



THE DIAMOND FIELDS DISPUTE

Reference to Map 23.1 ‘Southern Africa in the era of the ‘Scramble’ (p.353) will show the line of the Orange River, which rises in Basutoland (modern Lesotho). From the late 1850s, this formed the northern boundary of the British-ruled Cape Colony. The Boer republic of the Orange Free State laid claim to all the territory between the Orange and Vaal rivers. By the late 1860s they had made most of these claims by issuing land titles to individual Boer settlers on the land, having in the western region purchased some of it from local Griqua residents. North of the Vaal, the Boer republic of the Transvaal (South African Republic) claimed all territory between the Vaal and Limpopo, and westwards into the Kalahari Desert. In practice they controlled about a third of it in the late 1860s. Their westward claims were particularly fanciful. Specifically, with regards to the diamond fields dispute, they had issued no land titles to their citizens in the region of the lower Vaal, towards its confluence with the Orange.

The north bank of the lower Vaal region was principally occupied by independent Batlhaping, the southernmost of the Setswana-speaking Batswana. In this region, they owed allegiance to their chief, Jantjie Mothibi, a Christian convert of some forty years standing. Just north and west of the Vaal/Orange confluence the Griqua had established the small townships of Griquatown and Campbell. The Griqua were people of mixed racial origin whose forebears had migrated north away from the expanding Cape Colony in the late eighteenth century. They had settled at Griquatown in 1807, by kind permission of Jantjie Mothibi’s grandfather. The Griqua grazed some sheep and a few cattle on nearby pastures, but they mostly engaged in hunting and trading. In the 1820s the British signed a treaty of friendship with the Griqua chief at Griquatown, recognising him as a local ruler who was thus entitled to trade freely with the Cape Colony. Cape recognition strengthened the Griqua’s perception of themselves as independent rulers in their own right, without reference to the Batlhaping chief.

In the early 1860s a Griqua lawyer named David Arnot, resident in the northern part of the Cape Colony, saw an opportunity for some land speculation. A parcel of land between the Orange and Vaal confluence had at



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some stage been occupied or used by Griqua no longer resident there. Arnot went to the Griqua Chief Waterboer and urged him to lay claim to this land before the Orange Free State claimed and issued titles to it. Waterboer obliged. Arnot provided the necessary legal work, dividing the land up into 'farms' and providing written titles for them, such as would be recognised by the Cape Colony. His aim was to sell some of these farms to British settlers from the eastern Cape. This, he argued in letters to the British Colonial Secretary in Cape Town, would provide 'a solid wall of British flesh' which would block further Boer expansion westwards. Clearly he hoped that the British would then be inclined to annex the territory to the Cape, from which he would profit handsomely as he planned to reserve a number of the best farms for himself.

At this point, between 1867 and 1870, diamonds were discovered, mostly in the Batlhaping region along the north bank of the lower Vaal. In order to keep his land speculation intact, Arnot needed the British to take over the diamond fields, for if the Boers were to do so, they would never recognise his Griqua land titles south of the Vaal. So Arnot started working up a case that would claim Griqua authority over the whole the diamond fields, however far up the Vaal River they stretched. At the same time, he advised Waterboer to ask for 'British protection' as the best way to preserve his land from Boer encroachment.

Meanwhile, black and white adventurers, from all over the region, had descended upon the diamond fields, which at this point consisted mostly of the north bank of the Vaal, in the territory of the Batlhaping. The Batlhaping chief, through his son Luka Jantjie, exercised his authority over them, obliging them to pay for diamond-searching licences. They were specifically not to dig for diamonds. The Batlhaping themselves were heavily engaged in searching for diamonds, selling them for livestock, cash, guns, wagons and cheap Cape brandy, the latter supplied by a Cape brandy trader named Stafford Parker, who had set himself up on the south bank of the Vaal. By 1870, however, Jantjie's authority was being ignored by some white speculators and when diamonds were discovered by digging down into the ground by the river, a major 'diamond rush' was on.

The further discovery of diamonds on a collection of Free State farms south of the river (the future site of Kimberley, known for the moment as the 'dry-diggings') in 1869-70 added to the rush as white speculators and merchants struggled to establish local monopolies. The Boer President of the Transvaal laid claim to the whole of the north bank of the Vaal, and thus most of the 'river-diggings', ignoring the rights of the local Batlhaping. The British were slow to react, but by the end of 1870 they had sent a magistrate to the Vaal to establish some semblance of official British presence. Meanwhile Arnot had his fictitious case made out that claimed Griqua authority over the whole region,

and, combined with Waterboer's request for 'British protection' from Boer encroachment, he pressed the Cape Government to quickly accept Waterboer's request and take over the territory, which by now would clearly be worth something to the Cape economy.

In January 1871 a new British Governor, Sir Henry Barkly, arrived in the Colony and proceeded straight to the diamond fields. Having determined on British annexation, he realised he should follow the niceties of legal process and set up a 'Court of Enquiry' to look into the 'disputed ownership' of the diamond fields. The court was held at Bloemhof, the westernmost Boer settlement on the north bank of the Vaal, some distance upstream from the 'river-diggings' of Jantjie's territory. There were two Commissioners who heard evidence, one the local British magistrate, John Campbell, and the other an official from the Transvaal government. The Free State refused to cooperate as they claimed there was no dispute: they owned all territory south of the Orange. The British posed as a neutral, disinterested party, but their interest was made plain by the appointment of Keate, the British Lieutenant-Governor of the Colony of Natal, to be the adjudicator in the event of the two commissions failing to agree. The latter was guaranteed, given the Transvaal claims to the whole of the north bank of the Vaal. The real owner-occupiers of the river-digging part of the diamond fields, Jantjie's Batlhaping, were not allowed to present a claim, although they were, under pressure from a missionary, allowed to give evidence as to where they lived and for how long. The Griqua case was presented by Arnot. The evidence of the Court of Enquiry was printed, as *The Bloemhof Bluebook* (Government Printer, Cape Town, 1871).

Keate, as the British intended, adjudicated in favour of Waterboer, for the whole of the diamond fields, north and south of the Vaal, taking in the river-diggings on the north bank and the dry-diggings on the former Free State farms (by now owned by Cape merchants). Thus both Jantjie's Batlhaping and the Orange Free State's claims to the region were ignored. Arnot presented Waterboer's request for British 'protection' and the British used it to annex the whole of the diamond fields as the British Crown Colony of Griqualand West.

Most general histories of southern Africa portray this as a simple case of the British setting up a Court of Enquiry, finding that the territory belonged to Waterboer, and acceding to his request for protection by taking it over as Griqualand West. Most historians are understandably more concerned with the impact of the diamond-based mineral revolution that began with the huge 'dry-digging' diamond mine found at Kimberley in July 1871, while Keate was pondering his evidence.

For further information on early diamond mining, the annexation of the diamond-fields and its aftermath, see:

K. Shillington, *The Colonisation of the Southern Tswana, 1870-1900* (Ravan Press, Johannesburg, 1985), and

K. Shillington, *Luka Jantjie: Resistance Hero of the South African Frontier* (Aldridge Press, London; Wits UP, Johannesburg; and Palgrave, New York, 2011)