

“It would be well now to wind up this rebel business sharp”: The post-Anglo-Boer War management of the Natal rebels

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Abstract

Any post-war society is characterised by complex relationships. Natal society after the conclusion of the Anglo-Boer War (1899-1902) was no different. In this article the post-war relations between the Natal rebels and the Natal and Imperial governments are examined with specific emphasis on how the rebels were managed. The Natal government initially foregrounded its autonomy and insisted on legally managing the rebels accordingly. However, the agreements reached during the peace negotiations forced the Imperial government to put pressure on the Natal government to adopt a more pragmatic approach. With the adoption of this approach, the Imperial government withdrew from the process and left it to the Natal government to further manage the rebels. This was done by systematically releasing some convicted rebels for managerial rather than conciliatory reasons. What the Natal government, however, could not achieve was to convince the rebels still on free-footing in the former Boer republics to hand themselves over to be tried for high treason. In the end the Natal government had to, so as to ensure the managerial workings of the colony, capitulate and grant full amnesty to all rebels.

Keywords: Natal Rebels; Anglo-Boer War; Colony of Natal; Natal Afrikaners; Reconciliation; Reconstruction; Imperial Government; Natal Government; Royal Commission of Enquiry.

Introduction

A common issue facing any post-conflict society is how to ensure a lasting peace. This process is not without difficulty, considering the array of fraught relationships that exist in such societies. The southern African society in the aftermath of the Anglo-Boer War or South African War (1899–1902) was no different. In this article the focus is on how the political relationship between the Natal rebels, both convicted and suspected, and the Natal colonial and

imperial authorities, was steered into calmer waters.¹ The specific aim is to come to some understanding of how, in the immediate post-war period, the Natal rebels were managed. This involves a close examination of the planning and direction of affairs of both the Natal and British governments at the time.

Managing the convicted imprisoned Natal rebels in the immediate post-war period

One of the most pressing issues facing the Natal government was how to deal with the rebels who had been convicted of high treason in terms of Act 14 of 1900, by either the Special Court or the Special Magistrate under the rules of the Special Court.² With peace talks in the air, requests were coming in from convicted rebels to be transferred to prisons closer to their homes. The response from Prime Minister AH (Albert) Hime, on 13 May 1902, was unequivocal and firm: “In all cases refuse these requests without bringing them before me, unless there is something very special which needs consideration.”³

Peace was no sooner declared when Gert van Rooyen challenged this position. He asked Frederick (FR) Moor, a cabinet minister who represented a constituency made up almost exclusively of Natal Afrikaners, to investigate the possible removal of 43 rebel prisoners from Eshowe, Zululand, to Pietermaritzburg. Moor rallied to the support of his Afrikaner voters and using his political clout managed to secure their transfer to the Pietermaritzburg Prison. However, this decision was promptly thwarted on logistical and principled grounds by the chief commissioner of police who argued that there was insufficient space in the Pietermaritzburg Prison. More importantly, the commissioner felt that this would be taking too soft a line towards the rebel prisoners, tantamount to “giving in” to them. After all, he argued, similar requests had been turned down in the past. Moor reacted strongly. He contended that since hostilities had ended, “the political prisoners should be treated as fairly as possible and those who apply to be removed from Eshowe

1 A similar process unfolded in the Cape Colony after the war had ended. Unlike the estimated 800 rebels the Natal authorities had to deal with in the Cape the number was 15 433. HA Shearing, “The Cape rebel of the South African War, 1899-1902” (PhD, US, 2004), pp. 249-269.

2 Pietermaritzburg Archival Repository (PAR), Natal Colonial Publications (NCP), 6/1/1/53, *Natal Government Gazette*, 31 July 1900, containing Act 14 of 1900; NCP, 5/3/8: Colony of Natal Acts, Parliament of the Colony of Natal, 4th session, second Colonial Parliament, 1900, Act 14 of 1900. The Special Court was set up specifically to try alleged Natal rebels.

3 PAR, Minister of Justice and Public Works (MJPW), Vol. 94, Correspondence regarding the removal of rebel prisoners from Eshowe Prison, 13 May 1902 - 23 July 1902.

to the Pietermaritzburg Prison or any other gaol in the Natal Province should have their application granted where room is available". Moor's conciliatory point of view, supported by the foremost Natal humanitarian of the time, Harriette Colenso,⁴ won the day and the Natal government decided that the application of each prisoner who wished to be transferred from Eshowe should be reviewed on merit.⁵

Consequently, a small number of rebel prisoners were successful in their bid to be transferred to prisons in either Pietermaritzburg or Ladysmith. However, the applications of those who asked to be sent to prisons in smaller towns met with less success. In the case of AC Vermaak, CS Botha and PJ Meyer they were refused a transfer to the Greytown Prison because of a lack of accommodation.⁶ Likewise, the applications of CP Cronjé and JJ de Jager to be re-located to Dundee were turned down, because in the context of the racial policies of the time, all the white prisoners in Northern Natal were held in the Ladysmith Prison. Since only Africans were incarcerated in Dundee it would have meant that a separate cell be set aside for the rebels and a white warden appointed for one or two prisoners.⁷

The least favourable response was reserved for JJ Dekker who was serving a seven-year sentence for actively fighting on the side of the republics. All three applications on his behalf to be transferred to Pietermaritzburg were rejected. The reasons offered ranged from an overcrowded Pietermaritzburg Prison to the fact that the Public Works Department needed prisoners who were sentenced to hard labour to work on specific projects in progress at the time. Since Dekker did not fit this category he could not be transferred.⁸ Nonetheless, this was the exception to the rule and for the most part the Natal government was, within means, fairly conciliatory in transferring convicted rebels to prisons closer to their homes.

4 PAR, Colenso collection A 204, Vol. 39: Letter CW Havemann/Harriette Colenso, 28 August 1902; Letter GT Plowman (Secretary)/Harriette Colenso, 3 September 1902.

5 PAR, MJPW, Vol. 94, Correspondence regarding the removal of rebel prisoners from Eshowe Prison, 13 May 1902 - 23 July 1902.

6 PAR, Colenso collection A 204, Vol. 74: Letter Harriette Colenso/Sir, 29 September 1902; PAR, Colenso collection A 204, Vol. 39: Letter GT Plowman (Secretary)/Harriette Colenso, 7 July 1902.

7 PAR, MJPW, Vol. 96: Application CP Cronjé to be transferred to Dundee Prison, 20 August 1902 - 8 September 1902.

8 PAR, MJPW, Vol. 97: Applications on behalf of JJ Dekker to be transferred to Pietermaritzburg Prison, 18 August 1902 - 4 November 1902.

In the post-war period the Natal government also had to manage a handful of rebels who had already served their sentences, but still felt aggrieved and wished to challenge their convictions in various ways. PJ Meyer, for example, requested copies of the depositions made against him because he wanted to clear his name,⁹ while HA Potgieter appealed to have the case against him reopened because he felt that he had been convicted on false evidence.¹⁰ These requests met with little success. The case of PJ Cromhout was an exception. He was sentenced to a £50 fine or a three-month prison sentence, but because he had served 20 days before paying the fine, he managed to secure a refund of £10.17.4.¹¹

Challenging the initial post-war position of the Natal government towards suspected rebels on free footing

The Natal government was far sterner in its attitude towards suspected rebels who were still on free footing. The point of departure had always been that Natal Afrikaners guilty of high treason should be punished by a court of law. This inflexible stance, which failed to give objective consideration to the circumstances which led to rebellion, was one of the reasons for the failure of earlier peace negotiations on 28 February 1901, between the commanders of the Boer and British forces – General Louis Botha and Lord Horatio Kitchener respectively. While Kitchener was prepared to give the Cape and Natal rebels amnesty,¹² the Natal authorities had found a powerful ally in the doctrinaire high commissioner, Lord Alfred Milner, who for his own reasons of social engineering, wanted to see the rebels punished “according to the laws of the Colony”.¹³

Just over a year after the failed peace negotiations, in May 1902, with peace talks between Britain and the Boer Republics in the air, the issue of how to treat suspected rebels still on free footing as well as the convicted rebels in prison, was raised again. The governor of Natal, HE McCallum, recommended that

9 PAR, Attorney-General's Office (AGO), Vol. I/8/89: Letter Griffin and Muller/Attorney-General, 9 April 1903.

10 PAR, AGO, Vol. I/8/89: Correspondence HA Potgieter/Attorney-General, 16 May 1903 - 14 November 1903.

11 PAR, AGO, Vol. I/8/85: Correspondence, fine of £50 imposed on PJ Cromhout, 17 September 1902 - 30 November 1902.

12 T Pakenham, *Die Boereoorlog* (Jonathan Ball, Johannesburg, 1979), pp. 508–512.

13 LS Amery (ed.), *The Times history of the war in South Africa, 1899–1902, Vol. IV* (Samson Low, Marston & Co, London, 1900–1909), p. 554; SB Spies, *Methods of barbarism? Roberts and Kitchener and civilians in the Boer Republics, January 1900 - May 1902*, (Human & Rousseau, Cape Town, 1977), p. 209; C Saunders & N Southey, *A dictionary of South African history*, (David Philip, Cape Town, 1998), p. 113.

suspected rebels still free should receive a prison sentence not exceeding two years and disenfranchisement for life.¹⁴ The Natal authorities, however, dug in their heels and rejected McCallum's suggestion.¹⁵ To the Natal government the issue of managerial autonomy was paramount; it was determined to adhere to the position adopted in February 1901,¹⁶ that suspected Natal Afrikaner rebels still on free footing would neither be pardoned nor receive a predetermined sentence, but would "have to take their chance under ordinary law".¹⁷

The peace negotiations between Britain and the Boer Republics took place against this hard-line position adopted by the Natal government. The outcome was the signing of the Treaty of Vereeniging on 31 May 1902, which brought the Anglo-Boer War to an end. The Natal government proved to be a minor role player and hardly featured in the peace negotiations. As a result, a certain amount of confusion reigned on the plight of both the suspected and convicted Natal rebels. Matters were further complicated when, within days of peace being signed, the Natal authorities received a telegram from Lord Kitchener which read:¹⁸

I would personally consider it a great favour if your Ministers would grant clemency to Natal rebels who were forced to join the enemy when the Boers occupied Natal, when they had no adequate protection, on the same line as the Cape are according to their rebels, viz: - disenfranchisement for life.

This telegram, which characterised the Natal rebels as victims was the result of informal discussions held during the peace negotiations, because the issue of the rebels had been avoided and no reference at all was made to it in the actual terms of the peace agreement. Kitchener's request was rejected out of hand by the Natal government and it was left to Governor McCallum to inform High Commissioner Milner; the Secretary of State for the Colonies, Joseph Chamberlain; and Lord Kitchener, that the Natal government believed that any form of clemency would be unjust to those already convicted. Furthermore, the Natal government was determined that they wanted to treat "rebellion as rebellion".¹⁹

14 Public Record Office (PRO), Colonial Office (CO), Vol. 179/223: Confidential despatch HE McCallum (Governor)/AH Hime (Prime Minister), 1 May 1902.

15 PRO, CO, Vol. 179/223: Confidential despatch HE McCallum (Governor)/A Milner (High Commissioner), 3 May 1902.

16 PRO, CO, Vol. 179/223: Extract Natal minister's minute, 2 May 1902.

17 T Pakenham, *Die Boereoorlog*, p. 563.

18 T Pakenham, *Die Boereoorlog*, pp. 581–592.

19 PAR, Government House (GH), Vol. 1304 & 497: Confidential despatch HE McCallum (Governor)/Lord H Kitchener, 5 June 1902; PRO, CO, Vol. 179/223: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 7 June 1902.

This stance was duly thrown into some disarray when General Schalk Burger, the former acting president of the Transvaal, explained in early June 1902, while visiting the Natal concentration camps and the Umbilo Prisoner-of-War (POW) Camp, that if suspected Natal rebels on free footing returned to the colony they would be punished in accordance with the ordinary laws.²⁰ Burger's carefully crafted speech, endorsed by the British Army and repeated verbatim at each site, was supported by Governor HE McCallum, who on 17 June 1902 clarified that: "It has been arranged that Natal rebels who are surrendering will not be proceeded against unless they re-enter Natal."²¹ The Natal government was taken aback by these statements and claimed that it had not been informed that suspected rebels could reside in the former republics without fear of prosecution. Asked for an explanation, Milner in his response concurred with Burger and McCallum, saying: "I do not think it would be impolitic to endeavour to bring down into the Colony of Natal rebels who have surrendered without it [outside Natal]." However, if they did so it would be at their own risk.²²

Although no formal pledge was given in this regard at the May 1902 peace negotiations it was clear that Kitchener's proposal, as expressed in his letter of 7 March 1901 to Louis Botha (that suspected rebels would not be forced to return to their respective colonies – the Cape and Natal), was still in place. The outcome of all this was deep uncertainty in the ranks of the Natal authorities about the position of the suspected rebels still on free footing in the two republics. Indeed, the attorney-general, who had to oversee the prosecution of rebels; the magistrates who had to try them; and the police who had to arrest them; were all unsure of the official position of their government.

The Natal government at least had the sympathy of Alfred Milner who deemed that its position on the treatment of these rebels was sound and correct. However, Milner was more pragmatic than principled and in terms of the bigger picture he thought it was in the best interest of all to yield to a point to which the Boer leaders attached considerable importance, namely an acceptable post-war settlement for Natal and Cape rebels. He therefore felt: "It would be well now to wind up this rebel business sharp." To convince

20 PAR, CO, Vol. 179/223: Speech by General SW Burger at Howick Concentration Camp, 5 June 1902.

21 PAR, GH, Vol. 545: Enquiry GOC, Natal regarding Natal rebels in the Vryheid and Utrecht districts, 13 June 1902 - 25 June 1902.

22 PAR, AGO, Vol. 1/8/85: Request by attorney-general that his department be informed of the official policy regarding rebels, 23 June 1902 - 30 June 1902; PAR, Prime Minister's Office (PM), Vol. 92: Letter M Matthews, (Magistrate, Dundee)/FR Moor, 24 July 1902.

the Natal government that the issue at stake was an Imperial and southern African issue, and not merely a Natal one, for the Cape Colony faced similar challenges on a much larger scale,²³ became the duty of Governor McCallum.²⁴

At this stage it was thus clear, to Milner and McCallum at least, that the Natal government was not approaching the rebel issue with sufficient zeal or in the required direction; they needed judicious external encouragement to elicit the expected response. McCallum's task in achieving this was, on the face of it, made somewhat easier by the fact that Hime was on holiday in Britain and that the acting prime minister was FR Moor. Like Milner, McCallum wanted the slate wiped clean in terms of the rebels; they should not be "allowed to live on our borders in daily communication with their friends in the Colony and, exiled from their homes, be an ever present sore prejudicial to the re-establishment of peace, good order and unity". The suspected rebels outside the jurisdiction of the Colony of Natal were thus clearly deemed troublesome pockets of unresolved legal conflict;²⁵ the matter had to be addressed to ensure the workability of the post-war state.

McCallum's task was not an easy one. The Natal government was adamant that it wanted to retain the right to punish its own subjects. It felt its autonomy was at stake and that Imperial and southern African concerns therefore paled in significance. Through Attorney-General GA De R Labistour, who before assuming his position had acted as the defence council for many Natal rebels, it was made clear that the intention was to proceed against every suspected rebel who returned to Natal in precisely the same way and along the same lines as those who had already been tried.²⁶ Ironically, the Natal government not only received stout support for this stance from the English colonists, but also reputedly from the Natal Afrikaners in the Dundee district. According to the local magistrate:²⁷

The whisper which is going round of pardon to all these men who have hung out to the end of the war, is causing great dissatisfaction amongst the English,

23 The difference of scale between the Cape Colony and Natal is borne out by the fact that in the Cape Colony 3 422 rebels surrendered after the war had ended while in Natal only one did so. T Shearing & D Shearing, *The rebel record, South African War 1899-1902, Cape Commando Series - A-H* (Blitsdruk, George, 2011), pp. vii-viii.

24 PRO, CO, Vol. 179/223: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 26 July 1902.

25 The Cape Colony faced a similar challenge and it is estimated that between 700 and 800 Cape rebels resided under similar judicial conditions in the former republics. T Shearing & D Shearing, *The rebel record, South African War 1899-1902, Cape Commando Series - A-H*, pp. vii-viii.

26 PAR, GH, Vol. 1304: Memorandum regarding Natal rebels GA De R Labistour (Attorney-General), 29 June 1902.

27 PAR, PM, Vol. 92: Letter M Matthews (Magistrate, Dundee)/FR Moor (Acting Prime Minister), 24 July 1902.

Dutch, and natives. The Boers who have been punished and allowed to return to their farms, and the relations of those who are still in the Maritzburg Gaol, denounce the very suggestion of forgiveness of those who held out to the end, as a terrible injustice ... They say that the imprisonment which they had suffered cannot now be undone, but that they will use every effort in their power to secure the return of the fine imposed on them by the Special Court.

Such sentiments provide an indication that those Natal rebels who had been punished before for treasonable activities had not hardened themselves and wanted war related issues to be resolved as soon as possible. Attitudes like this did not deter the tenacious McCallum and in an attempt to bring the Natal government around to the imperial point of view he had numerous discussions with Moor on the procedure which should be adopted. In the course of these talks the Natal government agreed that it wanted to secure good order as soon as possible and remove all evidence of the rebellion which had torn the colony apart. In adopting this point of departure the government inadvertently realised that it would have to make certain compromises and that the issue of bringing suspected rebels to court was intertwined with an undertaking given to the Boer delegates at Vereeniging that rank-and-file rebels who were in prison, should be released as an act of royal clemency. This in turn, according to McCallum, would become the leverage for persuading suspected rebels outside Natal, trusting that the same clemency would be extended to them, to come in and stand trial.

Under pressure, on 2 July 1902, the Natal government eventually caved in and agreed in principle that Governor McCallum could remit the unexpired periods of all convicted rebels' sentences to two years and under. However, it felt that clemency should not be exercised in more serious cases and that nothing should be done to prejudice the position of ringleaders and rebels still at large. Having made a serious compromise on the stance adopted previously, the government was hoping for some support in bringing the suspected rebels who were in the former republics to trial. Accordingly, General Louis Botha was invited to discussions with McCallum and Moor but Botha was not prepared to commit himself to persuading the suspected rebels to surrender unless amnesty was offered. He was on the verge of leaving for Europe and had other urgent issues at hand; the initiative of the Natal government to use him as mediator to bring in the suspected rebels still at large, thus failed to bear fruit.²⁸

²⁸ PRO, CO, Vol. 179/223: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 26 July 1902.

In the meantime, Joseph Chamberlain was worried that Governor McCallum was bullying the Natal government into supporting clemency for rebels,²⁹ and had to be assured by Milner that the proposed policy, which was “a good way out of a awkward situation”, was based on support by the Natal government. Milner therefore posed the critical question to Chamberlain: “Do you approve this policy?”³⁰

Chamberlain was not quite ready to support the proposed policy on clemency, mainly because of the problems the Royal Commission of Enquiry, appointed by the Imperial government to investigate sentences passed under martial law, was facing in Natal.³¹ The root of the problem was the action taken by the Natal government after peace had been concluded. It had passed Act 22 of 1902 and Act 35 of 1902, both of which confirmed all sentences passed by military courts, and indemnified the governor and the military with regard to acts committed under martial law.³² In passing these laws, and remitting the sentences of seven Natal Afrikaners convicted of high treason by court martial, the Natal government had seriously undermined the commission and this angered London.³³ In fact, the indemnity laws passed meant that the commission could only review sentences handed down after 10 June 1902, in other words sentences not covered by the laws and passed after the war had ended. The Royal Commission of Enquiry thus found itself in a predicament because it was impossible to revise sentences which had already been confirmed by the Natal parliament.³⁴ Chamberlain must have felt rattled that his autonomy over a very small colony was slipping away.

The matter was only resolved after lengthy correspondence between McCallum and Chamberlain and when the Natal authorities relented to pressure from London and allowed the Royal Commission of Enquiry to sit in

29 PAR, GH, Vol. 497: Telegram J Chamberlain (Secretary of State for the Colonies)/A Milner (High Commissioner), 28 July 1902.

30 PAR, GH, Vol. 497: Telegram A Milner (High Commissioner)/J Chamberlain (Secretary of State for the Colonies), 29 July 1902.

31 In the Cape Colony the Royal Commission had much more success and commuted the life sentences of hundreds of Cape rebels sentenced to life imprisonment to two years for those under 21 years of age and three years for those older. T Shearing & D Shearing, *The rebel record. South African War 1899-1902, Cape Commando Series - A-H*, pp. vii-viii.

32 PRO, CO, Vol. 179/223: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 13 June 1902.

33 PAR, GH, Vol. 1302: Memorandum HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 16 August 1902; PAR, GH, Vol. 474: Correspondence relative to rebel prisoners tried by court martial, 26 June 1902 - 29 September 1902.

34 PAR, GH, Vol. 1304: Confidential despatch GA De R Labistour (Attorney-General)/AH Hime (Prime Minister), 23 July 1902.

Pietermaritzburg on 30 September 1902.³⁵ What soon became clear was that Natal's right to autonomy in managing the convicted rebels was contingent on the realisation of a requirement made by the Empire, namely to allow the Royal Commission of Enquiry to conduct its work in the colony.

Only once this permission had been granted did Chamberlain, on 2 August 1902, agree to the proposed policy of clemency whereby Governor McCallum could, under Royal Instructions and Letters Patent, on the advice and under recommendation of the ministers, pardon rebels convicted by courts other than military courts. Having achieved its objectives the imperial authorities from then on stepped back to allow the process of post-war reconstruction to unfold under the management of the Natal government.

Extending clemency to imprisoned rebels and attempts to draw in those on free footing

McCallum wasted no time in having the cases of rebels still in prison investigated by the attorney-general. As a result, in September 1902, symbolically chosen to coincide with the coronation festivities leading to the installation of Edward VII, 35 rebels, all rank-and-file members whose sentences did not exceed two years, had their remaining time remitted. Fines were, however, not waived and neither was the clemency extended to Natal Afrikaners convicted of theft and sentenced to hard labour. Freeing the convicted rebels in question did not constitute a free pardon and, under the Charter of 15 July 1856, they still remained disenfranchised. On the basis of this decision General Cheere Emmett, the brother-in-law of Louis Botha, and a resident of the Vryheid district where most of the suspected Natal rebels who were still on free footing resided, undertook to recommend that they go *en bloc* to stand trial, trusting that clemency would be extended to them as well.³⁶

To the Natal and Imperial governments this was a significant gesture in dealing in a reconciliatory manner with the divisive legacy of the war. At

35 PAR, GH, Vol. 1680: Submission President, Royal Commission on Martial Law sentences, 30 September 1902; PAR, GH, Vol. 474: Correspondence relative to rebel prisoners tried by court martial, 26 June 1902 - 29 September 1902.

36 PAR, PM, Vol. 92: Correspondence relative to the consideration of sentences passed on rebels, 26 July 1902 - 2 September 1902; PAR, GH, Vol. 1302: Memorandum HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 16 August 1902.

the same time it was also a positive answer to some of the requests they had received from family members and English neighbours for the release of rebels from prison. However, requests falling outside the agreed upon parameters were rejected.³⁷

Shortly afterwards, in an additional act of reconciliation and a further attempt to reach closure on the rebel matter, the Natal government ordered an investigation into the cases of the remaining imprisoned rebels. This was to be undertaken by Magistrate W Broome, a former member of the Special Court.³⁸ In his recommendation Broome created two categories. The first comprised rebel leaders, those who had played an active part in the war, or participated in looting and stealing. In his view they should not be granted mercy. This meant that rebels like LJ de Jager, GF Kemp, CS Botha, and JJ Dekker, who had been sentenced to five, four, ten and seven years respectively, had to serve their full sentences. The second category consisted of rank-and-file members who Broome recommended should be released on completion of 18 months or two years of their sentences, or after having paid their fines.³⁹

Based on these recommendations, one rebel was discharged, 13 had their sentences fully remitted, while 12 had part of their sentences remitted. However, the 12 so-called ringleaders remained the real cause for concern to the Natal government because several of them still had a number of years to serve. To force them to serve out their prison terms would not bring the desired closure since someone like CS Botha would then only be released in February 1912. In the view of the Natal authorities this was not conducive to reconciliation and closure on the one hand; and on the other it would discourage the “bittereinder” rebels still residing outside the borders of the colony from coming in to stand trial. Unsurprisingly then, Prime Minister Hime raised the idea of a general revision of sentences, while still, as he put it, remaining “practical, just and fair”.⁴⁰

37 PAR, PM, Vol. 118: Letter GT Plowman (Secretary)/Mrs Kritzinger (jnr), no date; PAR, PM, Vol. 118: Petition brothers of JA van Rooyen for his release from prison, 9 June 1902; PAR, Magistrate Utrecht, (1/UTR), Vol. 3/3/1: Petition for release of DC Uys, 20 November 1902 - 15 December 1902; PAR, PM, Vol. 32: Application for release of PR Buys, 12 September 1902 - 20 September 1902; PAR, PM, Vol. 32: Application for release of AC Vermaak, 2 September 1902; PAR, PM, Vol. 31: Application Mrs JM Robbertse (jnr) for the release of her husband, 22 August 1902 - 25 August 1902; PAR, PM, Vol. 30: Application TB Tweedie for release of CF Marais, 15 July 1902 - 17 July 1902.

38 PAR, AGO, Vol. 1/7/44: Minute paper, A De R Labistour (Attorney-General)/W Broome (Magistrate), 27 August 1902.

39 PAR, AGO, Vol. 1/7/44: Memorandum W Broome (Magistrate) on cases of certain rebels convicted by the Special Court, 1 September 1902.

40 PAR, AGO, Vol. 1/7/44: Documentation regarding the remission of sentences of Natal rebels, 8 September 1902 - 9 September 1902; PAR, GH, Vol. 1302: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 23 October 1902.

In light of the conciliatory position adopted, and in the hope of drawing out the suspected rebels who were still living in the republics, Attorney-General Labistour proposed that those who could not secure bail should be released on their own recognizance, and that the maximum sentence imposed would be six months imprisonment and a fine of £20 which would, except for the fine and disenfranchisement, be remitted by the Natal government. Cases of theft, other crimes, and acting as leaders during the war were to be dealt with on merit. In a very pragmatic manner Labistour suggested: "Let one or two of these men surrender, plead guilty and see how they are treated."⁴¹

Governor McCallum disagreed with this stick-and-carrot proposal. His biggest concern was that Labistour had given the undertaking that rebels once convicted, would have their prison sentences remitted. The governor, supported by the acting prime minister, wanted no guarantees given.⁴² As a result the magistrate for Vryheid, the former republican district harbouring the largest number of suspected rebels, was asked to inform those who wished to return to Natal that no assurance could be given and that they had to surrender unconditionally.⁴³ This position, which invited the suspected rebels back not as bone fide members of society but as criminals fleeing justice, only served to undo any progress towards finding closure, because very few of the suspected rebels were willing to surrender unconditionally. The reason for this was straightforward – the rebels had endured a great deal during the war and lacked confidence in the Natal government's idea of justice when it came to high treason. In a nutshell the suspected rebels residing outside Natal felt they had too much to lose by returning to the colony.

The testing ground for the intentions of the Natal Government in dealing with suspected rebels was in its treatment of the Natal Afrikaners amongst the returning Boer POWs from India, Ceylon (modern day Sri Lanka), St Helena and Bermuda.⁴⁴ Frequently updated lists of suspected Natal Afrikaner rebels believed to be POWs were forwarded to all commanders of overseas POW camps with the request that when identified, they be immediately deported back to Natal.⁴⁵ The suspected rebels would then be imprisoned in Durban

41 PAR, GH, Vol. 1304: Memorandum GA De R Labistour (Attorney-General)/Prime Minister, 30 August 1902.

42 PAR, GH, Vol. 1304: Letter HE McCallum (Governor)/FR Moor (Acting Prime Minister), 4 September 1902; PAR, GH, Vol. 1304: Telegram GT Plowman (Secretary)/GA De R Labistour (Attorney-General), 8 September 1902.

43 PAR, GH, Vol. 1304: Telegram FR Moor (Acting Prime Minister)/Magistrate Vryheid, 10 September 1902.

44 PAR, HF Schoon collection, A 72: Diary entry, 27 September 1902, p. 144.

45 PAR, GH, Vol. 563: Minute paper with instructions to ship captains on how to deal with Natal rebels, 20 September 1902.

before being despatched to their home districts for trial.⁴⁶ To ensure that none slipped the net, a premium was also placed on personal identification. So much so that a loyalist Natal Afrikaner, CR (Coenraad) Cronjé, and an English-speaking Natalian, Kirby, were employed on the dockside in Durban and in the Umbilo POW Camp to identify suspected rebels from amongst the returning POWs.⁴⁷

Despite the measures taken it proved impossible to identify and apprehend all suspected Natal rebels among the throng of returning POWs. Six, for example, landed at Cape Town and were erroneously allowed to proceed to the former Orange Free State (the Orange River Colony after 31 May 1902). This meant that they could only be charged should they decide to return Natal.⁴⁸ At the same time it proved difficult to distinguish between suspected Natal rebels and bona fide residents of the republics. For example, three burghers from Vryheid were initially arrested on suspicion of being Natal rebels.⁴⁹ In the end, only seven of the forty-four Natal Afrikaners originally identified as suspected rebels were convicted of high treason. The sentences imposed were very light for the most part – a fine of £10–20 or several months' imprisonment.⁵⁰ What the sentences did reveal was the government's intention on the one hand to show its autonomy by punishing its subjects while on the other displaying compassion by ensuring that the judgements imposed were merciful.

But despite all the efforts and undertakings by the Natal government, the suspected rebels who were still on free footing in the former republics were unwilling to cross the border to throw themselves at the mercy of the courts – except for a single individual, JJ Potgieter of Estcourt. He returned to Natal and on 11 November 1902 was sentenced to five months in prison.⁵¹ For the

46 PAR, GH, Vol. 742: Telegram J Chamberlain (Secretary of State for the Colonies)/High Commissioner A Milner, 28 June 1902.

47 PAR, GH, Vol. 563: Report Staff Office Prisoners Umbilo the detention of ST Potgieter, 1 December 1902 - 11 December 1902.

48 Free State Archive Repository (FAR), Colonial Office (CO), Vol. 143: Correspondence file dealing with Natal rebels allowed to proceed to Orange River Colony by mistake, 9 February 1903 - 17 March 1903.

49 PAR, GH, Vol. 563: Minute paper Staff Office Prisoners Umbilo three suspected Natal rebels sent to Vryheid, 12 - 21 August 1902.

50 PAR, GH, Vol. 563: Minute paper on the arrest of eight Natal rebels returning from Ceylon onboard the Templemore, 22 July 1902; PAR, GH, Vol. 742: Nominal role of Natal rebels compiled by Major SHM Conran, Bellary, India, 15 November 1902; PAR, GH, Vol. 563: Report on the arrival of rebels on board the Ionian from India, 15 - 18 November 1902; PAR; GH, Vol. 742: Report Lt-Col AC Vincent from Ceylon on MC van Niekerk, 11 December 1902; OE Prozesky private collection, Diary of JJA Prozesky: Diary entry, 27 August 1900, p. 164.

51 PAR, Natal Defence Records (NDR), Vol. 7/2: Anglo-Boer War rebel register, 1900-1902.

rest, their suspicion and the resentment they felt towards the Natal authorities, rooted in the experiences their kin had endured during the war-time rebel trials, ran way too deep. They feared the punishment that might be meted out by an unyielding government.⁵² Governor McCallum was forced to admit that the efforts to entice suspected rebels to return to stand trial had failed. From their side, possibly sensing that they held the upper hand, the suspected rebels were adamant that they wanted to come to some agreement with the Natal government. However, the authorities were not prepared to negotiate any deal at all, not even with destitute suspected rebels such as GPJG van Zyl, a bywoner of The Oaks, Newcastle, who was prepared to return to Natal to stand trial if provision was made to support his family.⁵³

In an attempt to break the impasse, Attorney-General Labistour allowed a group of 21 suspected Natal rebels, including two Landmans, five Van Tonders, three Strydoms, and four Van Rooyens, to make enquiries via the Vryheid magistrate about the charges against them. The Natal Police indicated that the charges against these men were insignificant and that they would possibly each receive (as per a previous proposal by Labistour) a six-month prison sentence and a fine of £20.⁵⁴ However, the Natal Police indicated via the magistrate that they were hoping to arrest Gideon Kok and GM de Waal who were suspected of participating, along with 50 other Natal rebels and members of the Swaziland Police under the Russian, Captain Pokrovsky, in the attack on the Wasbank Station in October 1900.⁵⁵

The initiative by Labistour landed the Vryheid magistrate in hot water, since both Governor HE McCallum and Prime Minister AH Hime rejected the plan out of hand. The magistrate was reprimanded for conveying information on the charges against them to the rebels and was instructed not to bargain with them but merely to inform them that they should surrender and plead guilty.⁵⁶

52 PAR, CO, Vol. 179/224: Correspondence regarding rebels returning to Natal to stand trial, 29 August 1902 - 11 September 1902; PAR, PM, Vol. 92: Correspondence regarding rebels returning to Natal to stand trial, 29 August 1902 - 11 September 1902.

53 PAR, PM, Vol. 30: Enquiry RH Beachcroft (Magistrate Utrecht) on support for families of Natal rebels who wanted to surrender, 2 July 1902 - 12 July 1902.

54 PAR, PM, Vol. 33: Correspondence regarding the charges against 21 rebels resident in the Vryheid district, 12 September 1902 - 17 December 1902.

55 PRO, CO, Vol. 179/214: Letter W Hely-Hutchinson (Governor)/J Chamberlain (Secretary of State for the Colonies), 27 October 1900; A Davidson & I Filatova, *The Russians and the Anglo-Boer War 1899-1902*, (Human & Rousseau, Cape Town, 1998), pp. 41 - 42.

56 PAR, PM, Vol. 33: Correspondence regarding the charges against 21 rebels resident in the Vryheid district, 12 September 1902 - 17 December 1902.

At this stage the Natal authorities were becoming increasingly exasperated that they were making so little headway. McCallum commented: "I think we have gone too far already. These men must be told once and for all that they must stand their trial unconditionally and that if they do not do so they had better clear out of the new territories at once as they may be declared a portion of Natal by Letters any day now."⁵⁷ What McCallum was referring to was the geopolitical changes that were about to take place with the ceding of the Vryheid and Utrecht districts, as well as part of the Wakkerstroom district, to Natal.⁵⁸

The impact of the geopolitical changes on suspected rebels still on free footing

McCallum's assessment of the situation was, however, based on the false premise that the incorporation into Natal of the Vryheid district, where many of the estimated 200–300 suspected rebels lived, would alter their legal status. This was not the case; the incorporation could not invalidate previous undertakings. Because this was not common knowledge among the suspected rebels, the impending geopolitical changes caused a degree of panic. Expecting that they might have to flee the area, the suspected rebels made an unsuccessful attempt to enlist the assistance of WH Tatham, a Natal politician and businessman, to negotiate a general pardon.⁵⁹

With the incorporation of their safe haven into Natal now imminent, some of the suspected rebels decided to test the waters. The first to do so was nineteen-year-old Marthinus Koekemoer of Proviso B in Zululand, who re-entered Natal to stand trial. However, to the surprise of all concerned, not the least Koekemoer himself, he was not charged.⁶⁰ This brought home a new reality to both the Natal government and the suspected rebels – due to the time that had elapsed, gathering reliable evidence was a real challenge. This was also the experience of ten Natal Afrikaners resident in the Orange River Colony, who admitted guilt of collaboration with the Boers and wanted to

57 PAR, GH, Vol. 1302: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 23 October 1902; PRO, Vol. CO, 179/224: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 23 October 1902.

58 EH Brookes & C de B Webb, *A History of Natal*, (University of Natal Press, Pietermaritzburg, 1987), p. 211.

59 PAR, PM, Vol. 92: Enquiry by rebels in the Vryheid district about their status after annexation, 13 September 1902 - 30 September 1902.

60 PAR, PM, Vol. 33: Correspondence regarding the charges against 21 rebels resident in the Vryheid district, 12 September 1902 - 17 December 1902.

return to Natal to stand trial. However, it proved impossible for the Natal authorities to gather evidence of their treasonable activities because many of them shared the same names and surnames. Eventually only Johannes Pretorius of Cundycleugh was identified as a ringleader.⁶¹

The fact that most of those who returned had escaped conviction because of lack of evidence, plus the completion of the transfer in late December 1902 of the Utrecht and Vryheid districts to Natal, prompted a large number of suspected rebels to indicate their willingness to surrender to the Dundee magistrate.⁶² True to their word, 23 did so,⁶³ and none were charged with high treason. These developments motivated Cheere Emmett to ask that a free pardon be extended to the remaining rebels who were still imprisoned – but he was politely informed that this was impossible at the time. An edited letter (not mailed to Emmett) provides significant insight on the matter:⁶⁴

His Excellency the Governor [McCallum], however, states that if the citizens of Dutch extraction in Natal proper, and in the new territories about to be annexed to Natal, including the Ministers of the Reformed Church, do all in their power in the cause of union, he will be willing to reopen the question and consider another petition on the same subject in a year's time from now.

Although not a public document this letter provides an important indication of the thinking of the Natal government: that the plight of the rebels was directly related to the behaviour of their Afrikaner subjects in Natal. The issue of the rebels was an instrument that could be used to suppress dissent and ensure the smooth management of the local Afrikaners. Post-war reconciliation was therefore not a genuine intent but rather a means to ensure control of a restless section of the populace.

McCallum's frustration must have been palpable; by the end of 1902 an estimated 258 Natal rebels were still at large.⁶⁵ Many of them had decided to

61 PAR, PM, Vol. 33: Petition HJ Potgieter and other rebels who wanted to return to Natal from Harrismith, 17 September 1902 - 24 October 1902.

62 PAR, AGO, Vol. 1/8/87: Minute paper Natal rebels surrendering from Vryheid district, 18 December 1902 - 19 December 1902.

63 PAR, AGO, Vol. 1/8/87: Correspondence regarding Natal rebels in the Vryheid district, 7 December 1902 - 23 December 1902.

64 PAR, PM, Vol. 35: Petition C Emmett (General) asking for a free pardon for Natal rebels, 22 December 1902 - 29 December 1902.

65 PAR, AGO, Vol. 1/8/87: Correspondence regarding Natal rebels in the Vryheid district, 7 December 1902 - 23 December 1902.

settle permanently in the Vryheid district rather than return to Natal.⁶⁶ These men, by their mere presence in what was now Natal, were to a certain extent holding the Natal authorities to ransom. Realising this, on 1 February 1903, in an attempt to reach closure on the rebel issue, the government re-focused its attention on the 20 convicted rebels who were still languishing in prison.

Winding-up the rebel business

The plight of the 20 men, generally the most serious offenders, was again reviewed and the Natal government decided that a radical change in policy was required. The geopolitical changes in the region were partly responsible for this shift in attitude; the colony could hardly allow a prolonged situation in which rebels resided within their borders but remained immune to arrest. The change in policy was embodied by the passing of Proclamations 23 and 24 of 1903. Proclamation 24 dissolved Act 14 of 1900, which also meant the termination of the Special Court. Proclamation 23 in turn pardoned all rebels, both those imprisoned and those untried “in order to promote goodwill ... and to remove as far as possible the recollection of all the causes of enmity which existed during the late war”.⁶⁷ As a result, all the imprisoned rebels except for TP Lezar, NP Jordaan, GP Kemp and RJ Vermaak, were released on 12 March 1903. The four men in question were not freed because they had not yet paid the fines imposed upon them.⁶⁸

The refusal to release these four rebels meant that the slate was still not entirely clean, but help was at hand. The case of these prisoners was taken up by several people. Warden Hunter of the Eshowe Prison, with the permission of the governor of the prison, petitioned the prime minister for the release of Vermaak,⁶⁹ while Dominee WP Rousseau of the Dutch Reformed Church in Pietermaritzburg appealed to the authorities for the release of all the rebels, pointing out that they were very poor, their families were destitute, and they were in no position to pay the fines. In the cases of Kemp and Jordaan this was confirmed by an English colonist from Dundee, a certain Williams, who

66 PAR, PM, Vol. 39: Application by Natal Afrikaners resident in the Vryheid district for economic assistance, 21 April 1903.

67 PAR, NCB, Vol. 6/11/57: *The Natal Government Gazette*, 12 March 1903. A similar amnesty was issued in the Cape Colony in 1903. T Shearing & D Shearing, *The rebel record. South African War 1899-1902, Cape Commando Series - A-H*, pp. vii-viii.

68 PAR, PM, Vol. 38: Warrant for the remission of sentences passed on certain rebels, 11 March 1903 - 13 March 1903.

69 PAR, PM, Vol. 38: Petition for release of RJ Vermaak, 20 March 1903 - 28 March 1903.

likewise asked that the rebels be pardoned. The Natal authorities refused to accept these requests at face value and launched their own investigation into the economic circumstances of the four men, eventually reaching the same conclusion.⁷⁰ Despite the outspoken disapproval of Governor McCallum, the Natal government had no choice but to recommend the release of the four men. Although McCallum reluctantly agreed that Lezar and Vermaak could be released, since their fines were optional, he felt that the discharge of Jordaan and Kemp was, “a change of policy”,⁷¹ and complained to Chamberlain: “We have hitherto treated rebellion with dignity and firmness, and it is, to my mind, a pity that Ministers did not decide to continue to do so to the end.”⁷²

The government defended its decision by insisting that this was not a change of policy; the four men simply could not pay the fines levied so it was felt “that it was inexpedient that the men should remain in goal for the periods of imprisonment which constituted the alternative of the fines imposed upon them”. McCallum was still not convinced. He grumbled that it was unjust to liberate the men without extracting payment of fines. However, he was prepared to sign the warrants of release for “political reasons”.⁷³ It had become clear that the government had to put the lid on the controversy. They had no alternative; they had to get rid of “left over spoilers”, members of a previous era who might cripple the post-war workings of the state.⁷⁴ The rebels still in prison symbolised such “leftovers”.

The Natal government’s step, which brought the rebel saga to a close, was lauded by Louis Botha who felt it would mark a “new era in racial relations of South Africa”.⁷⁵ In Utrecht, 166 men signed a petition expressing their appreciation of the government’s decision.⁷⁶ Support for the pardon also

70 PAR, PM, Vol. 88: Correspondence regarding the release of Lezar, Vermaak, Jordaan and Kemp, 19 March 1903 - 16 March 1903.

71 PAR, GH, 1305: Correspondence regarding the release of the remaining imprisoned rebels, 6 April 1903 - 6 May 1903; PAR, PM, Vol. 38: Warrants authorising the release of four prisoners, 15 April 1903 - 21 April 1903; PAR, GH, Vol. 1302: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 16 April 1903.

72 VS Harris, “The reluctant rebels: The impact of the Second Anglo-Boer War upon the Klip River Dutch Community, with special reference to the Dutch community of Dundee” (BA Honours, UNP, 1982), p. 48.

73 PAR, GH, Vol. 1305: Correspondence regarding the release of the remaining imprisoned rebels, 6 April 1903 - 6 May 1903; PAR, PM, Vol. 38: Warrants authorising the release of four prisoners, 15 April 1903 - 21 April 1903; PAR, GH, Vol. 1302: Letter HE McCallum (Governor)/J Chamberlain (Secretary of State for the Colonies), 16 April 1903.

74 T Cowen & CJ Coyne, “Post-war reconstruction: Some insights from public choice and institutional economics”, *Constitutional Political Economy*, 16, 2005, pp. 31-48.

75 PAR, PM, Vol. 38: Telegram LJ Botha (General)/Colonial Secretary, 14 March 1903.

76 PAR, CSO, Vol. 1747: Petition by 166 inhabitants of the Utrecht district, 30 November 1903 - 10 December 1903.

came from the jingoistic Natal press. The *Natal Witness* expressed the hope that it would promote “unity and goodwill”,⁷⁷ while the *Dundee and District Advertiser* described it as “the most important official document published in this colony since 1899 ...” It went on to express the hope that this would lead to reconciliation.⁷⁸ Although the Natal government’s decision was indeed a positive step towards eradicating the legacy of the war, issues such as disenfranchisement for example, were still unresolved.

The Natal government was only prepared to give free pardon to all convicted rebels in 1905. This request was supported by the secretary of state for the colonies and his suggestion was adopted that this be done on the king’s birthday in November.⁷⁹ Proclamation No. 116 of 1905, issued on 8 November 1905, therefore removed all civil disabilities including disenfranchisement, to which rebels were subjected.⁸⁰ The rebel saga, at least in political terms, was now a closed book. The change of heart that prompted this process cannot be attributed entirely to post-war reconciliation on the part of the Natal government. The stirrings among certain sectors of the Zulu population, which culminated in the Bhambatha rebellion in 1906,⁸¹ no doubt also had a role in convincing the government in 1905 to close the book on its Afrikaner rebels so as to present a white unity front in response to an African threat.

Although all convicted rebels were no doubt pleased with the political pardon, *De Afrikaner* managed to place it within the context of the mood that still prevailed among certain Natal Afrikaners:⁸²

In some copies of our previous issue we announced the “free” pardon granted to Natal burghers who had been guilty of rebellion, or whatever one likes to call it, in connection with the Boer War. The temptation to traverse those convictions, the circumstances under which they were obtained is great but being desirous of letting the past rest we shall say nothing about the matter. We are sincerely grateful to His Majesty the King for the removal of an obstacle which has been in the way, for some years, of the good relationship

77 *Natal Witness*, 14 March 1903.

78 *Dundee and District Advertiser*, 19 March 1903.

79 PAR, PM, Vol. 53: Proposal by the Natal Government that persons convicted of high treason be pardoned, 14 April 1905 - 15 May 905; PAR, PM, Vol. 100: Telegrams regarding free pardon of Natal rebels, 14 October 1904 - 17 October 1905.

80 PAR, NCP, Vol. 6/1/1/61: *Natal Government Gazette*, 8 November 1905. The Cape Colony who did not face the same challenges as their Natal counterparts only reversed disenfranchisement in 1906. HA Shearing, “The Cape rebel of the South African War, 1899-1902” (PhD, US, 2004), p. 265.

81 For a comprehensive overview of the Bhambatha rebellion, see S Marks, *Reluctant rebellion: The 1906-1908 disturbances in Natal* (Oxford, Clarendon Press: 1970), passim.

82 PAR, Colonial Secretaries Office (CSO), Vol. 1803: Translation from article in *De Afrikaner*, 13 November 1905.

between the white races in this part of his dominions. This gratitude may not, however, prevent us from declaring how much we regret the reference in the proclamation to fines which cannot be refunded and to compensation which cannot be made ... this is only half free.

This statement by *De Afrikaner* rang true. While the Natal government was conciliatory in its political policy towards the rebels, nothing was done in terms of the Afrikaners' most pressing post-war need – economic reconstruction – a sentiment shared by their fellow rebels in the Cape Colony.⁸³ In terms of financial assistance to rebels, the Natal government stood by clause 10 of the Vereeniging Peace Treaty, namely that no rebel was entitled to aid. The extension of this stipulation to include all Natal Afrikaners and the granting of free pardon in 1905 merely served to underscore *De Afrikaner's* point of view. The Natal Afrikaners simply had to fend for themselves as best they could under extremely difficult conditions. In the view of Harris, the lack of post-war financial aid and economic reconstruction hardened the essentially negative pre-war feelings Natal Afrikaners had towards their government.⁸⁴

Conclusion

In terms of the post-war relationship between Natal Afrikaners and their government, one of the most pressing issues both parties had to deal with was that of rebels – those who had been convicted as well as those who were still on free footing outside the colony. For the Natal government, which was not privy to the intricacies of the peace negotiations between Britain and the republics, the initial post-war management of all rebels was not based on clemency and reconciliation but on their right to deal with their subjects in an autonomous manner. This point of departure was challenged soon after peace was signed, when it became clear that the plight of all Natal rebels was intricately linked to the bigger imperial project of clemency and reconstruction in southern Africa, none more so than to the plight of the vastly superior number of rebels in the Cape Colony.

The reaction of the Natal government was to dig in its heels and insist upon managing its rebellious subjects according to its own laws and procedures. It took concerted pressure from Governor McCallum, High Commissioner

83 HA Shearing, "The Cape rebel of the South African War, 1899-1902", pp. 249-269.

84 VS Harris, "The reluctant rebels: The impact of the Second Anglo-Boer War upon the Klip River Dutch Community, with special reference to the Dutch community of Dundee", p. 50.

Milner and Secretary of State for the Colonies Chamberlain, to prompt the reluctant Natal government to “wind-up this rebel business sharp”. The turning point came when the Royal Commission of Enquiry was forced on the Natal government in exchange for allowing them to pardon certain rebels still in colonial goals. Having achieved this objective, the imperial authorities stepped back, well knowing that the process initiated by the Natal government was now irreversibly geared towards some form of clemency and reconstruction. From then on, the Natal government on its own terms and at regular intervals pardoned the convicted rebels. It came to realise that it had little control over suspected rebels still residing on free footing in the former republics – a position that was not legally altered when the Vryheid and Utrecht districts reverted to Natal at the end of 1902. The untenable reality of having “untouchable” suspected rebels residing within its borders proved too much for the government to handle. It had to eat humble pie and admit that some of its Afrikaner subjects had managed to get away with high treason. In March 1903, in order to maintain a semblance of managerial control, it pardoned, under the guise of clemency and reconciliation, all Natal rebels in terms of Proclamations 23 and 24 of 1903. For both the Natal government and its rebel subjects, the war was finally over on 8 November 1905, when Proclamation No. 116 of 1905 restored full civil liberties to all Natalians convicted of high treason.