The State and Upland Populations: Ivory, Cattle and Guns in Nomansland 1820-1880

Dissertation presented in partial fulfilment of the

Degree of BA/ B Soc Sci (Masters)

in the Department of Historical Studies

University of Cape Town

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Chapter 1: Introduction 'Defining Nomansland'

Introduction

Nomansland is situated at the confluence of several state-making projects. To the west was Moshoeshoe's Basutoland, to the east, the Pondo, led by Faku until his death in 1867; to the north, was the Zulu kingdom and the settlers of Natal; to the south, the Xhosa and the Cape Colony. The Griqua settled in the area in 1862 and established state structures such as an executive, a legislature and a system of taxation. Nomansland is a region in the lowlands of the Southern-Drakensberg. It is sometimes described as being bordered by the Umzimkulu River to the east and the Umzimvubu River to the west, extending south to modern-day Kokstad.[1] However, it is not a clearly defined territory. As the name suggests, it describes an absence of a recognised authority by the British. Thus, it lacks clear temporal or geographic borders. Nomansland is sometimes described as covering a much broader area. Milner Snell identifies Nomansland as the area between Mthatha and Mzimkulu, noting that:

> It covers parts of what are presently the southern portion of the province of KwaZulu-Natal and the northern portion of the Eastern Cape. There is no one term for this area that is not problematic. From the mid-1800s until the present different people have at various times used a variety of names to refer to the entire area or parts of it. Some Zulu speakers living in the adjoining territory of what is now KwaZulu-Natal referred in the mid-1800s to the area beyond the Mzimkhulu River as the emaXameni country, which translates to a place where people 'do not yet have any laws'. In the nineteenth century colonial observers referred to the region by numerous terms, including Faku's Country, Nomansland, East Griqualand or the St John's Territory.[2]

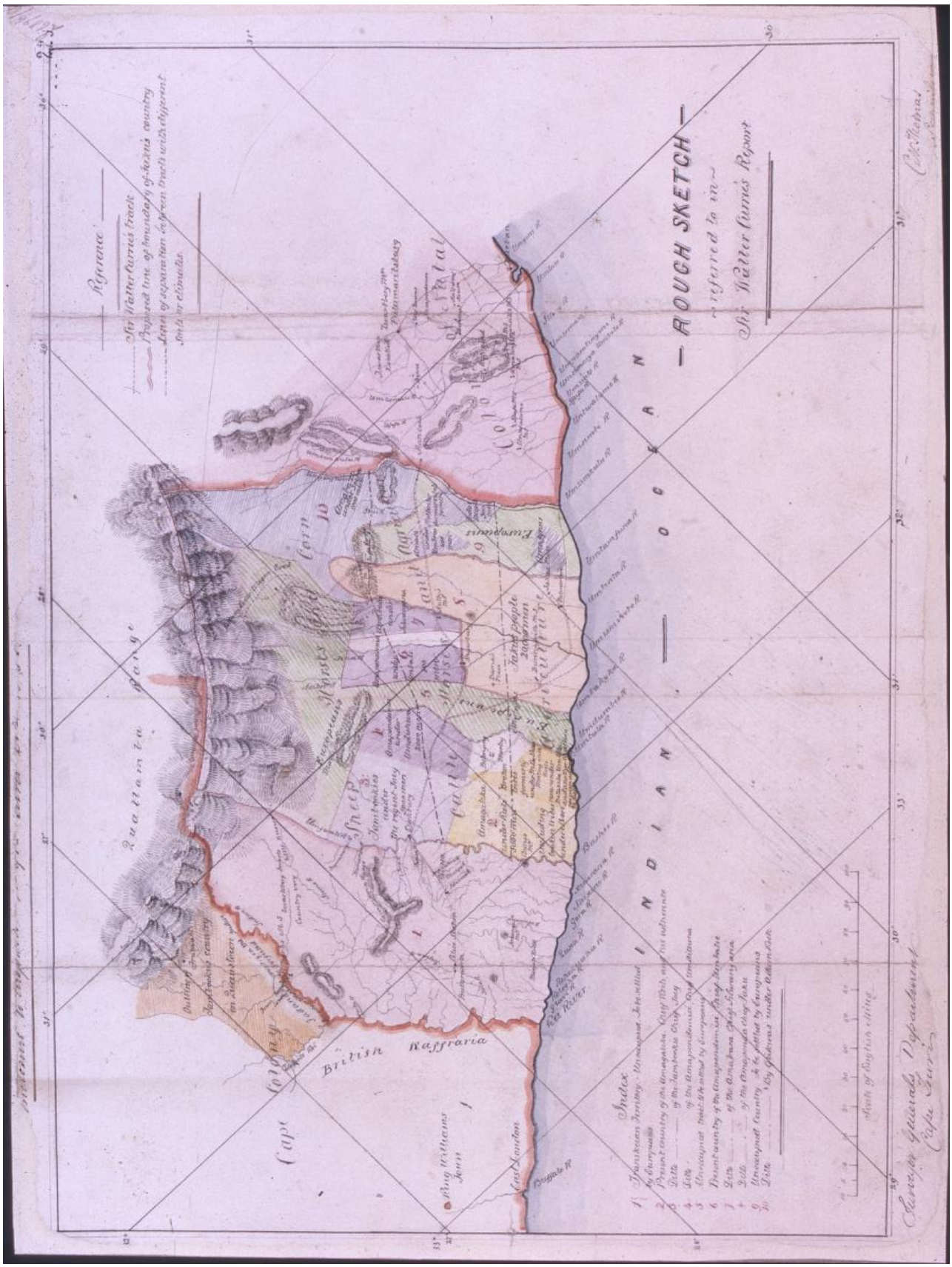
[1] John Shephard, *In the Shadow of the Drakensberg: The Story of East Griqualand and Its People* (Durban: T.W. Griggs & Co. (PTY) LTD, 1976), 15.
[2] Milner Snell, "The Making of 'Loyals' and 'Rebels': The 1880 Transkei Rebellion and the Subversion of the Chieftaincies of East Griqualand, 1874-1914" (PhD Thesis, Rhodes University, 2016), 10.

To deal with this geographical ambiguity and the paucity of a written record on the area, this thesis draws a wide geographical net while still paying particular attention to the term 'Nomansland' and its genealogy.

Allen Gardiner travelled through and mapped the area in 1835 during his mission to Dingane. Gardiner's map depicts a territorial void, a "fine country" rich in game and timber, but without a name and unoccupied by any state and obstructed by "steep and ragged mountains."[3]

Although Gardiner does not designate the territory as 'Nomansland', by 1861, it had been more clearly defined as such in colonial discourse. Walter Currie included a sketch map of the area in a report titled "No Man's Land", which demarcates occupied areas, areas suitable for agricultural products and regions suitable for European settlement (Map 1). Currie's map depicts Nomansland as the entire region between the Indwe River, the Umzimkulu River, and from the Drakensberg mountains to the coast. His map shows a huge swath of territory that includes part of the Xhosa polity (south of the Umzimvubu), but also a section of the settler colony of Natal (north of the Umzimkulu). His map represents a state-making project to reform the illegible landscape into a readable and fiscally legible territory in which illicit economic activities were to be replaced by sedentary cultivation. By 1863, Nomansland had been more clearly defined as the territory between the Umzimvubu and Umzimkulu rivers bordering Faku's territory on the coast and the Colony of Natal.

[3] Allen F. Gardiner, *Narrative of a Journey to the Zoolu Country* (Cape Town: C. Struik, 1966), 344.



Map 1: Walter Currie's Sketch Map of Nomansland

Source: Walter Currie, 11 April 1861, M6/6, KAB.

This thesis examines the genealogy of Nomansland as an extension of the Cape and Natal state-making practices, arguing that the language used to describe Nomansland and its economy as illicit served as a justification for state intervention. Maps like Gardiner's and Currie's were used to justify settlement in the area. Gardiner described the area as "uninhabited", yet he found substantial evidence of human habitation during his journey.[4] Currie also described large swaths of the territory as "unoccupied" but estimated the population to be around 200 000 under twenty separate chiefdoms. The economic activity of these inhabitants was often presented as illicit, lawless and disordered by the colonial state. Such descriptions served as justifications for Cape and Natal colonial state intervention.

Therefore, a key argument of this thesis is that 'Nomansland' was a projection of the colonial state and served as justification for state intervention. Another research concern is to understand the logic of the "hill people," who occupied Nomansland, described by James C. Scott as "runaways, fugitive, maroon communities who have…been fleeing the oppression of state-making projects in valleys."[5] The thesis describes the lifeways of such people as a state-resistance or escape economy, meaning economic forms which facilitated state evasion for those who practised it. Scott describes such economic forms, smuggling, raiding, "foraging, hunting, shifting cultivation, and pastoralism" as "fundamentally intractable to state appropriation."[6] A resistance economy can be characterised as an economic form in which "the very diversity, fluidity and mobility" of people's livelihoods meant that, "for an agrarian state adapted to sedentary agriculture", it was effectively ungovernable.[7]

This thesis also uses the term escape economy to describe economic forms which enabled people to evade state violence. Nomansland can be characterised as a zone of refuge, as Rachel King notes "where raiding was not always illegal because the legal grounds for

[4] Gardiner, *Narrative of a Journey to the Zoolu Country*, 345.
[5] James C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*, Yale Agrarian Studies Series (New Haven: Yale University Press, 2009), X.
[6] Scott, *The Art of Not Being Governed*, 6.
[7] Scott, *The Art of Not Being Governed*, 6.

prosecution were unclear; raiders here were outside the law but not always officially criminals."[8] Or what Scott calls, 'a shatter zone': "where the human shards of state formation and rivalry accumulated willy nilly, creating regions of bewildering ethnic and linguistic diversity."[9] Rather than a Nomansland, the area was 'everybody's' land, in which various people fleeing state-making projects attempted to establish themselves. Nomansland was a zone of refuge because it was a space beyond the bounds of colonial laws. It was also a refuge from state violence for various other groups such as Bushmen and refugees of the Mfecane.

Bushmen communities fled commando violence in the Cape colony.[10] The Mfecane was a period of significant state violence on a massive sub-continental scale in search of slaves, ivory and cattle. Nomansland offered a refuge for creolised communities fleeing this violence. Julian Cobbing has argued in "The Mfecane as Alibi: Thoughts on Dithakong and Mbolompo." that the devastation and depopulation caused by an internally constituted Zulu state was a myth and that the period of conflict known as the Mfecane was the result of the dual pressures of colonial labour raids and slave trade centred at Delagoa Bay.[11] Cobbing has been critiqued by Hamilton et al. for his lack of a firm evidential basis, neglecting the ivory trade, his disregard for African intellectuals in the development of the Mfecane concept and his denial of the autonomous role of Africans in the upheavals. [12] What is clear from this debate is that Nomansland lay on the periphery of the pincers of colonial violence and the violence of the emerging Zulu state. The shatter zone of Nomansland was thus formed in response to state violence. This thesis attempts to examine Nomansland as a zone of refuge and describes its economy as a resistance or escape economy. It argues that the landscape and economy of Nomansland made it difficult for states to impose their

[8] Rachel King, *Outlaws, Anxiety, and Disorder in Southern Africa: Material Histories of the Maluti-Drakensberg* (Springer, 2019), 11.
[9] Scott, *The Art of Not Being Governed*, 8.
[10] Mohamed Adhikari, "'The Bushman Is a Wild Animal to Be Shot at Sight': Annihilation of the Cape Colony's Foraging Societies by Stock Farming Settlers in the 18th and 19th Centuries," in *Genocide on Settler Frontiers: When Hunter-Gathers and Commercial Stock Farmers Clash*, ed. Mohamed Adhikari (South Africa: UCT Press, 2014).
[11] Julian Cobbing, "The Mfecane as Alibi: Thoughts on Dithakong and Mbolompo," *The Journal of African History* 29, no. 3 (1988): 487–519.
[12] Carolyn Hamilton et al., *Mfecane Aftermath: Reconstructive Debates in Southern African History* (NYU Press, 1995).

authority, legal structures and taxation systems, and Nomansland functioned as a refuge from state violence.

The archival records for the area are sparse. To address this issue, the thesis has adopted the chronology approach of Braudel and Scott. A broad period has been adopted and the economic life of the inhabitants, the "swelling-currents" of history, is painted in broad strokes. [13] While each chapter draws on scattered fragments of information from a range of periods to give a picture of trade in a particular commodity the thesis is broadly chronologically organised. The first chapter is broadly concerned with the period between 1820 and 1840 and describes the resistance economy of the inhabitants of Nomansland through the commodity of ivory. It examines archaeological data and travellers' accounts to argue that the landscape and economy of Nomansland allowed the inhabitants to avoid state violence and intervention. It examines the lifestyles and techniques of the inhabitants to understand how their economic forms made it ungovernable. The second chapter deals with cattle raiding and examines the period from 1840 to 1862. This chapter focuses on the genealogy of Nomansland and argues that the descriptions of Nomansland and its economy functioned as a justification for intervention by the Cape colonial state. It examines the emerging attempts by the Cape colonial state to intervene in the area through a series of treaties. The final chapter deals with the period from the late 1860s to the 1880s through the commodity of guns. It attempts to present a picture of the symbiotic and conflictual relationship that developed between the state and stateless people that emerged by the 1870s. It argues that 'Nomansland', as it was constructed by the Cape colonial state functioned as a space in which illicit economies, unlawful within the ambit of the Cape colonial state, could be freely pursued. It examines both the sites of symbiosis and conflict between the Cape colonial state and stateless people that emerged in the 1870s.

[13] Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, vol. 1 (USA: University of California Press, 1949), 20.

Literature Review and Theoretical Framework

The historiography of Nomansland has been closely tied to narratives of Bushmen raiders. Most of the works that focus on Nomansland are histories of the Bushmen. The most detailed and authoritative accounts are Patricia Vinnicombe's *People of the Eland: Rock Paintings of the Drakensberg Bushmen As A Reflection Of Their Life And Thought* and John B. Wright's *Bushman Raiders of the Drakensberg, 1840-1870*.[14] Research on the area has also often focused on the interpretation of its rich collection of rock art. Geoffrey Blundell *Nqabayo's Nomansland: San Rock Art and the Somatic Past* is a more recent example.[15] As Blundell's title suggests, he conceptualises the space through Nqabayo's group of Bushmen raiders to interpret rock art panels. My Honours thesis focuses on trying to use rock art as an archival resource.[16] The literature on rock art interpretation is extensive. Recent works by scholars such as Robert J. Thornton and Pieter Jolly have attempted to read rock art as evidence of interconnection between various groups, challenging the ethno-essentialist interpretations of scholars like David Lewis-Williams.[17] Sam Challis has made a key intervention by arguing that 'Bushmen' raiding groups, such as the AmaThola, were creolised communities and examines how a creolised cosmology and new identity were articulated through rock art.[18] John Wright has also recently revised some of his earlier work "arguing that these 'Bushman' raiding groups actually represented consortia of ethnically heterogeneous people coalescing around cattle raiding as a shared practice."[19] Moorosi, who is the focus of much of Rachel King's work, has occupied a somewhat ambiguous position within the category of Bushmen raiders. The term 'Bushmen' remains a key organising principle for much of this recent scholarship even when researchers have attempted to reconceptualise its meanings. Challis and King, for example, in their paper

[14] Patricia Vinnicombe, *People of the Eland: Rock Paintings Of The Drakensberg Bushmen As A Reflection Of Their Life And Thought* (Pietermaritzburg: Natal University Press, 1963), John B. Wright, *Bushman Raiders of the Drakensberg, 1840-1870* (Pietermaritzburg: University of Natal Press, 1971).
[15] G. Blundell, *Nqabayo's Nomansland* (Uppsala: Uppsala University Press, 2004).
[16] Ross Karl Arkert, "Depictions of Colonial Violence in the Southern Drakensberg through Rock Art, 1830-1880" (Johannesburg, The University of the Witwatersrand, 2021).
[17] Pieter Jolly, "Strangers to Brothers: Interaction Between South-Eastern San and Southern Nguni/Sotho Communities" (Unpublished Masters Thesis, University of Cape Town, 1994).
[18] Sam Challis, "Creolisation on the Nineteenth-Century Frontiers of Southern Africa: A Case Study of the AmaTola 'Bushmen' in the Maluti-Drakensberg," *Journal of Southern African Studies* 38, no. 2 (2012).
[19] J. B. Wright, 'Bushman raiders revisited', in P. Skotnes (ed.), *Claim to the Country: The Archive of Lucy Lloyd and Wilhelm Bleek* (Johannesburg, 2007).

titled “The 'Interior World' of the Nineteenth Century Maluti-Drakensberg Mountains,” state that they examine the network of interrelations in the Maluti “primarily through the lens of Bushman raiders.”[20] The category of Bushmen raiders often provided a useful scapegoat for stock theft when perpetrators could not be identified and masks a more complicated set of interrelations. The study proposed here does not aim to research rock art or Bushmen raiders. Instead, it aims to use ‘Nomansland’ as its organising principle. It will aim to present Nomansland as a creolised, internally constituted space of interconnection. The perceived chaos and disorder of Nomansland provide a useful lens through which to read South African historiography because it potentially destabilises and complicates grand settler narratives of state formation.[21] For example, narratives such as Theal’s *History* present South African history as a process of the formation of states like the Cape Colony, Natal, the Boer Republics and the Bashoto and Zulu nations. Examining an area like Nomansland, which is peripheral to these states, reveals an upland population which is in dynamic relation with these states, often evading and resisting state formation.

Nomansland also features in the histories of the Griqua. The Dictionary of South African English includes a genealogy of newspaper cuttings that refer to Nomansland, the earliest being an 1861 discussion of the establishment of East Griqualand, suggesting the discourse of Nomansland originates with the treaty negotiations for the establishment of East Griqualand. [22] There is an extensive literature on the Griqua. However, in his 2011 book *The Griqua Past and the Limits of South African History, 1902–1994*, Edward Cavanagh suggests that there is an erasure of the Griqua people from South African historiography.[23] Thus Cavanagh suggests that the Griqua are understudied and that there is a potential gap in the literature. Key texts on the Griqua in East Griqualand include Robert Ross’s *Adam Kok's Griquas: A Study in the Development of Stratification in South Africa* and William Dower’s *The Early Annals of Kokstad and Griqualand East,* published in 1902. Ross’s text includes a

[20] Rachel King and Sam Challis, “The ‘Interior World’ of the Nineteenth Century Maluti-Drakensberg Mountains,” *Journal of African History* 58, no. 2 (2017), 217.
[21] Rachel King, “Cattle, Raiding and Disorder in Southern African History,” *International African Institute* 87, no. 3 (2017),” King, *Outlaws, Anxiety, and Disorder in Southern Africa*.
[22] “No Man’s Land - Definition of No Man’s Land in A Dictionary of South African English - DSAE,” accessed December 2, 2023, https://dsae.co.za/entry/no-mans-land/e05231.
[23] Tara Weinberg, “Review: Griqua Land Rights and Settler Colonialism,” *Journal of Southern African Studies* 41, no. 1 (2015), 212.

section on the Griqua in Nomansland, which describes the legal, political, economic and religious aspects of the Griqua state.[24] Ross also describes the political manoeuvres around the establishment of East Griqualand and the Griqua rebellion. Dower's text is a key source of information for the functioning of the early Griqua state.[25] Several other works have been written on the Griqua.[26] This thesis attempts to reconceptualise the Griqua as integral to the Cape colonial state's state-making project as a militia which could be mobilised in the area to extend state structures.

Rachel King's and Sam Challis's work on "The 'Interior World' of the Nineteenth Century Maluti-Drakensberg Mountains," as well as King's "Cattle, Raiding and Disorder in Southern African History," are important for providing a theoretical framework for interpreting Nomansland and activities like cattle raiding.[27] However, the present study differs from this work in situating its focus primarily in colonial discourse around Nomansland, rather than the internal cosmology of raiders themselves. King's *work Outlaws, Anxiety, and Disorder in Southern Africa Material Histories of the Maluti-Drakensberg* does examine colonial discourse around the Maluti-Drakensberg as a place of refuge for "outlaws, deserters, and raiders whose activities placed them outside of recognised legal boundaries" and a site of anxiety.[28] She describes how the landscape was depicted as unruly, a wasteland, a wilderness, an unsettled space of transience, marginal and disorderly, untamed and primordial, an association which was often linked to the Bushmen living in the mountains.[29] The mountains were a focal point for colonial anxiety, summed up in Governor's Agent James Bowker's description of them as a 'nest of thieves' in 1869.[30] While King's work

[24] Robert Ross, *Adam Kok's Griquas: A Study in the Development of Stratification in South Africa* (Cambridge: Cambridge University Press, 1976).
[25] William Dower, *The Early Annals of Kokstad and Griqualand East* (Alpha Editions, 2019).
[26] See for example G. J. Groenewald, "'Family Relations and Civil Relations :' Nicolaas Waterboer's Journal of His Visit to Griqualand East, 1872," 2020, https://ujcontent.uj.ac.za/esploro/outputs/9910994907691, Thelma J. N. Knoll, "The Griquas of Griqualand East Until about 1878" (MA, University of Cape Town, 1935), Martin Chatfield Legassick, *The Politics of a South African Frontier: The Griqua, the Sotho-Tswana and the Missionaries, 1780-1840* (Basler Afrika Bibliographien, 2010), Karel Schoeman, *The Griqua Captaincy of Philoppolis, 1826-1861* (Pretoria: Protea Book House, 2002), I.B. Sutton, "The End of Coloured Independence: The Case of the Griqualand East Rebellion of 1878," *Transafrican Journal of History* 8, no. 1/2 (1979): 181–200.
[27] King, "Cattle, Raiding and Disorder in Southern African History"; King and Challis, "The 'Interior World' of the Nineteenth Century Maluti-Drakensberg Mountains."
[28] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 3.
[29] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 34.
[30] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 49.

provides a useful theoretical basis, the present study is also distinct in several ways. The archival material used differs from King's research in Lesotho. The present study views Nomansland primarily from the perspective of Natal and the Cape Colony. The territorial entity which seems to have been produced through negotiations with Faku and the establishment of East Griqualand is mentioned in King's text, but it is not her primary focus. *Outlaws, Anxiety, and Disorder in Southern Africa* is concerned with developing a theoretical framework for archaeological research. It is structured as a series of vignettes which cover a broad range of topics. My study focuses on the territorial entity called Nomansland and interprets it through an economic frame.

James Scott's work, *The Art of Not Being Governed: an Anarchist History of Upland Southeast Asia*, also explores the relationship between "hill people" and "the oppression of state-making projects in valleys" in South East Asia.[31] Scott describes the upland people of Zomia, the area above 300 m that extends from the central highlands of Vietnam to north-east India and that includes parts of all five mainland Southeast Asian states (Burma, Thailand, Laos, Cambodia, and Vietnam). He argues that upland society was formed consciously in response to the oppressive practices of lowland states. The economy and social formations of upland people were consciously anti-state and designed to evade state-making projects. A research concern of this thesis is to understand the logic of these "hill people," whom Scott describes as "runaways, fugitive, maroon communities who have…been fleeing the oppression of state-making projects in valleys."[32] The inhabitants of Nomansland are similarly described as "Bushmen…refugees and remnants of former chiefdoms, as well as individual freebooters, opportunists, racketeers and renegades of all castes and colours."[33] This thesis draws extensively on Scott's work in describing the resistance or escape economy of Nomansland in the first chapter.

Scott's work has been criticised by scholars of Southeast Asia for its lack of a firm evidential base, for essentialising the difference between upland society and valley society and for his

[31] Scott, *The Art of Not Being Governed*, X.
[32] Scott, *The Art of Not Being Governed*, X.
[33] Vinnicombe, *People of the Eland*, 64.

pejorative orientalist view of Southeast Asian states.[34] When applying Scott's thesis to a South African context his model often breaks down. His work has also been criticised by Fernando Coronil for simplifying "the mutual historical constitution of "state" and "market," their close interaction, and their ongoing transformation."[35] Coronil critiques Scott's *work Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* and his criticisms focus on modern states with highly developed commercial market. However, some of his criticisms can be applied to the *The Art of Not Being Governed*. Scott contrasts the inhabitants of the hills with those of lowland valley states. In Scott's conception, it is the governmental and fiscal relation of the state that is resisted by hill people, but Scott ignores how closely intertwined states are with the development of markets. "The modes of objectification, homogenization, and abstraction that Scott attributes to the state are inseparable from conceptual, technological, and social transformations linked not just to the constitution of modern state bureaucracies but to the development of global capitalism and the generalised commodification of social life."[36] It is not only states that order and homogenise people but also markets. Markets therefore play a role in governing people's relationship with abstract entities like the state. Scott's argument tends to ignore the market relations between valley people and hill people and focuses instead on the government of people by the state. While the commercial markets in Nomanansland and its surroundings were not as robust as those discussed by Coronil, the evidence suggests that the hill people of Nomansland were connected to the markets of lowland states.

Scott also tends to see resistance in every action pursued by hill people. The semi-nomadic lifeways of Botwa, based on their ivory hunting, allowed them to pursue mediated escape strategies to evade endemic marauding violence which was often an adjunct of the state disruptions caused by the Mfecane. This semi-nomadic way of life was also resistant to sedentary agriculture. Thus, ivory hunting constituted a resistance or escape economy,

[34] See Anandaroop Sen, "Genealogies of Exception: Writing Histories of North-East India," *History Compass: John Wiley & Sons Ltd*, 2021; Victor Lieberman, "Review Article: A Zone of Refuge in Southeast Asia? Reconceptualizing Interior Spaces The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia," *Journal of Global History* 5 (2010), Michael R. Dove, Jonsson Hjorleifur, and Michael Aung-Thwin, "Review: The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia by James C. Scott," *Bijdragen Tot de Taal-, Land- En Volkenkunde* 167, no. 1 (2011).
[35] Fernando Coronil, "Smelling Like a Market," *The American Historical Review* 106, no. 1 (2001), 124.
[36] Coronil, "Smelling Like a Market," 124.

which allowed Botwa to acquire subsistence while evading state-linked violence. However, far from the essentialised difference between state and society suggested by Scott, it will be seen that ivory hunters were connected with regional commercial markets. Their escape strategies thus represented a mediated form of evasion to state-linked violence. There is ambiguity about the degree to which the evasion strategies used by the hill people represent a conscious resistance to the state.

There are very few works which discuss Nomansland and its inhabitants.[37] Nomansland does feature in histories of the surrounding polities.[38] While Nomansland often features, it remains on the periphery of these studies. This study seeks to position Nomansland as the focal point of the research.

[37] See for example Duncan Du Bois, "The Birth of Alfred County: 1844-1870" (Archive of the History and African Studies Seminar, University of the Witwatersrand: KZN HAAS, 2013), https://phambo.wiser.org.za/seminars/du-bois/2013.html, Milner Snell, "'A Source of Future Trouble': Sidoyi kaBaleni and the Politics of Mzimkhulu," *Natalia* 50 (2020), Milner Snell, *A Small River in a Great Valley: A Journey through Old Umzimkulu* (Pietermaritzburg, 2020), Milner Snell, *Strachan & Co. (PTY) Limited: Merchants and Importers* (Kokstad, 2005); Snell, "The Making of 'Loyals' and 'Rebels': The 1880 Transkei Rebellion and the Subversion of the Chieftaincies of East Griqualand, 1874-1914," Margaret Rainier, *Madonela: Donald Strachan Autocrat of Umzimkulu* (Grahamstown: Mark Rainier, 2002, Shephard, *In the Shadow of the Drakensberg*.

[38] See for example Timothy J. Stapleton, *Faku: Rulership and Colonialism in the Mpondo Kingdom (c. 1780-1867)* (Wilfrid Laurier Univ. Press, 2006), Helen Bradford, "Peasants, Historians, and Gender: A South African Case Study Revisited, 1850-1886," *History and Theory* 39, no. 4 (2000), Colin Bundy, *The Rise and Fall of the South African Peasantry* (James Currey Publishers, 1988), Rachel King, "Among the Headless Hordes: Missionaries, Outlaws and Logics of Landscape in the Wittebergen Native Reserve, c. 1850–1871," *Journal of Southern African Studies* 44, no. 4 (2018): 659–80, Harold Graham Mackeurtan, *The Cradle Days of Natal (1497-1845)* (Longmans, Green and Company, 1930).

Chapter 2: The Ivory Trade: A Resistance Economy, 1820-1840

Introduction

The coastal regions of Nomansland supported a significant population of elephants.[39] Elephant hunting provided a means of subsistence by providing a source of food for a group of hunters who were variously described as Bushmen, Botwas or Nhlangwini. These people hunted with poisoned assegais and were not commercial hunters with guns. While it does seem that they maintained connections with lowland states their economic form provided them with a means of resisting and evading state violence. Hunting provided a means of subsistence which was unobtrusive and relied on a semi-nomadic way of life. This allowed the Botwas to remain agile and highly mobile, enabling them to evade state capture and violence when needed. Elephant hunting groups were also often quite small and able to retreat into the mountains when threatened.[40] Thus, elephant hunting provided a way of life that was mobile, isolated when necessary and relied on unobtrusive and flexible subsistence techniques. These characteristics formed the basis of a resistance or escape economy that allowed hill people to evade violence and encroachment by states. In contrast to Scott's argument, there was no essential difference between these hill people and valley communities and the Botwas were connected to, rather than evading, commercial markets. Ivory seems to have provided a valuable trade good that allowed hill people to form connections with valley communities. It was traded by the Bushmen through middlemen like Faku, who were connected with regional networks in Natal, the Cape and Delagoa Bay.[41] These trade networks were often resistant to private players such as merchants and traders trying to penetrate them.[42] Thus, while escape strategies were practised that formed the basis of a resistance economy in Nomansland this was also a symbiotic economy where

[39] See Gardiner, *Narrative of a Journey to the Zoolu Country*, 359, Margaret Hermina Lister, ed., *Journals of Andrew Geddes Bain: Trader, Explorer, Soldier, Road Engineer and Geologist* (Cape Town: Van Riebeeck Society, 1949), 111.
[40] Lister, ed., *Journals of Andrew Geddes Bain*, 120-121.
[41] Jolly, "Strangers to Brothers," 43.
[42] King and Challis, "The 'Interior World' of the Nineteenth Century Maluti-Drakensberg Mountains," 20.

state and violence evading hill Bushmen formed the core of an ivory network connected with the broader region.

A Habitat for Elephants?

The Maluti-Drakensberg rise to 3,842m at their highest before descending to the low-lying foothills in the valley of the Mzimkhulu and Mzimvubu rivers. The mountains are composed of sandstone which erodes to form natural shelters," creating locations ideally suited for dwelling."[43] The mountains create an area of high rainfall on the eastern, windward side of the range.[44] The majority of the Maluti-Drakensberg region falls within the Drakensberg Grassland bioregion.[45] Much of the area is arid due to the high summer evaporation.[46] The area experiences extreme temperatures rising to 30ºC in the summers and falling to below zero in the winters. The vegetation in the grasslands is Cymbopogon-Themeda veld, "a mosaic of sweetveld and 'sourveld' grasses (edible year-round but most palatable and nutritious in summer)."[47] The grassy foothills give way to the more densely vegetated coast, which consists of plants that are edible for elephants, including Rorippa fluviatillis var. caledonica and aloes.

Elephants were formerly found "everywhere south of the Sahara where water and trees occurred."[48] They have been found up to 2500m in elevation.[49] Elephants require palatable grasses to provide a rich and varied diet.[50] Allan Gardiner noted that the low hills of

[43] Rachel King, "Voluntary Barbarians of the Maluti-Drakensberg: The BaPhuthi Chiefdom, Cattle Raiding, and Colonial Rule in Nineteenth-Century Southern Africa" (Doctoral Dissertation, Oxford, University of Oxford, 2014), 80.
[44] King, "Voluntary Barbarians of the Maluti-Drakensberg," 79.
[45] King, "Voluntary Barbarians of the Maluti-Drakensberg," 82.
[46] King, "Voluntary Barbarians of the Maluti-Drakensberg," 82.
[47] King, "Voluntary Barbarians of the Maluti-Drakensberg," 84.
[48] Richard D. Estes, *The Safari Companion: A Guide to Watching African Mammals* (USA: Chelsea Green Publishing, 1993), 224.
[49] D. W Yalden, M. J. Largen, and D. Kock, "Catalogue of the Mammals of Ethiopia. Perissodactyla, Proboscidea, Hyracoidea, Lagomorpha, Tubulidentata, Sirenia, and Cetacea," *Monitore Zoologico Italiano. Supplemento* 21, no. 1 (n.d.): 31–103.
[50] John Skinner and Christian T. Chimimba, *The Mammals of the Southern African Subregion*, Third (Cambridge: Cambridge University Press, 2005), 54.

Nomansland were rich in timber.[51] Thus, it is possible elephants inhabited the grasslands of Nomansland. John Skinner and Christian Chimimba note that:

> In KwaZulu-Natal, the bush around the present-day suburb of Berea in Durban was noted for its large elephant population. Traces of Elephant paths, numerous in the 1860s, were still discernible in the 1880s. Between 1850 and 1875 immense numbers of elephants were destroyed in what was then Natal. In 1873, £17 199 worth of Ivory was exported through Natal and in 1885 this had declined to £4 100. The last elephants were shot at the Umgeni River in 1885, but there seems little doubt that there continued to be movements into northern KwaZulu-Natal from southern Mozambique that have continued up to the present day.[52]

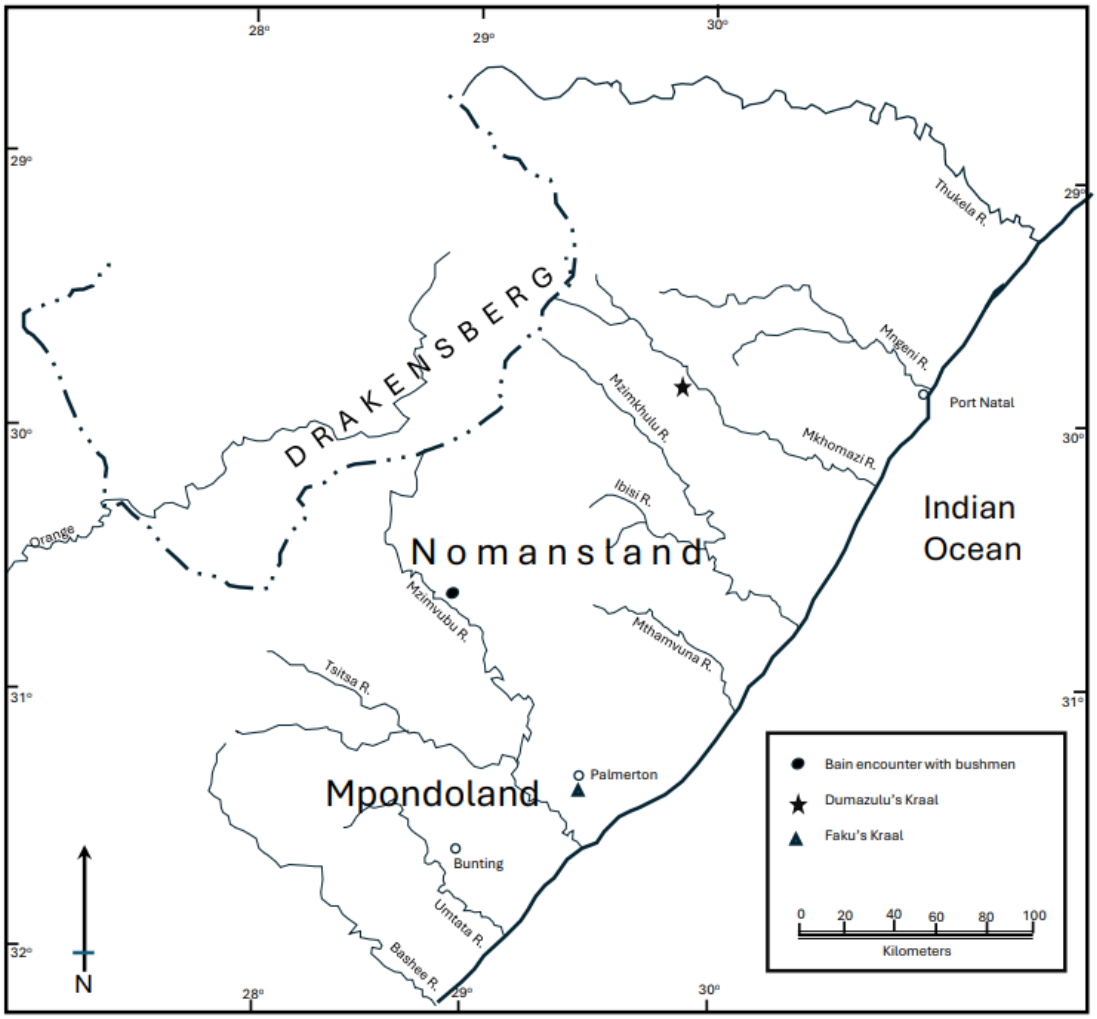
Thus, elephants were found in substantial numbers in the areas surrounding Nomansland. From travellers' and naturalists' accounts, it appears that the rolling hills of the Maluti-Drakensberg foothills supported populations of blue and black wildebeest, hippopotamus, leopard, and quagga; however, elephants are not recorded.[53] According to C. J. Skead, elephants were not found in the mountainous regions of Nomansland.[54] However, there is some evidence that elephants might have roamed over this area. Patricia Vinnicombe records five rock art paintings of elephants out of a total of 3 606 recorded animal paintings, 0.14% of the paintings, perhaps indicating that the artists saw elephants in the area, though they might also have been painted from memory of elephants seen elsewhere.[55] In his narrative, Gardiner records sighting "eland, and several bucks and partridge," as well as "hartebeest" and "Herds of gnu in all directions."[56] When about 30 miles from the coast along the Msikaba River he recorded coming across the carcass of an elephant.[57] From there

[51] Gardiner, *Narrative of a Journey to the Zoolu Country*, 412.
[52] Skinner and Chimimba, *The Mammals of the Southern African Subregion*, 54.
[53] King, "Voluntary Barbarians of the Maluti-Drakensberg," 85.
[54] C. J. Skead, *Historical Mammal Incidence in the Cape Province, vol. 2: The Eastern Half of the Cape Province, Including the Ciskei, Transkei and East Griqualand* (Port Elizabeth: Nelson Mandela Metropolitan University, 2007).
[55] Vinnicombe, *People of the Eland*, 364.
[56] Gardiner, *Narrative of a Journey to the Zoolu Country*, 320, 347.
[57] Gardiner, *Narrative of a Journey to the Zoolu Country*, 354.

he followed numerous tracks of elephants through the bush to the coast.[58] He sighted elephants along the coast of Nomansland.[59] There is also a suggestion that there may have been elephants in the Umzimkulu River basin as Gardnier met with "Mr Ogle, with a wagon laden with elephants' "teeth" near the mouth of the Umzimkulu. [60] Andrew Geddes Bain noted that elephants were found "on the Eastern side of the Umzimvubu in the mountainous forests of that country."[61] Thus, while it seems unlikely that the high ranges and foothills of Nomansland supported a significant elephant population, elephants inhabited the coastal area of Nomanlsand in abundance. Elephants still occurred in the area in the 1860s. Walter Currie specified that there were elephants in the area in his 1861 account. He noted that game was not plentiful, but there were elephants, hartebeest, eland, gnus and lions within the unoccupied country known as 'No Man's Land.'[62] Currie is not specific about where in Nomansland these elephants occurred, and it seems more likely that the elephants he describes occurred in the coastal areas than in the grassy foothills of Nomansland. Although there is little reference to elephants living in the mountainous regions of Nomansland in travellers' accounts, there are, however, references to elephant hunting groups who came from the foothills of Nomansland.[63]

[58] Gardiner, *Narrative of a Journey to the Zoolu Country*, 359.
[59] Gardiner, *Narrative of a Journey to the Zoolu Country*, 291.
[60] Gardiner, *Narrative of a Journey to the Zoolu Country*, 297.
[61] Lister, ed., *Journals of Andrew Geddes Bain*, 111.
[62] "Walter Currie Report on No Man's Land 1861," 1861, GH 28/76 57, KAB.
[63] See Gardiner, *Narrative of a Journey to the Zoolu Country*, 311, Lister, *Journals of Andrew Geddes Bain,* 120-121.

A Resistance Economy: 'Bushmen' Ivory Hunters



Map 2: Map of Nomansland and the surrounding areas

Source: Map created by Jan Arkert

During his journey in 1835, Allen Gardiner encountered a group of ivory hunters known as the Nhlangwini. Gardiner stopped at their village of Dumazulu ('Thundering Heavens') on the west bank of the Mkhomazi, situated between that river and the Mzimkhulu, about 50 miles from the coast. Gardiner relates that:

> The erroneous appellation of "Bushmen," by which the Inthlangain [sic] are commonly known at Port Natal, has obtained, from the circumstance of their having acquired the method of poisoning the assegais which they use in killing the elephant and other wild animals, from a party of wandering Bushmen with whom they were occasionally associated during their residence on the Umzimvoobo [sic].[64]

The passage shows that the Nhlangwini were elephant hunters and hunted with poisoned assegais. While Gardiner suggests that the Nhlangwini were mistakenly known as 'Bushmen', the passage suggests that there was at least one group of "wandering Bushmen" elephant hunters located on the Umzimvubu. The passage also shows that the Nhlangwini were transitory, ranging over Nomansland from the Umzimvubu to the Mkhomazi.

Gardiner provides a detailed record of Nhlangwini society. He notes that they originally lived high up on the right bank of the Thukela River but had been driven from the area around 1820 by Shaka's wars. The Nhlangwini had thus fled state violence. They were what James Scott terms "hill people," "runaways, fugitive, maroon communities who have…been fleeing the oppression of state-making projects in valleys."[65]

Gardiner describes the Nhlangwini as "wild mountaineers."[66] Gardiner notes that they lived in an isolated location that "could only be approached by a wagon, on account of the ruggedness of the ground, by a very circuitous route."[67] The village of the Nhlangwini's chief Fodo was situated "on the skirt of the narrow valley at the foot of the mountain."[68] Other Nhlangwini villages were located further up in the mountains. Thus, the Nhlangwini located themselves high in the hills in a difficult-to-reach location. Scott uses the term 'friction' to

[64] Gardiner, *Narrative of a Journey to the Zoolu Country*, 314.
[65] Scott, *The Art of Not Being Governed*, X.
[66] Gardiner, *Narrative of a Journey to the Zoolu Country*, 315.
[67] Gardiner, *Narrative of a Journey to the Zoolu Country*, 311.
[68] Gardiner, *Narrative of a Journey to the Zoolu Country*, 311.

refer to the difficulty traversing a landscape.[69] Distance as the crow flies on a map does not reflect the 'friction of distance.' Locations in swamps, dense forests or rugged mountains will be more difficult to traverse and are thus areas of high friction. Scott notes that "the friction of terrain set up sharp relatively inflexible limits to the effective reach of the traditional agrarian state."[70] Territories with high friction made it difficult for states to move large armies or transport grain and are thus difficult to govern and control. By locating themselves in an area of high friction, the Nhlangwini were able to place states at a distance and made it difficult for groups like the Zulu or settler colonial authorities to incorporate them, govern them or send armies to raid them. Location thus formed an effective adaptation to evade violence. The high hills and mountains of Nomansland and the surrounding areas served as a zone of refuge from state-making projects and violence.

Another technique of state evasion practised by the Nhlangwini was to live in relatively small, isolated bands. Gardiner estimated the Nhlangwini population to be between 300 and 400 men, with a total population of about 3000 organised into ten separate villages. Scott notes that "there is a small minimum group size below which new dangers and disadvantages loom."[71] Groups need to be able to protect themselves from raiding as well as wild animals. "Pooling the risk of illness, accident, death, and food shortages also argues for a minimum group size."[72] Scott estimates the minimum group size to be at least several families.[73] The Nhlangwini would have had around 30 families in a single village. Thus, the villages were small, allowing them to quickly scatter and hide if threatened. Andrew Smith, Superintendent of the South African Museum and an army medical officer, described in 1834 small, isolated bands living in the Maluti Mountains pursuing a nomadic way of life and hunting. He noted that "many small hordes were dispersed over the mountain sides, but these had neither a fixed or regular abode, they sought their shelter in the crevices of the rocks and wandered from place to place as the game migrated."[74]

[69] Scott, *The Art of Not Being Governed*,' 43.
[70] Scott, *The Art of Not Being Governed*,' 43.
[71] Scott, *The Art of Not Being Governed*,' 185.
[72] Scott, *The Art of Not Being Governed*,' 185.
[73] Scott, *The Art of Not Being Governed*,' 185.
[74] William F. Lye, ed., *Andrew Smith's Journal of His Expedition to the Interior of South Africa 1834-1836* (Cape Town: A. A. Balkema, 1975), 98.

The Nhlangwini were also isolated from surrounding states and groups of marauders. Gardiner noted that "their hunting expeditions had been chiefly confined to the intermediate country between this and the sea, ranging from the Umgani [sic]to the Umzimvoobo [sic]; they said they had in some instances been nearly to the Quathlamba but knew of no passes through those mountains, nor had they even heard of inhabitants in any of the intervening districts."[75] Gardiner also notes that "the name of Charka [sic], according to Foortu's account, was not even known to them until the approach of his army was announced."[76] The Nhlangwini were thus isolated from nearby state structures, like the Zulu. Their ignorance of other inhabitants in Nomansland can be seen as a state-preventing adaption which hampered the development of a larger state structure. The Nhlangwini's response to Gardiner, a representative of the Cape colonial state might be misleading. To a degree, state evasion is an archival effect rather than a historical reality. In the colonial archive, Nomansland is constructed as a peripheral place either uninhabited or occupied by refugees, outlaws, Bushmen and renegades. Thus, the perceived state evasion and resistance of the hill people of Nomansland could be an effect of this archival discourse. Their economic form could be a common feature rather than distinct evasion strategies. Nonetheless, this thesis suggests that the Nhlangwini's isolation functioned as an evasion technique which resisted violence and state formations by placing them at a distance and preventing the development of overarching state structures. Their small population size made them quickly adaptable to threats, allowing them to scatter and hide, but also maintain a minimum group size which could serve as protection.

The Nhlangwini's social structure and economy were also highly mobile. The Nhlangwini were described as "wandering" from the Thukela to the Umzimvubu and the Mkhomazi by Gardiner. The economic activity of elephant hunting was highly suited to this way of life. They are described as ranging from the Umgenii to the Umzimvubu between the Drakensberg mountains on hunting expeditions. Nathaniel Isaacs's account of the Nhlangwini describes them as adopting "a partly nomadic way of life, moving around in

[75] Gardiner, *Narrative of a Journey to the Zoolu Country*, 312.
[76] Gardiner, *Narrative of a Journey to the Zoolu Country*, 312.

search of elephants, and building temporary huts wherever they made a kill" and further notes that they had "'no fixed settlement."[77] Thus, elephant hunting allowed the Nhlangwini to be highly mobile. Scott notes that "the inaccessibility of a society is amplified if, in addition to being located at the periphery of power, it can easily shift to a more remote and advantageous site."[78] Easy mobility allows stateless people to evade the large armies of states and move beyond their control. Mobile societies are also able to avoid tax, corvee labour, tribute relations and raiding violence as their nomadic way of life makes them difficult to organise and regulate in fixed state structures. Thus, the Nhlangwini's elephant hunting served as a resistance economy which allowed them to easily avoid state-making projects. While there were few major states present in the area which the Nhlangwini would have been evading, evasion techniques allowed them to avoid the endemic predatory violence. Gardiner described the area of Nomansland as "uninhabited", despite finding evidence of human habitation, this can be seen as a misinterpretation of nomadic, unsettled ways of life in the area.[79]

The Nhlangwini did not limit their hunting activities to elephants. Gardiner recounts that they set out in pursuit of a Bushbuck during his stay with them and engaged in fishing.[80] Hunting provided the Nhlangwini with a means of subsistence. Scott notes that "those who choose to remain in the hills adopt subsistence strategies designed to escape detection and maximise their physical mobility should they be forced to flee again at a moment's notice."[81] Hunting provided the Nhlangwini with a means of sustaining themselves should they need to flee state encroachment, market hunters and marauding violence. It was a highly mobile economic form which allowed them, when needed, to pursue a nomadic way of life. Scott notes that "nomads are much harder to catch than settled farmers."[82] He also states that foraging and hunting were "a political choice or adaption to evade capture by the

[77] Wright, *Bushman Raiders of the Drakensberg*, *1840-1870,* 33, Nathaniel Isaacs, *Travels and Adventures in Eastern Africa, Descriptive of the Zoolas, Their Manners, Customs, & Etc*, vol. II (Cape Town, 1863), 37.
[78] Scott, *The Art of Not Being Governed*,' 184.
[79] Gardiner, *Narrative of a Journey to the Zoolu Country*, 345.
[80] Gardiner, *Narrative of a Journey to the Zoolu Country*, 315.
[81] Scott, *The Art of Not Being Governed*,' 181.
[82] Scott, *The Art of Not Being Governed*,' 185.

state.[83] Scott tends to see resistance in every action pursued by hill people. While hunting was an economic form which was resistance to states based on settled agriculture, hunting was a mediated escape strategy which often tied hill people to a symbiotic relation with the state but allowed them to evade state violence when needed.

The Nhlangwini also kept cattle.[84] Again, pastoralism would have enabled the Nhlangwini to remain mobile and nomadic when necessary. Such nomads are "constrained by their need for pasture but are unmatched in their ability to move quickly and over large distances."[85] Nomadic pastoralism also makes it easy to raid states and sedentary people. In Nomansland Gardiner found "traces of horses" in a cavern suggesting that at least some of the hill people of Nomansland rode horses.[86] When threatened, the Nhlangwini could retreat further into the mountains beyond reach. Hunting and pastoralism were mediated escape strategies. While they allowed the Nhlangwini to evade state violence when needed they were often not a conscious form of resistance and tied the Nhlangwini in a symbiotic relation with valley states.

The Nhlangwini also practiced agriculture. Gardiner notes that they grew ground beans, a low plant which produced beans at its root and maize.[87] These are what Scott terms 'escape crops:' crops which can be quickly grown and harvested, which grow in remote locations, and which are unobtrusive. Root crops, like ground beans, were "unobtrusive and could be left in the ground to be harvested at leisure."[88] They thus do not need to be stored and are not easily harvested or seized by an invading army which needs to feed itself.[89] Maize was a highly adaptable plant which could be grown at high altitudes and in the remote mountains, thus allowing the Nhlangwini to situate themselves in hard to reach locations.[90] Maize also

[83] Scott, *The Art of Not Being Governed*,' 185.
[84] Gardiner, *Narrative of a Journey to the Zoolu Country*, 315.
[85] Scott, *The Art of Not Being Governed*,' 184.
[86] Gardiner, *Narrative of a Journey to the Zoolu Country*, 345.
[87] Gardiner, *Narrative of a Journey to the Zoolu Country*, 315.
[88] Scott, *The Art of Not Being Governed*,' 190.
[89] Scott, *The Art of Not Being Governed*,' 195.
[90] Scott, *The Art of Not Being Governed*,' 196.

matures quickly, allowing for more mobility than labour intensive long-maturation crops.[91] However maize, a New World crop, also demonstrates that the Nhlangwini were connected with international commercial markets. The agricultural base of the Nhlangwini's society thus helped them to resist state invasion. This was a form of escape agriculture allowing them to be mobile, live in remote areas, and be unobtrusive and difficult to appropriate by an invading state. This 'escape agriculture' thus formed an important part of the Nhlangwini's resistance economy when needed.

The Nhlangwini were said to have learnt the techniques of elephant hunting from a group of wandering bushmen living by the Umzimvubu River. In 1829, Andrew Geddes Bain, who migrated to the Cape in 1814 and worked as a trader, soldier and geologist, journeyed from Grahamstown to the Umzimvubu to trade Ivory. On the east bank of the Umzimvubu, about 60 miles from the coast, Bain met with a band of Bushmen. These Bushmen lived in what Bain describes as a mountainous "rugged" area.[92] They thus located themselves in a hard-to-reach site, in an area states and marauding bands would find challenging to find or reach, in an area of high friction. Bain identified the Bushmen's captain as a man named 'Twangie', who explained that "he had in his younger days lived near the Colony, but as the white people had shot so many of his countrymen he fled to this country to escape the fate of his friends."[93] Thus, the area of Nomansland functioned as a site of refuge for these Bushmen fleeing the violence of state-making projects in the Cape Colony. Bain estimated that the band consisted of about 30 families. Once more we observe a small, isolated community evading violence and state incorporation when needed.

Bain noted the band of Bushmen were intermingled with several Africans.[94] Both the Bushmen and the Nhlangwini were known as 'Botwas', from abatwa meaning bushmen. Port Natal traders characterised Botwas as Bushmen or as displaced Nhlangwini. Rather than distinct ethnic San groups, the bands of Bushmen in the Drakensberg area appear to

[91] Scott, *The Art of Not Being Governed*,' 196.
[92] Lister, *Journals of Andrew Geddes Bain,* 109.
[93] Lister, *Journals of Andrew Geddes Bain,* 118.
[94] Lister, *Journals of Andrew Geddes Bain,* 118.

have been creolised communities.[95] King claims that "'Bushman' was a shorthand used to describe a form of (often mounted) nomadism rather than necessarily referring to a specific ethnic group."[96] Some indication of the types of individuals who may have joined up with these fragmented bands of 'Botwas' is given by Gardiner who describes the escape of a man named Mankanjana who had run away from Dingaan to Port Natal and who the Port Natal traders had the intention of returning to Dingaan. Gardiner notes that "the opinion that he would endeavour to make his way to the Amaponda country was so strong, that I thought it advisable to proceed in that direction."[97] Thus the Amapondo country and the area around the Umzimvubu had a reputation as a refugee for people fleeing state structures. The area of Nomansland was what James Scott terms 'a shatter zone': "where the human shards of state formation and rivalry accumulated willy nilly, creating regions of bewildering ethnic and linguistic diversity."[98] The 'Botwas' were ethnically diverse communities which were created out of the shards of refugees from state structures and rivalries.

The Bushmen that Bain encountered pursued a resistance or escape economy. Bain notes that "these people subsist entirely by hunting, mostly elephants and hippopotami."[99] The Bushmen thus pursued a subsistence economy of hunting. Bain notes that they used "poisoned harpoons" to hunt.[100]

Rachael King describes archaeological evidence that accumulated during the early second millennium AD when "hunter-gatherers adopted a form of seasonal transhumance" within the Maluti.[101] Bain describes the Bushmen as "wandering" and notes that "when they succeed in killing one of these animals they all remove to it and there remain until it is eat up; when hunger again drives them to the chase."[102] The Bushmen's subsistence hunting

[95] Challis, 'Creolisation on the Nineteenth-Century Frontiers of Southern Africa.
[96] King, "Voluntary Barbarians of the Maluti-Drakensberg," 100.
[97] Gardiner, *Narrative of a Journey to the Zoolu Country*, 149.
[98] Scott, *The Art of Not Being Governed*, 8.
[99] Lister, *Journals of Andrew Geddes Bain,* 118.
[100] Lister, *Journals of Andrew Geddes Bain,* 118.
[101] King, "Voluntary Barbarians of the Maluti-Drakensberg," 88.
[102] Lister, *Journals of Andrew Geddes Bain,* 118.

allowed them to pursue a nomadic way of life. This would have allowed them to evade violence and state capture when needed.

Bain also notes the "fertility" of the area around the Mzimvubu.[103] Noting that "Indian corn, Caffre Do, pumpkins etc. grow to an almost unprecedented size and almost without any cultivation." The Bushmen Bain encountered probably pursued seasonal transhumanism and hunter-gathering. If they did plant crops they would have practised a low labour-intensive form of swidden cultivation that utilised escape crops and were unobtrusive and allowed them to be mobile. King notes that "there is ample archaeological evidence for communities in this early phase of interaction improvising new identities and pathways to food production and procurement, utilising both wild and domestic resources," thus "providing buffers against subsistence failure "[104] King further notes that there is archaeological evidence that hunter-gathers may also have kept livestock.[105] Bain notes cattle "were the best commodity to barter for ivory with the Bushmen who inhabit the mountains near the Umzomvoobo [sic]."[106] Thus these bushmen kept cattle and traded ivory for cows. They thus also practised a form of nomadic pastoralism and were in a symbiotic relationship with lowland states.

The Nhlangwini and Bushmen societies and economy were well-positioned to evade and resist state appropriation and violence when needed. They lived in a remote location high in the mountains, they were organised in small, isolated villages, they were semi-nomadic, and they practised a form of escape agriculture and a resistance economy. Hunting provided them with a means of subsistence that was unobtrusive and highly mobile. Pastoralism also allowed them to be mobile. The crops they grew were unobtrusive, could be grown at high altitudes and matured quickly which would allow them to be mobile. Thus, the economy of the Nhlangwini and Bushmen allowed them to resist state encroachment and violence when needed. It can be termed a 'resistance economy. However, these were mediated escape

[103] Lister, *Journals of Andrew Geddes Bain,* 108.
[104] King, "Voluntary Barbarians of the Maluti-Drakensberg," 95.
[105] King, "Voluntary Barbarians of the Maluti-Drakensberg," 96.
[106] Lister, *Journals of Andrew Geddes Bain,* 98-99.

strategies. Rather than consciously pursuing state evasion these hill people were often in symbiotic relation with the state.

African Middle Men

Archaeological evidence suggests that hunter-gatherers and agriculturalists have been trading for the last 1800 years. “Hunter-gatherers were able to establish exchange contacts in virtually all directions and could selectively incorporate new technologies into their material repertoires.”[107] Peter Mitchell has traced the movement through the exchange of materials exotic to the Maluti-Drakensberg such as Indian Ocean marine shell (mostly Cypraea molluscs) and ostrich eggshell from the interior.[108] Furthermore glass beads have been found in forager contexts. Beginning in the mid-first millennium AD, glass beads arrived in Africa via Indian Ocean trade networks. Hunter-gatherers may also have acted as client stock-keepers for lowland agriculturalists.[109]

Hunter-gatherers and lowland agriculturalists thus appear to have lived in a reciprocal relationship. The Reverend W.B. Boyce encountered a San community near the Mzimvubu in 1830. He reported that "my last visit... was to a party of Bushmen, living in some wretched sheds close to the Zimvooboo [sic]. They usually roam about between the river and Natal, shooting elephants, the flesh of which they eat, and exchange the ivory with Faku's people for corn and tobacco."[110] Pieter Jolly suggests that “Faku may have been acting as middlemen in the ivory trade, obtaining ivory from the San, perhaps in return for their protection and a variety of farmer goods, and trading the ivory on to Europeans.”[111] Hunter-gathers who took refuge in the mountains and lowland valley people thus seem to have coexisted in symbiotic relations in which hunter-gatherers traded ivory and acted as client stock keepers in exchange for beads, shells and agricultural goods and protection.

[107] King, “Voluntary Barbarians of the Maluti-Drakensberg,” 89.
[108] King, “Voluntary Barbarians of the Maluti-Drakensberg,” 92.
[109] King, “Voluntary Barbarians of the Maluti-Drakensberg,” 96.
[110] A Steedman, *Wanderings and Adventures in the Interior of Africa*, vol. 2 (London: Longman, 1835), 280.
[111] Jolly, “Strangers to Brothers,” 43.

These lowland valley intermediaries functioned as an important trade link in the broader ivory economy of the region.

Bain notes that Twangie "doubted the sincerity of our intentions towards him" and refused to trade.[112] Bain instead traded with a chief named Mahais or Mayase, whom Bain describes as a "celebrated elephant hunter."[113] King and Challis note that "many Botwa bands had leaders who traded only with specific chiefs (for example, the Mpondo chief Faku), maintaining a fairly rigid supply chain that frustrated European traders."[114] Thus the Bushmen ivory hunters in the Nomansland area did not trade directly with Europeans. Instead, there was a fixed supply chain in which Bushmen and Europeans traded through African chiefs who functioned as intermediaries in the ivory trade network. The ivory economy of Nomansland was thus a semi-resistant to incoming white trades one with specific channels of circulation and this formed an important feature of the Botwa's resistance economy. Ivory was potentially a source of tribute to representatives of lowland states like Faku but was resistant to commercial traders. Bain traded ivory in small quantities with various African groups during his journey, the Xhosa, Thembu, AmaPondo and AmaXesibe.[115]

Bain only traded ivory in significant quantities after news of an incoming band of Qwabe, refugees of the Mfecane.[116] Bain's assistance was requested in fending off the attackers illustrating that commercial ties provided a means of protection.[117] Mayase hurriedly traded his surplus supplies of ivory with Bain so that he could move his refuge in the mountains further north.[118] Bain managed to trade 2500 pounds of ivory with Mayase in three days.[119] This ivory was traded for beads and cattle.[120] Many of the cattle were killed and eaten as

[112] Lister, *Journals of Andrew Geddes Bain,* 118.
[113] Lister, *Journals of Andrew Geddes Bain,* 115.
[114] King and Challis, "The 'Interior World' of the Nineteenth Century Maluti-Drakensberg Mountains," 20.
[115] Lister, *Journals of Andrew Geddes Bain,* 92,94, 101, 115.
[116] Lister, *Journals of Andrew Geddes Bain,* 119-120.
[117] Lister, *Journals of Andrew Geddes Bain,* 120.
[118] Lister, *Journals of Andrew Geddes Bain,* 120-121.
[119] Lister, *Journals of Andrew Geddes Bain,* 120.
[120] Lister, *Journals of Andrew Geddes Bain,* 117, 119-120.

soon as they had been traded.[121] The incident reveals some important features of the resistance or escape economy. Firstly, it reveals the mountains in the northern part of Nomansland acted as a zone of refuge for hill people fleeing violence. The violence that was being evaded was not the violence of the colonial state but of smaller marauding bands, which were themselves mimicking and evading the violence of the Zulu state. The southern part of Nomansland functioned as a hunting ground where ivory could be collected and traded with local groups like the AmaPondo in a symbiotic relationship. The speed at which Mayse sold his surplus ivory supplies to Bain and killed rather than kept the cattle traded illustrates that rapid mobility was a key feature of escape or resistance in Nomansland. Thus, mobility formed a fundamental component of the resistance economy. The incident also clarifies what was being resisted or evaded was not so much the fiscal relations of state structures as in James Scott's formation, but the violence of raiding bands which were often an adjunct and refugees of state violence.

Far from an essentialised difference between hill and valley people the Nhlangwini and Bushmen were connected with commercial markets. As Scott notes hill and valley people usually live in a 'symbiotic' relationship. Hill peoples "are dependent on the valley state for vital trade goods and may position themselves cheek by jowl with valley kingdoms to take full advantage of the opportunities for profit and plunder, while generally remaining outside direct political control."[122] He further notes that "what is being evaded is not a relationship per se but an evasion of subject status."[123] Thus in the case of the Nhlangwini they seem to have maintained links with surrounding groups as a source of trade goods. Connection with settlers could also provide a means of protection. Andrew Smith reported that around Port Natal:

> A population of between 2,000 and 3,000 souls have attached themselves to the colonial traders and live around them in the immediate vicinity of the bay. These persons are the remains of tribes which formerly occupied the present

[121] Lister, *Journals of Andrew Geddes Bain,* 120.
[122] Scott, *The Art of Not Being Governed*,' 327.
[123] Scott, *The Art of Not Being Governed*,' 330.

> depopulated territory, and who, from the time they were conquered and plundered of their cattle till the year 1824, kept constantly secreted in the depths of the forests purposely to avoid the spears of the Zoolas. All of them are extremely poor, but industrious, kind and peaceable to a miracle; they evince great attachment to their protectors and display a lively interest for their prosperity.[124]

The quote illustrates that these inhabitants had pursued an escape economy in the forests around Port Natal and had formed connections with the Port Natal traders as a means of protection.

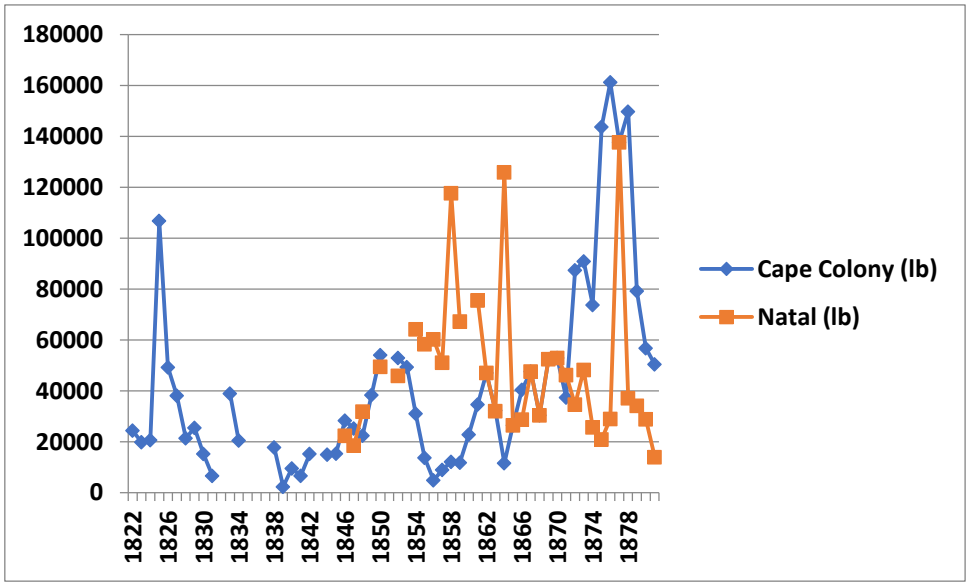
Gardiner reports having "already made acquaintance with Foortu [sic] at Berea."[125] Gardiner does not give details of precisely what Fodo was doing in Berea, but his presence there shows that a link was maintained between the Nhlangwini and Port Natal. Graham Mackeurtan notes that Henry Francis Fynn was trading ivory with the Nhlangwini.[126] Fodo's brother Nondabula was a renowned hunter who ranged throughout the area gathering trophies such as ivory, animal pelts and blue crane feathers, which were valued as military regalia, in which he was known to trade for cattle.[127] Thus, circumstantially, it seems likely that Fodo was in Berea to trade ivory for cattle. Cattle would have been a useful trade good as they were mobile and could be transported from Berea to the Nhlangwini's isolated location in Dumazulu. Isaacs also mentions the Nhlangwini trading ivory with Bantu speakers on the Cape frontier.[128] Elephant hunting thus not only provided the Nhlangwini with an economic form that was resistant to state appropriation, but it also provided them with a valuable trade good, ivory. Ivory, traded for cattle, allowed the Nhlangwini to convert one form of escape economy, hunting, into another, nomadic pastoralism. Ivory trading

[124] "Papers Relative to the Condition and Treatment of the Native Inhabitants of Southern Africa within the Colony of the Cape of Good Hope or beyond the Frontier of That Colony," March 17, 1835, 015781 No. 50, BPP, 100.
[125] Gardiner, *Narrative of a Journey to the Zoolu Country*, 311.
[126] Mackeurtan, *The Cradle Days of Natal*, 57.
[127] Rainier, *Madonela,*14.
[128] Isaacs, *Travels and Adventures in Eastern Africa, Descriptive of the Zoolas, Their Manners, Customs, & Etc*, 37.

made the Nhlangwini's economy highly adaptable. They could shift between hunting, trade and pastoralism depending on the circumstances, though this was seasonally constrained. While their economy was like other economic forms within the context of the endemic state raiding violence of Nomansland and the surrounding area it served the function of helping hill people evade and resist state violence. Thus, their resistance economy was adaptable and could resist a variety of encroachments.

Regional Network

Hunter-gathers were connected to a regional trading network. Ivory was traded through the Cape, Natal and Fort Wilshire. The graph below shows the quantity of ivory exported from the Cape and Natal between 1822 and 1880. The data for Natal only begins in 1846, starting with a figure of 22 388 lbs (10 155 kg). By 1850, this figure had risen to 49 481 lbs (22 444 kg). The low figures before 1850 and the lack of data before that date suggest that an ivory trading network had not significantly penetrated Natal before that time. This is supported by the Cape data which shows low figures before 1870. However, the Cape data shows a spike of 106 788 lbs (48 438 kg) in 1825. This is precisely the period when there are accounts of nomadic Bushmen elephant hunters around the Nomansland region. Thus, supporting the hypothesis these ivory hunters were connected with a regional ivory economy. The sudden spike in 1825 suggests a degree of stockpiling and challenges the assumption that groups like the Botwas were commercial ivory hunters.



Graph Showing the Ivory Exports from the Cape and Natal between 1822 and 1881

Source: *The Cape of Good Hope and Port Natal Shipping and Mercantile Gazette*, January 5, 1849; Dr. Mann, "Statistical Notes Regarding the Colony of Natal," *Journal of the Statistical Society of London* 32, no. 1 (1869), 25. *Annual Statement of the Trade and Navigation of the United Kingdom with Foreign Countries and British Possessions*, 1855-1901 015781, BPP, 84.

In 1834 John Cane, who had been living near the Umzimkulu River, carried a letter to Governor D'Urban from Dingane. Cane reported that the inhabitants of Natal and Zululand "are already glutted with beads which they procure from the Portuguese settlement at Delagoa Bay at a much cheaper rate than they can be purchased at Grahamstown."[129] He also noted that ivory was extremely scarce as most of the Bushmen who had formerly followed elephant hunting as an occupation had given it up for tillage.[130] Cane's complaint is supported by the data on Ivory exports which shows a steady decline in ivory exports after 1825, suggesting Botwa ivory hunters were key to

[129] James Stuart and D. Mck. Malcolm, eds., *The Diary of Henry Francis Fynn* (Pietermaritzburg: Shuter and Shooter, 1969), 235.
[130] Stuart and Malcolm, eds., *The Diary of Henry Francis Fynn*, 235.

the regional market. However, Cane's account of the Bushmen giving up ivory hunting is called into question by Gardiner's account, which describes the Nhlangwini as hunting elephants in 1835. There are accounts of them still active in the area in the 1840s, though it is not clear if they were still hunting elephants.[131] Records of Bushmen ivory hunters do seem to disappear after that date. There are accounts of ivory hunters later. In the 1850s, a Khoi from the Kat River settlement, Smith Pommer, was hunting elephants on horseback in the Nomansland area.[132] Cane's account suggests that these Bushmen were key suppliers in the regional network as evidenced by the scarcity of ivory supplies after their disappearance. Cane's account also suggests that Nomansland was situated in the middle of a regional trade network which included Grahamstown, Natal and Delagoa Bay.

In 1825 Fynn established a trading post with the amaMpondo and "collected a great quantity of ivory."[133] Fynn's ivory was transported overland to Natal. Fynn had originally intended that the trading ship *Julia* would stop at the AmaMpondo from Algoa Bay to transport the ivory to the colony, but the *Julia* did not arrive.[134] In 1827 Fynn established a station near the Mzimkhulu River which attracted around two thousand African followers. This private army hunted elephants for ivory.[135] Other Natal traders also began trading ivory in the region of Nomansland. Gardiner describes Natal elephant hunters as a "motley crew" consisting of "white, brown and black," "sullen Hottentots and blithsome Kali."[136] Cawood and Turvey traded ivory with Bushmen in the Umzimvubu mountains in the 1820s.[137] In late 1828, a trader named Shaw visited Faku on behalf of Colonel Somerset. He demanded that Faku prohibit any other Europeans from passing through his country. Shaw continued to hunt elephants in the area for at

[131] Wright, *Bushman Raiders of the Drakensberg, 1840-1870*, 65-66.
[132] Rainier, *Madonela,*20.
[133] Stuart and Malcolm, eds., *The Diary of Henry Francis Fynn*, 113.
[134] Stuart and Malcolm, eds., *The Diary of Henry Francis Fynn*, 118.
[135] Stapleton, *Faku*, 19.
[136] Gardiner, *Narrative of a Journey to the Zoolu Country*, 111-113.
[137] Lister, *Journals of Andrew Geddes Bain,* 98-99.

least another year.[138] Trading ships stopped at Port Natal once or twice a year in the 1820s and would have transported ivory to Delagoa Bay or the Colony.[139]

In 1828 Cane was given orders by the Cape colonial government "to demand all the ivory from the frontier chiefs and [to] give it to the colonial Government" effectively making the trade in ivory among the frontier tribes illicit.[140] However, as Fynn notes, "such orders were useless."[141]

In addition to the sea route from Natal, ivory would also have been conveyed overland to the colony. Bain started his journey from Grahamstown and after returning with a wagon load of ivory, he would have sold it in Grahamstown or Fort Willshire. Fort Willshire was founded in 1820 on the Keiskamma River and was the site of a great market for traders. Cory states that three shillings in beads was the price for ivory per pound in 1825. From August 8th, 1824 to March 1825 50 441 lbs (22 879 kg) were obtained.[142] Cane's statement about the price of beads in Grahamstown and Delagoa Bay also indicates that the inhabitants of Natal and the surrounding areas were trading in Grahamstown at the time. A well-established trade route existed between Port Natal and Grahamstown in the 1830s.[143] The economy of Albany was dominated by the trade in animal products which accounted for more than 75% of its total trade value in 1831.[144] Significant quantities of ivory were exported out of Port Elizabeth, 31 495 lbs (14 286 kg) in 1854.[145] The Cape Town Market was smaller in extent with around 4 000 lbs (1 814 kg) exported in 1844.[146].

[138] Stapleton, *Faku*, 23-24.
[139] Stuart and Malcolm, eds., *The Diary of Henry Francis Fynn*, 118.
[140] Stuart and Malcolm, eds., *The Diary of Henry Francis Fynn*, 155.
[141] Stuart and Malcolm, eds., *The Diary of Henry Francis Fynn*, 155.
[142] Lister, *Journals of Andrew Geddes Bain,* 92.
[143] "Papers Relative to the Condition and Treatment of the Native Inhabitants of Southern Africa within the Colony of the Cape of Good Hope or beyond the Frontier of That Colony," March 17, 1835, 015781 No. 50, BPP, 59.
[144] J. B. Peires, "The British and the Cape Colony 1814-1834," in *The Shaping of South African Society, 1652–1840*, ed. Richard Elphick and Hermann Giliomee (Wesleyan University Press, 2014), 91.
[145] *The Cape of Good Hope and Port Natal Shipping and Mercantile Gazette*, January 6, 1854.
[146] *The Cape of Good Hope and Port Natal Shipping and Mercantile Gazette*, June 7, 1854, September 6, 1854, December 6, 1854.

Cane's statement also indicates that the inhabitants of Natal and the surrounding areas were trading with Delagoa Bay. Archaeological evidence of glass beads from Indian Ocean trade networks found in a forager context suggests that the hunter-gatherers of the Maluti-Drakensberg may have had connections with these trade networks.[147] Gardiner notes that the Zulu traded for brass with the Portuguese in exchange for cattle and ivory. [148] Delagoa Bay was a key centre for the ivory trade and exports may have reached over 100 000 pounds at their height in the 1770s.[149]

Conclusion

Nomansland was an area of endemic violence in the 1820s and 1830s. Much of this violence was the result of the Mfecane. Predatory bands roamed the countryside. Many of the inhabitants of Nomansland pursued evasion strategies like elephant hunting which formed the basis of a resistance or escape economy. It provided them with subsistence, mobility and the ability to isolate themselves in a remote location. It also provided them with a valuable trade good through which they formed alliances with valley people. Thus, rather than Scott's model of conscious state evasion, we see groups like the Nhlangwini and Bushmen bands living in a symbiotic relationship with surrounding states. The essentialised difference between hill people and valley people, as suggested by Scott, is not supported by the evidence. Hill people also maintained close connections with valley markets for a supply of trade goods and a source of protection. Thus, rather than a conscious state-evading economy the escape or resistance economy of Nomansland consisted of mediated escape strategies designed to evade endemic violence. The Bushmen's resistance economy formed the core of an ivory trading network which passed through African middlemen and extended to

[147] King, "Voluntary Barbarians of the Maluti-Drakensberg," 92.
[148] Gardiner, *Narrative of a Journey to the Zoolu Country*, 105.
[149] Elizabeth Eldredge, "Sources of Conflict in Southern Africa c.1800-1830: The 'Mfecane' Reconsidered," in *Mfecane Aftermath: Reconstructive Debates in Southern African History*, ed. Carolyn Hamilton et al. (NYU Press, 1995), 129.

regional networks in the Cape, Natal and Delagoa Bay. The Cape colonial government's attempt to demand all the ivory from the frontier chiefs technically made this trade illicit. But the government at this stage had little ability to enforce its demands and thus the resistance economy continued to flourish in the isolated Nomansland.

Duncan Du Bois suggests that in Nomansland "with the proliferation of firearms, by the 1850s the elephant population had been exterminated."[150] Thus elephant hunting and the ivory trade seem to have declined significantly in the 1840s and 1850s in Nomansland. Records of Bushmen ivory hunters do not appear after that date; in fact, Cane stated that the Bushmen hunters had turned to tillage around the 1830s. The 1850s was also when the Cape colonial state began to intervene more seriously in the area, creating the territory of 'Nomansland.'

[150] Du Bois, "The Birth of Alfred County: 1844-1870," 1.

Chapter 3: Cattle Raiding: A Genealogy of Nomansland, 1840-1860

Introduction

In contrast to James Scott's argument that the creation of zones of refuge and 'shatter zones' was a response by hill people fleeing states, the present chapter will argue that the 'lawless' and 'disordered' Nomansland was a creation of state discourse. In the 1840s and 1850s, Nomansland was everybody's land. It was a zone of refuge, but the territory of 'Nomansland' was also a creation of the colonial state that served as a justification for the imposition of colonial order. While no colonial state was present in the area in the 1840s and 1850s the treaty negotiations with Faku that took place in the 1840s were an attempt to impose territorial order on a region that colonial discourse presented as disordered. This perceived disorder was closely tied to cattle raiding activities in the area and the 1844 treaty with Faku attempted to establish a recognised authority in the area who could be held accountable for cattle raiding. Faku's inability to control cattle raiding justified descriptions of the area as disordered, lawless, unsettled and with endemic war and led to the cession of the territory from Faku and the creation of an area known as Nomansland. The creation of Nomansland opened the territory for the settlement of the Griqua, who were meant to establish order in the area by the formation of a state. That order took the form of the establishment of a legal structure, military policing, taxation and the development of settled agriculture.

Genealogy of Nomansland

The area of Nomansland was originally called the territory of Kaffraria Proper. Kaffraria Proper included the area between the Kei River and Natal. In a dispatch to the Secretary of State dated December 22, 1854, George Grey described the "unsettled state of the minds of the tribes already inhabiting it."[151] Grey feared an outbreak of war and he further noted the "danger to which Natal is now exposed from the direction of Kaffraria."[152] To Grey, Kaffraria Proper was a source of anxiety and turbulence. Grey also viewed it as an unsettled space

[151] George Grey, "Dispatch from George Grey," December 22, 1854, GH 23/26-7, KAB.
[152] George Grey, "Dispatch from George Grey," December 22, 1854, GH 23/26-7, KAB.

into which the Ngqika or Zulu tribes could be moved.[153] To Grey, Kaffraria Proper was, therefore, a space of turbulence and war, but also a space open for settlement.

Such descriptions carried through to the genealogy of Nomansland. In a letter to Cape Governor P. E. Wodehouse from 1862 the Lieutenant-Governor of Natal, John Scott noted that "the term "No Man's Land" has arisen from the circumstance that the Chief Faku, after the cession made by him of the territory in question to this Government, has never exercised any control over it, while this Government has hitherto been unable to interfere, and thus the territory has remained without any paramount rule."[154] Nomansland was thus an extension of the colonial state. Ostensibly the territory was controlled by Natal, but the state of Natal lacked the capacity to police, and impose tax and a legal structure on the area. The state discourse of Nomansland presented the area as disordered, requiring the imposition of colonial order and open for settlement. The term 'Nomansland' thus seems to originate with the treaty negotiations between the Cape Government, Natal and Faku in the 1850s. Its genealogy was closely tied to the lack of recognised state authority and the corresponding lawlessness in the area. There are several key aspects of this genealogy. Nomansland is described as unruly, disordered, lawless, unsettled and in a state of war. Faku's cession resulted from his inability to control cattle raiding from the area and these descriptions can be closely tied to the cattle raiding in the area.

In his journey through the area in the 1830s Allen Gardiner describes the landscape as "a continued barrier of steep rocks"; "nothing but a confused mass of crags and precipices, towering to a considerable height"; and "the complete labyrinth of rocky precipices which seemed to intersect the country in every direction."[155] To Gardiner the landscape was unruly and disorderly. Andrew Smith also described "rugged precipices" and "wall-like barriers."[156] Joseph Orpen, British Resident of Nomansland in 1874, described the Malutis as "an unmapped and unknown square piece of rugged mountains"[157] Furthermore this

[153] George Grey, "Dispatch from George Grey," December 22, 1854, GH 23/26-7, KAB.
[154] "Correspondence Relative to the Settlement of the Country Between the Bashee and the Western Border of Natal, 1862," 1862, CPP G53, KAB, 6.
[155] Gardiner, *Narrative of a Journey to the Zoolu Country*, 346-347
[156] Lye, *Andrew Smith's Journal of His Expedition to the Interior of South Africa 1834-1836,* 98, 100.
[157] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 123.

landscape was inhabited by disorderly people: raiders, refugees and fugitives.[158] "Bushmen…refugees and remnants of former chiefdoms, as well as individual freebooters, opportunists, racketeers and renegades of all castes and colours" all inhabited the space and were perceived as disorderly by colonial authorities.[159] While the fear of raiders was not confined to Nomansland, with the Northern Frontier of the Gariep also seen as a space of disorder, it was a feature of colonial anxiety about the Drakensberg mountains. In an 1862 dispatch Governor P. E Wodehouse noted that "the petty tribes and chiefs inhabiting it have lived in a state of lawless disorder."[160] Rachel King describes the Maluti Mountainsas "a space conceived of as marginal and disorderly."[161] These perceptions intertwined the landscape with its inhabitants. "Perceptions of Bushmen, raiders, and outlaws were intertwined with perceptions of the Maluti-Drakensberg landscape as untamed and primordial."[162] This perceived disorder made the mountains a site of anxiety for colonial officials. The mountains were "spaces that were too difficult for expanding governments to access" that "saw influxes of people dubbed outlaws, deserters, and raiders whose activities placed them outside of recognised legal boundaries."[163] Charles Brownlee, the Cape Secretary of Native Affairs, complained of "irregularities and disorders which had taken place in land which had been ceded to Her Majesty by Faku."[164] He noted "everything in confusion and disorder" in Nomansland when Joseph Orpen took up residency there.[165]

Closely tied to descriptions of the mountains as unruly and disorderly were the perceptions of Nomansland as a lawless space. Governor's Agent James Bowker described the mountains as "a nest for thieves" in 1869, referring specifically to fugitives, squatters, vagrants, outlaws, Bushmen and cattle raiders.[166] Joseph Orpen describes it as a "harbour for outlaws."[167] In an 1860 dispatch to the Secretary of State, John Scott, Lieutenant-Governor of Natal expressed alarm at the "lawlessness and turbulence" in the area. He was

[158] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 58
[159] Vinnicombe, *People of the Eland*, 64.
[160] "Correspondence Relative to the Settlement of the Country Between the Bashee and the Western Border of Natal, 1862," 1862, CPP G53, KAB, 8.
[161] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 35.
[162] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 35.
[163] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 3.
[164] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 66..
[165] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 113.
[166] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 55.
[167] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 50.

concerned about armed and mounted gangs that traded gunpowder and firearms with other lawless elements beyond the Drakensberg Mountains.[168] In 1862 he again noted the "present lawless condition of 'No Man's Land'" and expressed his "anxiety to assume control" over an "illicit traffic in firearms and gunpowder, carried on between this colony [Natal] and the native tribes."[169] This lawlessness was often linked to cattle raiding.[170] These raiding bands were viewed as a threat to the security of Natal. Lieutenant-Governor of Natal Benjamin Pine noted in 1850 that "extensive robberies have from time to time been committed within this district by Bushmen living in the country over which the paramount authority of the Chief Faku was recognised."[171] John Scott noted "the very lawless condition of the petty tribes living in "No Man's Land" and the very pernicious effect this state of things on our borders was having the adjoining native tribes within this colony."[172] In 1865 Nomansland was described as a refuge for "the destitute where crime, licence and vice in all its forms find a fit and safe sanctuary" by the *Natal Mercury.*[173]

Another key aspect of the genealogy of Nomansland was perceptions of the area as unsettled and uninhabited. Theal notes that in 1829 Benjamin Green travelled through the district with Dr. Cowie, district surgeon of Albany, and found that "after crossing the Umzimvubu they entered a nearly depopulated country."[174] Allen Gardiner during his 1835 journey through the area described it as "uninhabited"[175] In 1857, George Grey described the territory as "in great part unoccupied."[176] In his 1861 report on 'No man's Land' Walter Currie drew on these earlier descriptions and noted that "only about two thirds of this extensive country may be said to be occupied and that but very scantily, the remainder has few traces of ever having been occupied by human creatures save a few Bushmen painting

[168] Du Bois, "The Birth of Alfred County: 1844-1870," 2.
[169] "Correspondence Relative to the Settlement of the Country Between the Bashee and the Western Border of Natal, 1862," 1862, CPP G53, KAB, 10.
[170] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 152.
[171] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 27.
[172] "Correspondence Relative to the Settlement of the Country Between the Bashee and the Western Border of Natal, 1862," 1862, CPP G53, KAB, 6.
[173] Quoted in Du Bois, "The Birth of Alfred County: 1844-1870," 1.
[174] George McCall Theal, *History of South Africa: From the Foundation of the European Settlement to Our Own Times*, vol. IV (London: Swan Sonnenschien & Co., 1893), 133.
[175] Gardiner, *Narrative of a Journey to the Zoolu Country*, 15.
[176] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 19.

in caves."[177] Joseph Orpen, chief Magistrate of St. John's territory in 1874, noted that "till recent times one-third of the territory, its upper part, had always been an unoccupied waste, and so was much of its lower part."[178] He describes the area between Natal and the British Kaffraria as a "desolate waste."[179] Even in 1976, John Shephard's account of the area claimed that "The story of Nomansland differs only in so far that the country until recent historical times was an uninhabited vacuum, without human habitation, claimed by no tribe or race, and under the jurisdiction of no power."[180]

Descriptions of the territory were contradictory. Despite descriptions of the area as uninhabited, a final aspect of the descriptions of Nomansland is of the territory as a space of war. Settler mythology held that the area had been depopulated by the Mfecane. In relating the history of Nomansland Joseph Orpen related that "the Baca [sic] tribe had been driven into it by Chaka [sic], and were at one time forced into Faku's territory (which was near the sea) by war with the Tambookies."[181] Brownlee noted that "no man lived in the country from the Tugela [sic] to the Umzimvoobu [sic], for Chaka [sic] had destroyed the inhabitants and made the land a wilderness."[182] In his account of his journey Allen Gardiner described frequent wars taking place in the territory of the Amapondo.[183] And Faku is described by Orpen as "waging wars against the Baca [sic] and other tribes over whom the treaty styled him paramount."[184] Grey also feared another frontier war with Natal would result from the cattle raiding activities of the occupants of Nomansland.[185] In alarmist rhetoric various officials and governors described the cattle raiding as war. John Scott noted in 1862 that "the territory has been the scene of continued contentions between the petty chiefs, of mutual robberies of cattle and of savage carnage."[186] In his 1861 report on 'No man's land' Walter Currie described the inhabitants of Nomansland as "the whole of these are at war

[177] "Walter Currie Report on No Man's Land 1861," 1861, GH 28/76 57, KAB.
[178] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 47.
[179] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 48.
[180] Shephard, *In the Shadow of the Drakensberg*.
[181] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 48.
[182] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 84.
[183] Gardiner, *Narrative of a Journey to the Zoolu Country*, 277.
[184] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 48.
[185] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 22.
[186] "Correspondence Relative to the Settlement of the Country between the Bashee and the Western Border of Natal, 1862," 1862, CPP G53, KAB, 6.

with each other, and during the brief summer months are always fighting."[187] He further noted that "in these conflicts neither man, women or children are spared"[188] Charles Brownlee noted that "wars [were] taking place" in Nomansland and the adjacent territories and stated that chiefdoms in the area had been engaged in "constant war."[189] In the 1875 Blue Book on Native Affairs, J. Orpen noted "constant wars" in St. John's territory.[190] He describes the chiefdoms of Nomansland as "Warlike"[191] and notes that "destructive wars raged in the ceded territory."[192]

Cattle Raiding in Nomansland

Cattle raiding was central to the economy of Nomansland. The bands of Bushmen raiders operating from Nomansland have been well-chartered by John Wright and Patricia Vinnicombe.[193] Bushmen had been raiding the Natal farmers from at least 1840. In the late forties, the bands of Mdwebo and Nqabayo the Thola raided both Natal and the north-eastern Cape with the Bhaca and the Mpondomise. The Thola were also joined by coloured freebooters from the Cape frontier. In the late 1850s, bands were still descending on Natal from the territory of the Mpondomise. In the 1860s and early 1870s the bands of Swayi and others were operating from South-eastern Lesotho.[194] However raiding activity was not confined to the Bushmen. Basotho, Pondo, Pondomise, Thembu and Bhaca were all engaged in a series of tit-for-tat raids in Nomansland. In the 1830s, Moshoeshoe, accompanied by the subordinate chief Moorosi, launched raids into Thembu territory and Nomansland.[195] These raids were often small in scale numbering between 20 and 50 cattle.[196] The Bhaca under Mchithwa, the Pondomise under Mandela and a Fingo chief named Hans Lochenberg were all implicated in the thefts from Natal in the 1840s and 1850s.[197] Nehemiah Moshoeshoe moved into the area of Nomansland in 1858. A month after moving to the area

[187] "Walter Currie Report on No Man's Land 1861," 1861, GH 28/76 57, KAB.
[188] "Walter Currie Report on No Man's Land 1861," 1861, GH 28/76 57, KAB.
[189] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 66.
[190] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 111.
[191] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 49.
[192] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 51.
[193] Vinnicombe, *People of the Eland,* Wright, *Bushman Raiders of the Drakensberg, 1840-1870*.
[194] Wright, *Bushman Raiders of the Drakensberg, 1840-1870*, 189
[195] King, "Cattle, Raiding and Disorder in Southern African History," 612.
[196] Henry Francis Fynn, "Dispatch From Henry Francis Fynn," November 29, 1837, LG 409-22, KAB.
[197] Wright, *Bushman Raiders of the Drakensberg, 1840-1870*, 118

he was raided by the Pondomise, under Umbali, who captured eighty cattle and twenty-six horses.[198] At the time the Bhaca, Xesibi and the Pondomise were also raiding each other.[199] Nehemiah was also raided by the Thembu under Jumba. Apart from them, an outlaw by the name of Smith Pommer also engaged in raiding activities against the Bhaca.[200] Sidoyi kaBaleni chief of a branch of the Nhlangwini people from 1850 to 1882, fled to the Mzimkhulu in Nomansland in 1857 after a raid against the Memela under Mshukangubo kaMdingi.[201] Sidoyi allegedly carried out cattle raids on Natal's southern border.[202] Another branch of the Nhlangwini under Fodo conducted raids against the Bhaca.[203] Nehemiah allied himself with the Bhaca and conducted a raid against the Pondomise, carrying off between 500 and 600 cattle. The Xesibi and Pondo raided each other and the Pondos and Bhaca engaged in mutual raids as well.[204] The Bacha, under Mdushane, also raided farms near Pietermaritzburg from Nomansland.[205] In response, in 1854, the Natal colonial government launched a campaign against the Bhaca which "amounted to nothing more than a cattle raid."[206] The colonial state thus itself acted as a raiding state. Thus, the Cape-mounted rifles also acted as raiders in the employment of the government. Raiding could thus be a means of policing and imposing order on disordered inhabitants. Thus, the discourse of disorder hid an underlying project of state-making. The state governed through disorder.

Settlers served as middlemen between the chiefdoms and merchants in Natal, exchanging cattle, agricultural products and wood for manufactured goods.[207] Nehemiah Moshoeshoe describes a "regular trade in stolen horses being carried out by the whites and the natives, and whole troops of stolen horses being sent off to Philippolis, the Colony, and

[198] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 130
[199] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 130.
[200] Ross, *Adam Kok's Griquas*, 97.
[201] Snell, "'A Source of Future Trouble'," 2.
[202] Snell, "'A Source of Future Trouble'," 5.
[203] Snell, "'A Source of Future Trouble'," 3.
[204] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 135
[205] Snell, "'A Source of Future Trouble'," 3.
[206] Snell, "'A Source of Future Trouble'," 3.
[207] Snell, "'A Source of Future Trouble'," 4.

elsewhere."[208] Once they settled in the area, the Griqua, who were themselves Christianised client raiders of the Cape Colony, became the target of raids, "upward of seven hundred horses beside a considerable number of horned cattle," being stolen from them by Nehemiah and the Basotho chief Pushuli.[209] However the Griqua also engaged in raids against Nehemiah and the Basothos.[210]

This raiding activity characterised Nomansland and was central to the economy of the area. Richard Reid characterises this kind of raiding economy as 'raiding war' and describes it as "cycles of assaults on the enemy – particularly on their human, animal and material resources."[211] Furthermore, he notes that violence of this kind "was often critical from an economic point of view, especially where trade was difficult or insufficient."[212] In the inaccessible mountainous regions of Nomansland and the low-lying areas which were poorly serviced by roads, with little trade, raiding was one of the key means of securing a livelihood. Though not always violent, this raiding economy was endemic to the area. Bushmen hunter-gatherers pushed into the mountainous refuge by colonial pressure turned to raiding as an alternative means of subsistence. The raids have thus been ascribed to environmental pressures, and raiding is seen as "both symptom and cause of social, political and economic distress."[213] Raids could also be a means of acquiring political prestige. King notes that "raiding appears to have been an acceptable means of increasing one's herd and stature." [214] Raids could be a means of building chiefdoms and securing political authority. Orpen notes that "capturing cattle from another tribe" was necessary for the crowning of a chief amongst the Pondo.[215] However, raiding also prevented chiefs from keeping large herds that could be captured, and as a result, raiding contributed to the absence of a centralised authority in the area. Brownlee noted that Nomansland had "lain vacant" as

[208] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 138
[209] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 124
[210] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 141.
[211] Richard J. Reid, *Warfare in African History* (Cambridge: Cambridge University Press, 2012), 4.
[212] Reid, *Warfare in African History*, 7.
[213] King, "Cattle, Raiding and Disorder in Southern African History," 608.
[214] King, "Cattle, Raiding and Disorder in Southern African History," 613.
[215] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 50.

people were reluctant to settle in the area "for fear of attacks by its neighbours."[216] This raiding economy was closely tied to the genealogy and descriptions of the area. Raiding was a symbiotic activity, while raiding could function as a form of state evasion when needed, it was also a state-backed activity and raiders often acted as state agents.

Raiding as Disorder and War

The cattle-raiding economy of Nomansland can be closely tied to descriptions of the area as disordered, lawless and unsettled. Rachel King has examined how cattle raiding was frequently perceived as disordered by colonial authorities, despite the settlers' own participation in such raiding warfare. "Raiding was viewed as reprobate behaviour"[217] and was seen as "a transgressive or bellicose act."[218] Cattle raiding was thus seen as disordered and "raids represent a departure from a particular order."[219] Furthermore, raids were also tied to lawlessness. "British officials and farmers alike condemned raiding as a crime and raiders as criminals"[220]

The perceived disorder was also closely tied to the mobility of inhabitants. Mobility was seen as a sign of disorder. King notes that "mobility was construed by administrators and military officials not as logical but as subversive, disruptive, and undesirable."[221] The transient raiding groups, such as the Bushmen, Moorosi, and Nehemiah, who occupied the mountains and the surrounding areas and moved in and out of Nomansland, were perceived as disordered, unruly and a source of anxiety to colonial officials. This mobility could be read as unsettled. These were "mobile communities engaged in what many would call a Bushman or hunter-gatherer way of life,"[222] as well as fugitives and raiders "living in semi-permanent campsites and moving through the mountains to conceal stolen livestock."[223] For colonial observers "'uprootedness' from sedentary life carried the potential for instability and

[216] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 148.
[217] King, "Cattle, Raiding and Disorder in Southern African History," 612.
[218] King, "Cattle, Raiding and Disorder in Southern African History," 607.
[219] King, "Cattle, Raiding and Disorder in Southern African History," 607.
[220] King, "Cattle, Raiding and Disorder in Southern African History," 617.
[221] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 132.
[222] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 34.
[223] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 57.

danger."[224] This mobility was inscrutable to colonial authorities, like Currie, who perceived the space as uninhabited and unsettled rather than transient.

Finally, cattle raiding was also read as war. King notes two broad historiographic perspectives on cattle raiding: "raiding as a means of (and often synonymous with) war; and cattle raiding as a consequence of war, shading into social pathology."[225] This view of cattle raiding helps to explain the genealogy of war in Nomansland. During his journey through the Amapondo in 1835 Allen Gardiner noted that "the acquisition of cattle is the grand incentive to war among all the tribes in this part of Africa"[226] Nehemiah Mosoeshoe frequently describes the raiding activities of various chiefdoms in the area as war. He notes, for example, that "Jojo laid his case before Sir Walter, and his troubles with his neighbours, the Pondos, with whom there was constant war,"[227] or "The Pondomise and Jumba's people went on stealing from us; the Bacas were at war with them and also with the Pondos."[228] Nehemiah was himself described as carrying out "a system of plunder" in the area "having at the head of his own and other tribes attacked the Griquas and driven off their cattle" by Governor Barkly in 1876. [229] Describing a series of cattle raids between the Pondo and Pondomise in Nomansland 1873 Joseph Orpen related that:

> The expected attack by the combined forces of Damas and Umditchwa has been made and repulsed in a succession of battles. A gentleman from Umditchwa's, now here, saw the combined armies start on Sunday last, in number some two or three thousand men. The messenger from me with a letter of invitation to the late meeting for Umhlonhlo has just returned, having only this morning delivered it to his brother. He reports more fully what had been heard before, that the Pondos had a separate army on the east of the Tena [sic], who at first succeeded in their object of capturing cattle driven thither. The others attacked in five

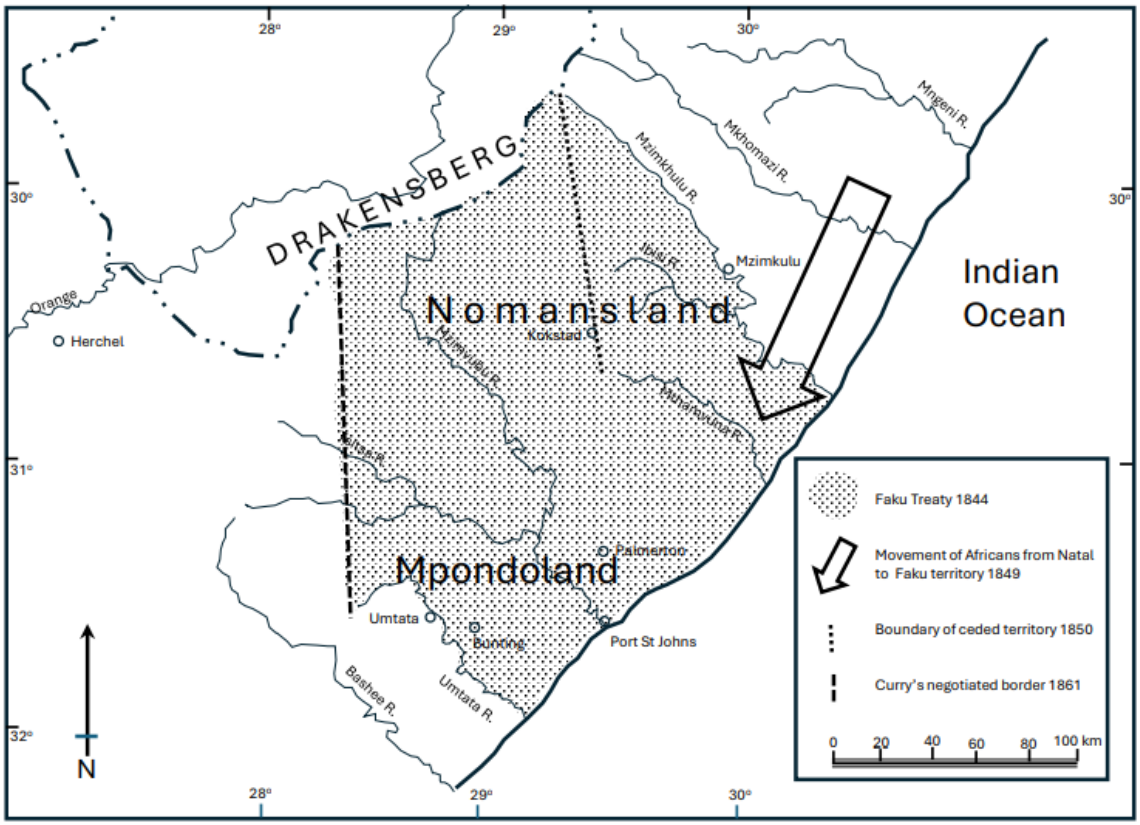
[224] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 112.
[225] King, "Cattle, Raiding and Disorder in Southern African History," 610.
[226] Gardiner, *Narrative of a Journey to the Zoolu Country*, 266
[227] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 135.
[228] Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 164.
[229] Barkly, 25 March 1876, GH 23/33, KAB.

> divisions Umhlonhlo, burnt his house, and retreated, and they burnt his several other villages, and captured cattle, but were at length driven back at all points, Umhlonhlo himself being very active; and after beating one here, making a night attack there, all the cattle were recaptured, save some which were stabbed. Numbers of horses were taken, besides some hundreds being stabbed by the Pondos when knocked up, and Umhlonhlo returned with his people loaded with guns and assegai, and has since made two attacks on Umditchwa, and captured some cattle. Two men were killed on Umhlonhlo's side, and eleven on the other.[230]

The tone of this rhetoric is clear: Orpen describes battles whose "object" is "capturing cattle."[231] Clearly, in this passage, cattle raiding is being described as warfare. These raids were violent, resulting in the death of several men and the use of large 'armies.' The passage fits closely with Reid's description of 'raiding warfare.' In another passage, Orpen is even more explicit. He notes that "the Pondos admitted before a commission two years ago, having commenced war on the Xesibis without cause, because they coveted their cattle."[232] The raiding activity in Nomansland was perceived as warfare, whether cattle raids did constitute war. Thus, the raiding economy in Nomansland was closely tied to descriptions of the area as disordered, lawless, unsettled, uninhabited and in a state of war. Cattle raiding was closely tied to the genealogy of Nomansland. These perceptions were to have implications for the negotiations around Faku's cession and the settlement of the Griqua in the area. Thus, cattle raiding had political consequences in the area and the genealogy of Nomansland justified the imposition of colonial order in the area.

[230] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 72.
[231] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 72.
[232] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 49.

The 1844 Treaty with Faku



Map 3: Extent of Nomansland and Faku's territory between 1844 and 1861

Source: Map created by Jan Arkert

In 1840, the Volksraad of Natal issued a proclamation declaring the whole region between the Tugela and the Umzimvubu from the Drakensberg to the sea as the possession of the emigrants. The Cape Government attempted to prevent the expansion of the Volksraand in 1839 by guaranteeing Faku's claims up to the Umzimkulu.[233] However, Theal is also at pains to undermine Faku's claims, stating that "Faku himself made no claim to such a large territory."[234] He further argues that "no such construction could fairly be put upon the language which the governor actually used, but thereafter the European partisans of the Pondo chief constantly laid claim to the whole of that country."[235] What we then see in this period is highly fractured authority between not only the British but also the Boer republics,

[233] Theal, *History of South Africa,* 329.
[234] Theal, *History of South Africa,* 330.
[235] Theal, *History of South Africa,* 330.

Zulu state, other polities in the region. The British Colonial state was far from monolithic and was forced into collusion in order to shore up its authority.

In 1844, the new governor, Peregrine Maitland signed a treaty of friendship between Faku and the British government. This treaty recognised Faku as having jurisdiction over a territory south of the Umzimkulu extending from the sea to the Drakensberg. Theal suggests that Governor Maitland established the boundary of Natal along the Umzimkulu to limit settlement in a "large tract of country without a single port through which produce could be shipped", thus avoiding the potential military expenditure required to police and protect a large group of settlers who contributed little to the fiscus.[236] The British lacked the resources to police such an area.

The treaty included several articles. It stated that "there shall be peace and amity forever between Her Britannic Majesty and her subjects and Faku, the Paramount Chief of the Amapondo nation, and his subjects and Faku promises to be the faithful friend of the Colony."[237] Some articles in the treaty specifically addressed cattle raiding. Faku was not to allow his followers to "harass or annoy" any British subjects. Faku was also required to return all livestock that had been stolen within the colony and taken to his territory, or, if the stock could not be found, to provide full compensation.[238]

Several of the articles touched on the genealogy of war in the area. Grey noted in 1861 that the 1844 treaty between Sir P. Maitland, governor at the time, and Faku, granting Faku control over the area "does not refer to native occupants of the soil; but to the owners who might have previously resided there, and who had been driven away by wars."[239] Maitland specified that "all African groups living in this area, even those not previously under the Mpondo state, were to remain within these borders."[240] The treaty also stipulated that the

[236] Theal, *History of South Africa,* 366.
[237] Stapleton, *Faku*, 61.
[238] Stapleton, *Faku*, 61.
[239] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 20.
[240] Stapleton, *Faku*, 63.

Cape government should mediate all disputes stating that "Faku should not go to war, but call for the decision in his dispute with his neighbours."[241]

The treaty also touched on the issue of British settlement and trade in the area. While Faku was expected to protect colonial traders, the treaty insisted that "he will not suffer the masters or mariners of any ships or vessels to land merchandise, or to traffic with his people in any part of his country, unless such vessel shall be furnished with a licence from the Colonial Government, authorising them to land goods there."[242] As for missionaries in the area, Faku was not only obliged to protect them but also to allow any of his subjects to live at the mission stations with all their property. Mpondo people living at missions were not to be "disturbed or injured in person, family or property, for refusing to comply with the customs touching witchcraft, rainmaking, polygamy, circumcision and forcible abduction and violation of females."[243] Furthermore, Faku promised that he would "encourage" his followers to attend mission schools and be "gradually trained to become a civilised community."[244]

The 1844 treaty thus attempted to impose order on the territory south of the Mzimkulu stretching from the sea to the Drakensberg in several ways. The treaty attempted to impose order on the disordered collection of chiefdoms and refugees in the area that was to become Nomansland, by recognising Faku as the paramount. The treaty also attempted to deal with the issue of disordered cattle raiding by holding Faku accountable for stock theft. Lastly, the treaty tried to impose a civilised order on the area by stipulating that Faku should abstain from war on his neighbours and the Pondo be gradually civilised through mission education. The treaty thus attempted to impose colonial order on war and disorder. Disorder thus served as a cover for negotiations and hid a project of state-making with the treaty serving as a means of governing area. The colonial government drew on this genealogy to reform this order in the 1850s and 60s with the cession of Nomansland and the settlement of the Griqua in the area.

[241] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 48.
[242] Stapleton, *Faku*, 61-62
[243] Stapleton, *Faku*, 62
[244] Stapleton, *Faku*, 62

The Cession of Nomansland

Certain aspects of the treaty would become a liability for Faku. In 1846, the Natal government attempted to hold Faku accountable for stock theft from the Mkhomazi, which was attributed to Bushmen raiders traced west of the Umzimkulu. Faku responded that he held "no authority over them."[245] Vinnicombe describes the 1844 treaty as an "obvious farce."[246] Dubois notes that:

> The problem with Maitland's treaty was that Faku occupied only a part of Kafirland. His authority did not extend to the strip of land between the St John's River and the Mzimkulu, which was occupied by an assortment of refugees and smaller African tribes who had no allegiance to Faku. For the British they constituted a problem.[247]

Faku continued to raid the Bhaca. In 1847 the missionary Thomas Jenkins demanded that Faku restore some cattle that had been taken from the missionary Garner during a raid on the Bhaca, which Faku did.[248]

In 1847, Henry Francis Fynn took up residency with Faku.[249] Fynn's first assignment from Governor Harry Smith was to get Faku to agree to allow Zulu from Natal to settle south of the Umzimkulu.[250] Faku postponed this request, referring to the treaty which had guaranteed his claims over the area, however "Government people" were eventually settled on the south bank of the Umzimkulu.[251] Again we see the state using the disorder and discourse of an uninhabited wilderness to impose modes of governing on the area. Fynn's next task was to investigate stock theft supposedly committed by Bushmen living in Faku's territory against Natal farmers. Fynn found that the Bhaca were in league with the Bushmen

[245] Vinnicombe, *People of the Eland*, 57.
[246] Vinnicombe, *People of the Eland*, 57.
[247] Du Bois, "The Birth of Alfred County: 1844-1870," 2.
[248] Stapleton, *Faku*, 69.
[249] Stapleton, *Faku*, 71.
[250] Stapleton, *Faku*, 72.
[251] Stapleton, *Faku*, 73.

and Faku sent an army to punish them. Ninety of the captured cattle were given to Fynn, which were sent to the Natal settlers.[252] In 1849 Governor Smith wanted to move Africans from Natal southwest of the Mzimkhulu into Faku's territory, to make room for British settlers in Natal. Smith directed "Fynn to use his influence with Faku for him to make a voluntary offer of all his country to the British Government."[253] In 1850, Walter Harding, a member of the NataL Legislative council, was sent by the Natal colonial government to conduct an inquiry into cattle theft in the Pondo territory and "to negotiate with Faku [for] an extension of the Natal Boundaries towards that Chief's Territory, so as to include within the Natal District a tract of country at present lying wasted, and to which Faku never, I am told, had, or laid, any claim."[254] Faku responded to Harding's inquiry about extending Natal's borders stating "I see no objections to what you say, for the people on the other side [between the Umzimvubu and Umzimkulu] are not my people, nor will they hear me."[255] Harding also informed Faku "that in future he must hold himself responsible for all the cattle so taken from Natal if he would not consent."[256] Faku agreed to have the treaty altered in exchange for 100 cattle.[257] Faku surrendered the country lying east of the Mtamvuna River from where it rises to the base of the Qathlamba [Drakensberg] Mountains.[258]

After this, the Lieutenant-Governor of Natal, Benjamin Pine, sought to further expand Natal's territory. Alleged stock theft was once again used as a pretext for this purpose. Pine wrote to Smith that:

> It seemed to me that measures should be adopted to convince Faku of the necessity of ceding the entire sovereignty of a country the inhabitants of which he could not prevent from committing depredations on Her Majesty's subjects,

[252] Stapleton, *Faku*, 74.
[253] Stapleton, *Faku*, 74.
[254] Quoted in Stapleton, *Faku*, 76.
[255] Quoted in Stapleton, *Faku*, 77.
[256] Quoted in Stapleton, *Faku*, 78.
[257] Stapleton, *Faku*, 79.
[258] Stapleton, *Faku*, 79.

and thus relieving himself of the obligations of a treaty which he could not observe.[259]

Following this, in September 1850, Harding led a commando of armed settlers into the Mpondo kingdom. Fynn held a meeting with Faku, during which he reported Harding's intention to hold Faku responsible for stock theft and demanded that he surrender roughly one thousand cattle in compensation for cattle theft from Natal.[260] At a subsequent meeting, Fynn convinced Faku, who could not read, to sign a 'letter of thanks 'to the colonial government. This letter, written by Fynn, stated that Faku could no longer be held accountable for 'acts of wolves' and asked that the Natal government take control of his country directly. The negotiations with Fynn reveal the internal contradictions of the colonial state. Individual actors and private traders took on the authority of the state in pursuit of their own ends.

The letter reached Harding on his way back to Natal. Harding interpreted the letter as an offer to cede Pondoland to Natal. Harding returned 600 cattle and told Fynn to inform Faku that the remainder would be returned when the cession was complete. In October Jenkins visited Pietermaritzburg and learned of Faku's 'letter of thanks' for Governor Smith and Lieutenant-Governor Pine. When Jenkins returned to Faku, he asked him why he had signed away his country. Faku denied signing such a document, stating, "I do not know it. No, No, I do not know it."[261] Faku, with the help of the missionaries, sent a letter to the Government stating Fynn's letter "is not my letter" and repudiated the request that the British take over government of his country.[262] Lieutenant-Governor Pine sent a commission of inquiry to Pondoland which found that the territory should remain in Faku's possession and a new land treaty was never ratified by the Colonial Office. [263] This repudiated cessions internal contradictions and inconsistencies of the Natal government.

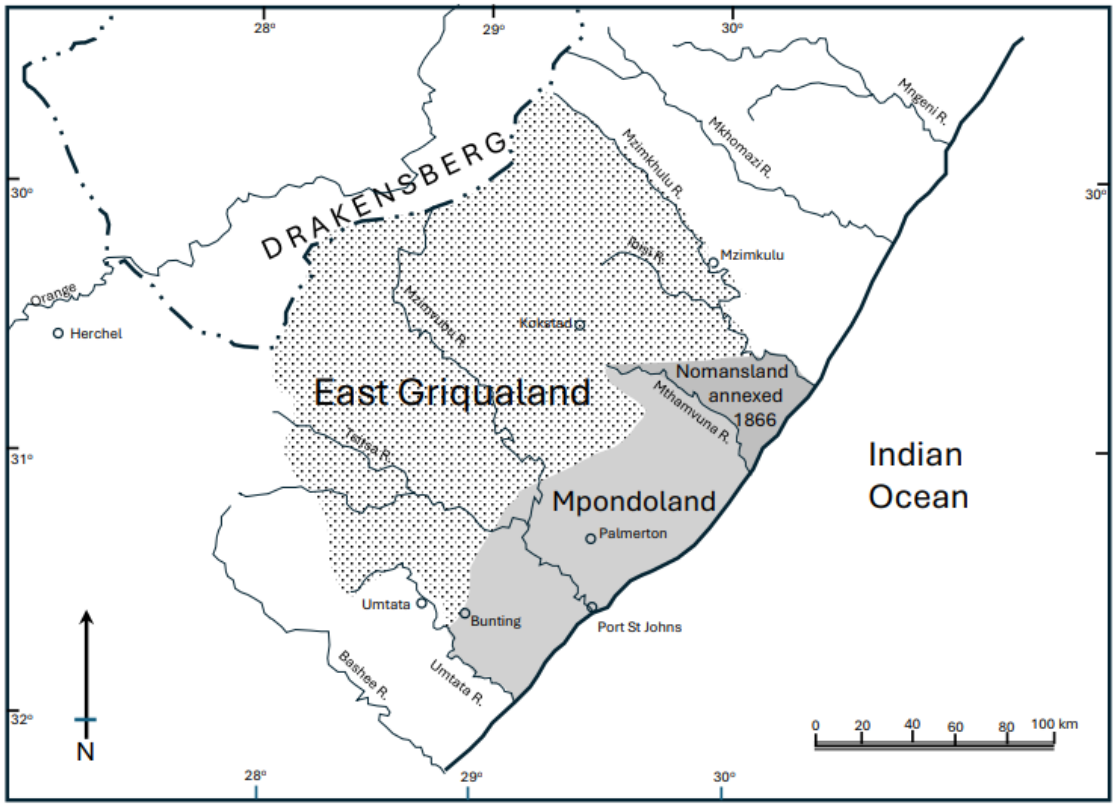
[259] Quoted in Stapleton, *Faku*, 81.
[260] Stapleton, *Faku*, 81.
[261] Quoted in Stapleton, *Faku*, 83.
[262] Stapleton, *Faku*, 84.
[263] Vinnicombe, *People of the Eland*, 64.

Faku's repudiated cession resulted in an anomalous situation on the Natal border. Vinnicombe suggests that "the upper Mzimvubu continued to be a Nomansland administered by no particular authority and therefore became a haven not only for Bushmen but also for refugees and remnants of former chiefdoms, as well as individual freebooters, opportunists, racketeers and renegades of all castes and colours."[264]

The genealogy of cattle theft from the area, regarded as lawless and disordered, had been utilised to acquire the territory from Faku. These descriptions were to continue playing a role in the genealogy of the Nomansland. Nomansland constituted a problem due to its lawlessness, disorder and war. For Governor Grey, the settlement of the Griqua in the area in 1861 represented a means of dealing with this troublesome genealogy and imposing order on the area.

[264] Vinnicombe, *People of the Eland*, 64.

The Settlement of the Griqua in Nomansland



Map 4: A Map of East Griqualand and Mpondo territory in the 1860s showing the area of Nomansland annexed in 1866.

Source: Map created by Jan Arkert

In March 1861, Walter Currie arrived at Faku's great place, Qawukeni, to negotiate the settlement of the Griqua in a portion of the territory that Faku had supposedly ceded in 1850.[265] Timothy Stapleton states that "Faku argued with Currie over this issue, but the former became intimidated by the colonial police and made a vague statement that the new border could be extended west from the Mzimvubu River to the wagon crossing on the Mtata [sic] River."[266] Believing that the agreement was concluded, Currie then rode away to survey the area where the Griqua would be settled. Currie's report to Governor Grey names the area as 'No man's land' and presents many aspects of its genealogy. He noted that the territory was mostly unoccupied and that the people living in the area were "at war with

[265] Stapleton, *Faku*, 108.
[266] Stapleton, *Faku*, 108.

each other."[267] Currie was eager to present the area as suitable for the settlement of the Griqua, as well as European settlers. Currie reported that the land was fertile and well-wooded, capable of supporting a large population. "The upper parts were suitable for sheep farming but the whole could be cultivated, the higher portions being suitable for wheat growing, while nearer the coast sugar could be grown."[268] The genealogy of an unsettled No man's land was thus used to justify settlement and cultivation in the area. Currie's report on potential settlement in the area also shifted the discourse from one of waste to productivity.

George Grey had decided it was favourable for the Griqua to move from Philippolis. The Griqua were client raiders of the Cape Colony who were used to suppress Coranna and Bushmen raiders on the northern frontier. By the end of the 1860s, with the expansion of the Orange Free State, they had become redundant on the northern frontier and were subsequently relocated to the east to pacify the newly acquired Nomansland. Grey feared that the Griqua would come into conflict with the Boers who had been buying up farms in their territory.[269] "If they stayed there they would before very long quarrel with the Republic, and they had no hope in a struggle against the Boers. Their nation would be broken up, and the remnants of it would probably join Moshesh, which would be dangerous for the Orange Free State."[270] The area where the Griqua were to settle had been ceded to Natal. The Lieutenant-Governor was anxious to prevent the settlement of the Griqua in the area and that the land be reserved for the expansion of Natal.[271] However, Grey "was trying to use the Griqua as counters in his scheme to gain control over the whole of the Transkei."[272] Grey may have been influenced in his experience by Theophilus Shepstone's scheme of settling Zulu in the area. Grey feared that individuals like M.B. Shaw and Shepstone would establish themselves as "independent chief[s]" in the area[273] Grey may have therefore wanted to limit Natal's influence in the area. Grey thus argued that Faku had

[267] "Walter Currie Report on No Man's Land 1861," 1861, GH 28/76 57, KAB.
[268] Knoll, "The Griquas of Griqualand East Until about 1878," 20.
[269] Knoll, "The Griquas of Griqualand East Until about 1878", 18.
[270] Knoll, "The Griquas of Griqualand East Until about 1878," 18.
[271] Ross, *Adam Kok's Griquas*, 101.
[272] Ross, *Adam Kok's Griquas,* 101.
[273] George Grey, 6 June 1856, GH 23/26, KAB.

not intended to cede the area.[274] Thus, the process of Griqua settlement was one of collusion and compromise between rival powers in the region rather than the actions of a monolithic state.

Grey explained why he thought the Griqua were suitable to move into the area:

> During the many years they have been on the borders of the colony they have not only abstained from thieving but it has never been alleged that thieves have escaped through their territories, and they have, on different occasions acted with us against both European and native races as our allies. They would thus form for Natal an important bulwark on one point of danger, lying as they would do in the rear of kafir tribes, might, in as far as this colony is concerned, prove most important auxiliaries in the event of another kafir war.[275]

Thus, for Grey, the Griqua were a useful military reserve capable of imposing order on a territory known for its war and cattle raiding. The Griqua were client raiders who could be used to suppress raiding in Nomansland. They would also act as reserves in the event of another frontier war. Grey explained:

> The Natal Government cannot create population. The new country must, for some years at least, be in great part vacant. If people buy land there it will be for speculative purposes, and if a sparsely inhabited country is thus left open as a frontier, which has been pressed too far forward in proximity to the kafir races, without a border police to protect, and other military measures having been taken, I fear a series of Kafir wars will arise on the side of Natal, proceeding from

[274] Du Bois, "The Birth of Alfred County: 1844-1870," 2.
[275] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 22.

> the depredations which those races will commit upon the inhabitants of that territory.[276]

The Griqua would bring 2000 well-armed and mounted men to the frontier. "They were not savages. They spoke English and Dutch, were good and moral Christians and among them, crime was no more prevalent than it was among Europeans."[277] The Griqua would help to impose order in the area by policing it, as well as developing it for European settlement. Grey emphasised that the Griqua should go to Nomansland as British subjects and open the area for European settlement.[278] Grey elaborated:

> It will be thought a serviceable act to have preserved as friends those who might have been troublesome enemies and to have added 6,000 or 7,000 good and loyal subjects to Her Majesty's empire, who possessed energy and a large amount of capital, who would have occupied and subdued wild and useless lands, who would cheerfully have acted as a barrier against barbarous tribes, would have opened up an almost unknown country with roads, have helped to tie on a settlement surrounded by hostile savages to a strong, large, and prosperous colony, and have brought, to a young yet struggling community, a large amount of produce, revenue, trade, commerce, and strength, and would have done all this not as a class settlement, but mixed up with a European population, into which they would have speedily been absorbed, and with all such powers of disposing of lands as are enjoyed by the rest of the Queen's subjects.[279]

Grey's scheme for settling the Griqua in Nomansland was thus based on his belief that they would impose order on the area. They would turn the area from "wild and useless" into a productive region. They would impose order by policing the area and using their capital to

[276] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 22.
[277] Knoll, "The Griquas of Griqualand East Until about 1878," 18-19.
[278] Knoll, "The Griquas of Griqualand East Until about 1878," 18.
[279] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 35.

create new roads, "produce, revenue, trade, commerce and strength."[280] In addition they would act as a barrier against "barbarous tribes" and suppress raiding. In colonial descriptions, Nomansland was an unoccupied space of disorder, lawlessness and war. For Grey, this constituted a problem, and cattle raiding from the area posed a potential threat to Natal. The Griqua provided a cheap means of policing, imposing order on the area and opening it up for European settlement, thus changing the area from a region of waste to productivity. Following the settlement of the Griqua in East Griqualand what remained of the territory Nomansland was annexed to Natal in 1866.[281]

Conclusion

Currie's report named the territory 'No Man's Land'. He had presented a territory that was unsettled and in a state of war. These descriptions can be closely tied to the cattle-raiding activity in the area. This genealogy was used by Currie, and Grey, to justify settlement in the area. For Grey, settling the Griqua in the area was a means of imposing military order on a territory where cattle-raiding activity posed a threat of war to Natal. Cattle raiding was also used to justify the cession of the territory from Faku. Faku's inability to control the cattle-raiding activity was viewed as a lack of paramount authority. The area was seen as disordered, lawless, unsettled and in a state of war and this genealogy justified the imposition of colonial order. This order, however, was not monolithic but characterised by collusions, contradictions and compromises between rival powers in the region.

[280] "Correspondence Relative to the Occupation of Nomansland by Captain Adam Kok and the Griquas," 1861, CPP A118, KAB, 35.
[281] Du Bois, "The Birth of Alfred County: 1844-1870," 1.

Chapter 4: The Gun Trade: A Commodity of Governance and Resistance, 1860-1880

Introduction

Following the settlement of the Griqua in the area in the 1860s, state structures began to penetrate Nomansland. A situation that was both conflictual and symbiotic developed between the forms of state intervention described in chapter two and the resistance networks described in chapter one. This conflictual and symbiotic relationship coalesced around the commodity of guns, which were both a tool of governance and a site of resistance between the settlement of the Griqua in the area in the 1860s and the annexation of East Griqualand in 1879 by the Cape Colony. This chapter examines this clashing relationship by looking at how guns were both a tool for governance and a site of resistance in Nomansland. Nomansland had ceased to exist as a distinct territory by 1866. The chapter thus casts a wide geographical net to examine the area between Umtata and the Umzimkulu River, which was confusingly referred to variously as St. John's East Griqualand and Nomansland. The strategy of using analogy from a broad geographical area has also been adopted to deal with the paucity of archival information specifically pertaining to the territory of Nomansland. The Griqua attempted to found a state based on sedentary agriculture and established an executive, a legislature and a system of taxation in the area. The Griqua government's dominance of the gun trade in the area allowed them to impose a system of taxation and state structures on the inhabitants. Thus, the chapter focuses on the Griqua government. Guns were thus a tool of governance. Guns were also a site of anxiety for colonial authority and various legislation over the period attempted to extend a legal framework to monitor and control the gun trade in the area. As the colonial Blue books show the gun possession of the inhabitants of Nomansland was monitored during this period.[282] After East Griqualand was annexed the Cape colonial state established a government in the area. In 1885, the Cape government built a customs house on the Umzimkulu River to levy dues on all goods leaving and entering the territory. With the Griqua settlement capitalist markets increasingly penetrated the hills of Nomansland in the

[282] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 157, "Bluebook on Native Affairs, 1875," 1875, CPP

1870s. Guns were also a desirable commodity which drew the inhabitants of Nomansland into labour markets. Guns were thus a commodity of governance. However, guns were also a site of resistance. Guns were a key tool for economic activities like hunting and raiding which could be pursued to evade state structures. Gun smuggling also occurred in and through Nomansland and smugglers purposefully evaded state legislation. State legislation around guns created a frontier zone of illegality in Nomansland. Thus, a conflictual relationship developed between state intervention and resistance in the period between 1860 and 1880.

A Commodity of Governance

As a commodity, a significant degree of colonial anxiety was attached to guns. The trade in firearms and gunpowder was therefore regulated by the Cape Colony and Natal. Guns were a site of colonial law, and as such, they drew those owning and trading them into state legal structures. Gun traders were required to carry licenses, and legislation in the Cape and Natal made it illegal to trade arms with Africans without permission from authorities. Guns also provided a tool for imposing order and policing frontier zones like Nomansland. Thus, guns were a tool of governance, a site of law, a technology which tied owners and traders to capitalist markets and a tool for imposing order.

Rachel King has identified the Maluti Drakensberg as a site of colonial anxiety.[283] The mountains were "spaces that were too difficult for expanding governments to access" that "saw influxes of people dubbed outlaws, deserters, and raiders whose activities placed them outside of recognised legal boundaries."[284] As a space which the colonial government could not control the mountains became a source of anxiety. A similar colonial anxiety was attached to the gun trade. This anxiety could also be linked to the mountains. For example, Lieutenant-Governor John Scott expressed alarm at the "lawlessness and turbulence" which prevailed in the area and the presence of armed and mounted gangs that traded gunpowder

[283] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 51.
[284] King, *Outlaws, Anxiety, and Disorder in Southern Africa*, 3.

and firearms with other lawless elements beyond the Drakensberg mountains.[285] The mountains were a site where illicit trade took place and, as such, a source of anxiety. The mountains were a place where Langalibalele could escape to avoid prosecution for unregistered firearms. As W. B. Chalmers, resident magistrate of Cradock noted, the trade in guns to African labourers from beyond the boundaries of the colony "gives the Government a good deal of anxiety."[286] Furthermore, "there are many persons who take great alarm at this arming."[287]The trade in guns, though regulated, could not be entirely controlled by the government. Legislation such as the gunpowder ordinance was intended to try and regulate the trade in arms. Thus, as a key site of colonial anxiety guns became a site of colonial regulation. Josiah Heyman notes that "state law inevitably creates its counterparts, zones of ambiguity and outright illegality."[288] Eric Tagliacozzo has also argued that "smuggling and processes of border formation were inherently linked."[289] The commodity of guns thus contributed to perceptions of Nomansland as a zone of illegality.

In the Cape, the law controlling the gun trade was the Gunpowder and Firearms Ordinance. Originally enacted by the Cape Parliament in 1830, it was revised repeatedly over the course of the nineteenth century. The ordinance required individuals who traded in arms beyond the boundaries of the colony and within the colony to be issued with a license by the civil commissioner.[290] An 1877 revision required that gunpowder and guns could not be traded with Africans beyond the boundaries of the colony without permission of the Colonial Secretary or Secretary of Native Affairs. Licenses were also required to buy and remove guns and ammunition. Thus, the Gunpowder Ordinance created a distinction between legitimate traders and illicit traders selling without licenses. The Preservation of Peace Act of 1878 required owners of guns to register their firearms in proclaimed areas. The Governor was

[285] Du Bois, "The Birth of Alfred County: 1844-1870", 2.
[286] "Returns Called for by This House on the 19th June Last, Respecting Arms and Ammunition, and Correspondence between the Government and the Magistrate of Cradock," 1877, CCP 1-2-1-34 A23 '77, KAB, 5.
[287] "Returns Called for by This House on the 19th June Last, Respecting Arms and Ammunition, and Correspondence between the Government and the Magistrate of Cradock," 1877, CCP 1-2-1-34 A23 '77, KAB, 20.
[288] Eric Tagliacozzo, *Secret Trades, Porous Borders: Smuggling and States Along a Southeast Asian Frontier, 1865–1915* (New Haven & London: Yale University Press, 2005), 369-370.
[289] Tagliacozzo, *Secret Trades, Porous Borders,* 362.
[290] Joseph Foster, Hercules Tennant, and E. M. Jackson, eds., *Statutes of the Cape of Good Hope 1652 - 1886*, vol. 1 (Cape Town: W. A. Richards & Sons, 1887), 1099.

given the power to outlaw the bearing of firearms, bullets or cartridges in any designated district of the colony. People were required to surrender their firearms to the magistrate, and arms traders needed a license to keep their guns and gunpowder.[291]

In Natal laws around the trade of guns were explicitly racialised.[292] Law number 5 of 1859 made it illegal to trade with any African within or beyond the bounds of the colony without the permission of the Lieutenant-Governor.[293] If Africans were found with arms without written permission, they could be prosecuted and their arms confiscated. The 1862 Law to amend the legislation regulating the dealing in gunpowder required traders trading beyond the bounds of the colony to have a license.[294] Magistrates and the Attorney General decided who to give licences to, usually respectable businessmen.

In Nomansland, traders trading without a license and selling guns to Africans without permission of the Lieutenant-Governor were, therefore, deemed illicit and could be prosecuted. Thus, much of the trade in Nomansland was deemed illicit under these laws. On paper, the legal framework around guns allowed the colonial states in the Cape and Natal to extend their reach beyond the borders of the colonies and bring the gun trade into the records and regulations of states. The gun laws created a zone of illegality in Nomansland on paper. In the case of Langalibalele, the gun laws drew the Amahlubi into the political ambit of the state. Within Nomansland the government of Griqualand East required licenses, costing £18, for trading arms and ammunition.[295]

The legislation concerning guns did allow closer records to be kept of gun ownership in Nomansland. Among the Thembu out of a population of 6 997 men in 1875 there were an estimated 1 299 guns.[296] This compared with a figure of 1 295 guns in 1874, gives an

[291] Max Gordon-Turner, "Settler Anxiety and Firearms in Southern Africa: A Study in the Tensions Between Colonial Disarmament and Indirect Rule" (Honours, Cape Town, University of Cape Town, 2021), 16
[292] Gordon-Turner, "Settler Anxiety and Firearms in Southern Africa," 19.
[293] Gordon-Turner, "Settler Anxiety and Firearms in Southern Africa," 19.
[294] Gordon-Turner, "Settler Anxiety and Firearms in Southern Africa," 19.
[295] Knoll, "The Griquas of Griqualand East Until about 1878," 52.
[296] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 39.

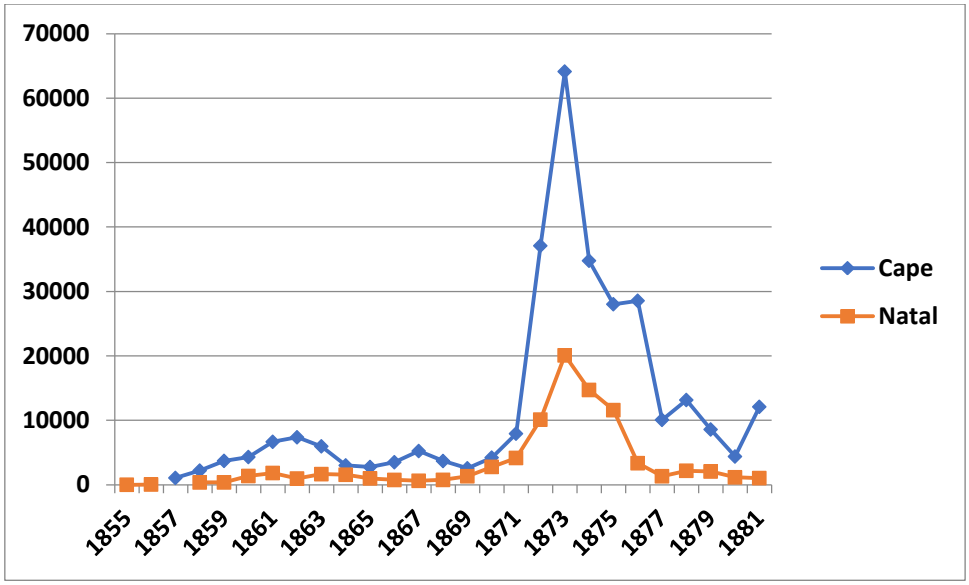
increase of four guns.[297] In the territories of Umzimkulu, Zuurburg and Umzimvubu, out of a population of 31 901, there were 2 024 guns were recorded in 1874.[298] This means that 6.3% of the population owned a gun. In the Umzimvubu district there were 1 160 Basuto men with 548 guns, which accounts for 47% of the men, and 467 Fingos with 162 guns, 43.6%.[299] Among the various other locations in Nomansaland, there were 4 515 men and 997 guns in 1875, with 22% of the men, a figure which remained unchanged between 1874 and 1875.[300] Of the population living on farms in the Umzimvubu and Rinira districts, there were 340 men armed with 108 guns, representing 32% of the male population.[301] This gives a total figure of 5 138 guns in the Nomansland area. Using Currie's 1861 population estimate of 200 000 inhabitants in Nomansland and a percentage of 6.3% the total number of guns in Nomansland can be estimated to have an upper limit of 12 000 guns.[302] Robert Smith put the population of St. John's territory at 160 000 in 1875.[303] This would result in an estimate of 10 000 guns. The colonial anxiety and laws surrounding guns as a commodity thus made them a site for monitoring.

Guns in Nomansland were imported from Britain and manufactured in Birmingham. The 1860s and 1870s saw a major shift in firearms technology. Flintlock muskets were replaced by percussion caps.[304] The new breech-loaders added a breechloading port to the rear of the gun. These weapons were easier to use and more reliable than muzzle-loading muskets. The new breach-loaders made the older muskets less valuable, and the South African market was flooded with cheap, outmoded flintlocks. Tower muskets and older Enfield models sold for between two to four pounds.[305] Muzzle-loaders were accessible at higher prices, reaching up to twenty-five pounds.[306] Birmingham exported an annual average of

[297] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 157.
[298] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 81.
[299] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 119.
[300] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 157, "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 118.
[301] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 120.
[302] "Walter Currie Report on No Man's Land 1861," 1861, GH 28/76 57, KAB.
[303] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 88.
[304] William Kelleher Storey, *Guns, Race, and Power in Colonial South Africa* (Cambridge, MA: Cambridge University Press, 2008), 134-135.
[305] Storey, *Guns, Race, and Power in Colonial South Africa*, 134-135, 139.
[306] Storey, *Guns, Race, and Power in Colonial South Africa*, 132-133.

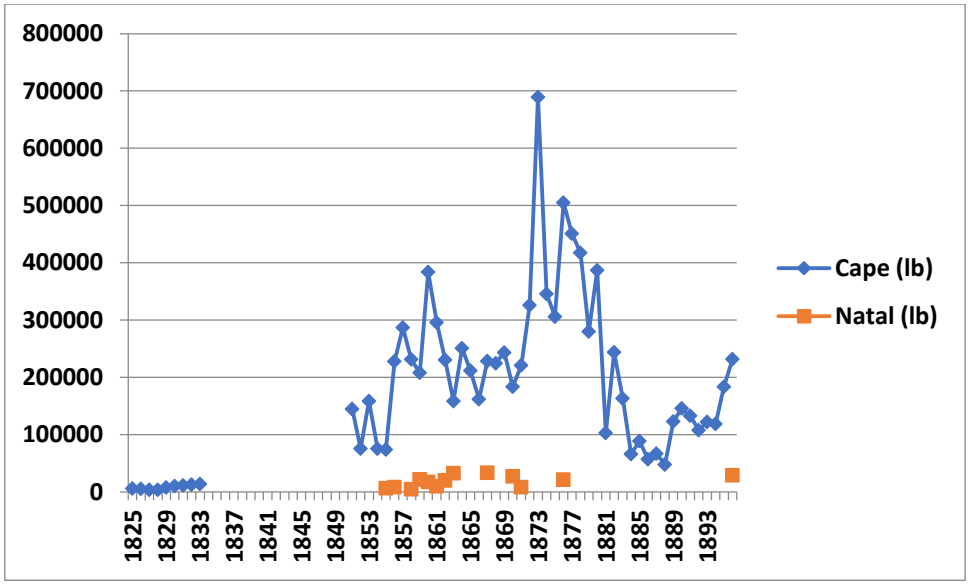
100 000 to 150 000 African trade muskets.[307] The Cape and Natal received 308 512 of these arms from 1857 to 1881. [308] Firearms were imported through various ports in South Africa. Cape Town and Port Elizabeth were the major ports for these imports. In Cape Town 78 665 firearms were imported between 1871 and 1876.[309] This alone constitutes a substantial proportion of the estimated 308 512 guns that the Cape and Natal received from 1857 to 1881.[310] Port Elizabeth's trade was even larger, with a total figure of 114 532 guns traded between 1871 and 1876.[311] In comparison, only 4 855 guns passed through the East London port between 1871 and 1876.[312] The importation of guns and gunpowder to Natal was smaller in extent compared to Cape Town and Port Elizabeth. In 1876, 3 347 guns and 21 509 lbs (9 756 kg) of gunpowder were imported into Natal compared to 9 899 guns and 505 029 lbs (229 077 kg) of powder to Cape Town and 16 555 guns to Port Elizabeth. The Importation figures show that the market for guns in Natal only developed from the 1860s. 44 guns and 8 437 lbs (3 827 kg) of powder were imported to Natal in 1856. By 1860 the figure had increased to 1358 guns and 17 475 lbs (7 927 kg) of powder. In 1876 the figure had reached 3347 guns and 21 509 lbs (9 756 kg) of powder. Thus, it is unlikely that a significant trade in guns existed in Nomansland before 1860.

[307] Priya Satia, *Empire of Guns: The Violent Making of the Industrial Revolution* (Prelude Books, 2018)., 355.
[308] Satia, *Empire of Guns*, 355.
[309] "Return of All Fire-Arms Entered through the Customs at Several Ports of the Colony 1871-1876," 1877, CPP 1/2/1/34 A. 19, KAB.
[310] Satia, *Empire of Guns*, 355.
[311] "Return of All Fire-Arms Entered through the Customs at Several Ports of the Colony 1871-1876," 1877, CPP 1/2/1/34 A. 19, KAB.
[312] "Return of All Fire-Arms Entered through the Customs at Several Ports of the Colony 1871-1876," 1877, CPP 1/2/1/34 A. 19, KAB.



A Graph Showing the number of Guns Imported to Cape Town, Port Elizabeth and Natal between 1855 and 1881

Source: Max Gordon-Turner, "Settler Anxiety and Firearms in Southern Africa: A Study in the Tensions Between Colonial Disarmament and Indirect Rule" (Honours, Cape Town, University of Cape Town, 2021), 32; *The Natal Witness*, 16 January, 1857, 20 January 1860, 18 January 1861, 18 July, 1862, 24 July, 1863, 12 July, 1872, 24 December, 1872, 23 November 1877; *The Natal Almanac and Yearly Register* (Pietermaritzburg: P. Davis, 1867), 135,142; *The Natal Almanac and Yearly Register* (Pietermaritzburg: P. Davis, 1878), 168, 621; "Return of All Fire-Arms Entered through the Customs at Several Ports of the Colony 1871-1876," 1877, CPP 1/2/1/34 A. 19, KAB; William Kelleher Storey, *Guns, Race, and Power in Colonial South Africa* (Cambridge, MA: Cambridge University Press, 2008), 126-128.



A Graph Showing the Quantity in lbs of Gunpowder imported into the Cape and Natal between 1825 and 1896

Source: *The Natal Witness*, 16 January, 1857, 20 January 1860, 18 January 1861, 18 July, 1862, 24 July, 1863, 12 July, 1872, 24 December, 1872, 23 November 1877; *The Natal Almanac and Yearly Register* (Pietermaritzburg: P. Davis, 1867), 135,142; *The Natal Almanac and Yearly Register* (Pietermaritzburg: P. Davis, 1878), 168; *The Natal Almanac and Yearly Register* (Pietermaritzburg: P. Davis, 1897), 621; *The Cape of Good Hope and Port Natal Shipping and Mercantile Gazette*, 27 December, 1861; 1853, *Annual Statement of the Trade and Navigation of the United Kingdom with Foreign Countries and British Possessions*, 1855-1901 015781, BPP, 84.

Guns were a desirable commodity that drew Africans into capitalist markets based in the state centres of the Cape and Natal. This chapter does not deal with the historiography on the symbolic value of guns, but it can be noted the demand for guns was driven by the prestige of owning a gun. Social capital was attached to guns. Emile S. Roland, Assistant Resident magistrate of the Thaba Bosigo district in Basutoland, noted that "it has always been a traditional wish with every young Basotho to possess a horse and a gun, without which he does not consider himself "a man," and is liable to be jeered at by his more fortunate fellows."[313]

[313] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 10.

Guns were also acquired by individuals who went to work on the diamond fields, or the railway works of Port Elizabeth, Cape Town, Queenstown, Grahamstown and Craddock. Within the peripheries of Nomansland, the Colonial Secretary, Charles Mills, noted that "a Tambookie" had been found with a permit "for the purchase and removal into Kafirland of a gun and 15 lbs of gunpowder."[314] During the late 1860s and early 1870s the AmaHlubi were increasingly connected to the larger South African economy, especially the diamond mines of Kimberley, from which a notable number of young men brought back firearms.[315] The term Kafirland was used to distinguish "the country inhabited by Kafirs beyond the Colony from that inhabited by the Basutos" and would have included Nomansland. Chalmers noted "With the exception of a very few Tembookies and Kaffirs from British Kaffraria and Tembookieland nearly all the natives who pass through this [Cradock] from the railway works belong to Basutoland."[316] Thus, it does not seem a significant proportion of the population of Nomansland acquired guns through work in Cradock.

Guns were a political tool. The Griquas' ability to impose order on the local inhabitants and collect hut taxes was the result of their superior arms which were supplied to them by the British Government.[317] The area was also policed by colonial forces to follow up cattle thieves. In 1869, a commando led by Albert Allison, formerly the captain of the Natal Mounted Police and a border agent at Oliviershoek, came upon a band of Bushmen in the Drakensberg highlands, possibly led by Swayi, and killed sixteen or seventeen people.[318] Allison noted that "the Bushmen lost several of their people in the skirmish amongst whom I regret to state some women fell from stray shots by the natives."[319] Thus, guns were also key commodities for the policing of raiders.

[314] Returns Called for by This House on the 19th June Last, Respecting Arms and Ammunition, and Correspondence between the Government and the Magistrate of Cradock," 1877, CCP 1-2-1-34 A23 '77, KAB, 6.
[315] Gordon-Turner, "Settler Anxiety and Firearms in Southern Africa," 38.
[316] Returns Called for by This House on the 19th June Last, Respecting Arms and Ammunition, and Correspondence between the Government and the Magistrate of Cradock," 1877, CCP 1-2-1-34 A23 '77, KAB, 3.
[317] Knoll, "The Griquas of Griqualand East Until about 1878," 57.
[318] Wright, *Bushman Raiders of the Drakensberg, 1840-1870*, 174.
[319] Wright, *Bushman Raiders of the Drakensberg*, *1840-1870,* 174.

The Griqua were allowed to import arms by the British Government.[320] The British were eager to support the Griqua in establishing order in the area. A Molefe, assistant clerk and interpreter at the Census office, noted that the Griqua should supply the government with information "whether the Captain is able to protect the country or not, so if he was weak, Government could help him with more."[321] Firearm technology helped the Griqua to impose their rule on the inhabitants. In the 1860s and 1870s, much of the revenue for the Griqua government came from the hut tax, which they imposed on the inhabitants, and from licence fees.[322] Joseph Orpen noted that guns have "always been obtainable in plenty", in Adam Kok's part of Nomansland.[323] Some of these guns were traded by the Griqua with the local inhabitants such as the Xesibis.[324] Some arms and ammunition were supplied from the colony from Aliwal North.[325] Nehemiah Moshoeshoe noted that Adam Kok was able to obtain ammunition in "any quantity" from Aliwal North, while he and his people "could with difficulty obtain any."[326] Unable to import them via the Free State, Adam Kok imported cannons from Griqualand West via Aliwal North with permission from Governor Grey.[327] The Griqua also travelled to "the Native reserves" to get ammunition.[328] However, most arms and ammunition were imported from Natal through the Strachan Company.[329]

Donald Strachan and his partners, G. C. Brisley and Thomas Strachan, held positions within the government of East Griqualand that enabled them to advance the interests of the Strachan Company. Donald Strachan became both magistrate and veldkornet for the Umzimkulu district in the early 1870s district and a member of the Cape House of Assembly for East Griqualand. G. C. Brisley served as the Secretary for the government of East

[320] Knoll, "The Griquas of Griqualand East Until about 1878," 37.
[321] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 116.
[322] Knoll, "The Griquas of Griqualand East Until about 1878," 51.
[323] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 112.
[324] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 49.
[325] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 58.
[326] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 140.
[327] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 193.
[328] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 175.
[329] Knoll, "The Griquas of Griqualand East Until about 1878," 37.

Griqualand government.[330] The company was able to acquire the lease for land around the Umzimkulu and Ibis rivers which bordered the colony of Natal in 1874.[331] The control over this drift allowed the company to establish a near monopoly over trade between East Griqualand and Natal. Several other white traders in the area complained that "Messrs Strachan and Co. have virtually the monopoly of the gunpowder, gun, wine and spirits trade."[332] Griqualand East suffered from a shortage of cash, and most of this trade was conducted in barter for stock and other agricultural products.[333] Strachan and Co. also minted its own coins, which served as the currency of East Griqualand from 1874 to the late 1800s and were used by the entire population.[334] The fact that a private player like Strachan minting coins shows that the colonial state's reach had not significantly penetrated the area at this time. Nomansland was a peripheral zone in state discourse, and unlike Scott's model, it was private players rather than the state that imposed order on the area. The prices at which guns and ammunition were sold to the Griquas were also set by the Kokstad Executive Council.[335] And thus the Griqua government managed to keep control over the supply of arms and ammunition.

Strachan established a proto-government near the village of Umzimkulu. His farm Bizweni acted as a meeting place for African chiefdoms like the Bhaca and Nhlangwini. Strachan solved disputes, dispensed advice and enforced justice.[336] By the 1870s the Stachans were the only white traders left among those who had originally settled at the Umzimkulu drift.[337]

Guns thus functioned as a commodity of governance. They drew Africans into the capitalist markets and legal structures based at the state centres of Natal and the Cape. Gun ownership in Nomansland was monitored by state agents. Colonial law created a zone of

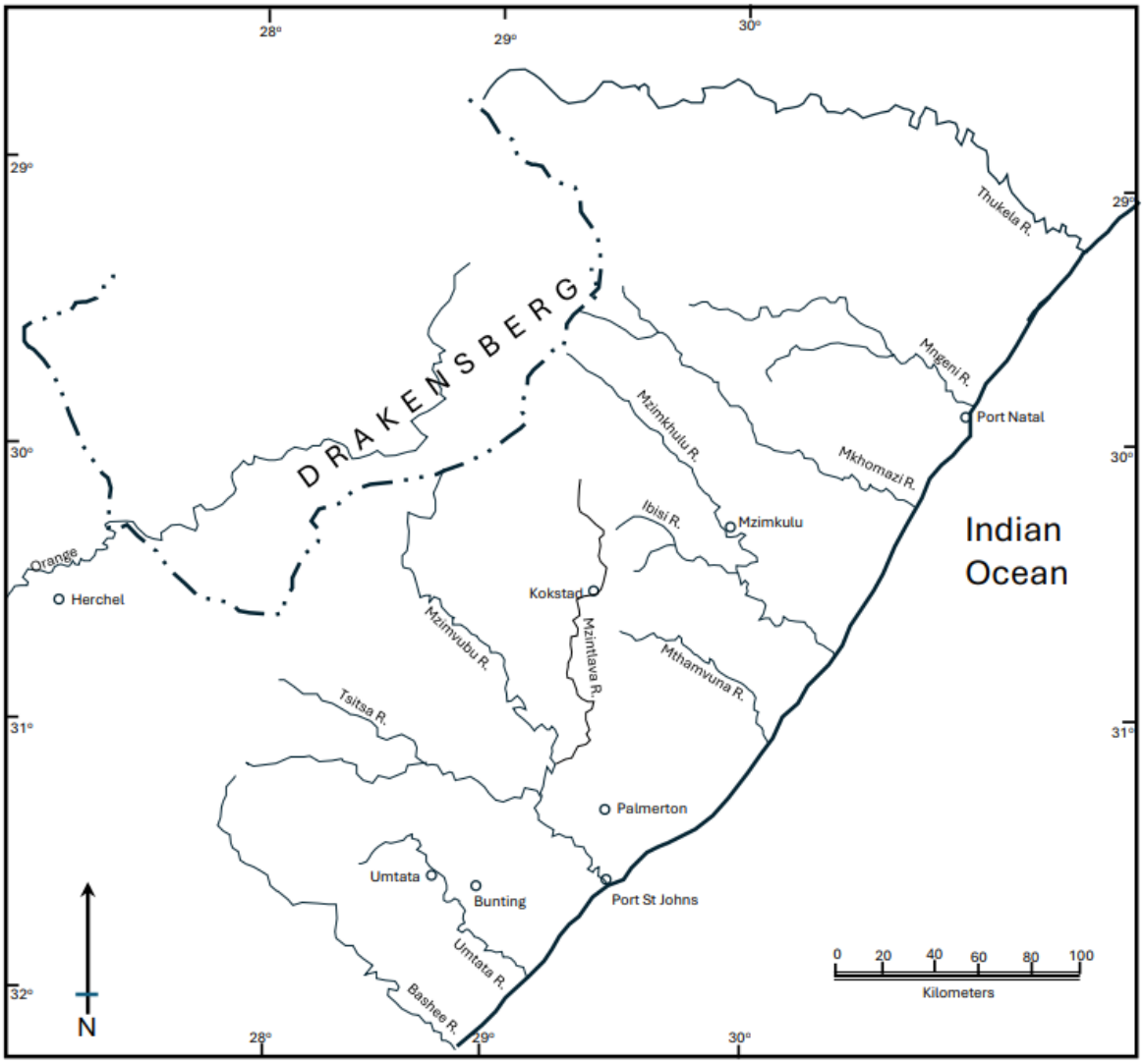
[330] Ross, *Adam Kok's Griquas*, 106-107.
[331] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 28.
[332] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 98.
[333] Ross, *Adam Kok's Griquas,* 106-107.
[334] Scott Balson, "The Strachan and Co Coins, South Africa's Equivalent of the Widow's Mite?," accessed October 24, 2024, https://www.tokencoins.com/article/oct09.htm.
[335] Knoll, "The Griquas of Griqualand East Until about 1878," 37-38
[336]Snell, *A Small River in a Great Valley,* 33.
[337] Snell, *A Small River in a Great Valley,* 35.

ambiguity in Nomansland. Nomansland was a peripheral zone in which illicit activities like gun running could be conducted. Guns also served as a tool for imposing order and facilitated the development of state structures of the Griqua government. The Griqua government maintained tight control over the gun trade in East Griqualand and their access to the superior technology facilitated such state functions as tax collection. However, state structures had still not significantly penetrated Nomansland, and unlike Scott's model, it was often private players like Strachan, rather than governments that imposed order on the territory.

A Commodity of Resistance

James C. Scott describes economic forms such as smuggling, raiding, "foraging, hunting, shifting cultivation and pastoralism "as "fundamentally intractable to state appropriation."[338] However, far from the clear essentialised distinction between state and society that Scott suggests a symbiotic relationship existed. Guns were a symbiotic commodity because they were a tool of government and facilitated a resistance economy in Nomansland. Guns were tools for pursuing state-resistant economic activities like hunting and raiding. However, raiders also mimicked state violence and the Griqua state was a raiding state. Nomansland was constructed as a peripheral zone outside of the colonial state's governance in which illicit economies like smuggling took place. Smuggling developed as a response to state structures. Thus, Nomansland was a frontier zone of illegality and ambiguity.

[338] Scott, *The Art of Not Being Governed*, 6.



Map 4: A Map showing the rivers and places of Nomansland, Pondoland and East Griqualand

Source: Map created by Jan Arkert

Nomansland remained a zone of high friction that made it difficult for capitalist markets to penetrate and states to govern and police. The network of roads to transport Guns from Port St. John's and into East Griqualand and Nomansland was poor. The country of East Griqualand was relatively easy to traverse in a wagon, being free of deep ravines however, the roads were merely tracks through the veld.[339] The Reverend W. Dower noted that "to develop and facilitate trade with the Basutos, a main road direct from Natal, and continued

[339] Ross, *Adam Kok's Griquas,* 112.

towards the north-east of the Cape Colony, is urgently required, also bridges or punts on the Umzimslava [sic] and Umzimvoobo [sic] rivers."[340] Thus, in 1875, no main road existed and some of the rivers lacked bridges. At the drift across the Umzimkulu River, Donald Strachan operated a ferry on payment of £20 per annum to the Griqua Government.[341] The Ibisi River also had a punt, but the Mzintlava and Umzimvubu had no such crossings, making trade difficult.[342] The road from Palmerton to St. John's wagon drift was described as "not good" and the road from Bunting to St. John's was described as "particularly bad." G. P. Stafford estimated that if the road was put in good repair, which he estimated would cost £300, it "would double trade from the mouth."[343] There was no road from Herschel, through the Drakensberg, to the opening of the St. John's mouth.[344] This lack of a network of roads, as well as the inaccessible terrain of the mountains, would have severely hampered trade into Nomansland. Nomansland was constructed in the archives as a peripheral zone outside of state development.

Guns facilitated a hunting economy in Nomansland. Hunting provided a means of substance which was highly mobile. [345] Hunters could, when needed, pursue a nomadic way of life and flee state encroachment. Scott notes that "nomads are much harder to catch than settled farmers."[346] Scott thus describes hunting as an escape strategy designed for state evasion. Hunting might not have been a conscious state evasion strategy, nonetheless it provided the people of Nomansland with a lifeway and economic form which could exists outside of states based on settled agriculture. Nehemiah Moshoeshoe described hunting for game with guns in the area. He described "plenty of game" in the area.[347] Nehemiah noted that "milk and game" was his principal diet when there was not sufficient corn.[348] He also noted

[340] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 85.
[341] Knoll, "The Griquas of Griqualand East Until about 1878," 37.
[342] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 87.
[343] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 89.
[344] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 117.
[345] Scott, *The Art of Not Being Governed*,' 181.
[346] Scott, *The Art of Not Being Governed*,' 185.
[347] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 160-161.
[348] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 132.

that guns were used as protection "against robbers and wild beasts."[349] He recalled lending Smith Pommer and his people a gun to hunt game.[350] A Griqua by the name of Sama described guns as "the only thing we had to live by," illustrating how key guns were to living in Nomansland.[351] Sama's need for a gun was driven by his "want of food" for which he sought out game in the area.[352] He also described meeting a party from Basutoland on a hunting expedition.[353] The participation Griqua state members, such as Sama and Smith Pommer, as well as Basutos in this hunting activity illustrates that there was no clear distinction between a resistance society and the state.

Guns also played a key role in the raiding economy of Nomansland. Guns were a means of protection. Cattle raids sometimes resulted in skirmishes for which a gun was an indispensable tool. A raid by the Pondomisi together with Fingos who had become subjects of the British government against the Thembu resulted in "a newly enrolled subject" being "shot dead" by the Thembus.[354] A raid by Pondo and the Pondomisi led by Umditchwa against another clan of Pondomisi led by Umhlonhlo was repulsed because of "good shooting."[355] An Amabhaca named Masangwane described an incident in which some of Nehemiah's people killed and plundered a pair of rebel Hottentots, capturing a gun from them.[356] Another incident is described by Chief Lehana, as a skirmish which occurred between the Griqua and some of Nehemiah's people in which the Griqua fired upon Nehemiah's people after they had captured oxen from the Griqua.[357] The Griquas and the Basothos stole regularly from each other. Several skirmishes occurred between the Griqua

[349] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 145.
[350] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 132.
[351] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 210.
[352] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 206.
[353] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 206.
[354] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 104
[355] "Bluebook on Native Affairs, 1874," 1874, CPP G27, KAB, 73.
[356] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 62.
[357] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 115.

and Nehemiah's people which resulted in shots being exchanged.[358] Kok tried to stop this by making some agreement with Moshoeshoe. Kok then sent armed men to meet Nehemiah to come to an agreement, but when these men arrived at Nehemiah's village, they found that he and his people had fled to the mountains from where they continued to send thieving expeditions against the Griquas. The Griquas then attacked the Basothos and managed to drive them out.[359] Raiding was a highly mobile economic form. Raiders could live off what they plundered from other groups and then flee into the hills beyond the punitive reach. However, raiders also mimicked state violence and the Griqua state was a raiding state. Ricardo Roque describes this sort of mimicry as 'mutual parasitism,' that "enabled colonial power and indigenous to coexist and prosper in a reciprocally significant way."[360] Thus while cattle raiding provided an economic form which was resistant to settled agriculture, raiders were often agents of states and states like the Basotho, Griqua and Natal were themselves raiding states. Raiding was thus a symbiotic activity rather than a clear-cut example of a resistance economy.

Smuggling activity was common in Nomansland. In his November 1860 dispatch to the Secretary of State for Colonies, Lieutenant-Governor of Natal John Scott expressed alarm at the "lawlessness and turbulence" that prevailed in Nomansland. He noted the presence of armed and mounted gangs which traded gunpowder and firearms with other lawless elements beyond the Drakensberg Mountains.[361] In 1862, he again noted the "present lawless condition of 'No Man's Land'" and expressed his "anxiety to assume control" over an "illicit traffic in firearms and gunpowder, carried on between this colony [Natal] and the native tribes."[362] In the 1850s, the village of Umzimkulu was established as a trading outpost when a small number of white traders established a settlement. These traders operated outside of the protection of colonial law. Officials at Natal were suspicious of these traders

[358] "Report of a Commission to Inquire into the Affairs of the Territory of Griqualand East, 1876," 1876, CPP G37, KAB, 141, 180.
[359] Knoll, "The Griquas of Griqualand East Until about 1878," 62.
[360] R. Roque, *Headhunting and Colonialism: Anthropology and the Circulation of Human Skulls in the Portuguese Empire, 1870-1930* (Springer, 2010), 7.
[361] Du Bois, "The Birth of Alfred County: 1844-1870," 2.
[362] "Correspondence Relative to the Settlement of the Country Between the Bashee and the Western Border of Natal, 1862," 1862, CPP G53, KAB, 10.

at the drift as they considered them gun runners.[363] In this case it was private players and colonial settlers who participated in this resistant economic form. The reputation of Nomansland as a zone of illegality was to some degree a construction of discourse which presented these private players as gun runners. Traders bartered with African Chiefdoms, often through Khoi middlemen. Traders exchanged beads, trinkets, tinderboxes, blankets, cloth, needles, thread, hoes, horses and guns for cattle hides, skins and timber.[364] Wagonloads of firearms passed through the drift in the 1850s and 1860s. At first muzzle loaders were in demand but were later replaced by breach loaders. In 1861, a gun could buy six cattle. Smugglers could either travel along the coast past the area of Port St. Johns or inland through Umzimkulu drift.[365] In 1854, Arthur Caesar Hawkins was appointed the magistrate of the Umkomanzi region. He instructed Thomas Hancock, the local Justice of the Peace, to put a stop to gun smuggling through the Umzimkulu drift.[366] In 1857, Joseph Harcourt was arrested for transporting 20lb (9 kg) of gunpowder and six guns across the Umzimkulu; 10lb (5 kg) was the limit that could be transported without permission from the Natal governor. Harcourt was found guilty, and his wagons, guns and gunpowder were confiscated. In 1860, Hawkins went on leave and Captain Lloyd was appointed as acting magistrate. Soon after taking office, he arrested several Africans who were carrying guns for John Ogle. John Godden was the ferryman at the Umkomaas River and smuggled guns across the river.[367] In 1862 Hawkins recommended that a permanent police force be established at the Umzimkulu drift. In 1863 a unit of the Mounted Police, under Captain Albert Allison, was stationed at the Umzimkulu Drift. With the police presence the gun smuggling moved to the area of present-day Port Shepstone.[368]

Guns were smuggled from Natal, through Nomansland, to the Kei.[369] This smuggling activity appears to have continued into the 1880s. A crossing known as 'Gun Drift' on the Umtumvuma developed a reputation for smuggling activity.[370] Guns were also smuggled

[363] Snell, *A Small River in a Great Valley,* 9.
[364] Snell, *A Small River in a Great Valley,* 16.
[365] Snell, *A Small River in a Great Valley,* 17.
[366] Snell, *A Small River in a Great Valley,* 17.
[367] Snell, *A Small River in a Great Valley,* 18.
[368] Snell, *A Small River in a Great Valley,* 18.
[369] *The Natal Mercury,* April 4, 1877.
[370] Shephard, *In the Shadow of the Drakensberg*, 46.

into Pondoland from Umtata. In a statement on gun-running a detective policeman noted that many traders were illegally selling arms and ammunition in and around Pondoland and Nomansland in 1880. The detective identified a white trader by the name of Billy, based on the Xoba River near the Umzimvubu, who had a Scotch cart loaded with guns which he sold. The guns were Snider rifles and percussion rifles. The trader was seen to sell two guns with four packets of ammunition for three oxen for each gun. The detective concluded that the guns came from Umtata.[371] Billy had a hut on the river and was said to go out every month to sell guns. The trader was reported to the resident magistrate of Umtata, but nothing was done as the trade occurred outside of the jurisdiction. Near the Xoba River, along the coast, on the road to the Umzimvubu from Umtata, the detective also found a Mfengu from Tembuland who was making gunpowder to sell for cattle. This Mfengu was supplied with goods from Umtata. The detective also reported a ship from Natal on the Tavela River where there were sailors with guns.[372] Thus, many traders operated in Pondoland around the Umzimvubu River who illegally sold arms to the Pondo.

Guns were also smuggled through Port St. John's. A small group of white traders had settled at the port and ships landed there to avoid paying customs duties. The missionary Jenkins noted that unidentified merchant vessels periodically landed firearms at Port St. John's, which were traded to the Mpondo.[373] In the 1880s, officials in Natal and the Cape noted that the AmaPondo were heavily armed. In the 1870s and 1880s, St John's served as a port which was outside of the control of the Cape and Natal. Ships passing through the St. John's river mouth without paying customs remained an issue into the 1870s until the government attempted to set up a customs official at the port.[374] A total of 28 ships stopped at Port St. John's between 1864 and 1874, with a total tonnage of 1052 tons.[375] An average of about 3 ships a year, with a maximum of 6 ships calling in Port in 1873.[376] Thus, trade through Port St. Johns was relatively low. In 1878, Sir Bartle Frere issued a proclamation declaring the

[371] "Copy of a Statement (on Oath) of a Detective Policeman on Gun-Running," 1880, 3-1-1-44 A. 70 '80 vol. III, KAB, 1.
[372] "Copy of a Statement (on Oath) of a Detective Policeman on Gun-Running," 1880, 3-1-1-44 A. 70 '80 vol. III, KAB, 3.
[373] Stapleton, *Faku*, 111.
[374] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 66.
[375] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 90.
[376] "Bluebook on Native Affairs, 1875," 1875, CPP G21, KAB, 90.

mouth of St. John's to be a British port.[377] The proclamation was disputed, and in 1881, the firm of the White Brothers clashed with custom officials when they refused to pay duties on goods imported into St. John's River mouth arguing that it was "without the boundary lines."[378] Officials believed that Port St. John's was a conduit for arms smuggled into the interior. In 1884 a British resident reported that German traders had delivered three hundred rifles plus ammunition to Mpondo arms traffickers.[379] The regulation of the arms trade persuaded the British government to declare a protectorate over Pondoland in 1885.[380]

Nomansland was still an area of high friction, which made it difficult for the state and capitalist markets to penetrate. A resistance economy coalesced around the commodity of guns. Guns were a key tool in economies based on hunting and raiding. Despite the Strachan monopoly on the trade in East Griqualand, less reputable businessmen also seem to have been trading guns into Nomansland and through Nomansland without licences and without paying customs duties. Smugglers evaded the state, making smuggling a key source of anxiety for colonial agents such as Lieutenant-Governor of Natal John Scott. However, there was no clear distinction between the state and society. Hunting and raiding were practiced by members of the state and it was often private colonial settlers who engaged in smuggling. The fact that Nomansland developed a reputation as a zone of illegality was, to an extent, an archival effect and a creation of state discourse.

Conclusion

Nomanasland, as it was constructed in state discourse, was a peripheral, frontier zone and a zone of ambiguity in which illicit activities could take place. A heterogeneous situation had developed in Nomansland between 1860 and 1880. State-resistant economic activities, such

[377] "Report of a Sub Committee Appointed by the Natal Chamber of Commerce to Consider and Report on the Action of the Cape Government in Levying Customs Duties on Goods from this Colony Entering St. John's River," August 2, 1881, CO 4521, KAB.
[378] "St. John's River: Refusal to Pay Customs Duties," N.D., CO 4521, KAB.
[379] Storey, *Guns, Race, and Power in Colonial South Africa*, 322.
[380] Storey, *Guns, Race, and Power in Colonial South Africa*, 322-323.

as hunting and raiding, continued to be practised. Guns were an indispensable tool for these activities. Gun smugglers were also active in Nomansland, conducting their activities beyond the ambit of the State. Nomansland remained an area of high friction that was difficult for capitalist markets based on sedentary agriculture to penetrate. However, from the 1860s onward, state structures began to penetrate into Nomansland. The dominance of the Griqua state in the area was based on their access to firearms technology. The Griqua were able to collect taxes in the area, and the government-linked Strachan Co. developed a trade network in the area. Guns were a desirable commodity that drew the inhabitants of Nomansland into capitalist markets. Guns were also a site of law, becoming increasingly regulated and monitored by the colonial state. Thus, guns framed the site between resistance and governance. Thus, a zone of illegality was created in Nomansland through the commodity of guns.

Chapter 5: Conclusion 'The State and Upland Populations'

This thesis has examined what it terms a resistance or escape economy in the area known as Nomansland between 1820 and 1880. Drawing from the work of James C. Scott it has described economic forms like hunting, forging, raiding and smuggling as providing the inhabitants of Nomansland with mediated escape strategies. Together with other strategies like mobility and isolation in rugged terrain, these economic forms provided a means to evade state capture, state-linked violence and were resistant states based on settled agriculture. The upland population of Nomansland has thus been described as pursuing a resistance or escape economy. However, unlike the essentialised distinctions made by Scott, this thesis describes these as mediated escape strategies. While they provided upland people with the means of state evasion when needed, such populations were also in a symbiotic relationship with the state. Ivory hunting linked groups like the Nhlagwini and Botwas with commercial markets. Raiding, while it could facilitate state evasion, was also practised by state agents. The resistance economy described thus represents mediated escape strategies which allowed upland populations to evade states when needed, but could also function in a reciprocal relation with the state.

This resistance economy thus represents the internal logic of the hill people of Nomansland. The thesis has also examined how this resistance economy was constructed in the colonial archive. The economic forms practised in Nomansland were often described as disordered and illicit and were used as a justification to impose colonial order on the area. Once again this order was mediated. States like those of the Basotho, Mpondo, Zulu, Griqua, Natal and the Cape were not monolithic and were fractured and characterised by contradiction and compromise. These states imposed a mediated order in a symbiotic relation with the hill population. Often governing through disorder and co-opting the lifeways of hill people in proto-state formation.

Thus this thesis has examined the symbiotic relationship between the state and upland populations in Nomansland. The internal logic of these hill people was a mediated escape

strategy which the colonial state termed disordered and illicit as a justification for the imposition of order based on settled agriculture.

In the 1820s and 1830s groups of Botwas hunted elephants in the area. Elephant hunting was a semi-nomadic economic form that allowed them to organise themselves in small, highly mobile, unobtrusive bands that could flee into the remote mountains when necessary. Nomansland was a zone of refuge or shatter zone where inhabitants could evade state violence. Ivory hunting provided a link to regional markets but the trade network in Nomansland was resistant to penetration by white traders. Thus, the economy of Nomansland in the 1820s and 1830s constituted a resistance or escape economy.

During the 1840s and 1850s, the colonial state began to penetrate this resistance economy. This penetration began not with military mobilisation, but rather with descriptions of the area and treaty negotiations. While Nomansland may have been a zone of refuge, the territory was as much a creation of state discourse as it was of people fleeing state violence. Nomansland and its economy were described as wild, unruly, lawless, uninhabited and a place of war. These descriptions of the area were closely linked to its cattle-raiding economy. Cattle raiding was seen as disordered, unsettled and as a form of warfare. The descriptions of Nomansland and its economy justified colonial intervention in the area. The genealogy of 'No man's land' emerged with Currie's expedition into the area and the cessation of the area from Faku because of his inability to control raiding activity. Governor Grey agreed to allow the Griqua to settle in the area as their settlement was seen as a way of imposing legal order, settled agriculture and policing an area viewed as unsettled, lawless and posing a risk of war to Natal. Thus, contrary to James Scott, Nomansland, as a territory emerged out of state discourse and the genealogy of Nomansland served as a justification for state intervention in the area.

With the settlement of the Griqua in the area in the early 1860s state structures began to penetrate the resistance economy of Nomansland and a heterogeneous situation developed. The Griqua established a legal system, implemented taxation, minted currency and began to practice settled agriculture. Firearms technology allowed them to police and

impose their order and authority in the area. Guns were a commodity of governance: they were the site of colonial legislation, a tool for imposing order and drew the inhabitants of Nomansland into capitalist markets. However, guns were also a site of resistance, and economic activity resistant to state capture, such as hunting, raiding and smuggling continued to be practised in Nomansland. Nomansland remained a zone of refuge which was remote and isolated. Thus, between 1860 and 1880 a mixed situation developed in Nomansland. State structures began to be developed in the area but traces of a resistance or escape economy remained.

The systems of exchange of the various commodities examined in this thesis created an illicit zone in Nomansland. Through the commodity of ivory as it supported a resistant economy that was resistant to settled agriculture. Through the commodity of cattle in that cattle raiding had a symbolic value associated with disorder and war and these qualities were also applied to Nomansland and through guns in that guns were a site of legislation and securitisation and that Nomansland as a frontier zone was beyond the reach of state legislation.

This thesis has examined the dichotomy between the state and the hill inhabitants of Nomansland. On the one hand, there is the resistance economy practised by the inhabitants of Nomansland in attempts to evade state capture, state violence and markets based on settled agriculture. On the other hand, the colonial discourse of the area's economy as illicit which justified state intervention. Thus Nomansland was a site of struggle. It was both a zone of refugee for hill people evading states and a territory which emerged out of state discourse. Nomansland was framed as a frontier zone, a zone of ambiguity and a zone of illegality. Thus, in archival discourse, Nomansland and its economy were constructed as illicit. The relationship between the upland populations and the state was symbiotic. Resistant economic forms allowed the upland population to evade the state when needed, but commodities like ivory, cattle and guns also tied these populations to the state. The colonial state also used the perceived disorder of these populations to govern and impose order. Thus, the relationship between States and Upland populations was one of mediation, inconsistencies, compromises, and contradictions.

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