that Britain transferred the administration of Swaziland from the Transvaal to direct imperial protection in the middle of the Bambatha Rebellion in 1906. The rebellion’s brutal suppression signaled to the Africans of the protectorates, particularly the Basotho, what could befall them if they joined the planned union.

Thus, as the move towards unification accelerated, an anxious Paramount Chief Letsie II made a formal inquiry to the imperial officials on May 12<sup>th</sup> 1908 regarding the unification of South Africa and what it implied for Lesotho. The Lesotho chief pointedly asked the RC:

I am asking you to tell me what this matter is. I mean, what were the reasons for those who planned it, and how unification has to be effected? Again, the preservation and the Government of us Basuto differ from that of the other colonies. Are we of Basutoland also thought of in this unification? I ask because I hear nothing from you, and I hear nothing from the High Commissioner. In conclusion, Chief, I ask for news in connection with this matter<sup>37</sup>

This letter repeated the fact that Lesotho had a unique relationship with the imperial government and should therefore be considered outside of the planned union. Letsie’s complaint about the silence of the colonial officials regarding unification was timely. It was not in the interests of the officials to keep the chief informed about such a sensitive matter without adequate care to avoid a political storm in Lesotho.

<sup>31</sup> Quoted in Machobane, *Government and Change in Lesotho*, p. 142.

<sup>32</sup> PRO CO417/375, Confidential. Letter from Resident Commissioner to High Commissioner, Nov. 19, 1903.

<sup>33</sup> Ibid., Confidential Telegram. High Commissioner to Resident Commissioner, Dec. 3, 1903. Captain J. D. Griffith, the Commander of South African Constabulary in Witzies Hoek, was the source of this information.

<sup>34</sup> Ibid., Urgent Telegram, Lieutenant-Governor of Bloemfontein to the High Commissioner, Dec. 21, 1903.

<sup>35</sup> Sir Godfrey Lagden, *The Basutos: The Mountaineers & Their Country*, Vol. 2 (London: Hutchinson & Co., 1909), pp. 614-15.

<sup>36</sup> PRO CO417/375, Telegram, Lieutenant-Governor of Bloemfontein to the High Commissioner, Dec. 28, 1903.

<sup>37</sup> PRO CO417/455, South Africa. Basutoland, Confidential, Despatch No. 897, Lord Selborne to The Earl of Crewe, June 1, 1908 (see Enclosure 1, Paramount Chief Letsie L. Moshoeshoe to the Resident Commissioner, May 12, 1908).

Thus Sloley's reply to Letsie was brief: "My answer to you is that I know nothing beyond what I have seen in the newspapers," and there was no talk of including Lesotho in the Union. He nonetheless promised to forward the chief's letter to his superior, Lord Selborne.<sup>38</sup> Lord Selborne, it is clear, from early May 1908 was already indirectly advocating the incorporation of Lesotho, Botswana and Swaziland into the Union Government, provided there were strong safeguards in the South African constitution to ensure the welfare of these territories. Selborne wrote in part that

... there is an absolute obligation of honour upon us not to transfer the direct responsibility for the governments of the Protectorates from Imperial to South African Parliament except upon conditions embodied in the South Africa Constitution Act, which guarantee to the Chiefs and tribes of these protectorates a continuation of exactly the same form of government to which they have been accustomed and securing them absolutely against any infringement of their just rights.<sup>39</sup>

Yet, this would not prevent an autonomous South Africa from amending its constitution and infringing upon Basotho rights and those of other Africans once incorporation occurred.<sup>40</sup> However, even though Lord Selborne's suggested safeguards were placed in the Schedule of the South Africa Act, the incorporation of Lesotho and the other protectorates into the Union of South Africa was postponed indefinitely. The reason for this lay not with the so-called British moral obligation to the welfare of Lesotho, however, but the pressures exerted by the Africans. This is demonstrated by the reaction of the imperial officials in England when Chief Letsie's letter of inquiry about unification reached them on June 20, 1908. While one official properly questioned the effectiveness of Selborne's suggested safeguards, another one cautioned that:

Basutoland is a very prickly hedgehog and it is not at all certain that the S.A. Union when it is made will be anxious to handle it. The Basutos are already asking questions, they are warlike & armed... Many people in S. Africa are likely to think that it will be better not to risk repeating the mistakes of the Cape a quarter of a century ago.<sup>41</sup>

The other colonial officials agreed with the above sentiments. Seely, the Under-Secretary of State, recommended that Selborne should slow down, noting that "the less said the better at the present."<sup>42</sup> That was precisely what the Secretary of State for the Colonies, Lord Crewe, instructed Selborne in a confidential telegram, asking him to await further briefings.<sup>43</sup> In addition to Letsie's letter, there were two other developments that influenced the decision of the colonial officials. The first was the inquiry in the House of Commons by the British liberal parliamentarian Charles Dilke (who maintained contacts with African allies in southern Africa), in May 1908 regarding the welfare of Lesotho should it be annexed to the Orange Free State as some officials were suggesting. Dilke demanded full details of the discussions about this issue, which he received in January 1909.<sup>44</sup>

The second development was a letter written in early 1908 by Eduardo Jacottet of the Paris Evangelical Missionary Society (P. E. M. S. ) to J. Bryce, the British ambassador to the U. S. A., who had long ties with southern Africa. Bryce passed the letter to the Colonial Office in Britain where it was widely circulated among interested parties. Jacottet's letter rejected Selborne's proposed safeguards as inadequate and instead demanded a "charter" that would admit Lesotho, Botswana and Swaziland into the South African federation as "independent members" under direct imperial rule.<sup>45</sup>

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<sup>38</sup> Ibid., Basutoland, Resident Commissioner to Chief Letsie L. Moshoeshe, May 20, 1908.

<sup>39</sup> Ibid., Enclosure 2, South Africa. Private, Lord Selborne to Resident Commissioner, May 26, 1908.

<sup>40</sup> For example, see Rhodes House Library, Oxford (hereafter R.H.L.), Mss. Brit. Emp. S.365, Fabian Colonial Bureau (FCB) 91/4, Private and Confidential Labor Party International Dept. No. 270, May 1944, "The South African Protectorates and the Union" memorandum by C. W. W. Greenidge, pp. 1-7.

<sup>41</sup> PRO CO417/455, South Africa. Basutoland No. 44771. Lambert's minute, "Closer Union, Position of the Natives," June 24, 1908.

<sup>42</sup> Ibid., Seely's minute, June 25, 1908.

<sup>43</sup> Ibid., Crewe's minute, June 26, 1908.

<sup>44</sup> Ibid., Despatch No. 45645. Minutes by the Colonial Officials, "Disabilities of the Basutos in the Neighboring Colonies," Dec. 21, 1908.

<sup>45</sup> Moriija Archives, Jacottet Papers (hereafter M. A., J. P.), Moriija. Basutoland, E. Jacottet to James Bryce, May 10, 1908.

It is noteworthy that this letter was written at the very same time as Letsie's, which suggests collaboration with the Lesotho chief, as it was not uncommon for the Basotho chiefs to delegate the missionaries in their country to represent their concerns to the colonial officials.<sup>46</sup> The issue had now become a public matter, and probably an embarrassment to the colonial officials who intended to control its discussion. By mid-1908, Selborne had been sensitized to the implications of the incorporation issue. Based on the report of Lesotho's RC, Selborne informed Lord Crewe that "the Basuto would object to the proposed alteration in their position." He noted that about eight years earlier, Paramount Chief Lerotholi had petitioned against the inclusion of Lesotho in any future federation of South Africa. Selborne stated that:

Lerotholi had then received certain assurances which were, however, by no means an explicit guarantee or promise. Apart from their personal general objection to being governed by a white South African Parliament, the Basuto had doubtless taken note of the position of affairs in Zululand and would apply it to their own situation.<sup>47</sup>

Here we can see the direct influence of the brutal suppression of the Bambatha Rebellion, the imprisonment of its king and the restructuring of its administration to suit the colonists on imperial policy towards Lesotho. Further, the Basotho chiefs indirectly warned about unrest should their territory become part of South Africa. As the RC told his seniors about the Basotho, "I do not anticipate that their objections would take any violent form unless and until they found themselves subjected to administrative measures which in the opinion of the Chiefs might impair their authority over the people."<sup>48</sup> Sloley also doubted the effectiveness of Selborne's proposed safeguards in guaranteeing Lesotho's welfare, and thought that incorporation would only break Lesotho's isolation and allow it to rally all the "discontented" Africans against the Union.<sup>49</sup>

It was with this in mind that Selborne proposed to Crewe that the South African colonists be asked to decide the issue of incorporation promptly because their continued delay would be interpreted as a strategy to pressure the imperial government into adopting the colonists' views on this matter. He further suggested that the British Government insist that the passage of a South African Constitution be deferred until the colonists resolved this issue.<sup>50</sup> Upon the instructions of the Colonial Office, Lord Selborne also held consultations with Lesotho's RC regarding the proper reply to the May 1908 inquiry by Chief Letsie, before the October-November scheduled South Africa Convention. The imperial government reply pledged that "no alteration in the position of Basutoland can be made except by the authority of King Edward VII and of the British Parliament and that you need not be apprehensive of any sudden alteration in the relations between Basutoland and the other South African Colonies."<sup>51</sup>

It was now official that the imperial government, without ruling it out, had postponed the inclusion of Lesotho in the Union of South Africa. African opposition and not imperial obligation had led to this decision. But Basotho fears were not yet fully allayed and they sought leave to take their case to the British king himself.

### **The Lesotho Deputation to England and Rumors of Rebellion**

The Basotho began to organize for a deputation to England from around mid-1908, soon after Chief Letsie formally inquired how Lesotho would be affected by the unification of South Africa. The purpose of the deputation was to secure stronger assurances from the British monarch that Lesotho would not be incorporated into the Union of South Africa. But their agenda also included a demand for the repeal of the recently enacted Proclamation No. 46 of 1907, which in the minds of the Basotho, was related to incorporation. This proclamation, modeled on the Rhodesian Immigration Ordinance of 1903, gave the colonial authorities powers to expel or deport people they considered "undesirable."

<sup>46</sup> See for Example, George M. Theal, *Basutoland Records*, 3 Vols. (Cape Town: W. A. Richards & Sons, 1883); and Leonard Thompson, *Survival in Two Worlds: Moshoeshoe of Lesotho, 1786-1870* (Oxford: Oxford University Press, 1975). Most of Moshoeshoe I's letters to the colonial officials were penned on his behalf by the missionaries in Lesotho.

<sup>47</sup> PRO CO417/458, South Africa. Basutoland. Confidential, Despatch No. 897, Lord Selborne to The Earl of Crewe, June 22, 1908.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Ibid.

<sup>51</sup> Ibid., Enclosure, Resident Commissioner to Chief Letsie L. Moshoeshoe, June 22, 1908.

The law was targeted at Europeans who either committed crimes or did undesirable things such as intermarrying with the Africans;<sup>52</sup> but the Basotho believed that it could be easily extended to them to destroy the chiefs' powers and incorporate Lesotho into the Union. Lesotho's chiefs were aware that the law had already been applied to deport Chief Sekgoma Letsholathebe of the Batawana in Botswana, over succession to the throne.<sup>53</sup> On the specific issue of incorporation, Chief Letsie sought permission to visit England to reaffirm Basotho loyalty to the British King and to express their fears regarding the unification of South Africa. Letsie worried that "... although we the Basuto have not heard anything of this Unification; but we fear because we do not know what may happen in the future, that may affect this nation through this Unification of the Governments of South Africa."<sup>54</sup> As Lesotho's RC informed Selborne, the Basotho wanted "to bring forward in the most effective manner their wish to remain under the direct control of the British Government."<sup>55</sup> But Selborne counseled that Letsie remain patient and he pledged to visit Lesotho personally after the South African Convention to explain how the Union might affect the Basotho and allay their fears about Chief Sekgoma's case.<sup>56</sup>

However, pressure was mounting in Lesotho for the chiefs' delegation to England. For example, the Basutoland Progressive Association (formed in early 1908 by the western educated elite) and its political organ, *Naledi ea Lesotho*, warned the chiefs that "Should an accident happen to this small land of ours, we shall truly blame them [chiefs]."<sup>57</sup> Thus, in October 1908, the chiefs told the colonial officials that they were "unable to be patient." Chief Letsie emphasized the need for the deputation: "... a hut is built long before the rain comes, in order that when it does rain one must have a place of shelter from rain, and this is good to everyone."<sup>58</sup>

Once the chiefs' request was forwarded to the Colonial Office in London, it provoked an intense discussion there. Colonial officials feared what would happen if the South African delegation arrived ahead of that of Lesotho. Their dilemma was that if they were pressured by the South African delegation into making policy concessions harmful to the Basotho during the debate of the South African Constitution by the British Parliament, it would be difficult to retract that policy when the Lesotho delegation arrived.<sup>59</sup> Colonel Seely argued that the Basotho were "acting on good information" with respect to their future status and their delegation should be allowed to proceed. Lord Crewe agreed.<sup>60</sup> This reasoning demonstrates that the Basotho petitions were taken very seriously at the Colonial Office and influenced imperial decision-making on the future of Lesotho.

In the meantime, as the Basotho sought permission to visit England, the colonists were themselves laying plans to incorporate Lesotho. In November 1908 Cape officials defended their policies towards the Africans by contending that they were better than those of the Orange Free State. The Cape officials were responding to Basotho accusations that the laws in the South African Colonies would handicap them even in "seeking civil remedies" if they were included in South Africa. The Cape ministers argued that generally their laws recognized African customary laws as well as African rights to sue to receive civil remedies. The ministers added that the disabilities that Basotho would face in the colony "have been considerably overstated by them, and Ministers suggest that further consideration of the proposals should be deferred until after the National Convention."<sup>61</sup> The ministers' argument is not persuasive on the facts; but it also ignored the fact that future policies toward the Africans would have to be determined by the Union Government.

<sup>52</sup> PRO CO417/468. South Africa. Basutoland, Despatch No. 25, Lord Selborne to The Earl of Crewe, Jan. 11, 1909 (enclosure, No. 75/1905, Acting Resident Commissioner to Lord Selborne, Dec. 28, 1905).

<sup>53</sup> Ibid., South Africa. Basutoland, Confidential, Lord Selborne to The Earl of Crewe, Nov. 16, 1908 (enclosure, Lord Selborne to Sloley, Oct. 6, 1908).

<sup>54</sup> Ibid., Enclosure, Paramount Chief Letsie L. Moshoeshe on behalf of Basotho chiefs and the Nation to Lord Selborne, Sept. 28, 1908.

<sup>55</sup> Ibid., Enclosure, Paramount Chief Letsie L. Moshoeshe on behalf of Basotho chiefs and the Nation to Lord Selborne, Sept. 28, 1908.

<sup>56</sup> Ibid.

<sup>57</sup> Ibid., a clipping from *Naledi ea Lesotho* undated.

<sup>58</sup> Ibid., Enclosure, Morija. Basutoland, Paramount Chief Letsie L. Moshoeshe to the Resident Commissioner, Oct. 24, 1908.

<sup>59</sup> Ibid., Despatch No. 44771, Minutes "Closer Union and Position of Native Territories," Just's minute, Dec. 12, 1908.

<sup>60</sup> Ibid., Crewe's minute, Dec. 16, 1908.

<sup>61</sup> PRO CO417/455, South Africa. Basutoland, Despatch No. 907, Lord Selborne to The Earl of Crewe, Nov. 23, 1908 (enclosure, Cape Town, No. 353. Cape Governor, Walter Helly-Hutchinson (enclosing the Ministers' Minute No. 1/484, Nov. 10, 1908) to Lord Selborne, Nov. 12, 1908).

The Colonial Office recognized this in December 1908 when it reiterated its earlier policy that any arrangement affecting the borders of Lesotho would have to wait until after the Union Government of South Africa was formed.<sup>62</sup>

Thus, when the Lesotho delegation left for England on January 29, 1909, a clear imperial policy regarding the future of Lesotho, Botswana and Swaziland had emerged. The high-powered Lesotho delegation was led by Paramount Chief Letsie's uncle, Chief Seeiso. The chiefs defied Lord Selborne by including Proclamation No. 46 of 1907 in the petition to King Edward. They expressed their fear that the proclamation could be used against "the Paramount Chief, a lesser Chief or a subject either (1) to leave the Territory or (2) to confine himself within particular limits of the Territory or further still (3) the High Commissioner may order the apprehension of anyone of us and his removal without the limits of Basutoland."<sup>63</sup>

The Lesotho delegation met with Lord Crewe on February 15, 1909, and three days later with King Edward. The delegation reminded Crewe of the historical enmity between the Basotho and the Boers as one of the reasons they feared Union. As Chief Seeiso put it:

We believe that if the Union is finalized the Boers will also have rights to it; and we know that the Boers do not like us, because they have always wanted to rule us and we protected our country from them. They also will not forget the bloodshed they suffered in our country; after which we sought protection from your government.<sup>64</sup>

The British King replied by thanking the delegation for the "respect and humbleness" of Paramount Chief Letsie, as well as the Basotho condolences upon the death of his mother, Queen Victoria, in 1901. He promised to reply to Basotho requests through Lord Crewe<sup>65</sup> which he did on February 25, two days before the delegation's return to Lesotho. The Basotho request to drop Proclamation No. 46 was rejected, but Selborne was instructed not to apply the law unless he was "practically certain of the cooperation and agreement of the Paramount Chief or the National Council."<sup>66</sup> Regarding the issue of incorporation, Crewe assured the delegation that: "The King does not wish to see changes taking place at this time, and some time will pass before changes occur but he feels that if South Africa is united, it will be necessary that the Basotho prepare themselves to be part of that union at some state."<sup>67</sup>

This was essentially the same justification conveyed earlier for delaying the inclusion of Lesotho in the Union of South Africa. The reply left open the possibility of incorporation to the future. It is very possible that the British Government took this middle ground position to avoid antagonizing both the colonists and the Africans. It was all the more reason why the Africans needed to exert continued pressure on the imperial regime to prevent Lesotho's incorporation into South Africa. In Lesotho, that pressure came while the delegation was winding up its business in England with renewed rumors of a rebellion.

The rumors of rebellion in Lesotho revolved around the Paramount Chief Letsie's own brother, Chief Griffith, who was reportedly fundraising to purchase guns should the delegation fail to "obtain satisfaction" from the imperial government.<sup>68</sup> These rumors were brought to the attention of Cape Colony Premier J. X. Merriman who agreed that increased stock theft along the border with Lesotho might be a Basotho ploy to instigate unrest.<sup>69</sup> This rumor prompted Selborne to visit Lesotho on March 2, 1909 to reassure the Basotho regarding the Union. He addressed the chiefs, church representatives, and members of the Progressive Association and assured them that the British Government and the South Africa Convention had drafted the Schedule of the South Africa Act to protect the welfare of Lesotho.

<sup>62</sup> Ibid., Despatch No. 45645. Minutes, "Disabilities of the Basutos in the Neighboring Colonies."

<sup>63</sup> PRO CO417/468, South Africa. Basutoland, Despatch No. 25, Lord Selborne to The Earl of Crewe, Jan. 11, 1909 (enclosure, Basotho Chiefs' Petition Against Proclamation No. 46 of 1907 (undated).

<sup>64</sup> M. A., J. P., Lesotho Deputation's Interview with the Council Governing Colonies on Feb. 25, 1909.

<sup>65</sup> Ibid.

<sup>66</sup> PRO CO417/468, Telegram No. 1, The Earl of Crewe to Lord Selborne, Feb. 19, 1909.

<sup>67</sup> Ibid.

<sup>68</sup> PRO CO417/468, South Africa. Basutoland, Despatch No. 713, Lord Selborne to The Earl of Crewe, Nov. 22, 1909 (enclosure, O. C., Natal Guides, Polela to Major Blew, Natal Militia Staff, Pietermaritzburg, Feb. 27, 1909).

<sup>69</sup> Ibid. Enclosure, Cape Colony. Confidential, W. Helly-Hutchinson to Lord Selborne, Mar. 21, 1909.

Lord Selborne even assured the Basotho that the British and the Boers had pledged a permanent peace between them, to allay their fears of the Union<sup>70</sup> In his assessment of the situation in Lesotho, Selborne concluded that the Basotho were “reasonable and sensible and there are no signs of unhealthy excitement.”<sup>71</sup> But the rumors of rebellion persisted, prompting Selborne to inquire as to their authenticity. In May the Lesotho RC replied that lately there was “considerable amount of uneasiness among the Basuto at the dangers of their well being which they fear will arise from the proposed Union.” He admitted that rumors of a rebellion persisted especially among some of “the young chiefs.”<sup>72</sup>

By this time the Lesotho deputation had returned, and the chiefs were busy debating the terms of the Draft of the Schedule of the South Africa Act in the BNC. To the Basotho, the Schedule raised even more uncertainty as to their future. For example, Section 150 of the Draft Act allowed the Union Parliament to change the “territorial boundaries” of the territories in the Union, as well as amend Section 14 of the Schedule, which prohibited alienation of African land. The Basotho properly wondered whether this was not aimed at them should they join the Union. The RC had to seek clarification from Selborne that the sections in question referred to those territories already under the South African colonies.<sup>73</sup>

The Basotho chiefs were not persuaded and they wrote a memorandum to the High Commissioner expressing their concerns regarding the Schedule of the Act and detailed twenty conditions by which Lesotho might join the Union, should it become inevitable. These included the recognition of the BNC and the Paramount Chief’s overriding authority and the chiefs as the representatives of Lesotho, and perhaps most controversial of all, that there be equality between European and African civil servants.<sup>74</sup> Further, the chiefs demanded that Lesotho continue to enjoy all the rights and privileges already in the territory, and that the King of England affirm “in writing” that Lesotho enter the Union as “independent as it is today and its boundaries firm, whatever may take place.”<sup>75</sup> These were strong views indeed. But Selborne rejected the chiefs’ demands to assure them that the Prime Minister of the Union would not interfere in any way in Basotho affairs and that they would not be subjected to any form of discrimination.<sup>76</sup> The failure by the Lord Selborne to assure the Basotho on some of these concerns only helped to raise more suspicion and intensify their resolve to resist incorporation.

Nonetheless, the persistent rumors of a rebellion in Lesotho so worried the colonial authorities that they drew up a plan of how to deploy imperial troops in the territory should that become necessary. General Methuen, the Commander of the South African Forces, provided a report assessing the strength of Lesotho’s military and feared that should the Basotho incur heavy losses, “they would probably retire to their mountain fastness and adopt guerrilla tactics, which would be exceedingly difficult to put down.”<sup>77</sup> Upon receiving this report in June, Cape Prime Minister Merriman demanded that the “power and authority” of the Basotho chiefs be broken and their land and livestock be confiscated promptly because his government “feared that Basutoland must be considered the Storm Centre of South Africa.”<sup>78</sup> In July the Lesotho RC agreed with Methuen’s report and proposed the evacuation of Europeans from the territory should war break out. Sloley added that the Basotho would “induce as many tribes as possible to rebel against white authority, ... and that it is likely that they would be successful in obtaining native allies to a considerable extent.” But he suggested that all the Basotho were interested in was “a peaceful” resolution of the issue of incorporation.<sup>79</sup>

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<sup>70</sup> Ibid., South Africa. Basutoland, Despatch No. 147, Lord Selborne to The Earl of Crewe, Mar. 15, 1909; also see enclosure, High Commissioner’s Speech at the *Pitso* in Maseru, Mar. 2, 1909).

<sup>71</sup> Ibid.

<sup>72</sup> Ibid., South Africa. Basutoland, Despatch No. 713, Lord Selborne to The Earl of Crewe, Nov. 22, 1909 (enclosure 4, Basutoland. Confidential, Resident Commissioner to Lord Selborne, May 11, 1909).

<sup>73</sup> Ibid., South Africa. Despatch No. 264, Lord Selborne to The Earl of Crewe, May 3, 1909 (enclosure 2, South Africa. Telegram No. 17, Imperial Secretary to the Resident Commissioner, April 26, 1909).

<sup>74</sup> Ibid., South Africa. Basutoland, Despatch No. 296, Lord Selborne to The Earl of Crewe, May 10, 1909 (enclosure II, Petition by Basotho Chiefs to Lord Selborne, May 2, 1909).

<sup>75</sup> Ibid.

<sup>76</sup> Ibid., Lord Selborne to The Earl of Crewe, May 10, 1909.

<sup>77</sup> Ibid., South Africa. Basutoland. Secret, Lord Selborne to The Earl of Crewe, June 14, 1909 (enclosure 1, Army Headquarters, Pretoria; Secret No. G. S. S. 18, Methuen, General Commanding the Forces in South Africa to the Governor, Cape Colony, May 17, 1909).

<sup>78</sup> Ibid., Enclosure, Cape Town. Secret, J. X. Merriman to the Governor of Cape Colony, W. Helly-Hutchinson, June 4, 1909.

<sup>79</sup> Ibid., Enclosure, “Memorandum on Scheme for Employment of Imperial Troops in Basutoland in Event of Trouble,” by H. D. Sloley, Resident Commissioner of Basutoland, July 13, 1909.

It is important to remember that at the beginning of June 1909 the South African delegation was on its way to England to debate the Draft of the South Africa Act before its passage by the British Parliament. Africans, including the Basotho, had also dispatched representatives to England to lobby against the passage of the act or obtain some concessions prior to its enactment. In July 1909, Chief Letsie requested King Edward VII to “preserve me and the small land I am leaving [sic] on which the Chief Moshesh said he may be preserved, ‘his blanket’ and ‘its lice’.”<sup>80</sup> The “blanket” referred to imperial protection and “lice” the Basotho people. This was all part of a coordinated African pressure upon the imperial government against South African colonialism at the very time when the colonist’s delegation was in England defending its draft constitution.

The South Africa Act was finally passed at the end of August 1909, paving the way for the establishment of the Union Government. Conditions spelling out the future of Lesotho, along with Botswana and Swaziland, were included in Section 151 of the Schedule of the South Africa Act that deferred incorporation indefinitely unless the British King approved it (see footnote 2). Moreover, it is correct to argue that the African opposition during the passage of the South Africa Act was successful in the case of Lesotho and the other protectorates because it compelled the British Government to make further pledges and promises. For example, the British Prime Minister Asquith vowed that: “We have given them [Africans] promises and pledges, and we are bound to see that those promises are fulfilled, and those pledges are not violated.”<sup>81</sup> Colonial Secretary Crewe also rejected the colonist’s demand to implement incorporation within ten years stating that “...it is not anticipated that any transfer will take place for some time to come” and promising that “the wishes of the natives in the territories will be most carefully considered before any transfer takes place.”<sup>82</sup>

However persistent rumors of a rebellion continued to frustrate the colonial officials. For instance, in December, an official in Matatiele in South Africa reported that: “I learn from good sources that the Basuto Nation has determined that in the event of Union Government at any time endeavouring to force them to come under the Union they will resist if necessary with force of arms, and that tribes this side of the Berg will join them.”<sup>83</sup> Earlier, Lesotho’s RC had also observed that a rebellion in Lesotho would necessarily spread to neighboring Africans against the Europeans.

In the meantime, in February 1910, the BNC met to discuss Lord Crewe’s reply to Basotho petitions seeking stronger assurances that they would not be incorporated. Some of the council members thought that not even the veto power of the British King would deter the South African Government from pursuing its own policies towards them if Lesotho were incorporated. They expressed the fear that Lesotho would be annexed to either Natal or the Orange Free State where Africans lived in virtual servitude.<sup>84</sup> The BNC resolved to write Lord Crewe for stronger assurances, which Lord Gladstone, Selborne’s successor, forwarded to Crewe for possible ways to reply to the Basotho. In September 1910, Crewe again reiterated earlier assurances entailed in the Schedule of the Act that also empowered the British King to veto detrimental South African actions.<sup>85</sup> In fact, in May, the Basotho chiefs had been similarly assured when they traveled to Bloemfontein in the Free State to seek an audience with the Duke of Connaught who had come to attend the inauguration of the Union of South Africa.<sup>83</sup> That Lesotho chiefs’ strong opposition to incorporation into South Africa, including the threat of rebellion and war if need be was primary in influencing imperial decisions regarding the issue cannot be overemphasized. Perhaps it was with this in mind that the colonial officials also promulgated the BNC in 1910 in Lesotho.

<sup>80</sup> Ibid., South Africa. Basutoland, Despatch No. 713, Lord Selborne to The Earl of Crewe, Nov. 22, 1909 (enclosure 4, Basutoland. Paramount Chief Letsie L. Moshoeshe to Lord Selborne, July 23, 1909). This was an additional dispatch to a similar one Selborne sent to the Colonial Office in July 1909.

<sup>81</sup> National Archives of South Africa, Pretoria (hereafter NASAP), P. S. 7/8, “The South Africa Act and the High Commission Territories: Extracts from Ministerial speeches made during the passage of the Act through the United Kingdom Parliament, July/August 1909.”

<sup>82</sup> Ibid.

<sup>83</sup> PRO CO417/468, South Africa. Basutoland, Confidential No. 2, Lord Selborne to The Earl of Crewe, Dec. 20, 1909 (enclosure I, Confidential, Telegram from the Governor of Cape Colony to Lord Selborne, Dec. 13, 1909). The other side of the Berg was in reference to the other side of the mountain (Drankesburg), in South Africa

<sup>84</sup> PRO CO646/1, see Proceedings of the Basutoland National Council, (BNC), 1910.

<sup>85</sup> PRO CO417/485, South Africa. Basutoland, The Earl of Crewe to Lord Gladstone, Sep. 24, 1910.

<sup>83</sup> M. A., J. P., Copy of *Leselinyana* (Small Light), Nov. 19, 1910.

Further, the activities of Basotho European allies as well as opposition in both Botswana and Swaziland against South Africa's colonial ambitions helped to reinforce Lesotho's case.

### **Basotho Allies, Botswana and Swaziland**

The Basotho allies against South African colonialism included the missionaries and European liberals in both South Africa and Britain. We have already seen Eduardo Jacottet's correspondence with the colonial officials as well as ambassador James Bryce stating his opposition to the incorporation of Lesotho into the future Union of South Africa (see footnote 45). At one point, Bryce cautioned Jacottet against writing to certain British parliamentarians because by pressing Lesotho's case publicly, such parliamentarians might anger the South African colonists and thus complicate the British Government's decision respecting Lesotho.<sup>87</sup>

Jacottet's constant inquiries to the Colonial Office regarding the future of Lesotho finally led to a meeting with Lesotho's Acting RC, L. Wroughton, at which the missionary was assured that "there is no question of Basutoland being suddenly affected by the Closer Union of South Africa."<sup>88</sup> Jacottet's views of the need for stronger imperial safeguards received support from the other churches in Lesotho, including the Anglican Church. The Anglican Church's leader warned that "The Basuto, as a tribe, are most jealous of their landed rights and if any attempt were made to interfere with these, it would undoubtedly lead to disaster."<sup>89</sup> The all European Basutoland Chamber of Commerce, also added its voice against incorporation and asked that Basotho land should never be alienated.<sup>90</sup>

The Basotho allies also opposed the Draft Schedule of the South Africa Act when it became public. They argued that the safeguards for the welfare of the Basotho, along with the Batswana and Swazi, were not secure enough. For example, Jacottet wrote to various African sympathizers, including British parliamentarians Charles Dilke and J. K. Hardie, to press for changes in some of the articles and clauses of the South Africa Act. He specifically opposed Article 150 and Article 153 of the Act that permitted the Union Parliament to amend any section in the South Africa Act and the Schedule, regardless of the British King's veto power against such a measure.<sup>91</sup>

In fact, most of Jacottet's concerns were raised at the request of the Basotho chiefs - they all indicated a close working relationship. Thus opposition to Article 150 of the Draft Act by the chiefs and Jacottet forced Selborne to seek "legal advice."<sup>92</sup> At the Colonial Office it resulted in a meeting between Lord Crewe and a private Parliamentary delegation consisting of among other personalities, Dilke and Hardie. The meeting determined that the territories that would be affected by the changes intended by Article 150 were those already in the Union such as Zululand, and not the protectorates to which Lesotho belonged.<sup>93</sup> This sort of opposition compelled the colonial officials to revisit both the Draft Schedule and the South Africa Act, to be thoroughly versed with their meaning and to make changes before the passage of the South Africa Act.

Equally important in the defeat of South Africa's colonial ambitions regarding Lesotho was the African opposition in both Botswana and Swaziland. Like Lesotho, these two territories also faced the prospect of incorporation into the Union of South Africa. However, led by their chiefs the peoples of Botswana and Swaziland strongly objected to the plans to incorporate them into South Africa. For example, in January 1909 Chief Khama the Great of the Bamangwato in Botswana opposed incorporation by stating his people's satisfaction with the current British imperial administration and "hoped that they would not be handed over to no South African Government but would remain under direct Imperial rule."<sup>94</sup> Further, the Acting RC of Botswana, Barry May, informed Lord Selborne that:

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<sup>87</sup> Ibid., British Embassy, Washington, James Bryce to E. Jacottet, Aug. 28, 1908.

<sup>88</sup> Ibid., Basutoland. H. C. Sloley to Jacottet, Oct. 10, 1908.

<sup>89</sup> PRO CO417/468, South Africa. Basutoland, Confidential No. 5, Lord Selborne to The Earl of Crewe, Feb. 15, 1909 (enclosure, Arthur Bloemfontein for the English Church in Lesotho to the Acting Resident Commissioner, Jan. 17, 1909).

<sup>90</sup> Ibid., Enclosure, Basutoland Chamber of Commerce to Resident Commissioner, (undated). The chamber also sought representation of the European residents in Lesotho in "any future Convention" that would discuss conditions of implementing incorporation. By opposing incorporation, the chamber was perhaps motivated by its narrow interests of monopolizing the market in Lesotho for their businesses.

<sup>91</sup> Ibid., E. Jacottet to Sir Charles Dilke, Member of the House of Commons, Mar. 6, 1909.

<sup>92</sup> Ibid. D. W. Drew to E. Jacottet, May 6, 1909. Drew was a liberal politician in Lesotho's neighboring Orange Free State colony.

<sup>93</sup> Ibid., J. Keir Hardie to Jacottet, June 1909. Hardie was a British parliamentarian and also a member of the Anti-Slavery Society.

<sup>94</sup> PRO CO417/465, South Africa. Bechuanaland, Despatch No. 42, Lord Selborne to The Earl of Crewe, Jan. 18, 1909 (enclosure, "Interview with Khama," Acting Resident Commissioner of Bechuanaland to Lord Selborne, Jan. 12, 1909).

It is quite clear to me after listening to all that has been said at the recent meetings that the Chiefs, Khama, Sebele, and Bathoena are greatly concerned at the prospect of any change in the Protectorate even if such change may be postponed for some years...<sup>95</sup>

Botswana had gained British protection in 1885 after repeated requests by the territory's chiefs. This protection was reaffirmed in 1895 when the chiefs personally sought strong British reassurances when they visited England.<sup>96</sup> Since the draft of the South Africa Act was already public, the chiefs were aware of the deferment of incorporation, which they nonetheless found insufficient. Thus, in their petitions to the colonial officials, they reminded the British Government why they sought protection in the first place, citing racial discrimination, the alienation of African land and "too many passes... and undermining the power of the Chiefs..." in South Africa.<sup>97</sup> Chief Bathoena of the Bangwaketse was even more succinct in his opposition to incorporation. He cautioned the British Government on February 2, 1909 that there would be no peace "in our land" if incorporation occurred because

We as the little brother know something about the big brother [South African colonists] and what we know we do not like and we ask how is the father [Britain] to control the big brother if he gets a Parliament of his own. Again we say we shall never agree [to incorporation].<sup>98</sup>

Chief Bathoena then accused the British Government of attempting to abandon its pledges and responsibility of protection whereas the Batswana maintained their loyalty to imperial rule.<sup>99</sup> The African opposition to incorporation was characterized by this constant reminder of the British to honor their pledges of continued imperial protection of the Basotho, the Batswana and Swazi.

As the creation of the Union of South Africa approached in 1910, the Batswana chiefs continued to express their anxiety regarding their incorporation into the Union. They feared that the mere postponement of incorporation left an opportunity for South Africa to realize its colonial ambitions. In their May 1910 petition to King Edward VII, the chiefs stated that they were "a free people" since they had voluntarily sought British protection and they should therefore be consulted before incorporation could happen. The chiefs asked him whether he had "... forgotten the great dislike which we have for the Dutch administration of Native Affairs, which originally drove us to seek help and protection from England?" They concluded by stating that, "..., we most humbly yet strongly decline to be ruled by the Union of South Africa,..."<sup>100</sup>

The Swazi consistent request to be transferred from the administration of the Transvaal to that of British imperial protection was granted in 1906. Subsequently, a Swazi deputation under Prince Malunge was dispatched to England to seek stronger assurances that the Swazi would remain under imperial protection. As Prince Malunge told Swaziland's RC after the deputation returned, the reason for the delegation was that "We should not like to be governed by the Transvaal, but prefer to be governed in England."<sup>101</sup> This was a clear Swazi opposition to incorporation because its implementation would have meant Swaziland's return to the oppressive Transvaal administration.

In summary, Ronald Hyam's thesis that the decision to postpone incorporation was "taken in Whitehall" and that the local African pressures on the British officials "were purely secondary" is simply Eurocentric.

<sup>95</sup> Ibid.

<sup>96</sup> See Neil Parsons, *King Khama, Emperor Joe, and the Great White Queen: Victorian Britain through African Eyes* (Chicago: Chicago University Press, 1998), pp. 30-34. Further studies on the history of Botswana include, F. Morton and J. Ramsay, eds., *The Birth of Botswana: A History of Bechuanaland Protectorate from 1910 to 1966*, 2<sup>nd</sup> impr. (Gaborone, Botswana: Longman, 1990); and J. Mutero Chirenje, *A History of Northern Botswana 1850-1910* (Cranbury: Fairleigh Dickinson Univ. Press, 1976).

<sup>97</sup> PRO CO417/465, South Africa. Bechuanaland, Despatch No. 38, Lord Selborne to The Earl of Crewe, Feb. 15, 1909 (enclosure, Resident Commissioner, with letters from Bechuana chiefs, to Lord Selborne, Feb. 9 1909).

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

<sup>100</sup> PRO CO417/482, South Africa. Bechuanaland Protectorate, Despatch No. 353, Lord Selborne to The Earl of Crewe, May 14, 1910 (enclosure, Khama's Petition signed by fifty other chiefs and councilors).

<sup>101</sup> Quoted in Nyeko "The African Voice in Colonial Swaziland," p.8. For an in-depth history of Swaziland, see Hilda Kuper, *Sobhuza II: Ngwenyama and King of Swaziland* (London: Gerald Duckworth & Co., 1978; J. S. M. Matsebula, *A History of Swaziland*, 3<sup>rd</sup> edn. (Cape Town: Longman, 1988); and Manelisi Genge, *Power and Gender in Southern African History: Power Relations in the Era of Queen Labotsibeni Gwamile Mdluli of Swaziland, ca 1875-1921*, Ph. D. Dissertation, Michigan State University, 1999.

It runs counter to the existing evidence of united African opposition to South Africa's colonial expansion based on the colonists' discriminatory and oppressive policies. Moreover, Stevens' argument that Great Britain had decided against incorporation as early as 1906 (although a firm commitment was not made until 1908/09), should be grounded in the unrelenting united African opposition, including the tensions sparked by the Bambatha Rebellion. The British withdrawal of Swaziland from the Transvaal administration in 1906 was partly aimed at easing these tensions. The issue of the stability and hence security of a fragile Union of South Africa, Chanock has argued, remained uppermost in the British minds in view of the African opposition that threatened that stability. It is evident that the British could not afford to ignore the intensity of African opposition and the persistent rumors of a rebellion in Lesotho based on Lesotho's long history of resistance to the South African colonists. Further African pressures between 1908 and 1909 compelled the British Government to adopt the more definitive policy of indefinite postponement of incorporation by the Schedule of the South Africa Act. Thus, it was the united African opposition that was the primary factor in the deferment of incorporation, and it would require that united African opposition to ensure that South Africa's colonial ambitions never materialized.