

5 *The transformation of the Cape university*

From 1910, higher education became a concern of the national government. Louis Botha chose François Stephanus Malan to be the Union of South Africa's first Minister of Education and he brought to his task a knowledge of problems in this field gained when he had filled a similar position in the Merriman administration at the Cape. Malan was to be ably assisted in the difficult years which lay ahead by the Under-Secretary for Education, George Morgan Hofmeyr, the former Registrar of the Victoria College.

The University of the Cape of Good Hope did what it could in the early years of Union to make itself a more distinctly national body. Having accepted Dutch up to Matriculation level, Council, in 1914 and 1915, responded to requests by permitting the use of that language for degree examination purposes. The second Afrikaans language campaign was already well under way then, but despite the efforts of such leaders in the movement as J. J. Smith and "Tobie" Muller, the university was not prepared to entertain the introduction of a new medium.

The Cape University adopted a more South African outlook in another direction by holding some of its meetings in centres other than Cape Town. Council and its committees not only assembled in the Mother City after 1911, but also in Pretoria, Pietermaritzburg and Bloemfontein. Nevertheless, the Cape institution continued to be assailed from all sides in its capacity as South Africa's examining board for both school children and college students.

Moreover, despite its belated efforts in recognizing the Dutch language, it remained a predominantly English institution. Its official business was conducted almost exclusively in English and it was not until 1916, when it had almost ceased to be, that it at last issued certificates to successful candidates in Dutch. The language of the Netherlands may no longer have been on a par with foreign tongues or with "Kafir" – a designation for Xhosa and Zulu which was dropped in 1913 – but it was still not the equal of English. This was little to the liking of Afrikaners who felt that the success of political unity was in large measure bound up with the fair implementation of language equality guaranteed in the Act of Union. The obstacle to true unity – sectional differences between the two white groups in which language played a vital part – was to loom large in the university debate about to open. It is not surprising, therefore, that F. S. Malan found that, in matters concerning higher education, he was dealing "in questions . . . which affected the heart as well as the head". The Minister of Education was himself able to break through the Cape University's English defences when he addressed the Congregation of February, 1912 in Dutch. It was the first time this had ever been done and Malan remarked in his diary: "Ik maakte geen verschoning". Unfortunately, as was then the custom on Degree Day, undergraduate ebullience resulted in so much noise that the guest speaker was almost inaudible!

In spite of small concessions over language, the University of the Cape of Good Hope was a British imperial institution and as such, took part in the first Congress of the Universities of the Empire, held in London in 1912. Alexander Mackenzie of the Victoria College attended as the university's official representative. The *Star* of Johannesburg, voicing the current dissatisfaction with examining universities, felt that it was a pity that a few South African Cabinet Ministers had not been present in order to find out what a university really was! The Cape Town institution was an insignificant and badly worn cog in an educational movement which a delegate, writing in the journal, *United Empire*, pompously described as "the regular and rhythmic pro-

On the death of Mr Justice C.T. Smith, Convocation elected H.R.H. THE DUKE OF CORNWALL AND YORK to succeed him as sixth Chancellor.

The second son of the then Prince of Wales (later King Edward VII), Prince George was born at Marlborough House, London on 3 June, 1865. He joined the Royal Navy as a cadet in 1877, saw service on the North American and West Indian station and rose to command the gunboat, H.M.S. *Thrush*. In 1892, he relinquished his commission and was created Duke of York.

In 1901, he and his wife visited Australia, South Africa and Canada. He was installed as Chancellor at the graduation ceremony in Cape Town on 21 August, retaining office until he resigned in 1912. Among the many honorary degrees conferred upon him during his world tour was the LL.D. of the University of the Cape of Good Hope. He also held the office of Chancellor of the University of Wales from 1902 until 1921.

The Duke was created Prince of Wales in November, 1901 and became King George V on the death of his father on 6 May, 1910. He died on 20 January, 1936 at Sandringham House in Norfolk and was buried in St George's Chapel, Windsor Castle.

H.R.H. *The Duke of Cornwall and York*
(later Prince of Wales and His Majesty King George V)
Chancellor 1901-1912



gress of an imperial advance". One result of the conference was the establishment of the Universities Bureau with which the Cape University was associated from the outset. Two former South African College professors, R. F. A. Hoernlé and Thomas Loveday, served successively upon the organizing committee.

The university also maintained another imperial link in its choice of Chancellor. His Majesty the King-Emperor George V had been elected in 1901 by Convocation when he was still the Duke of Cornwall and York. As an enduring sign of the connection between Royal House and colonial university, the coat of arms granted in 1903 to the University of the Cape of Good Hope at the request of the new Chancellor, then the Prince of Wales, bore the rose irradiated of York between twin annulets of fealty. The King found it necessary to relinquish the chancellorship in 1912, but Convocation chose another member of the Royal Family, the Duke of Connaught and Strathearn, to take his place.

The first World War brought the University of the Cape of Good Hope into even closer contact with the clash of ideals which Union had failed to end in South Africa. Hostilities themselves caused problems enough. There were difficulties over the supply of examination papers, still printed in England; the music examiners of 1914 were unavoidably detained when the mailboats were held up; German submarines made travel to Europe dangerous for scholarship holders. Official functions, too, had to be postponed, the last Council election was delayed and the meetings of that body and its committees in centres other than Cape Town were abandoned.

As in the Anglo-Boer War, the University of the Cape of Good Hope tried to carry out its examining obligations with impartiality. Concessions were offered to members of the armed forces and the university authorities ultimately admitted such students to degrees without examination under certain stipulated conditions. There are occasional references to the need for caution in the circumstances of the time, although the suggestion that British parentage be first ascertained before awarding

scholarships or that the Vice-Chancellor should pay special attention to the character of the B.A. German papers seem examples of unnecessary vigilance. However, the Cape University helped both war prisoners and internees, while the son of an enemy alien was not debarred from obtaining an exhibition award. It was also decided that candidates would not be prevented from writing examinations because they had taken part in the ill-starred rebellion of 1914. The university was not prepared, however, to present a degree *ad eundem gradum* to the Rev. W.P. Steenkamp, convicted of sedition.

The case of S. P. E. Boshoff, who would subsequently enjoy a long and honourable career in the cause of South African education and in the service of the Cape University's successor, was the subject of a close and lengthy investigation by the university authorities. Boshoff had been awarded a Queen Victoria Scholarship in modern languages and, when war broke out, was studying at the Municipal University in Amsterdam. He returned to South Africa in November, 1914 and went to his home in Senekal where, in his own words, he "got mixed up in an unexpected way with the rebellion". Boshoff was captured at the Vaal River at the time when General Christiaan Beyers was drowned, was then interned at Kimberley and Bloemfontein and finally released with other rank-and-file participants. The Cape University had been prepared to accept his absence from his studies after a talk he had had with the Registrar, William Thomson, when he arrived in Cape Town. However, when the full story came out, the scholarship award was cancelled. M. W. Searle suggested that he forfeit only the instalment due to him for the period of his involvement in the rebellion, but this was overruled.

It was against the background of British imperialism, Afrikaner nationalism and a world war which, so far as it concerned South Africa, showed how far the new nation had to travel before it could claim to be really united, that the struggle to reform the Cape University took place. There was no doubt that by 1910, the old institution had outgrown its usefulness and if, in the first



Testimony &c Re. I.

Edward the Seventh by the Grace of
God of the United Kingdom of Great Britain
and Ireland and of the British Dominions
beyond the Seas, King, Defender of the Faith,
Emperor of India, To Our Right Trusty and
Right Entirely beloved Cousin and Councillor,
Henry Duke of Norfolk Earl Marshal and Our
Hereditary Marshal of England, Knight of Our
Most Noble Order of the Garter and Knight Grand
Cross of Our Royal Victorian Order, Greeting
Whereas Our Most Dear Son and Councillor
His Royal Highness George Frederick Ernest
Albert Prince of Wales, Knight of Our Most
Noble Order of the Garter, Knight of Our Most
Ancient and Most Noble Order of the Thistle,
Knight of Our Most Illustrious Order of Saint
Patrick, Knight Grand Cross of Our Most
Distinguished Order of Saint Michael and Saint
George, Knight Grand Cross of Our Royal Victorian

Licence - The University of the Cape
of Good Hope, to bear certain Armorial
Ensigns -

The following description of the university's coat of arms appears in the ROYAL LICENCE of 7 October, 1903, given at Balmoral by command of His Majesty King Edward VII:

"An Anchor with cable fessewise, surmounted by an open Book inscribed with the words 'Spes in arduis', in base a Wall embattled, thereon an Annulet, on a Chief a Rose irradiated, being a representation of the Rose of York, used by King Edward the Fourth, between two Annulets; The Motto, 'Spes in arduis' as on the Book in the Arms, the whole as in the drawing hereunto annexed, the same being first duly exemplified and recorded in Our College of Arms, otherwise this Our Royal Licence and Permission to be void and of none effect.

Our will and pleasure therefore is that you Henry, Duke of Norfolk to whom the cognizance of matters of this nature doth properly belong do require and command that this Our Concession and Especial Mark of Our Royal Favour be registered in Our College of Arms, to the end that Our Officers of Arms and all others upon occasion may take full notice and have knowledge thereof; And for so doing this shall be your Warrant.

Given at Our Court at Balmoral this seventh day of October, 1903, in the Third year of Our Reign.

By His Majesty's command.

A. AKERS DOUGLAS.

Recorded in the College of Arms, London, pursuant to a Warrant from the Earl Marshal of England."

flush of a new political alignment, university reform was not a major issue, it was by no means a forgotten one. John Edgar, the first incumbent of the Prince of Wales Chair of History at the South African College, advocated a teaching university at this period; Thomas Muir, the Superintendent General of Education at the Cape, remained a keen supporter of that ideal; the problem was also debated at the colleges and in the university Council. In the eyes of many at the Cape, something new was wanted and there was little enthusiasm for the idea that running repairs might be carried out on the existing machinery. The financier, Sir Lewis Michell, let it be known in October, 1910 that the site for a new teaching institution was still available at Groote Schuur; all that was needed to start the reform ball rolling was the money.

That, as the Governor-General, Viscount Gladstone, hinted when parliament assembled on 4 November, would soon be forthcoming. Jan Smuts had seen to this by following up discussions with Otto Beit and Sir Julius Wernher in 1909. He had written to them in the following year, asking them whether they would be prepared to add to the Frankenwald bequest in order to found a national teaching university. Both were enthusiastic. Wernher offered another R400 000 and he and Beit undertook to bring the sum up to one million rands. Soon, De Beers were to add a further R50 000 to the available funds.

The donors spoke of "equal opportunities for all", implying thereby no emphasis upon multiracialism; F. S. Malan was also thinking along similar lines as he travelled south for the opening of parliament. There was, however, a difference, for he, unlike Otto Beit and Wernher, equated "equal opportunities" with "equal language rights". However, the possibility of serious conflict was not apparent when the public announcement of the Wernher-Beit bequest was made by Malan on 5 November, 1910 at the Camps Bay luncheon which followed the laying of the memorial stone of the Cape University's new hall by the Duke of Connaught. Malan hoped to see an institution arise at Groote Schuur which would incorporate all the colleges. Such a univer-

sity, he said, in words reminiscent of Cecil Rhodes, would "weld the races of the country into one".

Almost immediately, there was a sharp reaction from the Afrikaner section. What would the position of the Victoria College be? In what form would it be incorporated in the proposed Groote Schuur institution? The college position would have to be carefully considered and *festina lente* was the warning cry, reinforced by a deputation to F. S. Malan which included J. I. Marais, Adriaan Moorrees, J. G. van der Horst and a future Nationalist Minister of Education, D. F. Malan. A Vigilance Committee was formed to safeguard Stellenbosch interests.

The University of the Cape of Good Hope also discussed the future at some length, seeking the views of the various colleges before coming to any definite conclusion. Its final report recommended the establishment of a national teaching university, but not, as some had been suggesting, a purely post-graduate one. It further pointed out that a teaching university with a full range of undergraduate and post-graduate work, "would be incompatible with the continued existence of . . . Colleges . . . in its neighbourhood". Council considered that, as only the South African College and the Victoria College would be likely to merge in any Groote Schuur university, the other colleges should be allowed to affiliate with it. Nothing, in fact, was to be done which would harm any of the more distant colleges. Finally, as the Cape University did not wish to see itself destroyed in any new scheme, Schreiner's proposal that the teaching university should be developed from the existing examining university was also adopted.

The colleges agreed that the time had come for a national teaching university, but there was no unanimity beyond that point. The School of Mines hoped to become the technological faculty of the new university; Wessels, now Sir John and chairman of the Council of the Transvaal University College in Pretoria, put up a strong case for a post-graduate university. This, he felt, would be preferred by Afrikaners since it would cater for



Emblem before 1903

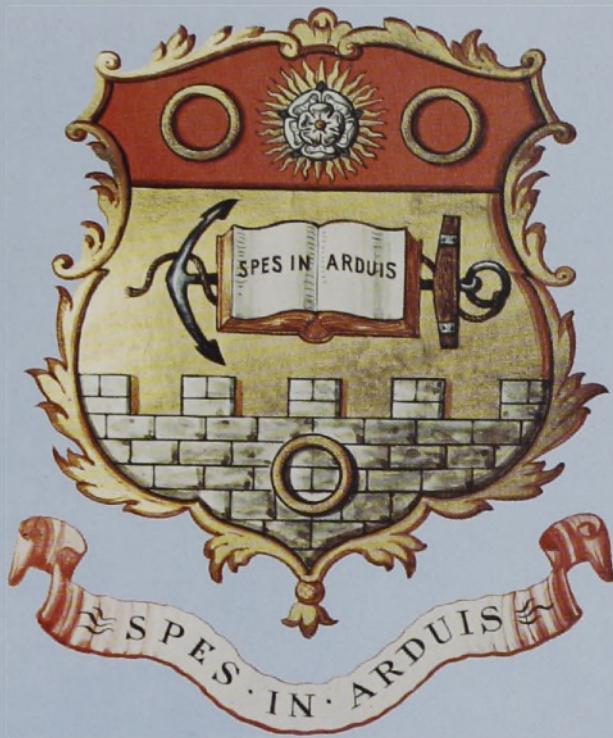


Coat of arms as shown
in the Royal Licence

The university's COAT OF ARMS is described in the Royal Licence of 1904 (see p. 119).

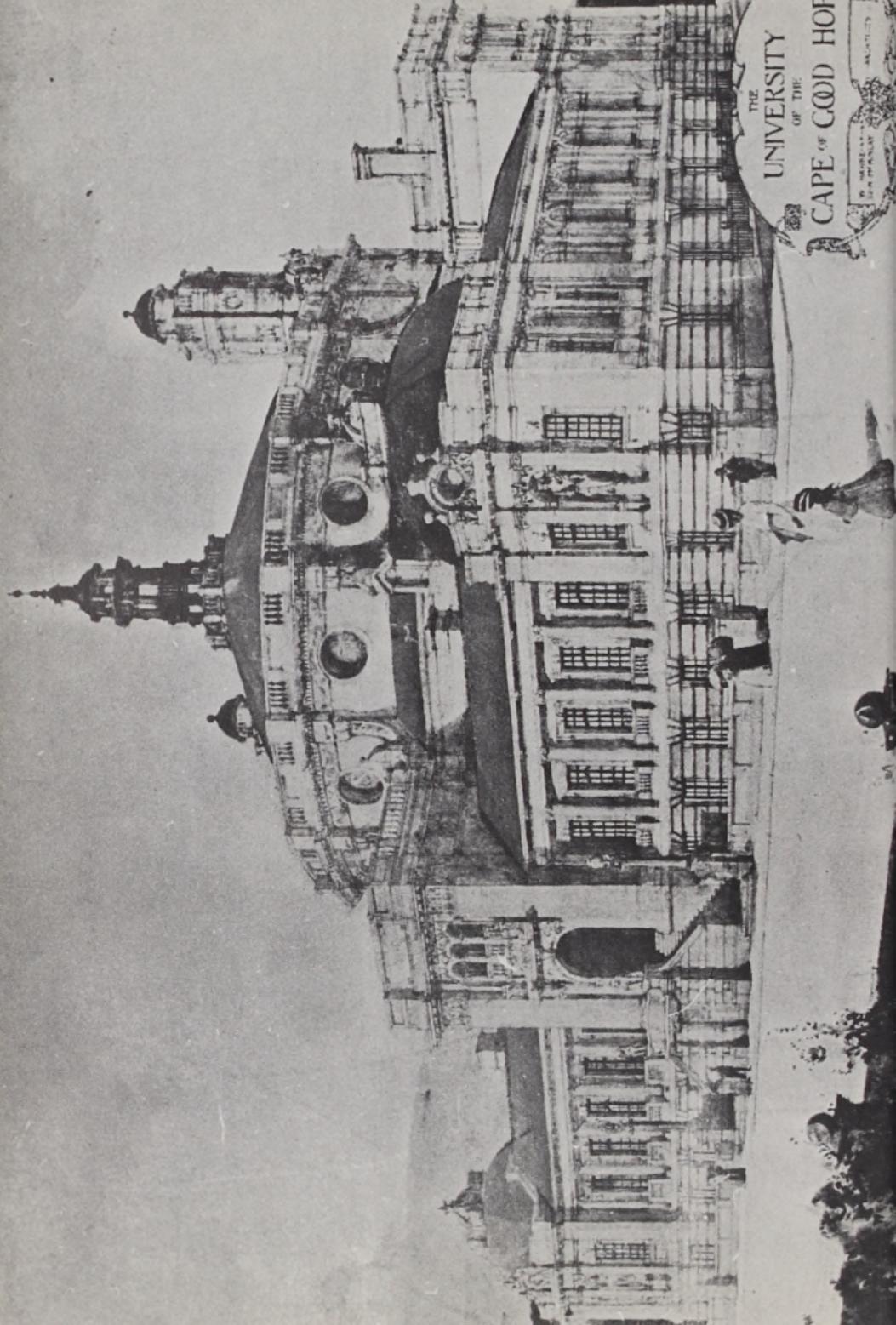
The Rose of York was incorporated in the official armorial bearings to honour the Prince of Wales who, as Duke of Cornwall and York, had been installed as Chancellor in 1901. The battlements symbolize Good Hope Castle and the three annulets were included to represent Van Riebeeck. The open book bearing the words *Spes in Arduis* is the central feature in both the earlier emblem of the university and the coat of arms granted by King Edward VII.

The motto *Spes in Arduis* ("hope through difficulties") is attributed to the Cape judge and writer, Egidius Benedictus Watermeyer, first President of the Board of Public Examiners in Literature and Science.



*Coat of arms as represented by
the College of Arms*

THE UNIVERSITY
OF THE
CAPE OF GOOD HOPE



The foundation-stone of the first section of the UNIVERSITY BUILDING in Queen Victoria Street, Cape Town was laid by the Governor, Sir Walter Hely-Hutchinson, on 24 February, 1906. The ceremony was a memorable social occasion.

The appearance of the completed structure was outlined in the programme of proceedings:

"The central feature of the University Building will be the Grand Aula or Ceremonial Hall, and round this will be grouped on three faces the suites of Administration rooms. The general treatment of the elevation is in the style of the Italian Renaissance. The Hall is in plan an adaptation of that of the ancient Greek Theatre, a form eminently suitable for an auditorium . . . Ample provision has been made for the embellishment of the Hall by means of paintings, etc., in the panels of the walls and ceiling".

It was further stated that South African materials had been chosen for the construction: "the base in Paarl Granite and the superstructure in Flatpan Stone from the Orange River Colony".

When the hall was formally opened in 1913, the future of the University of the Cape of Good Hope was already in the balance. Its successor in Pretoria was at length compelled to dispose of the property in 1932, at a figure considerably below the municipal valuation of approximately £55 000 (R110 000). The building today houses the Cape Archives.

H.R.H. THE DUKE OF CONNAUGHT AND STRATHEARN was chosen by Convocation in 1912 to succeed His Majesty King George V as Chancellor.

Prince Arthur William Patrick Albert was born at Buckingham Palace, London on 1 May, 1850. The third son and seventh child of Queen Victoria, he was invested as Duke of Connaught and Strathearn in 1874.

After training at Woolwich, he began his military career in 1868, rising to the rank of Field-Marshal in 1902. He fought at Tel-el-Kebir in 1882, served in India from 1886 to 1890 and was later Commander-in-Chief in Ireland and in the Mediterranean area. From 1911 until 1916, he was Governor-General of Canada.

The Duke of Connaught came to South Africa in 1910 to open the first Union parliament. On that occasion, he laid the foundation-stone of the new university hall and received the honorary degree of Doctor of Laws. His son, Prince Arthur of Connaught, was Governor-General of South Africa from 1920 to 1923.

The Duke died at Bagshot Park, Surrey on 16 January, 1942 and was buried in the royal mausoleum at Frogmore in Berkshire, near Windsor Castle.

*Field-Marshal H.R.H. The Duke of Connaught
and Strathearn, K.G., K.T., K.P., P.C.
Chancellor 1912-1942*



more mature students who would better be able to withstand the dangers of a cosmopolitan atmosphere away from home! The post-graduate university or research institute had initially some attraction for the smaller colleges, as it would preserve their separate identities. All of them, however, the Pretoria college excepted, came at length to have reservations about such an institution. If the proposed Groote Schuur university were to be composed of the South African and Victoria Colleges in amalgamation, then a federal solution might be the best answer for the other colleges.

The South African College would have nothing to do with federation; the new university would have to be a single, national teaching institution, purely residential, except for the handful of private students who might wish to make use of its examinations. The Victoria College, however, fearful of losing its special character as the higher educational centre for the Afrikaner section, was only willing to associate with the Cape Town college in the proposed venture if both kept their separate identities within the framework of the new university.

F. S. Malan had, therefore, to satisfy many different viewpoints and, in the nature of things, it is not surprising that he took his time in framing a bill. Viscount Gladstone, speaking on Degree Day in February, 1911, gave those who favoured a federal solution to the university problem some encouragement. Malan himself, visiting Europe later in that year in connection with the imperial education conference held in London, took the opportunity of seeing how two federal systems in the British Isles worked and how far they met the problems of distance and twin cultures. The University of Wales, established in 1893, had achieved some success, but it was, even as early as 1911, subject to stresses. The day of the unitary civic university had dawned in neighbouring England and some at the Cardiff college looked enviously at the flourishing independent universities in Manchester, Liverpool and Leeds which had emerged from the former federal Victoria University. However, Principal E. H. Griffiths of Cardiff, then Vice-Chancellor of the University of Wales,

spoke to Malan of the value of a federal system as a cohesive force in the Principality.

In Ireland, Malan met President B. C.A. Windle of University College, Cork, a foundation which, until 1908, had been associated with the examining Royal University. The new National University of Ireland which had then come into being was a federal institution with three widely scattered constituents, one of which – that at Galway – would at length become a noted centre for graduate studies in a number of fields through the medium of the Irish language. Already, the principle of compulsory Irish for Matriculation had been accepted by the federal university. Here, perhaps, was a model which the bicultural Union of South Africa might follow with profit. The Minister of Education must have noticed, too, that a fourth college in Belfast had been granted independent status. It stood apart from the others in many ways and was by far the most developed. Were there not analogies to be seen in the South African context – in Cape Town, in Stellenbosch or, perhaps, in Johannesburg?

It was said of Viscount Gladstone's distinguished father that whenever his government was riding for a fall, it chose the subject of university reform in the British Isles as a horse! Higher education in South Africa was not, perhaps, quite so intractable a topic as that, but there is no doubt that Malan's first bill satisfied nobody. In the first place, it upset the University of the Cape of Good Hope by decreeing the dissolution of that institution. Then, it insisted on a post-graduate university, when for most people such a foundation would only be a costly luxury, designed mainly to ensure the continued existence of the colleges. Furthermore, the bill took no account of the possibility of a merger of the Victoria and South African Colleges and proposed a federal relationship between the colleges and the proposed university. Finally, Malan insisted on referring to the need for linguistic equality. In so doing, it would almost seem as though he were bent upon setting the donors against him.

The bill was shelved and with it disappeared another, designed

to make further financial provision for higher education. This legislation had been based upon the findings of a commission appointed under the chairmanship of the university Registrar. The Thomson Commission of 1911 had gathered much useful evidence in the course of a tour of the colleges. Not the least startling fact which emerged from its findings was that, while the annual *per capita* cost to government of educating a Victoria College student was approximately R66 and was nowhere higher in the Cape Province than R114 at Rhodes University College, the *per capita* cost at the four colleges in the other provinces ranged from R198 at Pretoria to R284 at the School of Mines in Johannesburg!

The disadvantages of a purely post-graduate university were stressed by J. E. Deurden, the zoologist at the Grahamstown college, whose knowledge of Johns Hopkins University in Baltimore made him well qualified to speak of that institution's early attempt to concentrate upon the training of research students. The disadvantages of any sort of university other than the unitary type were skilfully brought before the public in a series of lively articles in the *Cape Times* which appeared between March and June, 1912. South Africa, it was demonstrated, should look to the civic universities of England, and particularly to that at Liverpool, for there could be seen the proof that research and great teaching could thrive in an institution serving a populous commercial centre.

The donors were not dissatisfied with the language aspect alone. In January, 1912, their legal adviser, Bourchier F. Hawksley, enumerated other objections. He stated that a post-graduate institution was undesirable, that government control was likely to be too stringent and that Malan had been too conciliatory to college interests. Malan was both disappointed and frustrated and spoke of introducing legislation "met of zonder overeenkomst met Beit en Wernher". The proffered financial aid was, however, a tempting bait, although the task of winning the approval of the trustees was made more difficult after the death of Wernher in May, 1912. For the mining magnate directed that his

contribution could only be made if the constitution of the future university were approved by two influential South African figures, Lionel Phillips and Leander Starr Jameson.

Negotiations continued with the trustees and in January, 1913, Malan published a second bill which enjoyed the very unenthusiastic support of Otto Beit, Phillips and Jameson. This proposed the Intermediate B.A. examination as an entrance qualification, the perpetuation of the Cape University in the proposed new institution, the creation of local faculties at colleges which remained separate and the merging into the new institution of those colleges which wished to do so. On the language issue, Malan compromised by promising no more than that bilingualism would be fostered where possible.

By this time, Stellenbosch opposition to incorporation within the new university had grown stronger; moreover, the crisis which resulted in the split between Botha and Hertzog and the formation of a National Party brought the future of the Victoria College even more plainly into the picture as a political issue. Adriaan Moorrees, D. F. Malan and J. G. van der Horst, in the name of the Vigilance Committee, rose to the defence of the college when the bill was published. They pointed out that the Groote Schuur scheme had no roots in South African history and that the Victoria College stood for a cherished ideal in the eyes of many Afrikaners. That section, as the former Free State President, M. T. Steyn had said, would never sell its children for half a million pounds. Some in the Dutch Reformed (*Nederduitse Gereformeerde*) Church, among them the Revs B. P. J. Marchand, H. P. van der Merwe and D. J. Pienaar, were not opposed to Groote Schuur; the great majority, however, sided with the Ermelo minister, the Rev. Paul Nel, and the Rev. Muller of the seminary in looking with suspicion upon the whole scheme. The trouble, as Muller pointed out in a letter to *Ons Land* in February, 1913, was that Malan, as a result of the gift which made all things possible, had his hands tied in his efforts to establish a university which would find favour with both white sections.

With all this, English-speaking South Africa was out of sympathy. Some were disillusioned and wished that the bequest could be allocated to promote study abroad. The bill, in fact, aroused so much protest that it was referred to a select committee of the House of Assembly which recommended a full-scale enquiry by an impartial commission. This was duly appointed and Sir Perceval Maitland Laurence was chosen as Chairman. He was joined by two South Africans, Melius de Villiers, formerly Chief Justice of the Orange Free State, and the Rev. H. S. Bosman of the Dutch Reformed (*Nederduitse Gereformeerde*) Church in Pretoria. The fourth member was John Perry, Professor of Mechanics at the Royal College of Science in London. Wilfred G. R. Murray, the Cape University's Assistant Registrar, acted as Secretary. Laurence found this "a queer team to drive", but in 1914, it at length produced a report, with some reservations from Perry.

The Laurence Commission advocated two federations, a northern and a southern, the latter having its seat at Groote Schuur. The School of Mines was to be the technological faculty for both groups. The college at Grahamstown would have to decide which federation suited it best. The bequest was to be divided. The lion's share, R700 000, would go to Groote Schuur, with R50 000 each to the colleges at Stellenbosch and Grahamstown. In recognition of Alfred Beit's original gift to the Transvaal, R100 000 each were allocated to the proposed northern university and to the School of Mines and R50 000 to the Johannesburg Council of Education. There was some talk that the creation of a northern university might bring Southern Rhodesia closer to the Union; that territory did at least begin in 1915 to contribute to the funds of the Cape University under the 1875 Extension Act.

The report did not please many. Some, among them John Perry, felt that to deprive one institution of the whole bequest would prevent the founding of the type of university which the trustees had in mind. The unitary university enthusiasts looked with no favour upon federation. Even the Commissioners saw it only as a transitional phase, for as they admitted: "Federal

government is essentially weak government". Nevertheless, although the report would never be acted upon in its entirety, the federal idea remained. This form of association was, in any case, coming to appeal more and more to the smaller colleges, some of which feared both the power of the western Cape institutions and the threat which Groote Schuur might pose to their own positions.

H. E. S. Fremantle, too, saw a solution in temporary federation while the smaller colleges grew towards independence. Just as the Minister of Education had done in 1911, Fremantle, by now in Hertzog's political camp, paid a visit to Britain in 1913, meeting Principal Griffiths of Cardiff and other university men. He also saw Jameson, Otto Beit and the South African High Commissioner in London, Sir Richard Solomon. Beit was evidently particularly worried at this time, fearing that Afrikaners would insist upon compulsory bilingualism. This was a very real anxiety then and later in the English language institutions, for if the teaching staffs were to be bilingual, good men from abroad would probably not apply for posts.

W. G. R. Murray observed later that the Cape University Registrar, Thomson, and the future Principal of the Cape Town college, Carruthers Beattie, were the main opponents in the reform struggle. Thomson enjoyed considerable prestige, although Murray felt that Beattie had the advantage, as he was a good mixer and was the friend of such influential people as the Cape Town businessman and college benefactor, J. W. Jagger, and the editor of the *Cape Times*, Thomas Maitland Park. The contest did not lie entirely between them, however, and Thomson's role in the discussions is perhaps exaggerated. Beattie, on the other hand, was certainly the leading figure on the South African College staff in the campaign for a teaching university.

Maitland Park was not the only newspaperman to lend support to the college; G. A. L. Green of the *Argus* was also active and later served as a representative of the executors of Alfred Beit and Sir Julius Wernher on the provisional committee which at length brought an independent university into being in the

Mother City. On the Stellenbosch side, the Victoria College gained additional support after 1915, when the National Party's newspaper in Cape Town, the *Burger*, began publication under the editorship of D. F. Malan.

Little had been heard of the University of the Cape of Good Hope during those days of proposals and counter-proposals for university reform. The college members of its Council, understandably enough, would have been only too pleased to see the end of the examining institution and there is no doubt that the university no longer carried quite the same weight in discussions on the future of higher education in South Africa.

The Laurence Commission solved nothing and, with the coming of the first World War and armed rebellion, men's thoughts were, for a time, directed into other channels. However, it was in the first full year of the world struggle that a key was found to unlock the door barring progress towards a solution to the university question. When J. H. Marais of Coetzenburg died in May, 1915, he left R200 000 to the Victoria College. The Rev. C. F. J. Muller, who died in the same year, had hoped to see at Stellenbosch the creation of an "echte Hollandsch-Afrikaansche Universiteit" and this now became a practical possibility. F. S. Malan had played his part in securing the gift for the college; it was to enable him to pass the legislation which he would come to regard, rightly, as his major achievement as Minister of Education.

In the same year, the South African College decided to approach the trustees with proposals which would make it the sole heir to the Wernher-Beit bequest. Agreement was finally reached at a London meeting attended by Beit, Jameson, Phillips, Hawksley and Maitland Park, now a member of the South African College Council and then on holiday in Britain. In the parliamentary elections of 1915, the South African Party retained power, with Unionist support, and Malan was able to plan his legislation, reasonably secure in the knowledge that the Nationalists would not oppose reform measures which would give the Victoria College independence. This proved to be the case, al-

though Fremantle felt that the institution there had been robbed in order to benefit the South African College, now to be incorporated in a new University of Cape Town.

For the smaller institutions, Malan proposed a federal university which would inherit the traditions, the assets, the Royal Charter and the armorial bearings of the University of the Cape of Good Hope. It was decided, to the regret of some, to move its administrative headquarters from Cape Town. The main contenders for the federal seat were Bloemfontein, Johannesburg and Pretoria. A majority of college representatives favoured the mining metropolis, but this view was overruled and Pretoria was eventually chosen. Various names were suggested for the new institution. The Cape University Council in committee suggested the inclusion of the word "Federal" in the title; the South African College Senate proposed either the "Royal" or "King George's University"; even the idea of a "Malan University" was somewhat maliciously canvassed! The final choice – the "University of South Africa" – was considered in some quarters to be too dignified a title for a mere collection of colleges which would ultimately seek independence. It certainly did not please the supporters of the teaching universities in the western Cape that what they considered an inferior competitor should bear a national name.

The colleges which would come under the wing of the new university were generally well satisfied with the federal arrangement. For tiny Huguenot it was the only possible answer, although none of them was yet large enough to contemplate independence. The Natal University College regretted the failure of the national university ideal and there was some talk at Bloemfontein of amalgamation with the Transvaal University College, a possible prelude to greater centralization. The Pretoria college was seen by some as the major constituent, occupying a position in relation to the federal university similar to that which the South African College had held for so long in the Cape University system.

There was, inevitably, little enthusiasm on the Rand for the

university proposals. Johannesburg considered that it had been unfairly treated, particularly as the South African College in Cape Town had alone inherited the Wernher-Beit bequest, together with a magnificent site at Groote Schuur for future expansion. The School of Mines, the Council of Education and other interested parties tried hard to block the proposed legislation in a last-ditch attempt to salvage something from the wrecked hopes of a great civic university in the north. Several Rand members of the House of Assembly did their best to further the city's claims in parliament; George S. Corstorphine, the Principal of the School of Mines, William Dalrymple of the Council of Education and Mayor J. W. O'Hara of Johannesburg worked tirelessly to enlist public support for a Witwatersrand university. All efforts, however, proved unavailing and, apart from interest on the original bequest from Alfred Beit, Johannesburg received nothing from the moneys donated for university development. The South African School of Mines and Technology had to prove itself before it was able to become a real university college and not merely a technological institute. It became clear that future greatness would depend upon local effort and although the Johannesburg institution co-operated loyally with the federal university, it inaugurated, with the aid of a Witwatersrand University Committee, a campaign for full university status. The School of Mines had the support of the City Council, which provided it with the campus at Milner Park.

It is Act 12 of 1916 – the federal part of the legislative trilogy – which is of the greatest importance in the continuing history of the University of the Cape of Good Hope under its new title. The Cape institution debated all three bills in February, 1916 and made a number of suggestions. One of these, proposed by Fremantle, was that the constituent colleges of the federal university should have the right to promote legislation which would lead to their secession. The School of Mines in Johannesburg was expressly named as a college which, if it so requested, could be separated from the University of South Africa by proclamation in the *Government Gazette*.

The religious neutrality which was a feature of the Cape University was maintained in the Incorporation Acts of all three of its successors. The so-called "conscience clause", however, would come to be regarded in some Afrikaner circles as restrictive and unchristian. Some of the controversial features of the old examining institution fell away in the constitution and regulations of the federal university. The mixed degree and the Intermediate B.A. examination disappeared, the practice of awarding degrees *ad eundem gradum* was discontinued and internal college examiners were permitted.

Although examinations in music and for the Junior Certificate school examination remained functions of the federal university, other non-graduate work was handed over to new bodies, whose affairs the University of South Africa merely administered. A Joint Matriculation Board was created to deal with the university entrance examination for all South African universities, while a Joint Committee for Professional Examinations took over the work in these fields which had previously been the responsibility of the Cape University. Scholarships and other awards were allocated to all three universities on an equitable basis, having regard to any special provisions made by the donors. Holders of certificates or diplomas issued by the old university, the School of Mines or the former South African Republic could be recognized as graduates of the University of South Africa if their qualifications were considered of sufficient standing. Cape University Convocation members were, naturally, permitted to join the university Convocation of their choice.

Private students, although few at that period, were not forgotten, for the admission of external candidates to degree examinations was no longer to be permissive, but a legal obligation of the federal university. Some of these worked alone, but others attended schools or unaffiliated colleges. It had long been the custom for certain secondary schools to enter promising candidates for the university's higher examinations, although with the coming of the federal university, this practice would soon come to an end. Students attending the Arts Department of the Re-

ACT NO. 12 OF 1916 decreed that the University of the Cape of Good Hope was to be incorporated in a federal University of South Africa. The change was to be effected on 2 April, 1918.

Although there was no break in the continuity of the university, despite its new title, its constitution was radically amended. Control was vested in a Council and Senate, upon which six constituent colleges were represented. The central administrative body was responsible for such functions as the organization of examinations, the tabulation of results and the issue of certificates.

When this Act was passed, two other Acts transformed the Victoria College into the University of Stellenbosch and incorporated the South African College in a University of Cape Town.

Act No. 12 of 1916

Act No. 12 of 1916. BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of the Union of South Africa as follows:—

INCORPORATION AND SEAT OF THE UNIVERSITY.

University of the Cape of Good Hope to become and be incorporated in a federal university on appointed day.

Name and administrative seat of the University.

Constituent colleges of the University.

1. (1) Upon a date to be fixed by the Governor-General by proclamation in the *Gazette* (hereinafter referred to as "the appointed day"), the University of the Cape of Good Hope (which is incorporated and governed under the laws specified in the First Schedule to this Act and is hereinafter referred to as "the old university") shall become and be incorporated in a federal university.

(2) Such university (hereinafter referred to as "the University") shall exist for such purposes, with such constitution, and with such rights, powers, privileges and duties as are described in this Act, and shall, subject to the provisions of this Act and of any other law, be recognised as the successor of the University of the Cape of Good Hope.

2. The name of the University shall be "the University of South Africa," and its administrative seat shall be at Pretoria.

3. (1) The institutions specified in the Second Schedule to this Act shall, subject to the provisions hereinafter contained, be constituent colleges of the University, and the relationship which each such college shall bear to the University shall be as provided by this Act and by the statutes hereinafter defined.

(2) Notwithstanding anything in this Act contained, the provisions of any law whereby any such institution is incorporated or governed shall remain in force and the provisions of every such law and any rules or regulations made thereunder shall, subject to the provisions of sub-section (3), continue to be construed as if this Act had not been passed.

(3) Nothing in this Act or in any other law contained shall be construed as preventing the council of a constituent college from establishing such faculties or departments as it may deem fit: Provided that it shall not, without the consent of the Governor General, apply towards the maintenance of a faculty or department not established at the commencement of this Act any money granted to the college from public funds.

(4) The council of any constituent college shall have power to promote legislation providing for the incorporation of such college as a university.

CONSTITUTION AND GOVERNMENT OF THE UNIVERSITY.

Constitution of the University.

- 4.** The University shall consist of—
 (a) a chancellor;
 (b) a vice-chancellor;
 (c) a council;
 (d) a senate;
 (e) convocation;

formed (*Gereformeerde*) Church seminary at Potchefstroom, however, would be regarded as external candidates for the examinations of the University of South Africa unless the authorities there sought the incorporation of a college and applied to have it admitted as a constituent of the federal institution. The best avenue to choose for the future prosperity of higher education in Potchefstroom was already the subject of earnest discussion there in the closing years of the University of the Cape of Good Hope.

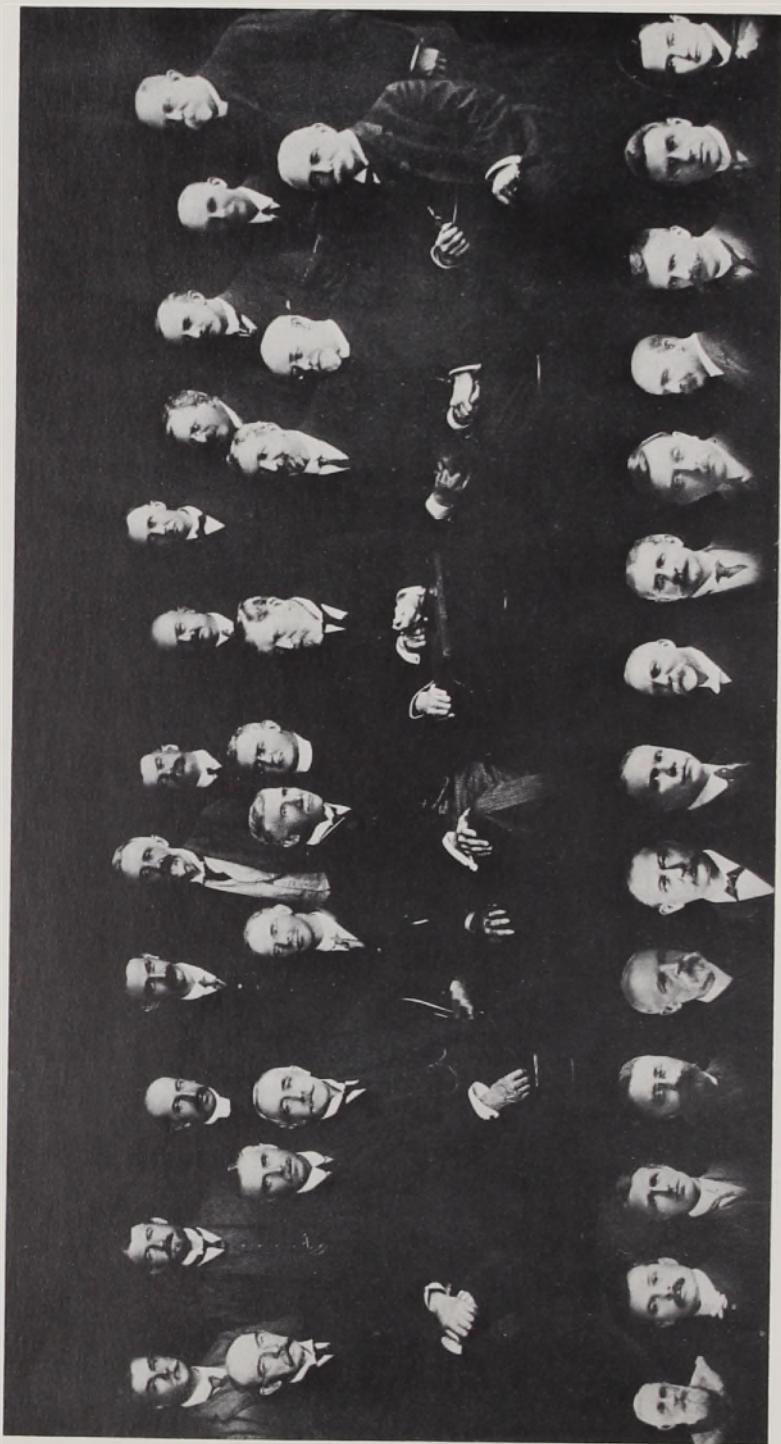
The links which would bind the constituent colleges to the federal mother were more substantial than anything which had marked the relationship of colleges with the examining university. They were now to be an integral part of the federation, with professors and heads of department forming a legally constituted Senate and with one representative of each of their own Senates and Councils taking a seat on the governing Council of the University of South Africa. The federal university retained the right enjoyed by its predecessor of having a representative on the governing body of the Huguenot College and also continued to appoint nominees to the Council of the recently established South African Native College. This foundation was not a constituent of the federal institution and would not, for some years, undertake work of university level.

The three University Acts became law on 27 April, 1916, receiving in due course the customary approval of the British parliament. A Statutes Commission was appointed to give effect to the legislation so that the new universities could begin operations on the appointed day, 2 April, 1918. The members of the commission – Melius de Villiers, assisted by Thomson for the university, Beattie and G.G. Cillié for the major Cape colleges, Viljoen for the smaller ones and with Wilfred Murray as Secretary – faced no easy task. As Murray later told the Under-Secretary, George Hofmeyr, “I wonder whether anyone dreamed what an Augean stable you were turning us loose on”. The statutes were, however, framed in time and given legal effect by Amendment Act 9 of 1918, while financial relations between

government and the universities and university colleges were regulated by Act 20 of the previous year.

Malan had triumphed over all obstacles and the bequest had been won at last, even if its final destination was not to everyone's liking. On Degree Day in 1917, a grateful Cape University conferred upon the Minister of Education an honorary doctorate in laws as some reward for his achievement. Although, as Vice-Chancellor Searle said at the last graduation ceremony in Cape Town in the following year, the university would live on, the end of an era had been reached. The Cape Town building, for which Sir John Buchanan had striven so hard, was leased to the South African College which, even before its incorporation into the University of Cape Town, was beginning to burst at the seams. There, towards the end of March, 1918, a visitor found history being taught "in een zijzaaltje" and "in de grote zaal beneden, met plek voor omtrent 300 mensen vond ik in een hoekje een professor met 4 of 5 mannetjes bezig". The Cape University's headquarters – long the haunt of examiners and committee-men – had at last become a place of instruction.

The University of the Cape of Good Hope had outlived its usefulness, but its contribution to the progress of higher education in South Africa had been considerable. It had provided an impartial forum to judge the intellectual abilities of thousands of young men and women at the Cape and beyond its borders and its courses of study and examinations had done much to stimulate national collegiate growth. The new teaching universities at Cape Town and Stellenbosch had an assured future. Could the same be said of the federal University of South Africa? For how long would its constituents be content to remain within the fold? There were many who had little faith in a federal organization as a permanent solution to the university problem. It did not, as *Ons Land* pointed out, create the ideal type of university. Would the University of South Africa therefore be no more than a temporary experiment in the further development of South African higher education? The future would decide.



THE LAST COUNCIL MEETING of the University of the Cape of Good Hope was held on 15 March, 1918. Already, at a meeting in February, a vote of thanks had been passed to those who had long served the university: Professor P.D. Hahn, who had been elected by Convocation to the first Council in 1876; the Rev. Professor J.I. Marais, a member since 1883; the Rev. Dr F.C. Kolbe and J.R. Whitton, who had joined in 1885; Dr William Thomson, the Registrar, who had been chosen as a Council member in the same year as Professor Marais; and Sir John Buchanan and Professor William Ritchie, members since 1888.

Some at this final gathering looked forward eagerly to the coming of a greater university; there was sadness, too, however, for whatever the shortcomings of the examining institution, it had achieved much in the brief history of South African higher education.

On the following day, the last graduation ceremony of the University of the Cape of Good Hope was held and the Vice-Chancellor, Mr Justice Searle, delivered the address. His theme was, appropriately: "Exit the old; enter the new".

Last Council of the University of the Cape of Good Hope, 1918

Rear (l. to r.): Dr G.S. Corstorphine; Dr A.I. Perold; Rev. A.P. Bender; D.J. Ackermann; C. Murray; Dr G.G. Cillié; Dr W.A. Macfadyen; Rev. N.J. Brümmer; Dr S. Schonland; Dr C.F. Juritz; Dr W. Thomson (Registrar); Rev. Dr W. Flint.

Centre (l. to r.): J.R. Whitton; J.E. Adamson; W. Ritchie; J.T. Morrison; Mr Justice M.W. Searle; Rev. Dr F.C. Kolbe; Sir John Buchanan; Dr J.C. Beattie; Rev. Dr J.I. Marais; Sir John Kotzé.

Front (l. to r.): Rev. J.M. Russell; Rev. D.G. Malan; W.G.R. Murray (Asst Registrar); Rev. Dr L. Sormany; Sir W. Bisset Berry; Dr P.D. Hahn; Dr W.J. Viljoen; Rev. A. Moorrees; Sir John Wessels; Dr A. Ogg; Dr S.G. Campbell; A.H. Mackenzie; Dr L. Crawford; Dr J.W. Bewes.

MALCOLM WILLIAM SEARLE, who came to the Cape as a small child with his parents, was born on 7 December, 1855 in Blackheath, England. He was educated at the Diocesan College and obtained the B.A. (Cape) degree in 1875, winning a University Scholarship.

He continued his studies at Cambridge, passing the second-class mathematical tripos in 1880 and the second-class law tripos in the following year. He was called to the English bar in January, 1882 and returned to the Cape shortly afterwards to begin his professional career.

Searle took silk in 1893 and for the next seven years was legal adviser to the High Commissioner. Appointed a Junior Puisne Judge of the Cape Provincial Division in 1910, he became Judge President in June, 1922. He received a knighthood in the New Year's Honours List of 1923.

A member of the university Council from 1897 until 1918 and Vice-Chancellor for the last two years of that period, he was also active in the affairs of the Diocesan College.

Sir Malcolm Searle was killed in a train disaster at Salt River, Cape Town on 9 June, 1926.

*The Hon. Sir Malcolm William Searle,
Kt, B.A. (Cape and Cantab.), LL.B., K.C.
Member of Council 1897-1918
Pro Vice-Chancellor 1915-1916
Vice-Chancellor 1916-1918*

