

BACKGROUND TO FUSION: NATAL, 1932-1933. CORRESPONDENCE BETWEEN SMUTS AND HEATON NICHOLLS.

Fusion between General Smuts and Hertzog was preceded by a great deal of delicate diplomacy between the two generals. It was well known that Dr. Malan and his group were not in favour of joining the South African Party, and a good few South African Party members felt the same about joining the Nationalists. Mrs. M. Jansen formulated the feelings of the Malan group as follows: "There are elements in the South African Party to whom we can extend the hand of brotherhood, but there are elements with whom I, as an Afrikaner woman, cannot associate".¹ Mr. Leslie Blackwell issued a statement in Cape Town on the 7th June, 1934, in which he stated: ". . . for me at any rate there is no fusion if the new party includes Dr. Malan and his followers. Mr. Erasmus and I can never lie under the same political blanket."

Under the circumstances Smuts and Hertzog had to proceed carefully. Dr. Malan was organising his new "Purified" National Party and Colonel C. F. Stallard was establishing his Dominion Party. In Natal the Devolution League was hammering away at the proposals which had been incorporated in the Hollander Memorandum. This report was to become one of the corner-stones of the policy of the South African Federal Party. Professor D. W. Krüger (*The Age of the Generals*, p. 159), says: "Hertzog was afraid that any refusal on his part (i.e. to respond to Smuts' friendly advances) might drive Smuts into the arms of the Natal Devolutionists and Federals." There was good cause to be afraid because General Smuts and the Member for Zululand, George Heaton Nicholls, had been carrying on a lengthy correspondence about the "Natal Stand".²

On the 4th June, 1932, Nicholls wrote to Smuts: "You will remember from information given to you by Clarkson and O'Brien³ that at a meeting of the members in Capetown I was asked to accept a mandate to conduct negotiations on their behalf with Kingston Russell⁴ and the Devolution leaders. The object of the negotiations was to find some common ground between ourselves and the Devolution League which would prevent the splitting of votes in Natal and the destruction of the South African Party. The fullest discretion was given to me under the mandate.

I had an interview with Kingston Russell immediately after my arrival in Durban . . . as the channel through which I could get into communica-

1. G. D. Scholtz: *Dr. Nicolaas Johannes Van der Merwe, 1888-1940*, p. 244. The quotation is translated from the original Afrikaans.
2. The correspondence referred to is in the possession of the writer.
3. Senior members of the S.A.P. in Natal. Senator C. F. Clarkson was Minister for Posts and Telegraphs in General Hertzog's first Coalition Ministry (30th March, 1933).
4. Kingston Russell was the editor of the *Natal Mercury* at the time. Alan Paton (*Hofmeyr*, p. 160) refers to a statement by Hofmeyr in 1929. The statement angered Russell because Hofmeyr said he could not see that South Africa needed Smuts more than ever. Russell had apparently changed his mind by 1932.

tion with the Devolution League . . . Kingston Russell and the Devolutionists were in an intractable mood, confident that they had an overwhelming majority of the people behind them in opposition to the S.A.P. . . . They were flushed with their recent victories and much more inclined to launch an assault upon the S.A.P. . . . than to discuss any terms with us. The speeches to be delivered at the convention had been carefully prepared and the key-note of some of them was a vigorous attack upon the Natal Members, individually and collectively, and upon you personally." Through the office of an intermediary, Heaton Nicholls succeeded in communicating with the Devolutionists the following day (a Sunday), and he went on to report to Smuts: "I made them realise that Federation could never be achieved by splitting the S.A.P. in Natal. They claimed that they could win at least 12 seats, to which I replied that 12 seats within the Party, pledged to federation, would achieve their objective much more effectively than 12 seats outside the party." Heaton Nicholls was satisfied that "some of the wealthiest people in Durban" were pledging financial and personal support for the Devolutionists. Before leaving for Zululand that Sunday night he managed to placate the rebels and to alleviate the bitterness of the attack on the S.A.P., "and by so doing to preserve an atmosphere between us favourable to negotiation."

Smuts was facing a serious situation in Natal for not only the editor of the *Natal Mercury* was against him, but according to Nicholls, the "whole of the Board of Directors entirely agreed with his attitude". The *Natal Mercury* was an influential newspaper in Natal and Russell as editor was capable of causing Smuts a great deal of harm if he were inclined to do so. Nicholls stated in his letter to Smuts that: „ . . . the Natal Mercury is the only press organ for the formation of public opinion in Natal; the Witness and the Advertiser being negligible by comparison."

Meanwhile the Natal members of the South African Party had been alarmed by the intensity of feeling in favour of the Devolution League. They had been informed that if they failed to effect a working arrangement between the Party and the League the *Natal Mercury* was prepared to support the Devolutionists with funds and organisation to oppose the S.A.P. in every constituency. Nicholls gravely warned Smuts: "I would like you to understand, General, that Kingston Russell is not here adopting an individualistic attitude. The Natal Mercury is a very intimate concern between directorate and editorial and staff; and Kingston Russell in all this agitation has merely been expressing the opinion of the directorate, which consists of men in close touch with every activity in this Province. You may therefore regard the Natal Mercury as being fully representative of Natal opinion, and not merely Kingston Russell." Natal sought federation for itself alone, said Nicholls, not for the rest of the Union. He would keep Smuts informed of what was happening but the Natal members would not place the responsibility on his shoulders to plead their cause, they would act for themselves if necessary. But Heaton Nicholls, arch federalist and later one of the founders of the South African Federal

Party, was using the Party to further his own cause. He wrote to Smuts: "I think that the meeting made a wise decision. The paramount consideration, apart from the attainment of federation for Natal, was to see that we made a grand slam for you in Natal at the next election. In view of the deep and almost universal expressions of opinion in Natal in favour of this policy, I feel that we have now made the position secure without in any way weakening your leadership of the Party. The establishment of a Natal caucus in a regularised manner, instead of in the irregular manner heretofore which has given rise to so much trouble in the Party, can do nothing but good. To you it can only be a source of strength and under one of your own trusted lieutenants, its loyalty within the terms of its declaration can always be depended upon. I know that you have hitherto fought against federalism; but I also know that you have preached an all African policy from every platform, a vision which has inspired me for a long time past; and I sincerely believe that this final adoption of a federal plank in our political parties with your approval, will bring us much nearer to the realization of that ideal." Nicholls ended his letter by recording the hope that a telegram of acknowledgement (which meant tacit approval of his actions) would arrive from Smuts by the following Wednesday, but there is no record that Smuts ever sent such a telegram. It is improbable that he would have done so. Subsequent events gave Smuts the opportunity to record his displeasure of Nicholls' actions.

Towards the end of October, 1932, Heaton Nicholls made a speech at Empangeni in Zululand which did not please Smuts at all. He presumably got in touch with Nicholls but the correspondence cannot be traced. On the 5th November Nicholls wrote to Smuts: "My speech at Empangeni, about which there has been so much criticism, was consequent upon the adoption by the Maritzburg Congress⁵ of the (United) Party and by you of the Hollander Memorandum. That Memorandum proposed a devolution of powers to the provinces which would give them the character of federal units "within the framework of Union". It also proposed an alteration in the character of the Councils by the substitution of Provincial Cabinets for the existing Executives . . .

It clearly became my duty, after the adoption of this new program by the Party, to explain the implications of the Memorandum to my constituents at the first opportunity. This I did very fully at Empangeni . . ."

On the 14th November, 1932, Smuts blasted his reply from Pretoria: "Your letter of the 5th November has only just reached me on my return from the Cape Province.

5. The Pietermaritzburg Congress of the United Party was held on the 13th and 14th October, 1932. The Congress which aroused a great deal of interest was well reported upon by both the *Natal Witness* and the *Natal Mercury*, but it seems that Nicholls took some liberties with his quotations from these two papers.

I was bound to dissociate myself publicly from the views which you had expressed in your Empangeni speech. Those views as reported in the press were contrary to the principles of our Party and damaging to its interests, and I had to make it clear . . . that you were voicing personal opinions from which the Party completely dissociated itself . . .” Smuts went on to castigate Nicholls for his “contemptuous reference to racial co-operation which is our cherished policy”, and his reference to the English attitude to the language clause in the South Africa Act, “. . . as well as the statements (which) not only deeply offended loyal members of our Party all over the country, but gave our opponents much-needed ammunition of which they have since made ample use.”

Nicholls’ suggestion that Natal and the Free State should become unilingual provinces was described by Smuts as being not only in conflict with his party’s principles, but calculated to drive every Afrikaans-speaking member in Natal out of the Party. “How could we be party to such a betrayal of our loyal members (English-speaking in the Free State, Afrikaans-speaking in Natal) without covering ourselves with dishonour?” he asked. Smuts told Nicholls that nothing which had been said or done at the recent Maritzburg Conference justified such a declaration on his part, and if the Natal members of the Party had been committed to Nicholls’ views by the resolutions which had been taken in Maritzburg, they would never have agreed to them, and they would immediately have repudiated them. The Hollander Memorandum, said Smuts, had been accepted only as a basis, not *in toto* nor in detail. Smuts ended his letter caustically: “It is a pity . . . that neither in your letter under reply nor in any statement to the public have you seen fit to put yourself right with our Party whom your statements have so deeply offended.”

Nicholls answered on the 18th November: “You will remember that at the Maritzburg Congress with the North America Act in your hands you went through each of the powers given to the Provinces of Canada and you were very emphatic that, with the exception of a few instances of minor importance, such as that of prisons, you would, if returned to power, grant those powers to Natal.” Nicholls told Smuts that he was satisfied that in the promised creation of the Canadian provincial system in South Africa “we had all we wanted . . . I then abjured all those who were fighting along different lines to secure federation to range themselves behind the party since we were all marching to the same objective”.

Nicholls went on to remind Smuts what had been promised, and to strengthen his case he quoted from Smuts’s speech as it had been reported in the *Natal Mercury*: “. . . the Canadian Provinces had the right to amend their own constitutions, with the exception of the conditions regarding the Lieut.-Governors. This power seemed desirable for the Union and he was prepared to grant it.” He also quoted from the *Natal Witness* which reported the speech in similar vein: “Under the North America Act the powers given included the power to amend the constitution . . .

He was in favour of this idea. In certain provinces of the Union the Provincial Executive did not correctly represent the Council." In this way, drawing heavily from the two newspapers to substantiate his contentions, Nicholls showed how Smuts had promised the provinces more financial powers. He referred to a report in the *Natal Witness* according to which Smuts had said that "in regard to provincial service appointments the Provincial Executive should, as proposed by Mr. Hollander, be allowed the same powers as Cabinet Ministers". It was in connection with this new situation, Nicholls pointed out, that he had discussed the language question at Empangeni. Smuts, said Nicholls, had also undertaken to hand over the administration of Lands to the provinces, and on the matter of education he again quoted what Smuts had said, from the *Natal Mercury*: "Technical education was getting on wrong lines. The Government encroachments should be restored and her educational system brought much closer to the Canadian system. This he undertook to do." Agriculture was to be decentralised, and Irrigation and Afforestation were to be handed to the provinces. The newspaper quoted Smuts on the Hollander Memorandum: "To my mind the position sketched by Mr. Hollander is quite a feasible one.

This is a definite scheme and if it is approved by the Natal Congress, I shall do my best to forward a scheme on those lines." Nicholls pointed out that the Hollander Memorandum had been adopted by the Congress, ". . . and if it is, as you say, that a new situation was not created which required very earnest discussions in the constituencies, then I shared, with many others, a very justifiable illusion." Smuts' answer — if there was one — is not available but the row seems to have blown over. On the 29th January, 1933, Nicholls again wrote to Smuts, and it is clear that fusion was foremost in his mind. Smuts had apparently approached Tielman Roos and at an "inner circle meeting" as Paton calls it (Hofmeyr, p. 90), early in 1933, Hofmeyr had been appointed negotiator. Nicholls showed some excitement and referred to a leading article in the *Cape Argus* of the 28th January, 1933, which stated *inter alia*: ". . . no credence attaches to certain rumours that are flying around regarding the state of feeling in the South African Party . . . They are mainly picturesque inventions. At the moment of writing the latest proposals made by the Roosites are still under discussion. If a vote is taken it will probably be found that the party is all but unanimous. It is well-known already that all the weight of intellect and political experience is on one side. If the proposals of Mr. Roos's friends, which have been under careful examination, are finally rejected, it will be for the simple reason that there is no reasonable probability that they will result in the realisation of the object in view, viz., the bringing into power of a national or best-man administration capable of ensuring efficiency and commanding the confidence of the country." Nicholls and his immediate colleagues in Natal were dismayed by the disclosures of the secrets of the Caucus, which he apparently inferred from the *Argus*' leading article, as well as

by a number of other matters. It is not possible to trace the source of his dissatisfaction, or his reasons, but he was very angry with Roos's attitude towards the proposals of Messrs. Steytler and Reitz, and with Colonel Reitz's attitude towards Natal as shown in the Caucus. He wrote to Smuts: "The statement appearing in the leading articles of the *Argus* that "all the weight of intellect and political experience is on the one side", coupled with the observation that "prominent members of the Opposition feel so strongly that they have stated that they would rather resign than be a party to such overturse", impells us to think that this does not all arise from idle chatter but from design, and we feel that the impression which is sought to be created in particular by the speech of Col. Reitz, is that we who have supported the conditional acceptance of the Steytler-Reitz proposals are in league with Mr. Roos, an impression which we resent since the truth is that we have all been placed in our present difficult position by reason of the initial negotiations entered into by Mr. Hofmeyr, apparently with Col. Reitz's concurrence, upon which we were never consulted and to which we should have objected had we been consulted." He reminded Smuts of the "grim struggle to preserve the unity of the Party in Natal", and of Smuts's "wise intervention" at Pietermaritzburg when, as we have seen, Smuts ostensibly supported Nicholls' federal principles. But then came the dismaying disclosures about the negotiations with Roos, and the fact that the S.A.P. was offering Roos a seat in the Cabinet for his services in turning out the Government. Nicholls told Smuts that these disclosures had upset the Natal members completely: "It is on record that we warned the people of Natal against any coalition with Mr. Roos. We pointed out the dangers to the Party, to the political past of Mr. Roos, to his chameleonlike character; and we stated emphatically that Natal should not allow itself to be stampeded but stand by Smuts." Not one Natal member, he said, was prepared to advocate any compromise with Roos, but, ". . . on our arrival in Capetown we began to understand how gravely our whole position had been compromised by the negotiations of Mr. Hofmeyr . . . We found ourselves further committed by the adoption at the first Caucus of a resolution for a National Government; and we were finally bound by the terms of your speech moving that resolution in Parliament.

Now we suddenly learn that it is not your speech in Parliament which is to be taken as a reflection of the Party attitude . . . but the speeches of Duncan, Hofmeyr, Reitz and Van Zyl at the Caucus."

Nicholls explained to Smuts that the Natal members were consequently "searching about to find what lead we should follow". They were being held up to the Caucus as being animated by disloyalty to Smuts and the Party, ". . . and the leading article in the *Argus* places us amongst the non-intelligent and politically inexperienced," he wrote plaintively. "We very much resent the ignoring altogether of the whole of the Natal section of the Party, from the Chairman downwards, and the establishment of a Transvaal coterie which influences every issue of the

Party without any reference to its effect upon us . . . it seems impossible for our simple minds to follow the tortuous manoeuvres which commit us definitely one day to one line of policy, and, when we are in hot pursuit, to find ourselves being upbraided for following the lead which has been given." He finally concludes his letter as follows: "It is an amazing thing that those who have been closest in your councils are free to threaten the Caucus that if their advice is not accepted by you they will break up the Party, while those of us who are regarded as the rank and file are by the same individuals held up to be disloyal for venturing to express the opposite opinion which they know to be the reflex of that held in their constituencies. And it is worthy of note that while many of the rank and file regard the idea of coalition with General Hertzog with anathema, yet out of deference to you they preserved silence though they knew that if it came to pass it would mean the complete destruction of all they stood for in the public life of the country. It is obvious to the onlooker that the break-up of the Nationalist Party is imminent, and it would be little short of a disaster of the first magnitude if the threats uttered in Caucus were to precipitate an earlier break-up of our own Party." The rest is history. Fusion lasted for six years and the Natal members supported Smuts enthusiastically during that time and even more enthusiastically after the outbreak of the Second World War.

The great enigma remains: Was Smuts a federalist or not? He knew that he was going to join Hertzog and he also knew that the National Party of the time stood for the abolition of the provincial system. In 1955 Heaton Nicholls still believed that Smuts had supported his federal principles. On the 27th October, 1955, he wrote to the *Natal Daily News*: "What changed the policy? (viz. federalism). General Smuts at that time was marching to victory. He said at the Congress: "I am the mouthpiece of the South African Party, and we are marching to victory. I shall be called upon to make good what I say".

He voiced the general opinion of the day. Coalition alone changed the policy — coalition into which General Smuts was forced by the pressure of the new Roositers.

I could write a dramatic story of that four days' caucus when Smuts sat without saying a word while his old supporters, mostly English-speaking, called upon him to accept Tielman Roos's offer. What followed was the submerging of the South African Party into the more powerful party of Hertzog . . . The United Party today are all Hertzogites." Nicholls goes on to refer to a speech by Smuts to which the *Daily News* had referred. Smuts is reported to have said that if federation had been the wiser course the tendency during the 40 years of Union would have been for the constituent provinces to have drifted apart. It was not Smuts at his best, Nicholls said, but Nicholls was a biased witness. The fact remains that even though Smuts had had the opportunity to introduce a policy of home rule or federalism he never did so. If

Smuts envisaged a federal states of Africa it did not make him a federalist, especially so far as South Africa was concerned. It seems, to use a modern phrase, that someone was trying to take the mickey out of somebody else, but it seems that Smuts was too shrewd to get caught that easily.

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