

**THE UNION OF  
SOUTH AFRICA**

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The Union of South Africa by R. H. Brand

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**R. H. BRAND**

**THE UNION OF  
SOUTH AFRICA**



# THE UNION OF SOUTH AFRICA

BY

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SOUTH AFRICAN NATIONAL CONVENTION



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## PREFACE

THE aim of this book is to give a short sketch of the leading features of the South African Constitution. In order to make the subject intelligible, it has been necessary to refer also to the history of the movement towards Union. But the chapter dealing with this aspect of the question has been made intentionally brief. Those who wish for more details are referred to Lord Selborne's memorandum, entitled *A Review of the Present Mutual Relations of the British South African Colonies*, published in England as a Blue Book in 1907, and to *The Government of South Africa*, an anonymous work in two volumes, published by the *Cape Times*, Limited, Cape Town, in 1908. For the purposes of reference the South Africa Act is printed as an appendix.

The sketch of the Constitution might have been more interesting to the layman, had it been possible to supplement it by some account of the proceedings of the National Convention itself. But the Convention sat with closed doors, and secrecy is still maintained as to its proceedings. No reference to them could therefore be made without a breach of confidence.

As I have held an official position in the public service of the Transvaal and Orange River Colony during the past seven years, first under Crown Colony and then under Responsible Government, it may be as well to state that the opinions expressed in the following pages are purely personal to myself.

R. H. BRAND.

London, Oct. 1909.

**ALLES ZAL RECHT KOMEN**

*—President Sir John Brand*

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## CHAPTER I

### PRELIMINARY

SHORTLY after the draft Constitution of South Africa was published in February last, Sir Percy Fitzpatrick, one of the Transvaal delegates, in a speech at Johannesburg, delivered a panegyric upon it as being the finest constitution in the world. A few days later General Smuts, in the course of a speech at Pretoria, remarked that to him much more wonderful than the Constitution itself were the signatures at the end of it. General Smuts was right. South African politics have always been kaleidoscopic, but no political whirligig has been so astonishing or so complete as that of the last twelve months. What would President Kruger have said in 1899 if he had been told that in less than seven years after the complete destruction of the Republics and their annexation to the British Empire, a Constitution embodying all that the Uitlanders had struggled for would have been enthusiastically accepted by all parties and races in South Africa? Would he have believed his eyes had he seen appended to that document, side by side, the names of Dr. Jameson, who raided the independent Republic of the Transvaal in order to overthrow its government, and General Botha, who, then a leading citizen of that Republic, is said to have demanded