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Land and Society in the Komaggas region of Namaqualand

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BRGJOE001

A dissertation submitted in *fulfillment* of the requirements for the award of the degree of Master of Arts in Historical Studies

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COMPULSORY DECLARATION

This work has not been previously submitted in whole, or in part, for the award of any degree. It is my own work. Each significant contribution to, and quotation in, this dissertation from the work, or works, of other people has been attributed, and has been cited and referenced.

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Abstract:

This paper explores the history of Namaqualand and specifically the Komaggas community. By taking note of the major developments that occurred in the area, the effects on this community over the last 200 or so years have been established. The focal point follows the history of land; its usage, dispossession and importance to the survival of Namaqualanders. Using the records of travellers to the region, the views of government officials, local inhabitants as well as numerous analyses of contemporary authors, a detailed understanding of this area has emerged. Among other things, the research has attempted to ascertain whether the current Komaggas community has a claim to a greater portion of land than it currently holds. Overwhelming evidence exists that supports the idea that the Khoi grouping known as the Nama did indeed make use of a large portion of Namaqualand practicing transhumance in order to survive. Centuries of beneficial use led to local systems of understanding whereby certain tribes had predominance in particular areas and assumed a right to these lands through continual usage.

Following colonisation, the movement of Europeans away from the original settlement at Cape Town, slowly but steadily began to undermine the original inhabitants of the Cape. While Namaqualand was able to withstand this push longer than other areas by virtue of its location, its inhabitants began to be negatively affected by the 1800s. The Nama began to lose their most important commodity, cattle, suffered disease, and were pushed off their ancestral lands and denied access to water sources. A lack of understanding and rationalisation of aboriginal practices relating to land usage and various other customs, as well as a growing racially-charged landscape meant that the Nama, like other Khoi groups, while not explicitly relegated to second class citizens by government, were certainly not supported or given equal treatment. As Europeans were able to secure title and tenure to the best lands in the region, the Nama were sidelined.

When Namaqualand became profitable because of copper in the 1850s, the quest for land became even more fervent. The building of an infrastructure over the next decades would facilitate the diamond industry that began in the 1920s, a defining moment that signalled the end of any autonomy of movement for the people of Komaggas. Apartheid further relegated their position in society and today Komaggas is a poor and underdeveloped place with few prospects. However, given the importance of the land agenda in post-1994 South Africa and the success of the Richtersvelders in gaining compensation for loss of land, there is hope for Komaggas. The evidence will show that the Komaggas community certainly made use of lands outside its current boundaries. Examining the doctrine of aboriginal title it will be argued that they certainly have a claim to some form of land redistribution or restitution. This is based on historical evidence as well as the present need to increase agriculture production and to have access to more land for their livestock.

Acknowledgements

During the two year period that it has taken me to complete this thesis, a number of people have assisted me and deserve mention and thanks. A great deal of my time was spent gathering evidence at a number of libraries and archives. I must thank the staff at the African Studies Library and Government Publications at the University of Cape Town (UCT) who were always friendly and helpful in locating whatever obscure volumes I requested. The staff at the Special Collections room at The National Library in Cape Town helped to secure the Schmelen letters which are held on microfiche. Previous research had led me to the Cape Town Archives Repository on numerous occasions and the knowledgeable people who work there once again guided me in the right direction.

Working with the Komaggas community was a mutually beneficial experience. I was provided with historical records that I would otherwise not have been able to acquire. When I needed clarification regarding certain issues members of the Komaggas Land Group were always forthcoming. I am indebted to Henk Smith of the Legal Resources Centre (LRC) for introducing me to the topic and providing me with excellent information. Henk has been involved with land issues in Namaqualand for many years and his knowledge of the area and its legal history is extensive. He provided me with numerous LRC files and made time to discuss various issues with me.

My supervisor, Associate Professor Nigel Penn is a well respected authority on the history of the Northern Cape which is the area of my study. His insightful comments and criticisms helped guide me through the vast evidence I had gathered. He allowed me independence to proceed as I wished, but always made sure I was on the right track. Lastly I must thank my family and friends for endless encouragement over the past two years. My grandfather, David Gamsu, translated a number of German texts and I thank him for that.

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'The psychology of the subsistence economy shaped the mind of black Africa over eons of time, since long before the Protestant work ethic became the driving force in Western culture. Subsistence thinking was not an energising influence. It inclined to a fatalist outlook, which Europeans mistook for fecklessness and laziness.

One thing the subsistence economy does produce is an intense, life-long passion for land.

For land mean security – not only those patches that are actually under cultivation or providing pasturage for livestock but also the surrounding bushveld, which in the worst of times, when all the crops have failed and all the cattle have died, will still yield a few edible leaves and roots and grubs and so sustain the life of the tribe. Land and community became inseparable, woven together in the matrix of tribal society. The land was revered in ritual, it held the bodies of the tribal ancestors, it was the concretion of the tribe itself, the thing that gave it life and substance and security and identity. It could not be owned individually. It was held by the tribe collectively and vested in the chief, who could allocate its use but not its title.

This, too, the Europeans failed to understand as they advanced in their settlement, pressing the tribes back and dispossessing them of their land with little idea of the social disruption and psychological trauma they were causing'.¹

¹ Sparks, A., *The Mind of South Africa: The Story of the Rise and Fall of Apartheid* (London: Mandarin Paperbacks, 1991), p. 20.

Preface

After I completed my Honours in Historical Studies at UCT in 2007 I planned to continue with a Masters programme the following year. I was uncertain of a topic that would be both exciting and also practical in terms of the availability of sources. My supervisor for my Honours year, Assoc. Prof. Nigel Penn, (who would subsequently become my supervisor for my MA) introduced me to Henk Smith at the LRC. The LRC is a non-profit organisation that represents, 'the vulnerable and marginalised, including poor, homeless, and landless people and communities who suffer discrimination by reason of race, class, gender, disability or by reason of social, economic, and historical circumstances'.² For a few years, the LRC has been working with the Komaggas community in Namaqualand.³ The community is trying to recover lands that it claims historically belonged to it and were used by its founding members and their ancestors. Members of the community, represented by a local land committee known as Karusab, maintain that over an extended period of time the land that was utilised by their ancestors and that was always considered to belong to the community fell into the hands of others including the state, De Beers and private owners. It was proposed that I would be given the task of researching the history of land usage and land rights in the area.

After some discussion I decided that this project would be very suitable for my MA. It would allow me to study a topic that is incredibly pertinent in the South African context. When one contemplates land dispossession and forced removals, the infamous years of Apartheid come to mind. The examples of District 6 and Crossroads are preeminent in our history, yet land dispossession had first occurred many centuries prior to these events, albeit in perhaps more subtle and surreptitious guises. This is the history of a particular area and people, but it echoes with the stories of countless communities across South Africa. Land has played a central role in the development of our country as far back as the colonial period. While for all countries land and all that is attached to it is a critical factor, South Africa has a number of added considerations. Much of present-day South Africa was a colony, first of the Dutch and then the British. In addition to this, Apartheid legislation grossly skewed the natural development of land ownership and tenure.

² Legal Resources Centre. 'About Us'. Accessed at <http://www.lrc.org.za/about-us>. (2010) Accessed January 2010.

³ Namaqualand is sometimes spelt, 'Namakwaland'.

In terms of practicality, the majority of sources would be readily available. Perhaps most appealing was the opportunity for my research to potentially have a 'real-world' outcome. As a student of history I have always felt that all research has potential to yield worthy information and form an addition to the knowledge on the subject. The fact that land is such a contemporary topic makes this project unique in my, albeit limited, research experience. Another factor was that this particular case falls outside the legislative boundaries laid down by the ANC government after 1994 to deal with land redistribution and reform. From a theoretical standpoint, the issue of aboriginal land claims is one of great importance and has the possibility to become a very real option for those dispossessed prior to the 1913 cut-off date. Land is an incredibly contentious issue currently and being able to work on a potentially groundbreaking claim is incredibly exciting.

While the focal point of my thesis would be the issue of land rights in the Komaggas area, it soon became inevitable that my paper would touch on a number of other issues. While it is not a social history, it became impossible to remove the topic of land from the larger and more general history of Komaggas. My intentions were always to provide the LRC and Karusab with a document that they could eventually use for their own needs. However, it was made clear from the start that my intentions and needs were not always going to correspond with theirs. It became clear that although our immediate objectives were not identical, theirs being a successful land claim, mine being the completion of my MA, co-operation would benefit both parties. Perhaps the central responsibility of the historian is to maintain a stance of objectivity. After I met a number of people from Komaggas when I travelled there (as well as when the Karusab group journeyed to Cape Town for a number of meetings), I began to build relationships. Before I began my research it was hard not to feel a degree of compassion for this community simply because of their socio-economic position. There is a high percentage of unemployment and poverty is a major problem. Despite what my personal hopes were, I understood that my role was not to massage the evidence to further the aspirations and aims of the community. My function was to investigate the historical record and provide whatever proof there was, be it in favour of or against their claims. The primary question I will attempt to answer is: 'Does the historical record point towards an unfair treatment of the people of Komaggas with reference to their land rights and is there evidence that could be used to make a legal claim that will compensate them?'

What follows is a record of the pre-colonial history of the region, the history of Komaggas and its people and the fundamental developments and changes in the area and their effects on this community. The paper further explores the issue of land; its ownership, usage and tenure.

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Methodology

History is a biased discipline in that some areas are given much attention and have a wealth of resources from which to learn, while other topics and times are often overlooked or scantily investigated. In the example of this case, it would be wonderful if we had recorded evidence that the people who formed the Komaggas community and their forebears used lands A, B and C starting from date X. As is often the case things are not as simple and because there is not a singular ‘yes’ or ‘no’ answer to the questions raised throughout this paper, a variety of sources need to be explored to approach this issue.

Literacy developed at a variable rate in different areas and in South Africa’s pre-colonial era there is no written record by indigenous people. Of course, other forms of remembrance and record-keeping were employed, such as rock art and of importance to this case, oral history. However, the lack of written evidence regarding issues pertinent to this study such as occupation of specific lands means that it is difficult and sometimes impossible to ascertain specific things with complete conviction. Schaefer correctly asserts that, ‘except for the regular reports, journals and occasional books that these good people wrote, ordinary life in the desert hinterland was largely under-reported’.⁴ Namaqualand’s distance from the Cape and lack of interest from government until the copper boom meant that compared to other areas, relatively few official records were kept for a great deal of time. Penn writes that, ‘Isolation and underpopulation combined to make the archival records relating to the northern Cape frontier zone sparser and less detailed than those of districts – such as Swellendam and Graaf-Reinet – which were smaller, more densely populated and whose administrative centres were more centrally situated within their boundaries’.⁵

For the period following colonisation it is the early travellers that offer insight into the lives of the indigenous groups. Despite its isolated location, Namaqualand was journeyed to a number of times soon after 1652. Between 1660 and 1664, there were 6 recorded expeditions to the region. It was thought that the Nama held, ‘the key to the fabled river of Vigiti Magna and the empire of Monomatopa’.⁶ From the mid 17th century, their descriptions of people, the

⁴ Schaefer, A., *Life & Travels in the Northwest, 1850 – 1899: Namaqualand, Bushmanland & West Coast* (Cape Town: Yoshi Publishing, 2008), p. 9.

⁵ Penn, N.G., *The Northern Cape Frontier Zone, 1700 – c. 1815* (Ph.D. Thesis, University of Cape Town, 1995), p. xi.

⁶ *Ibid*, p. 285.

land, customs and practices and often seemingly inane comments are today invaluable in unravelling the events of the past. Of course, their writings were more often than not imbued with a certain European worldview that saw much of the Cape as backward and that viewed indigenous people on a scale that ranged from lazy, indolent and simple to savage, cruel and sub-human. Also, many writers gave much more focus to the flora and fauna, hunting techniques and clothing than to the people themselves and their relationships with other tribes. For example, Burton, who wrote about the Cape Colony at the turn of the 20th century, devoted 1 page to Namaqualand. He wrote of the copper industry, agriculture, animals and rainfall. He failed to mention the people that inhabited the region altogether.⁷ Despite their biases, the travellers that visited Komaggas and Namaqualand offer important observations and precious evidence.

The general area of study for this paper is Namaqualand.⁸ While Komaggas is of course the focal point, important general comments regarding the region need to be considered as they are often representative of the area as a whole. In addition, given the often scant information regarding this area, especially in centuries gone by, these general assertions about environment, climate and modes of human existence are often indispensable and can be extended to shed light on the history of Komaggas. The group that forms the basis of this paper are those who currently reside in Komaggas, as well as their ancestors, the Nama and the Baster group that emerged in the area during colonial times. As it is necessary to explore the area in order to extrapolate information that can be used to better understand Komaggas, it is similarly required to examine other groups of inhabitants in the Namaqualand region, such as other Nama and Baster groups, the San, missionaries, travellers, farmers and administrators.

Komaggas only became part of the colony in 1798 when the border was moved to the Buffels River. Namaqualand itself was only fully incorporated in 1847 when the border was further extended to the Orange River. For the entire period of the Dutch administration there is little

⁷ Burton, A.R.E., *Cape Colony for the Settler: An account of its urban and rural industries, their profitable future development and extension* (Cape Town: J.C. Juta & Co., 1903), pp. 208 – 9.

⁸ Historically, this area has been referred to as Little Namaqualand. Today it is known as Namaqualand and is bounded by the Atlantic Ocean in the west, the Orange River in the north, the Vanrhynsdorp district in the south and the Kenhardt and Calvinia districts in the east. The region north of the Orange River, in present day Namibia, was historically referred to as Great Namaqualand. The Khoi that lived north of the Orange were referred to as the Great Namaqua, while those who lived south in the region of study were known as the Little Namaqua.

to suggest that the authorities were aware of what was occurring in Namaqualand in any meaningful way. The company's lack of financial might, resources and manpower meant that it was often blind to what was going on in the colony, especially in far off regions. The British did manage to impose their authority on this region, but in general, primary sources in the form of official records are lacking up to a point. However, from the 19th century onwards there are a number of government records relating to Komaggas and Namaqualand. The majority of these are held at the Cape Town Archives Repository.

I was able to secure some records of the *Raad* of Komaggas, the locally elected government body in place from the mid 19th century and these offer insight into the local politics of the community as well as its legal system. Another primary source is the collection of letters that the Komaggas missionaries sent to their superiors. I was able to secure a number of letters written by Schmelen, the first missionary at Komaggas. These letters date from the late 1820s until the 1840s and according to descriptions of the letters, could potentially offer unmatched information about the station in its earliest days. It is known that they include annual reports, general comments about the conditions of the station and its inhabitants as well as the opinions of the missionaries regarding various matters. Unfortunately, these letters were only procured very recently. Kept on microfiche at the National Library in Cape Town, they are of a very poor quality and at times illegible. To date, only a few have been transcribed. A great deal of time needs to be devoted to analysing these letters. While one can always regret not being able to gather all available sources, one has to draw the line at some point during the research process. However, not being able to include the contents of these letters is a drawback and the details contained within them need to be collected.

The use of oral history has gained greater credence in recent years, especially with regard to claims based on aboriginal title. A few interviews were conducted with elder members of the community. Among other things, they were asked about their memories of land usage and where boundaries were when they were young. In all honesty, these interviews yielded little of value and the actual quality of the recordings is also poor. A more comprehensive set of interviews needs to be conducted in a professional manner. In 2008 there was great excitement about the possibility of an oral history project. Many of the older residents voiced a willingness to talk about their memories of the land over the years. Oral tradition regarding the issue of land is incredibly important in piecing together the story, especially when official documents are lacking. Another issue relating to the use of oral history is that this is one of

the few forms by which the Komaggas community could dictate and explain their own history in their own words. The vast majority of evidence related to them is written by people who were or are outsiders and it is important for any group of people to feel that their history is not an imposition of others.

Despite the potential of oral history I was somewhat apprehensive given the nature of the questions and the aspirations of the community. Naturally, if someone is aware that if they provide certain information that has the potential to enrich themselves and their community, there is a chance that they would supply answers that would do just that. In no way am I implying that those who were interviewed did this, but the issue of land dispossession is a highly charged one for the people of Komaggas. Over decades and centuries the idea that they have been dispossessed has festered within the community and there is the possibility that people have adopted ideas and opinions that are not founded in fact. I understood that it was necessary to balance the answers of the respondents with the factual evidence available.

In terms of secondary sources, analyses of pre-colonial history, the earliest years of settlement and the movement of the frontier towards Namaqualand, the copper and diamond booms, the Apartheid years and recent developments in land restitution and redistribution have all been consulted. Naturally, the works of other scholars who have researched Komaggas and its history were used and in many ways, formed the foundation of my work. This thesis is not a social history first and foremost. Numerous accounts of the Khoi and Nama have been written and these are referred to, but I am not chiefly concerned with things such as internal laws, marriage, religious beliefs etc. Some of these elements will be used to ascertain certain things and wherever possible to substantiate claims. This paper is also not a policy document or directed by certain imperatives. Its primary objective is not to describe what should happen or suggest the actions of government or other groups. It is primarily interested in ascertaining the history of land use in the Komaggas area.

The concept of cultural relativism is central to this case. This concept argues that the beliefs and practices of all cultures should be understood within their own contexts. Boas pioneered this idea at the beginning of the 20th century. He wrote, 'civilization is not something absolute, but...is relative, and...our ideas and conceptions are true only so far as our

civilization goes'.⁹ The assumed superiority of whites dictated general policy for both Dutch and British administrations. The Khoi, but to a greater extent, the San, were viewed as sub-human. In the minds of the colonists they did not display the markers of Western society: no property, 'proper' homes, literacy, language, political structures, and were therefore deemed to be inferior. The earliest voyages to the Cape had resulted in descriptions and illustrations of its indigenous people spreading through parts of Europe. While some depicted them in the archetypal mode of the noble savage, this would transform into the barbaric and animalistic. The Dutch and later the British misinterpreted or ignored local customs and practices, dismissing them as primitive and backward. While there were those who were sympathetic to the cause of the indigenous groups, Khoi and San were generally viewed negatively.

Schapera wrote about how anthropologists and other faculties have neglected the study of political organisation in so-called, 'primitive societies'. For years many academics lumped all non-Western societies together, viewing them as inherently different from Western systems. Mentzel wrote about the Cape in the 1780s. Of the indigenous groups he commented that the, 'Hottentots are counted among the uncivilised races by all writers of travels who have visited the Cape of Good Hope and have written something about it. These authors are right in so far as the Hottentots build no cities, live in the most distant parts between the mountains, in valleys, in wildernesses, along the rivers, in the bushes and forests, migrate from one place to another, acknowledge no authority accept no laws except those that they have chosen for themselves and have observed by long custom'.¹⁰ Schapera noted that it was, 'not surprising that sociologists and others sometimes hold mistaken views about primitive systems of political organization. Some even deny that such systems exist'.¹¹ By imposing their views of what constituted a political system, they dismissed other forms. This point of view shared by governments and colonising powers over the centuries, was an indispensable tool that was used to substantiate the forceful policies they imposed on local peoples. All that is described in this paper should be understood within this framework. While not all colonists shared such views, it certainly permeated the landscape.

⁹ Dall, Wm. H. and Boas, F., 'Museums of Ethnology and their classification' in *Science*, 9, 228 (1887), p. 589.

¹⁰ Mandelbrote, O.F. (ed.), *A Geographical and Topographical Description of the Cape of Good Hope*, (Cape Town: Van Riebeeck Society, 1944, originally printed 1787), p. 260.

¹¹ Schapera, I., *Government and Politics in Tribal Societies* (New York: Schocken Books, 1967), p. 1.

Komaggas: An Introduction

Location

Komaggas is a settlement which is situated in the Northern Cape province of South Africa and is approximately 70,000 hectares in size.¹² Komaggas is one of 6 so-called 'coloured reserves' in Namaqualand, and one of the 23 in the country.¹³ It is located in the Namaqualand region in the west of the province, about 50 kilometres north-west of present-day Springbok, south of the Buffels River, 'straddling the mountains and the coastal sandveld'.¹⁴ The name Komaggas is generally accepted to translate to, 'place of many wild olive trees'.¹⁵ Namaqualand is bordered by the Atlantic Ocean to the west, the Orange River to the north, the Vanrhynsdorp district to the south and the Kenhardt and Calvinia districts to the east. Namaqualand or the Namakwa District is one of the five district municipalities in the province. Of the six local municipalities within the Namakwa District, Komaggas is located in the local municipality known as Nama Khoi. The Northern Cape is the country's largest province and given its sparse population, environment and climate, distances between towns and cities are large. Namaqualand, which covers an area of roughly 48,000km², has a very low population density of approximately 1 person per square kilometre, which is reflective of the dry and inhospitable nature of the region. While it accounts for 8% of South Africa's land, it is only home to 0.3% (or 110,000 people) of the population.¹⁶

Historically, what is today considered to be Namaqualand was referred to as 'Little Namaqualand'. This was used to differentiate from 'Great Namaqualand', which was the region located north of the Orange River. At present, 'Namaqualand' refers to the region of South Africa situated just south of the Orange River from its mouth to about 200 km inland. The term is used in this sense in this study.

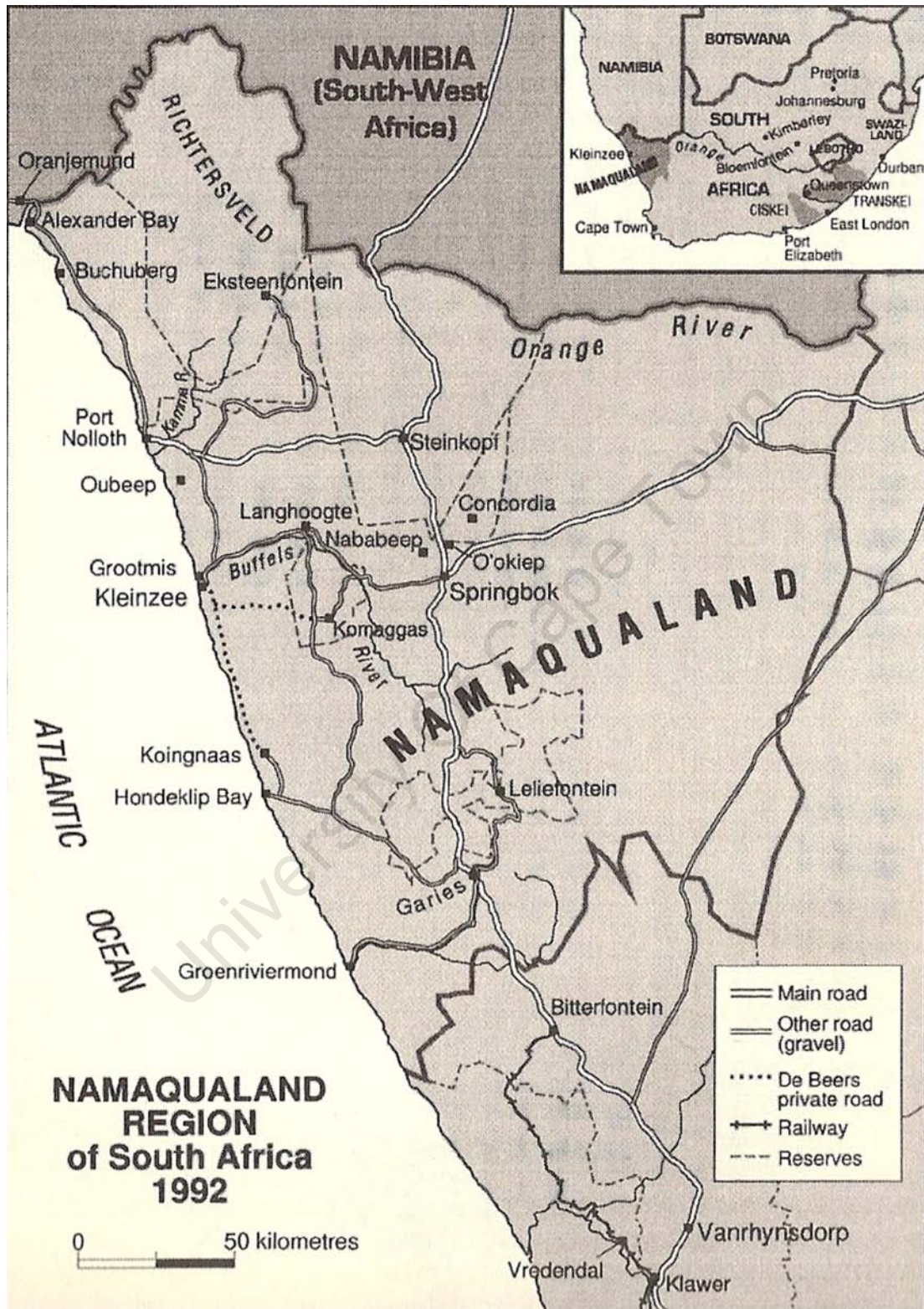
¹² Sharp, J., 'Land claims in Namaqualand: the Komaggas reserve' in *Review of African Political Economy*, 21, 61 (1994), p. 403.

¹³ Surplus Peoples Project, *Land Claims in Namaqualand* (Cape Town: Formaset Printers, 1995), p. 7.

¹⁴ Wisborg, P., *'It is our land': Human rights and land tenure reform in Namaqualand, South Africa* (Ph.D. Thesis, Norwegian University of Life Sciences, 2006), p. 46.

¹⁵ Raper, P.E., *A Dictionary of Southern African Place Names* (Johannesburg: Jonathan Ball Publishers, 1989), p. 269.

¹⁶ Wisborg, P., *'It is our land'*, p. 44.



Map 1: Namaqualand

Environment

In terms of its topography, Namaqualand is generally divided into 3 areas: the Sandveld which forms the coastal area, the mountain belt, and Bushmanland, the inland plateau to the east. Map 2 on the following page illustrates these different regions. These constitute 3 distinctively different ecozones. In pre-colonial times, writes Carstens, 'Herding practices included seasonal migrations between the coastal belt, the central mountain region and the plains'.¹⁷ It is generally an arid area and according to Schaefer, 'There is no question of regular agriculture on a large scale in the region, even if the ground is fertile. In the Kamiesberg the rainfall may be high enough during most years, but the shortage of arable soil becomes the problem'.¹⁸ Generally, water is not available even a few feet under the surface. When the geologist Andrew Wyley visited Namaqualand in the 1850s to report on the possibility of copper, he wrote of the brackness of the soil, extreme heat and cold and poor water quality.¹⁹ Komaggas itself is described by Wisborg as being, 'generally semi-arid, with a precipitation of 200-400mm per year, and combines mountains (*bo-veld*) and coastal plain (*sandveld*)'.²⁰

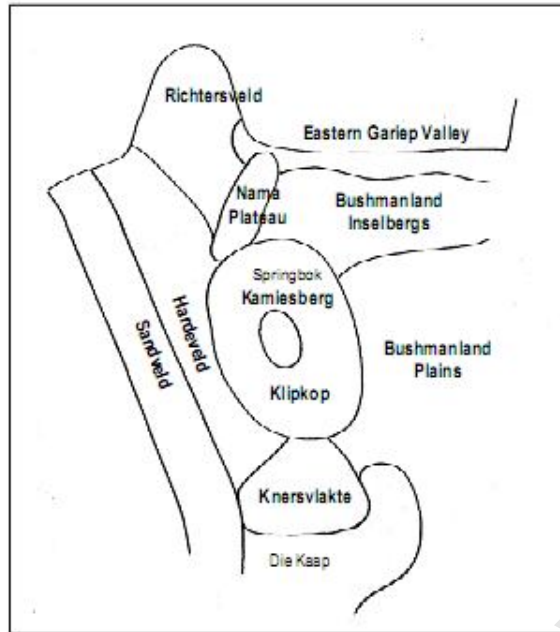
As will be highlighted in this paper, the ability to be able to seasonally migrate to different regions of Namaqualand was instrumental to the survival of the pre-colonial Nama as well as those who would live in the region after colonisation. Up to the early 20th century the people of Komaggas made use of various portions of Namaqualand for water, grazing and food resources.

¹⁷ Ibid, p. 137.

¹⁸ Schaefer, *Life & Travels in the Northwest*, p. 18.

¹⁹ Wyley, A., 'Report upon the Mineral and Geological Structure of South Namaqualand and the Adjoining Mineral Districts' (G. 36 – '57) in *Cape Colony Publications* (hereafter CCP) 1/2/1/4, 1857, p. 35.

²⁰ Wisborg, *'It is our land'*, pp. 298 – 299.



Map 2: The different environmental regions of Namaqualand

Brief History

People have lived in and passed through the area known as Komaggas for centuries. The first community to settle there did so in the early 1800s. While the London Missionary Society established a mission station at Komaggas in the late 1820s, the current site of Komaggas was only officially recognised in 1843. Initially, the community was rather isolated and was able to exist with relatively little interference from the colonial government and farmers moving into the area. Practicing a mixture of pastoralism and agriculture, the people of Komaggas, while never becoming prosperous or wealthy, managed to survive. Being of Nama²¹ and Baster²² heritage in a society that was increasingly becoming dominated by, and geared towards the advancement of whites, the people of Komaggas were never in a powerful position. During the colonial years they never received equal treatment from the government and slowly their rights were circumscribed. The beginning of copper mining operations in the 1850s was to have a major impact on Komaggas and other Namaqualanders. As government and businesses realised the true financial potential of the area, it began to wrest control of land and resources from its inhabitants. When diamonds began to be mined in Namaqualand from the 1920s, this process intensified and this point in time marked the end of any

²¹ A sub-section of the Khoi people who settled in Namaqualand.

²² This term is generally used to refer to descendents of male Dutch colonists and Nama or Khoi women. In colonial times, Basters were often referred to as 'Bastaards' or 'Hottentot-Bastaards'.

autonomy of movement for people from Komaggas. Their way of life was being indelibly changed and they were in no position to counteract these outside forces. They fared no better during the Apartheid era as their status as 'Coloureds' meant that their position in society was always inferior to whites. Since the end of Apartheid the racist legislation has been removed, but in real world terms, Komaggas and much of Namaqualand remains a poor and underdeveloped region.

The Land Claim

The Komaggas community, represented by Karusab, maintains that the original inhabitants of Komaggas and their ancestors were the rightful owners of a much larger portion of land than the community currently holds. Their argument follows that over time, colonists moving into Namaqualand and later copper and diamond mining companies bought and leased land from the government that historically belonged to the people of Komaggas. The claim for ancestral land is bordered by the Buffels River in the north, the Swartlentsjies River in the south, the Kamiesberg in the east and the Atlantic Ocean in the west.²³ This is an enormous area, far bigger than the current reserve and in reality the claim will not be for all the land within these boundaries. As of 2001, the reserves in Namaqualand comprised 27% of the total land area. The other 73% was divided between the state and private ownership with 52% of the total area being owned privately.²⁴

Current Status and Position

Today, Komaggas is a poor community with few prospects for a rise in quality of life. As of 2003/4, the population was approximately 4,900.²⁵ Its major source of income is from employment on the mines. By 2001 Kleinzee was the biggest employer of residents from Komaggas. The average monthly income per household was R3,028, while unemployment was as high as 40%.²⁶ In 1998, mining accounted for around 70% of employment in the entire region, while agriculture amounted to a measly 2%. Problematically, the projected closure of mines will mean that a number of families will be negatively affected. Namaqualand suffers from a lack of diversification in terms of industry and has relied on the mining industry for

²³ Sharp, 'Land claims in Namaqualand', p. 403.

²⁴ Wisborg, *It is our land*, p. 132.

²⁵ Ibid, p. 133.

²⁶ Ibid, p. 297.

the past 150 years. The Human Development Index (HDI) for Namaqualand in 1998 was 0,428, considerably lower than the national average of 0,677.²⁷ The average had increased to 0,62 by 2004 indicating medium to high development ratings. However, this was the calculation for Springbok only, a town that is far more developed and well-off than a place such as Komaggas.²⁸ The possibility of some improved dispensation for the community is of extreme importance for its inhabitants. The benefits of securing more land would be truly great and would give Komaggas the opportunity to enrich itself and create a better standard of living for its inhabitants.

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²⁷ Ibid, p. 124. The HDI is generally used to gauge the development of a country. Its calculation takes into account such things as life expectancy, literacy, educational attainment, and Gross Domestic Product per capita.

²⁸ Governder-Van Wyk, S., *Community-Based sustainable tourism on commonages: an alternative to traditional land reform in Namaqualand, Northern Cape Province* (Ph.D. Thesis, University of Pretoria, 2007), no page number.

Chapter 1

1.1 Pre-colonial Namaqualand and the indigenous peoples relationship with the land

According to Davenport and Saunders, ancestors of the San people moved into Namaqualand roughly 40,000 years ago and became its first inhabitants. The San were hunter-gatherers who moved, 'between the coastal region, central mountains and interior plains'.²⁹ By necessity they practiced transhumance. This term refers to planned migration that follows recognisable cycles and patterns, determined by the seasons and the environment. It is estimated that Khoi pastoralists began to migrate into the area around 2,000 years ago.³⁰ Some would continue further south towards the Cape and a number of independent Khoi groups began to establish themselves in different regions. Those Khoi who settled in Namaqualand came to be known as the Little Namaqua or Nama.³¹ When Khoi moved into the area, because of relatively low population density, the groups were able to co-exist. This was made easier because during difficult times, Khoi would adopt a San lifestyle of hunting and gathering and there was certain fluidity and contact between the two groups. Competition over resources such as land, water and food was not as much of an issue as it would become in later years, although the landscape was not purely peaceful.³²

The relationship between Khoi and San groups has been the subject of much scholarly analysis, 'and is heatedly debated by modern scholars'.³³ Their interaction and common characteristics led to the term 'Khoisan', used to encompass both ethnic groups as one. The word was coined in the 1920s by Schultze.³⁴ The Khoi are also known as the Khoekhoe, Khoekhoen, Khoikhoi and Khoikhoin. In colonial times, the Khoi were generally referred to by whites as Hottentot, or Hotnot, both of which were loaded with derogatory connotations

²⁹ Wisborg, P., 'It is our land', p. 136.

³⁰ Mountain, A., *The First People of the Cape: a look at their history and the impact of colonialism on the Cape's indigenous people* (Cape Town: David Philip, 2003), p. 7.

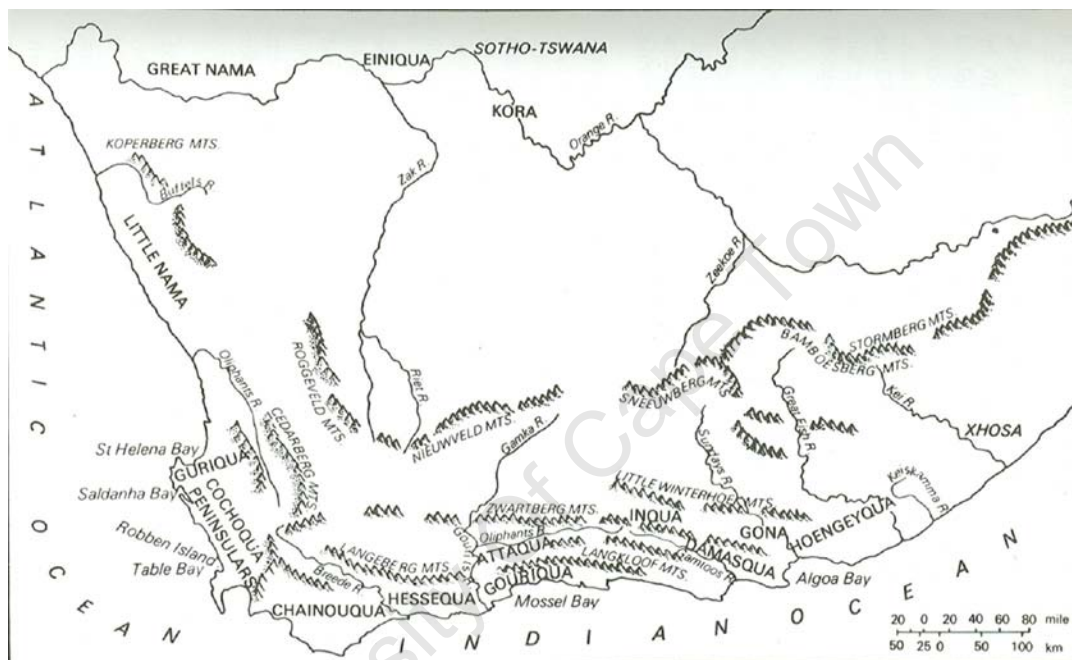
³¹ Those Nama who lived south of the Orange were known as the Little Namaqua. Nama that settled north of the Orange, in present day Namibia, were referred to as the 'Great Namaqua'.

³² Various scholars have investigated the histories of these people in pre-colonial times, their social, political and economic structures, their belief systems and the ways in which they related to the world and each other. It must be noted that this paper is interested primarily in land; its ownership, usage and relationship to it. At times, elements will be discussed that fall into the categories of the social, political and economic, but this is generally in order to establish facts related to land.

³³ Elbourne, E., *Blood Ground: Colonialism, Missions, and the Contest for Christianity in the Cape Colony and Britain, 1799 – 1853* (Canada: McGill-Queen's University Press, 2002), p. 72.

³⁴ Hoernlé, W., *The Social Organization of the Nama and other essays*, edited by Carstens, P., (Johannesburg: Witwatersrand University Press, 1985), p. 21.

and are therefore discarded. For purposes of simplicity, this paper will refer to the group as ‘Khoi’. It must be noted that the Khoi are the primary subject of this paper and not the San.³⁵ Henceforth, references to the Khoi of Namaqualand, Little Namaqua or simply the Nama, should be understood to be the same group of people. Historically, the area of study was referred to as Little Namaqualand to differentiate with Great Namaqualand, the region north of the Orange. Today, Little Namaqualand is known simply as Namaqualand and references to either should be understood as the same portion of land.



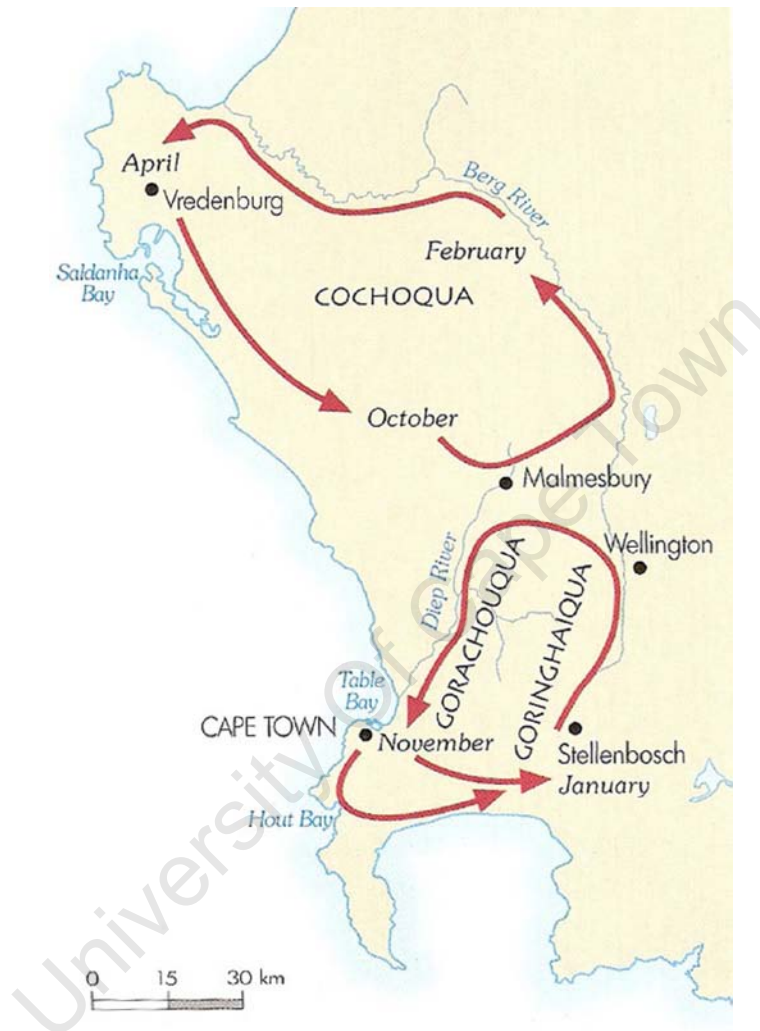
Map 3: Prior to European colonisation various Khoi groups were dispersed across present-day South Africa

As in all pre-modern societies, the tactics people adopted to survive, such as gathering food, securing lands and water for themselves and their animals, and maintaining security, were heavily influenced by the environment they lived in. Little Namaqua society was based on pastoralism and to ensure they maintained their herds in this arid region, they were forced to practice transhumance to survive. Webley writes that, ‘The topographically diverse environment in Namaqualand and the irregular distribution of resources such as water and pastures, particularly in the summer months, have always made a certain degree of transhumance essential’.³⁶ This seasonal movement was the case for all Khoi groups, irrespective of their individual locale. Avoiding the risk of making a sweeping generalization,

³⁵ The San, like the Khoi, were referred to disparagingly as ‘Bushmen’ during colonial times, a term also loaded with negative undertones.

³⁶ Webley, L., ‘Pastoralist Ethnoarchaeology in Namaqualand’ in *Goodwin Series, Prehistoric Pastoralism in Southern Africa*, 5 (June 1986), p. 57.

it would be a fair comment that *all* San and Khoi groups in Namaqualand employed such tactics in pre-colonial times. The fact that their routes were planned out and repeated from year to year is significant and as will become evident, lends credence to the notion that these groups had rights to these lands as a result of continual and extensive use.



Map 4: Khoi groups transhumance patterns in the south-western Cape before European colonisation

Historically, Namaqualand has been a winter rainfall area and continues to be so today. Naturally, not every part within the region receives the same rainfall. Recent measurements indicate that the rainfall in Namaqualand is around 50 mm/year in the north-west, reaches 400 mm/year in the well-watered Kamiesberg, and averages less than 150 mm/year for the region in its entirety.³⁷ Wisborg asserts that Komaggas itself has an average rainfall of

³⁷ Cowling, R.M., Esler, K.J. and Rundel, P.W., 'Namaqualand, South Africa: an Overview of a Unique Winter-Rainfall Desert Ecosystem' in *Plant Ecology*, 142, 1/2 (June, 1999), p. 5.

between 200 and 400mm/year.³⁸ Fairly recent records indicate that the average annual rainfall for South Africa is approximately 500mm/year and worldwide the yearly average is around 860mm.³⁹ In general, Namaqualand is a dry region that has been susceptible to periodic droughts throughout its history. Kelso's study of Namaqualand's climate patterns over the past few hundred years revealed that there were numerous droughts and dry years. While there were also years of good rains, these were less frequent.⁴⁰ Its unique layout, encompassing three quite disparate ecological regions, has meant that its inhabitants adopted a semi-nomadic existence, moving with the seasons and when they found it necessary in order to exploit its resources. Unable to extract water from below the surface, they relied on nature to provide and, 'The amount of water, therefore determines the density of population in any one area, and the water available in a given area, together with the density of the vegetation, determines the number and size of the settlements in the area'.⁴¹ What must be highlighted is the issue that these practices were essential, and not an option. They were employed in order to survive and to sustain the livelihood of the group.

During the dry summer months, groups would stay together at central points around permanent water sources in order to conserve resources:

During the dry season, herders in the Kamiesberg region congregated at permanent waterholes on the escarpment. These settlements may have consisted of 50 to 80 huts by extrapolation from historic sources and studies of pastoralists from other parts of Africa. They were probably not arranged in a circular pattern but were dispersed to avoid disputes over the water. Summer settlements were larger than winter sites, were more likely to be re-occupied annually leaving a denser artefact scatter or deeper deposit, and would therefore be more easily recognizable in the archaeological record.⁴²

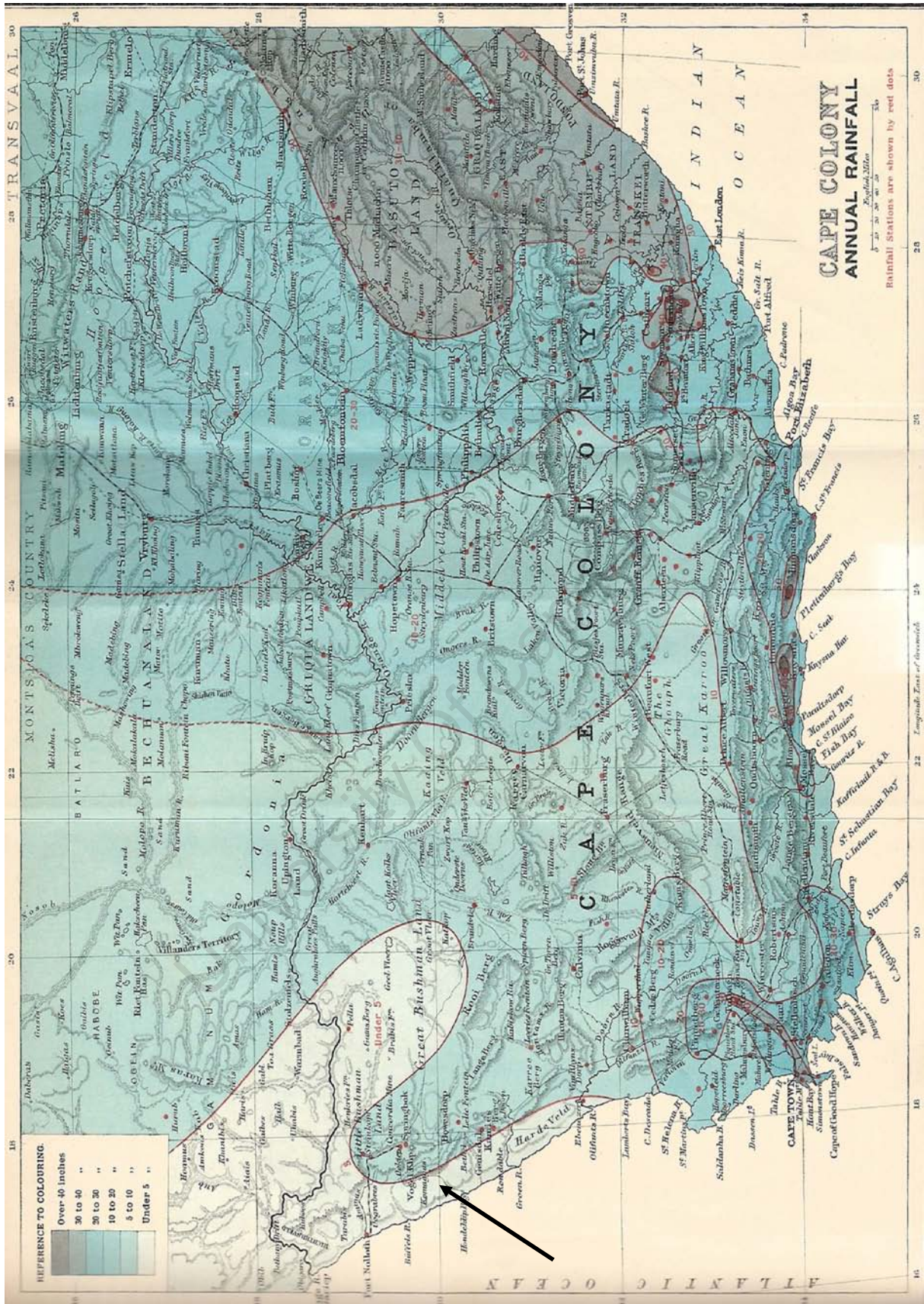
³⁸ Wisborg, *'It is our land'*, pp. 298 – 299.

³⁹ Department of Environmental Affairs and Tourism. 'Mean Annual Rainfall of South Africa'. Accessed at http://www.environment.gov.za/Enviro-Info/sote/nsoer/indicatr/m_rain.htm (1999) Accessed December 2009.

⁴⁰ Allsopp, N. and Timm, M. (eds), *Towards sustainable land use in Namaqualand* - Proceedings of the Namaqualand Colloquium 24–26 May 2005 (Cape Town: ARC-Range and Forage Institute, University of Western Cape, 2005), pp. 23 – 28.

⁴¹ Schapera, I., *The Khoisan Peoples of South Africa: Bushmen and Hottentots* (London: Routledge & Kegan Paul Ltd, 1965), p. 21.

⁴² Webley, 'Pastoralist Ethnoarchaeology in Namaqualand', p. 60.



Map 5: Rainfall of the Cape Colony circa 1900. (Note that Komaggas, indicated on the map with an arrow, falls within a region of low rainfall)

During winter, groups would split into smaller units. These units would have been composed of between five and fifteen families and they moved to utilize far-off pastures. These winter sites, also known as stockposts or *veeposte*, were smaller than their more permanent locations, the *stasies*. These sites were, ‘less likely to be re-occupied and were therefore characterised by a less dense artefact scatter.’⁴³ As there was more food and milk in the winter, the Nama would save the slaughter of animals for summer months when they were all together.⁴⁴ By migrating in the wetter months, they allowed their primary residence to renew itself for the following year. Hoernlé describes their decision to conserve resources:

as long as there is any water in the rock holes, or river beds, the majority of the people wander in the outlying parts of the country using up the grass there first, so that at the end of the season they may have grazing near their permanent water supply to come back to.⁴⁵

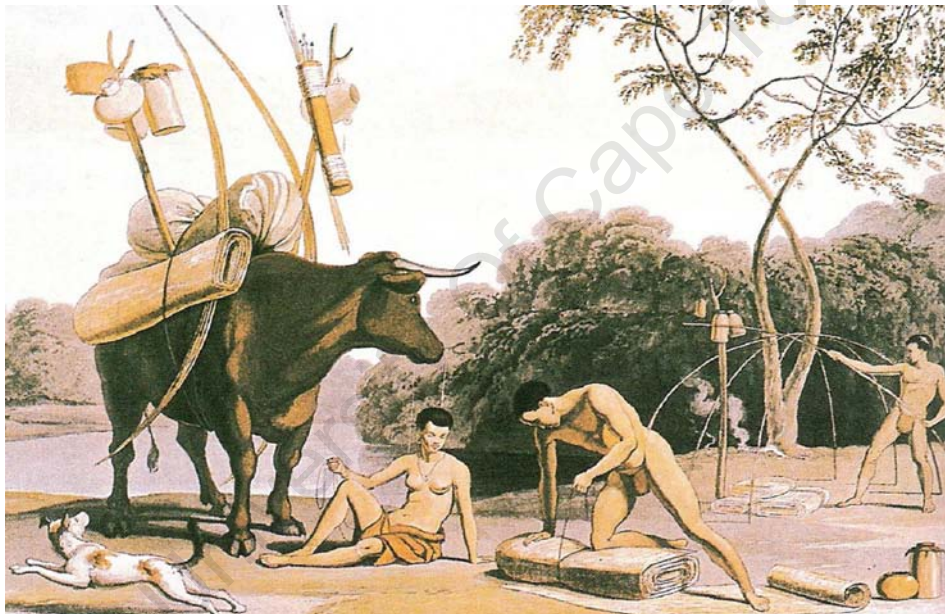


Image 1: Khoi packing up their belongings including their mat-covered homes, known as the *matjieshut*, to transport to their next locale

The Khoi understood the need to conserve resources and this was a factor that led to their seasonal movement. Smith comments that, ‘An important aspect of pastoral nomadism is the need to be constantly on the move to make optimal use of available grazing and water for the

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Hoernlé, *The Social Organization of the Nama and other essays*, p. 24.

animals'.⁴⁶ Another factor that influenced their migrations included access to other food sources such as *veldkos*⁴⁷ and marine animals. The Namaquas chose not to slaughter their domestic animals if it was possible and tried to survive off game such as eland, springbok and ostrich. Unlike pastures and water sources which were held and used communally, cattle were held individually and were commodities that were inherited. Given that cattle were the most important possession of the Nama and a vulnerable commodity, they also implemented a cattle-post system. A family's cattle was not kept together in one location, but was spread across a few outposts. This decision was made so as to minimise the effects of theft or murder and illness.⁴⁸ This also eased the strain on the land by having to provide for fewer animals. Europeans, who were critical of indigenous land use systems as being wasteful, were generally mistaken. This system allowed for lands to lie fallow and for grass to replenish. To some degree the Nama were a self-sustaining group and employed tactics to take care of weaker and less well-off members. It was common practice for adult men of poorer households to enter into relationships with wealthier stockowners. They would care for the herd and in return had access to milk and after a period of service would receive payment in the form of livestock.

Penn writes that before the 18th century, 'both the Great and Little Namaqua were accustomed to ranging far beyond their home territories'.⁴⁹ In 1660, Pieter van Meerhof noted around 700 Little Namaqua close to present-day Van Rhynsdorp, with 4,000 cattle, 300 sheep and more than 70 huts in a settlement.⁵⁰ In 1681, a group of Namaqua visited the castle. They brought with them copper ore. This resulted in a government expedition towards Namaqualand under Olof Bergh. At the Oliphants he encountered, 'Gregriquas there and 4 or 5 Amacquas with their wives, children and some cattle'.⁵¹ Namaqua were spotted as far south as the Oliphants River, as far north as the Orange, the Atlantic Ocean in the west and Bushmanland in

⁴⁶ Smith, A.B., *The Disruption of the Khoi Society in the 17th Century* (Cape Town: University of Cape Town, 1983), p. 3.

⁴⁷ Literally translates to food from the field such as berries, bulbs, roots and edible plants.

⁴⁸ Trüper, U., *The Invisible Women: Zara Schmelen*, African mission assistant at the Cape and in Namaland (Basel: Basler Afrika Bibliographien, 2006), p. 18.

⁴⁹ Penn, *The Northern Cape Frontier Zone*, p. 281. Sharp concurs: 'it is therefore an established fact that the autochthonous Nama occupied a vast territory before the Dutch arrived' in Wisborg, 'It is our land', p. 136.

⁵⁰ Penn, *The Northern Cape Frontier Zone*, p. 281.

⁵¹ Mossop, E.E. (ed.), *Journals of the Expeditions of the Honourable Ensign Olof Bergh (1682 and 1683) and the Ensign Isaq Schriver (1689)* (Cape Town: Van Riebeeck Society, 1931), p. 133.

summer months in the east.⁵²

Prior to European settlement and penetration of the interior, there were no visible boundaries, fences, colonial authority or private ownership to prohibit movement and usage. Despite the seemingly nonexistence of markers, continued usage by specific groups of Khoi over an extended period resulted in a degree of predominance in a particular area. Individual clans did not move randomly, but tended to move in a regular annual pattern. However, transhumant orbits were not fixed, but could and did extend much wider during drought years. Consequently, the recognised range of a community's orbit could include areas that were not necessarily visited annually. In Namaqualand, boundaries between tribes were not clearly formed for a number of reasons. Firstly, lands could change hands when more powerful groups displaced weaker ones. Also, given the uncertain weather patterns and intermittent drought, it would have been unwise for fixed boundaries to have existed. The environment called for a loose system that could easily be altered and adapted. As Schapera writes:

although every Hottentot tribe had a claim, established by long exploitation over a certain stretch of land, other tribes might seek and obtain permission not only to pass through this territory but even to make use of its water and pastures, on condition that the prior rights of the resident tribe were recognized and acknowledged.⁵³

Rather frustratingly there is, 'no concrete information as to the demarcation and control of these territories'.⁵⁴ However, there are records of the movements of some Nama groups. Laidler wrote of specific routes the Nama had adopted for their migrations. Those who lived in the Richtersveld area followed a well defined route from Springklip to Jackals Pits to TKwarass to Oograbis to Buchuberg to Nabass to 'Kuboos. This description of the route is taken from Moffat's journey in 1855 when there were around 1,400 people living in the Richtersveld. When mining began in the middle of the 19th century, 'this sensible arrangement for summer and winter was found to interfere with mining prospects in Namaqualand, and Commander Nolloth recommended its curtailment'.⁵⁵ Evidence in the

⁵² Penn, N.G., 'Land Rights, Missionaries and Surveyors: Khoisan Identity and the Komaggas Community' in Fisher, R. (ed), *History of Surveying and Land Tenure. Collected Papers Volume Two. Surveying and Land Tenure at the Cape 1813 – 1912* (Cape Town: Institute of Professional Land Surveyors and Geomatics, 2004), p. 152.

⁵³ Schapera, *The Khoisan Peoples of South Africa*, p. 288.

⁵⁴ *Ibid*, p. 286.

⁵⁵ Laidler, P.W., 'The Seasonal Migrations of the Cape Hottentot' in *Man*, 36 (Apr. 1936), p. 61.

Kamiesberg area suggests that the annual transhumance orbit of small stock herders may have been around 100km in extent.⁵⁶

Undoubtedly the area that offered the most sustenance was the mountainous region of the Kamiesberg at the centre of the Namaqualand. It was often used by the Namaqua because it offered good water and grazing during summer months. Laidler wrote that:

In the Khamies oasis there was also a seasonal movement. The mountain's top, about 5,000 feet above sea level, is so cool and beautiful in summer, is bitterly cold and wet in winter; so, as the springs there always sufficed for the summer time, the Namas trekked as soon as winter appeared, to the lower levels at Kharkhams, and along the banks of the Spoeg, Buffels, Groen and other rivers to the west, whose sources lie in the Khamies Mountain. This ceased circa 1800.⁵⁷

When the rains had been good, the Little Namaqua would move into Bushmanland during the summer months as that region experienced summer rainfall. It is worth noting that Laidler's descriptions of their movements end with the declaration that these came to an end. The first as a result of the copper industry, the second no doubt because of white farmers having moved into that area and secured the best portions of the Kamiesberg.

⁵⁶ Webley, 'Pastoralist Ethnoarchaeology in Namaqualand', p. 57.

⁵⁷ Laidler, 'The Seasonal Migrations of the Cape Hottentot', p. 61.

Chapter 2

2.1 European Settlement

Without repeating what has been written countless times before, it is necessary to have a sense of the impact European settlement had on the indigenous groups of the area. Prior to the actual settlement of the Cape under the Vereenigde Oost-Indische Compagnie (VOC) in 1652, there were encounters between Europeans traders and sailors who were passing through and had landed at the Cape which had served as a refreshing station. While these early interactions were not all peaceful, it was only after settlement that indigenous groups began to feel the full consequence of colonisation. These effects were multifaceted impacting on every sphere of life and were incredibly destructive. In a relatively short period of time the way of life for most indigenous people was drastically and irreversibly altered. Still, it would be misleading to paint a portrait of peaceful existence between the various indigenous groups prior to colonisation. There was, at times, fighting and bloodshed between groups as they vied for power and position.

Initially the impact, especially for those groups who did not live in the region around the actual settlement at the castle, was limited. The VOC had relatively few employees and while there was competition for resources between the company and local Khoi groups in the area, there was co-existence. The Heren XVII, the body that governed the VOC, had instructed the company that it was not to negatively affect the people already living at the Cape. This was respected; the VOC understood that they were outnumbered and had to rely on the Khoi for their source of meat and local knowledge. While the colonists had greater firepower, it would not have been advisable, at least in the early years of the colony, to encourage hostile relations with the Khoi. Still, the earliest days of Van Riebeeck's settlement give an indication of what was to come for the indigenous groups. He records in his journal from February 10th, 1655, that some of the Company men had gone to the woods and had encountered Khoi. The men had reported to Van Riebeeck that the Khoi had made it clear that the Dutch were on their land, were taking their pasturage and had a very clear sense of entitlement to the land.⁵⁸ It is, surely, the most common reaction to trespassers: 'This is mine – get off!'

⁵⁸ Moodie, D., *The Record; or, a series of official papers relative to the condition and treatment of the native tribes of South Africa, Part 1* (Johannesburg: 1959, originally printed 1838), pp. 57 – 58.

There were a number of events that heightened tensions between the Khoi and the colonists. On both sides, there were cases of theft, especially of cattle and the government's criticism of the Khoi not selling enough livestock. In 1657 the first servants of the VOC were released and allowed to settle beyond the confines of the settlement, in a bid to become more independent from the Khoi. These released servants were known as *freeburghers* and they moved into the region beyond Table Mountain, farmed on the Liesbeeck and continued to disperse. The population density was still low and the *freeburghers* found and settled on what they deemed to be vacant lands. While they might have assumed these lands to have been unoccupied, much was utilised by the indigenous population as part of their seasonal transhumance practices. There was a lack of knowledge and respect for local customs and practices as these *freeburghers* began to settle on the best lands for agricultural and pastoral purposes. It must always be remembered that the VOC was a company that was instructed to make a profit and exploit the lands and resources of the Cape. As a capitalist enterprise the VOC began to make, 'utilitarian distinctions between unproductive and productive uses of land'⁵⁹ and infringe on local land rights and customs.

In 1659 the 1st Khoikhoi-Dutch War between the Cape Khoi and the VOC broke out and carried on until the following year. After the hostilities, the Khoi leader, whose name was Autshumao, (also known as Harry the Strandloper) asked Van Riebeeck how he could justify Dutch rights to the area and how a foreign power could possibly hold more sway than the indigenous people. Van Riebeeck told him that the Dutch had fairly won the land and that it was their intention to hold on to it.⁶⁰ A wounded Khoi was taken to the castle. It is reported by a colonist named Dapper that this man asked, 'why the Dutch had ploughed over the land of the Hottentots and sought to take the bread out of their mouth by sowing corn on the lands to which they had to drive their cattle for pasture; adding that they never had other or better grazing grounds'.⁶¹ The negative impact on Khoi occurred rapidly, at least in the vicinity of the settlement. Elphick and Gilomee argue that by the beginning of the 18th century, the vast majority of Western Cape Khoi had become, to some extent, reliant on the colony for their

⁵⁹ Ulgem, Ö., 'Developing the Doctrine of Aboriginal Title in South Africa: Source and Content' in *Journal of African Law*, 46, 2 (2002), p. 134.

⁶⁰ Terreblanche, S., *A history of inequality in South Africa, 1652 – 2000* (Natal: University of Natal Press, 2002), pp. 154 – 155.

⁶¹ Smith, *The Disruption of the Khoi Society in the 17th Century*, p. 11. These are the words of Dapper.

existence.⁶² Apart from the loss of lands, the bartering of valuable livestock for commodities such as beads, tobacco and alcohol, was responsible for their decline.

Elphick argues that a turning point occurred in the mid 1670s as the VOC's 'determination to recognise Khoikhoi independence waned and it began to impinge on Khoikhoi sovereignty in many ways – military, diplomatic, economic and judicial'.⁶³ The company and those whose interests it served, which included the growing white settler populations, was able to gradually assume a greater position of authority and wield ever increasing power. Because of this, its actions began to become more forceful with regard to the indigenous groups. It was able to incorporate the Khoi and other groups into their legal system and punish them as they saw fit, often with far greater penalties than whites would receive for the same crime.

As the settler population grew, more people searched for lands to practice agriculture, pasture their animals, and increase wealth and prestige. In a short number of decades, this constant movement away from the original settlement into the interior began to have very tangible consequences for those people that lived in these areas. In addition to settlers moving into the interior, their actions resulted in Khoi groups being pushed further inland. They, in turn, impacted on other Khoi and a domino process began that would eventually reach Namaqualand. In the 1680s while Van der Stel had, 'asserted company sovereignty over the Namaqua this was rather a hollow gesture which did nothing but cause ill will amongst them'.⁶⁴ Namaqualand was a distant region and in this period the VOC had almost no real control over the Namaqua.

As the outer boundaries were opened and the colony expanded into areas such as Stellenbosch (1679) and the Drakenstein (1687),⁶⁵ there was a greater need for more labour. During the governorship of Willem Adriaan van der Stel (1699 – 1707) the colony extended further and the areas of Paarl, Franschoek and the Tygerberg were also opened. Slaves could not meet the labour requirements of the colonists and farmers sought Khoi, who were highly skilled at taking care of animals and understood the land and environment. As Khoi began to lose their land and their cattle, greater numbers were compelled, with little alternative, to

⁶² Ibid, p. 15.

⁶³ Elphick, R., 'The Khoisan to c. 1770' in Elphick, R. and Gillomee, H. (eds), *The Shaping of South African Society, 1652 – 1820* (Cape Town: Longman Penguin, 1979), p. 13.

⁶⁴ Penn, *The Northern Cape Frontier Zone*, p. 286.

⁶⁵ Elphick, 'The Khoisan to c. 1770', p. 17.

work on the farms of the colonists. They were often treated horrendously and received grossly unfair wages, often not even in the form of money, but alcohol and tobacco. They were also the victim of corporal punishment. As a result of the Khois' loss of independence and their herds, the VOC was able to treat them with less respect.⁶⁶ Because settlers had time to build up their herds as those of the Khoi declined, they were not as important as they had been in the 17th century. Given the fact that Khoi groups were widely dispersed they were unable to unite as a force. Also, as *freeburghers* moved further into the interior, the VOC had less and less control over them. Elphick asserts that by the beginning of the 18th century, 'In the southwestern Cape the demographic and economic base of Khoikhoi society was so small, and the political superstructure so feeble...the traditional order had disintegrated beyond recall'.⁶⁷

In July 1700 Governor van der Stel tried to settle colonists in the Tulbagh Basin area. Also known as the Land of Waveren, it was reported that the area was uninhabited. The reality was that this area was part of the migratory pattern of the Khoi group known as the Cochoqua, who usually occupied land north of the Cape flats and to the south and west of the Berg River. However, reports had spotted them as far inland as the Olifant Rivers. Penn writes that, 'It is thus quite clear that the absence of the Khoikhoi in the Tulbagh basin in November 1699 might have been connected to the cycle of transhumance favoured by the Cochoqua' and further that, 'the absence of figures in a landscape did not signify that the area was unoccupied or unutilised'.⁶⁸ By 1701 the frontier had passed the range known as the Limietberge, the mountains around Wellington.⁶⁹ By the beginning of the 18th century, the effect had been so great that some Khoi groups began to permanently resettle further away from the Cape, as far as the Orange River. A number assimilated into the Namaqua.⁷⁰ Penn observes that, 'The Khoikhoi retreat into the interior, however, served only to draw the cattle hungry colonists after them'.⁷¹

⁶⁶ Elphick argues that in addition to the external force of the VOC that was instrumental in the deterioration of Khoi society, the structure of Khoi civilisation was also partly responsible for their downfall. Elphick, R., 'The Khoisan to c. 1770', pp. 19 – 20.

⁶⁷ *Ibid*, p. 21.

⁶⁸ Penn, *The Northern Cape Frontier Zone*, pp. 55 – 56.

⁶⁹ Mountain, *The First People of the Cape*, p. 28.

⁷⁰ Penn, *The Northern Cape Frontier Zone*, p. 70.

⁷¹ *Ibid*, p. 90.

In 1682, *freeburghers* held 50 farms. By 1705 this had increased to 260 and by 1731, this had reached 435.⁷² Wisborg writes that they were able to increase their occupation of land between 1700 and 1780 by tenfold. By the 1720s whites had settled as far as the Oliphant's River Valley and by the 1750s had penetrated the Hantamsberg.⁷³ As there were more stock farmers, loan farms were issued at ever increasing distances, and according to land and water availability. Wisborg quotes Fredrickson who argues that the VOC, 'partly expanded the colonial frontier to regulate *trekboer*⁷⁴ land tenure and to control livestock'.⁷⁵ The VOC made it easy for Europeans to gain land and offered them financial support and incentives such as contracts to supply the company, thereby ensuring their survival. Overuse of lands and water resulted in further movement and once settlers held their position in an area, the chance of continued Khoi independence dropped. Colonists turned their cattle out constantly into the same fields in much greater quantities than had used to graze there in the time of the original inhabitants thereby overworking and destroying the environment.

In February 1713 a smallpox epidemic broke out at the Cape which had devastating effects for the Khoi. Sources suggest that as many as 90% in the south-western Cape died. Smallpox reached the Little Namaqua around 1722, and caused great destruction, both of life and economies. Ensign Rhenius travelled to Namaqualand in 1721 and again in 1724. On his later journey he noted the devastating effects and also commented on the small herds of cattle and sheep that the Namaqua now possessed.⁷⁶ A further epidemic in 1755 reached at least as far inland as the Great Nama.⁷⁷ Brink had spent time in Namaqua territory in the 1720s. He wrote that they lived in poverty and were attacked and robbed by San. He also made reference to the dryness of the country.⁷⁸ He also commented that the, 'land from the Groene R. to the Great River which properly speaking forms the Land of the Little Namaqua'.⁷⁹

It would be wrong to assume that this process was one-sided and the settlers just overpowered the indigenous groups. There was resistance but overall, this was ineffective.

⁷² Terreblanche, *A history of inequality in South Africa*, p. 155.

⁷³ Guelke, L., 'The white settlers, 1652 – 1780' in Elphick, R. and Gillomee, H. (eds), *The Shaping of South African Society, 1652 – 1820* (Cape Town: Longman Penguin, 1979), p. 59.

⁷⁴ This term refers to farmers of Dutch descent. They too practiced a form of nomadic pastoralism.

⁷⁵ Wisborg, *It is our land*, p. 56.

⁷⁶ Penn, *The Northern Cape Frontier Zone*, p. 86.

⁷⁷ Elphick, 'The Khoisan to c. 1770', pp. 22 – 23.

⁷⁸ Mossop, E.E. (ed.), *The Journals of Brink and Rhenius being the Journal of Carl Frederik Brink of the journey into Great Namaqualand (1761-2) made by Captain Hendrik Hop and the Journal of Ensign Johannes Tobias Rehnius (1724)* (Cape Town: Van Riebeeck Society, 1947), p. 29.

⁷⁹ *Ibid.*

However, it was not a uniform process and some groups were able to exist and maintain their independence. The frontier, described by Legassick as, ‘a fluid region of social transition’⁸⁰, was at times curtailed, but generally the process was forward-moving. The commando system was instrumental in clearing the way for further settlement. The commando was to become the form of control employed by settlers in these far flung regions. Armed groups of white settlers, sometimes accompanied by Khoi, would hunt down San groups, killing many and capturing others who would become servants and labourers. The first commando was formed in 1715 and was comprised of VOC servants and *freeburghers*. By the 1730s, the first purely civilian commando was formed and in troublesome regions, it became a compulsory duty to join the commando.⁸¹

While these acts of violence were sometimes retaliatory in nature, the force they employed was far beyond the attacks perpetrated on white settlers. The San was not a guiltless party. Often in reprisal, sometimes unprovoked, San attacked and burnt farms, stole livestock and other goods and at times killed colonists. Still, to place them as the main responsible party would be misplaced. Soon after the British succeeded the Dutch as colonial rulers in 1795, John Barrow who was the private secretary of the Governor Earl Macartney, concluded that the San were, ‘more sinned against than sinning’.⁸² They were forced from their lands and deprived of access to resources and were placed in the untenable situation of allowing their way of life to disintegrate, or fighting back. While Khoi were not killed by the commandos, they too suffered and lost lands, cattle and freedom. At times commandos would attack Khoi but in general they directed their violence at the San.

While there was a decline in the genocidal violence inflicted on the San in the nineteenth century, ‘their traditional hunter –gatherer way of life was doomed into the lowest echelons of the colonial society became inevitable’.⁸³ A few remaining groups exist in South Africa, Namibia and Botswana, but they no longer resemble their ancestors’ way of life in any meaningful way. In addition to the visible effects that the Khoi and San suffered, the less obvious repercussions were also incredibly damaging. Mountain writes:

⁸⁰ Legassick, M., ‘The Northern Frontier to 1820: The emergence of the Griqua people’ in Elphick, R. and Gillomee, H. (eds), *The Shaping of South African Society, 1652 – 1820* (Cape Town: Longman Penguin, 1979), p. 247.

⁸¹ Elphick, ‘The Khoisan to c. 1770’, p. 26.

⁸² Penn, N.G., *The Forgotten Frontier: Colonist & Khoisan on the Cape’s Northern Frontier in the 18th Century* (Ohio: Ohio University Press, 2005), p. 224.

⁸³ Mountain, *The First People of the Cape*, p. 36.

The psychological effects of colonial domination were as devastating as the physical effects. Domination by one group over another is a double-edged sword. On the one side it cuts away the indigenous social institutions which provide the foundation upon which social continuity and credibility are built. The removal of these institutions invariably results in instability, a lack of self-esteem, and dependency on others. The other side of the sword severs through compassion, concern and understanding, encouraging the dominators to feel indifference or contempt and a sense of inherent superiority towards the dominated.⁸⁴

As the frontier progressed, Khoi were being pushed into an impossible situation. As colonists moved northwards and Khoi were pushed off their lands, they sometimes encountered other indigenous groups whose areas they were moving into. Penn writes that by the 1770s, 'it became virtually impossible for the Khoikhoi to retain even a vestige of their own livestock since with limited access to essential resources and decreasing control over the labour of their own family members (which was appropriated by the *trekboers*) their herd and flocks could no longer reproduce themselves'.⁸⁵ Increased Khoisan resistance led to the establishment of the General Commando in 1774, which was organised to some degree by the VOC.⁸⁶ Hundreds of San were killed and countless numbers captured and forced to become indentured labourers. The San, like the Khoi, had a 'profoundly spiritual connection between particular places and the systems of meaning that the San had constructed in order to explain their world'.⁸⁷ This increased violence led to temporary alliances between the indigenous groups affected. The 1774 Commando did not accomplish its goals and further commandos continued. By the 1770s, most non-whites worked for farmers, or struggled to survive in marginal areas.

From a purely legal standpoint, the Khoi were a free and independent people, protected by law from infringement. There was a great disparity between their theoretical position in society and the way in which they were treated and the rights they were allowed. By the end of the 18th century, the Khoi were in an untenable situation. In the majority of cases they were prevented from owning land; they had little protection from the legal system; and had been displaced by settlers. While slaves were considered important commodities and therefore were protected and to some degree taken care of, the Khoi were, if anything, a nuisance:

⁸⁴ Ibid, p. 7.

⁸⁵ Penn, *The Northern Cape Frontier Zone, 1700 – c. 1815*, p. 215.

⁸⁶ Bastards and Khoi served on numerous commandos.

⁸⁷ Penn, *The Northern Cape Frontier Zone*, p. 227.

‘Landless, classless and mostly jobless, they led a precarious existence’.⁸⁸ Khoi had lost their social identity, their culture, and general way of life. They existed in a framework that did nothing to improve or uphold their rights. Socially, a new pecking order was being established which only further relegated the San and Khoi. In the most elevated position was of course the governor and his inner circle, the VOC servants. Freeburghers were next followed by free blacks, who were ex-slaves or freed exiles. At the bottom of the pile were slaves, Khoi and San.

2.2 The Frontier reaches Namaqualand

Despite its distance from Cape Town, Namaqualand had been eagerly explored once rumours of its mineral riches spread. Between 1660 and 1664, there were 6 recorded expeditions to the region. While its rich copper deposits had been known of for many years it was not a viable business endeavour to extract and transport. In spite of its relatively meagre natural resources compared to other areas, as people were forced to spread out, Namaqualand became a place to settle. By the end of the 17th century, less than 50 years after the establishment of a base at the Cape, the Nama began to feel the effects of this foreign force. While there was not yet large scale European settlement in Namaqualand, their movement into the interior had pushed other groups of Khoi closer towards the Nama. Penn writes that the Namaqua were, to a large extent, not impacted by colonist movement until the beginning of the 18th century when, ‘the simultaneous opening of the cattle trade to freeburghers and the settlement of colonists in the land of Waveren began a new phase of expansion’.⁸⁹ Thunberg reported burghers entering Namaqualand in 1704 and 1705.⁹⁰ Boonzaier et al write that around the 1730s, the Namaqua began to truly feel the brunt of expansion into their region and, ‘By the end of 1740s, the Dutch were ‘in complete control of the lands to the south of Namaqualand’.⁹¹

The first European to officially settle in Namaqualand did so around 1750 when the farms ‘de Leliefontein’ and ‘Groene River’ were registered. Between 1751 and 1770, 20 loan farms were approved by the VOC in Namaqualand.⁹² These were rented to white colonists. Many had taken out loan farms in the Kamiesberge, the most valued portion of Namaqualand in

⁸⁸ Mountain, *The First People of the Cape*, p. 53.

⁸⁹ Penn, *The Northern Cape Frontier Zone*, p. 286.

⁹⁰ Forbes, V.S. (ed.), *Carl Peter Thunberg: Travels at the Cape of Good Hope 1772 – 1775* (Cape Town: Van Riebeeck Society, 1986, originally printed 1793 – 1795), p. 322.

⁹¹ Penn, *The Northern Cape Frontier Zone*, p. 286.

⁹² Wisborg, *‘It is our land’*, p. 137.

terms or resources and its ability to sustain life. The Nama, Elphick writes, 'were impoverished and harassed when visited by Hop in 1761 and were reduced to about 400 people under five captains by 1779'.⁹³ Hop's journey in 1761-2, 'was followed by rapid settlement on farms in the Kamiesberg'.⁹⁴ Two months before his party embarked, grazing on the farm Uitkomst had been issued, situated below the Kamiesberg. Hop reported of the poverty in Namaqualand and that many had lost cattle.⁹⁵

Penn cites 1770 as another turning point in the frontier region and one that would impact Namaqualand.⁹⁶ Previously, low population density and available land meant that while the indigenous groups were being displaced, they had options. By 1770, this was not always the case. The farm Renosterfontein by the Buffels had been registered prior to 1771.⁹⁷ By 1771, a certain Jasper Cloete registered the farm 'Avontuur'.⁹⁸ By October 1771, 'Essels Jagt' and 'Leliefontein' had been granted to a Hermanus Engelbrecht. By 1779, Gordon reported that there were no fewer than 19 stock farms from the Groene River.⁹⁹ This is significant; it indicates that people were settling as they pleased without government approval. Indigenous groups of the time held no papers or title deeds that gave them rights to the land. They had been accessing and making use of various portions of Namaqualand for centuries. The process of loan farms being issued signalled the end of this free access and would eventually shut them off from their land. The competition for resources increased dramatically and Khoi resistance was put down with greater ferocity by this stage.

When, in the 1770s, Wikar passed through the area, escaping his debtors, 'the well watered valleys of this fine mountain range were already becoming dotted with the farms of early burghers'.¹⁰⁰ He was of course referring to the Kamiesberg. Prior to Wikar's leaving the colony, the VOC had issued at least 3 cattle stations on the banks of the Orange.¹⁰¹

Considering the fact that the Orange was far beyond the boundary of the colony, it is possible that the company was unaware of the true location of these farms. Alternatively, the

⁹³ Elphick, 'The Khoisan to c. 1770', p. 27.

⁹⁴ Mossop, *The Journals of Brink and Rhenius*, p. ix.

⁹⁵ Hoernlé, *The Social Organization of the Nama and other essays*, p. 22.

⁹⁶ Penn, *The Northern Cape Frontier Zone*, p. 169.

⁹⁷ Penn, 'Land Rights, Missionaries and Surveyors', p. 153.

⁹⁸ Penn, *The Northern Cape Frontier Zone*, p. 287.

⁹⁹ *Ibid*, p. 288.

¹⁰⁰ Mossop, E.E. (ed.), *The Journal of Hendrik Jacob Wikar (1779) and the Journals of Jacobus Coetse Jansz: (1760) and Willem van Reenen (1791)* (Cape Town: Van Riebeeck Society, 1935), p. 2.

¹⁰¹ *Ibid*, p. 4.

government merely decided to issue these farms well aware of their location, reflecting the general attitude towards indigenous land ownership in these distant areas. Alexander who travelled in the area confirms this:

Now, in these days, the information of the Cape authorities was very limited regarding the geography of the colony, and matters were conducted in so careless a manner, that the farms in question were granted, and it turns out that, not only are they beyond the Olifants River, but beyond the boundary also, which the applicants well knew when they applied for them. These farmers continue to pay taxes, that they might have a claim on colonial protection.¹⁰²

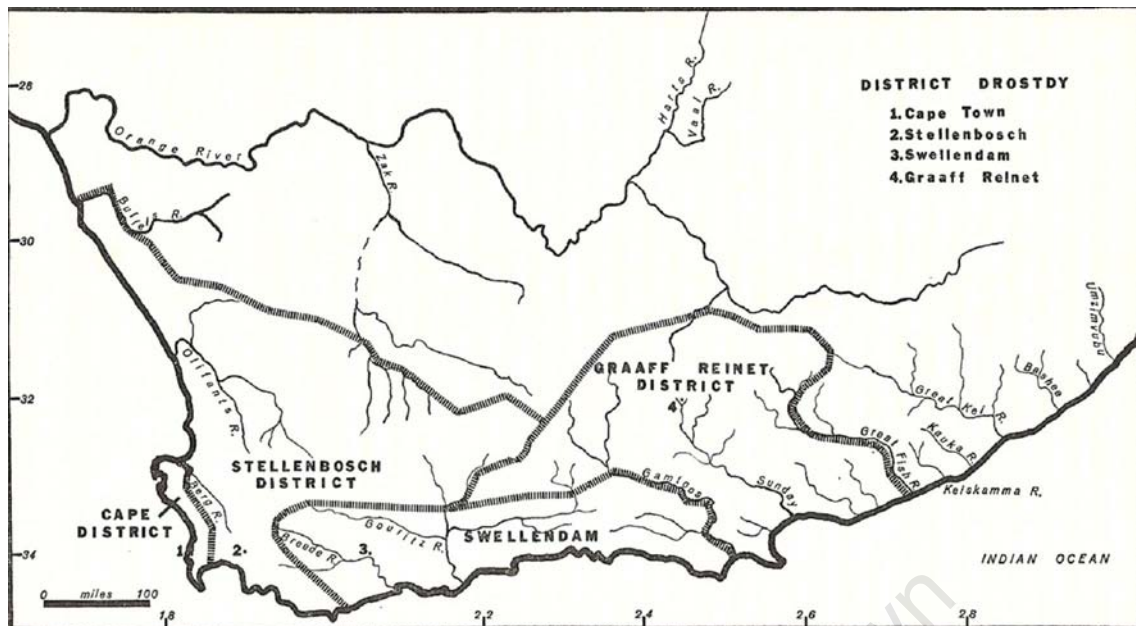
Namaqualand, by virtue of its distance from the Cape and authority, meant that it had become an area of refuge for a number of people. The frontier zone was a place of lawlessness and home to some of the Cape's fringe population, including many who had moved into the area to escape justice. There were, 'runaway slaves, deserted sailors, absconding soldiers, "landlopers", vagabonds, debtors, escaped murderers, bandits, counterfeiters, thieves and assorted criminals'.¹⁰³ Having escaped justice, nothing was heard of Wikar for 3 years. He reached the Orange and at present-day Goodhouse (then known as Goedous), met with, 'Hottentots from Little Namaqualand', who were trying to barter.¹⁰⁴ Wikar was finally reinstated into the VOC in 1779. Mossop writes of the resolution passed by the VOC. The resolution included the, 'remarkable statement that Wikar, although absent from his post, had not been out of the territory of the Honourable Company. This statement is remarkable because it was not until 1805 that the Buffels River or Koussie of Namaqualand was made the northern boundary of the Colony'.¹⁰⁵ Mossop erroneously claims that the Buffels became the northern boundary in 1805 whereas this had occurred in 1798. This VOC statement would seem to suggest that the company wanted to project an image of power and control far beyond their actual domain.

¹⁰² Smalberger, J.M., *Aspects of the History of Copper Mining in Namaqualand* (MA Thesis, University of Cape Town, 1969), p. 177.

¹⁰³ Penn, *The Northern Cape Frontier Zone*, p. 141.

¹⁰⁴ Mossop, *The Journal of Hendrik Jacob Wikar (1779)*, p. 21.

¹⁰⁵ *Ibid*, p. 4.



Map 6: District divisions of the Cape Colony in 1795

Van Reenen journeyed in Namaqualand in 1791. He met Hermanus Engelbrecht, who had been granted grazing rights to the farm Vredelust in 1790. According to Engelbrecht, he also had rights to Leliefontein, Uitkomst, Engelsfontein, Nieuwplaats and other farms in the Kamiesberg.¹⁰⁶ Barrow had journeyed to Namaqualand in 1798 and reported his account a few years later. He noticed how barren the plains were, devoid of cattle. He also saw the indigenous groups in the area becoming more and more subservient to the Dutch and voiced his concern about their downfall.¹⁰⁷ Campbell, who was part of the LMS, arrived in South Africa in 1812 and journeyed to various places across the country. He recounted a conversation with, what he refers to as an ‘old Hottentot’, at Silver Fontein in the Namaqualand region. The man told him, ‘that he remembered the time when the boers were all within five days’ journey of Cape-town, and the country was full of Hottentot kraals; but they have been gradually driven up the country to make room for the white people’.¹⁰⁸ Such observations by indigenous people would have been commonplace and reflected the changing landscape.

A direct result of the movement of whites into the interior was the birth of an ethnic group who became known as the Basters and according to Carstens, their, ‘place of origin coincided

¹⁰⁶ Ibid, p. 321.

¹⁰⁷ Hoernlé, *The Social Organization of the Nama and other essays*, p. 23.

¹⁰⁸ Campbell, J., *Travels in South Africa* (Cape Town: C. Struik, 1974, originally printed 1815), p. 329.

roughly with the north-western portion of what was to become the Cape Colony'.¹⁰⁹ As miscegenation occurred between white male colonists and female Khoi, a new ethnic group began to form. Legassick wrote of their emergence and partly attributed this to their ability to obtain lands especially in the Namaqualand region.¹¹⁰ By the beginning of the 1800s, there were sufficient numbers for the Basters to form their own discernable group. At times Basters and Khoi would band together. Both groups shared a common heritage and both practiced nomadic pastoralism and the, 'Nama were later reincorporated, as it were, into a modified version of their own society'.¹¹¹ Some existed independently of colonial authority in their own groups or by joining Khoi. However, many worked on colonial farms. As the white population grew, paralleled with its increased demand for land and resources many indigenous groups were forced into this situation. Initially, their position in Namaqualand was superior to the Nama because they were partly white, an attribute greatly meaningful in late 18th century society Cape society. While they enjoyed a superior social standing compared to Khoi, San and slaves, and found more profitable employment, they were still second-class citizens. Lichtenstein travelled the area at the start of the 19th century. He observed that Basters, compared to whites, 'ended up with the least desirable, often unregistrable, land within the colony or else with land outside the colony'.¹¹²

It is necessary to mention that the somewhat incongruous degree to which the Khoi and San societies intermingled with the settlers. At times there was a degree of, 'Cultural and economic dependence and interaction between different groups...partly because of the dependence of all *trekboers* on San, Khoi and other groups' indigenous knowledge, livestock, labour and techniques of survival'.¹¹³ The groups learnt the language of the other and in many ways, practiced similar forms of survival. Still, this was by no means a symbiotic relationship. Whites wanted Khoi as labourers, shepherds and sometimes as wives. At times, Khoi benefited by having whites around as they controlled the San who at times caused

¹⁰⁹ Carstens, P., 'Opting out of colonial rule: the Brown Voortrekkers of South Africa and their constitutions' in *African Studies*, 42, 3 (1983), p. 135. The Basters were referred to by white society, often negatively, as Bastards or Bastards, because of their mixed heritage. However, the term came to denote a social and economic class as well.

¹¹⁰ Legassick, M., 'The Northern Frontier to c. 1840: The rise and decline Griqua people' in Elphick, R. and Gillomee, H. (eds), *The Shaping of South African Society, 1652 – 1820* (Cape Town: Maskew Miller Longman, 1989), p. 373.

¹¹¹ Carstens, 'Opting out of colonial rule', p. 145. Both Nama and Basters would live together and integrate at the mission stations.

¹¹² Penn, *The Northern Cape Frontier Zone*, p. 160.

¹¹³ Wisborg, 'It is our land', p. 57.

trouble for the Khoi.¹¹⁴ Khoi also enjoyed receiving Western goods such as tea, coffee, sugar and alcohol although it has been shown that in the long run this trade was not in their favour and actually led to their downfall. In summation, the few benefits the Khoi experienced as a result of whites being in their domain in no way compensated the negatives.

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¹¹⁴ Khoi would accompany whites on commando and took part in the genocide of the San.

Chapter 3

3.1 The state of the Nama and Basters circa 1800

The British had taken control of the Cape in 1795 until 1803, and then once again from 1806 onwards. With regard to their treatment of Khoi and San, they were theoretically more sympathetic than the Dutch, but did little to stop their impoverishment. Many of their so-called humanitarian laws merely resulted in San and Khoi becoming further entrenched as poor landless labourers. The British practiced a 'doctrine of continuity', which meant that when they took control of the Cape, certain existing rights and laws were upheld. The Articles of Capitulation drawn up when Britain took power did protect the rights of the inhabitants, both European and local. However, things could be changed as the British state and its representatives at the Cape had the power (if not the moral right) to claim land and extinguish existing rights.¹¹⁵ Bennett argues that when the British came into power they showed more respect for indigenous rights, but only if they were 'civilised' enough.¹¹⁶ As had occurred in the Dutch period, the British conception of land as an individually held commodity clashed with aboriginal understandings. Ulgem writes, 'In legal terms this meant aborigines had no interests in and right to land and that the State had no obligations to recognize any interests and rights'.¹¹⁷

The British, like their predecessors were primarily interested in extracting as much wealth from the area as possible. Aboriginal land use was in contrast with their notions, but it also was an obstacle to British development. While Roman-Dutch law was considered to be adequately enlightened, the systems of aboriginal land tenure, not surprisingly, were deemed to be out of date and incompatible. Still, there were members of the British government at the Cape who showed compassion for the indigenous groups. Governor Macartney had been heavily influenced by Barrow's first-hand observations of cruelty towards the San, and attempted to alleviate their desperate situation. On 24th July 1798 Macartney issued a proclamation that he hoped would bring peace to the frontier regions and bring an end to the brutality of the commandos. He implemented a system whereby local farmers would give the San gifts of livestock. It was hoped that this would allow the San to become a pastoral people and be self-sufficient. It was further proposed that the San should be granted a piece of land

¹¹⁵ Ulgem, 'Developing the Doctrine of Aboriginal Title in South Africa: Source and Content', p. 134.

¹¹⁶ Wisborg, *It is our land*, p. 57.

¹¹⁷ Ulgem, 'Developing the Doctrine of Aboriginal Title in South Africa: Source and Content', p. 135.

beyond the Sak River from which they could not be alienated and where they could be allowed to live in peace without being bothered. Future commandos were strictly prohibited unless they were as acts of self defence. While this attempt at a peaceful resolution was not successful in every region, it was in others and illustrates that the British administration, at times, attempted to uphold the rights of indigenous groups and improve their situation.¹¹⁸

To some degree these attempts at peace were guided by an ulterior motive; greater government control over the frontier regions. Macartney hoped that this ‘civilizing’ process, such as the adoption of a more settled pastoral lifestyle based in a particular locale, would make asserting authority over the San an easier task. Another obvious consideration was the need to end violent confrontations between San and commandos. A common reason provided by whites who participated in the commandos was that San had stolen livestock and other goods. By giving the San animals and land it was hoped that peace would be attained. Nevertheless, one cannot forget the philanthropic nature of such actions as well as the fact that there were white members of Cape society who truly felt compassion for the aboriginal groups. Therefore, one should be aware of such actions as described above when reading, for example, the following comment made by Robert Ross:

The main difference that the British rule brought was not its endorsement of urban liberal attitudes...as has often been suggested. What they did bring was the desire, and more important the will and power, to make their rule effective up to the recognised frontiers.¹¹⁹

The northern portion of Namaqualand was not officially part of the colony until 1798 when the border was moved to the Buffels River. Prior to this it had fallen outside the jurisdiction of colonial authority and further improved the position of the settlers as their actions went unregulated and given their growing power in the region, were slowly gaining an upper hand. The competition for the natural resources of land, water and game had altered the playing field. For many years, apart from the indigenous people, Namaqualand had been only lightly populated by white *trekboers*. Penn writes that:

In the 1790s the colonial presence in Namaqualand seemed a lot less overbearing than elsewhere...Namaqualand could not, however, remain immune to the sort of pressures being felt in the rest of the colony, and, inevitably, processes of closure began to be felt here too.¹²⁰

¹¹⁸ Penn, *The Forgotten Frontier*, pp. 230 – 233.

¹¹⁹ Ross, A., *David Livingstone: Mission and Empire* (London: Cambridge University Press, 2002), p. 32.

Indeed, its remoteness was what allowed the Nama and Baster nations to survive independently as long as they did. However, by 1801 Barrow was compelled to comment that the Namaqua was a destitute nation.¹²¹ Many indigenous groups were deprived of their rights and were forced by whites from the better-watered Kamiesberg region into the more marginal lands.¹²² Pressure as a result of less land and population growth led to Nama moving into the lands of the San in Bushmanland and resulted in hostilities between those groups.

From November 1796, the *veldwagmeester*,¹²³ Andries Craaj, had been confiscating firearms from Little Namaqua. He had also forcibly removed some Namaqua from their homes threatening them with death if they did not comply.¹²⁴ The government also tried to control people in the area by recording their names and having them on record. Thinking they were being taken as slaves some Namaqua retaliated with violence by attacking farms and plundering them. As discontent manifested, a rebellion was launched in 1798/99 as disaffected Khoi, San, Baster and Oorlam¹²⁵ revolted. This was crushed and resulted in some moving further north towards and across the Orange River.¹²⁶ By 1800, Carstens observes a clearly discernable class structure that had emerged in this region. The Dutch were the most powerful and asserted dominance over the Basters, Khoi and San. While most Khoi and Basters had fared better than the San, their everyday existence had been drastically altered. Elbourne asserts that:

From the seventeenth to the nineteenth centuries, despite often intense resistance, successive Khoisan communities found it impossible to preserve land and cattle before what would prove the inexorable process of white outward expansion. Although a declining number of individuals hung on in pockets of unsurveyed land well into the nineteenth century, the Cape Khoisan as a whole had lost their political independence and much of their cattle by the 1800s.¹²⁷

¹²⁰ Penn, *The Northern Cape Frontier Zone*, p. 361.

¹²¹ Wisborg, *'It is our land'*, p. 137.

¹²² Penn, *The Forgotten Frontier*, p. 210.

¹²³ This post had the responsibility of organising the local militia and was appointed at the district level.

¹²⁴ Cape Town Archives Repository (hereafter CA), Magistrate of Stellenbosch (hereafter 1/STB) 10/9, *Letters Received from Government Officials, 1795 – 1799*.

¹²⁵ Carstens, P., *The Social Structure of a Cape Coloured Reserve: A Study of Racial Integration and Segregation in South Africa* (Cape Town: The Rustica Press, 1966), p. 11. The Nama that crossed the Orange into Namibia during the 1st half of the 1800s in order to escape both white settler and Baster advances, were known as Orlams.

¹²⁶ Penn, 'Land Rights, Missionaries and Surveyors', p. 153.

¹²⁷ Elbourne, *Blood Ground*, p. 78.

The lack of colonial oversight and a general bias towards the white settlers meant that the rights of Nama and Basters were seen as inferior. Nama and the growing Baster population had little power to resist the settlers; they had guns, horses, and the support of the government that had little meaningful authority to control their. With reference to land, they found it increasingly difficult as more and more loan farms were being registered. At first, the lack of fixed boundaries or fences and some sense of co-operation with the *trekboers* meant that they could continue more or less as before. By the 1790s, Basters, who had at one point experienced a degree of respect, were struggling to register land under the Dutch administration.¹²⁸ If there was a conflict of interests, the white burgher would inevitably end up with a better dispensation than a Baster or Nama. While there was no legislation preventing Basters from renting land, in reality, preference was given to whites. Because so many of the farms were in the favoured Kamiesberge, the most fertile region of Namaqualand, the effects were even greater. One extreme exception to the treatment of the Nama was government respecting the property of Chief Wildschut, who ruled over the Little Namaqua.¹²⁹ Chief Wildschut had managed to secure tenure for his kraal at Leliefontein as Governor Plettenberg upheld his claims. This was a notable exception and was surely related to the fact that the government did not wish to antagonise a powerful chief. They would allow him to keep his land in order to maintain peace, while surrounding lands were taken from other Nama.¹³⁰

3.2 Important Legislation

The following paragraphs provide a brief overview of the major pieces of legislation that impacted upon the Khoi. Such an analysis is important in gaining an understanding of the landscape in which the Khoi existed as well as the opinions and motives of the government and those whose interests it promoted. The first major change was the ending of the slave trade within the British Empire in 1807. Theoretically, this heightened the position of Nama and Basters as their labour was in greater demand. However, on the ground their only benefit was to find work on white farms, a situation they had been in for years. They were in no greater position of power and their ability to prevent the loss of their freedom and independence went unchanged.

¹²⁸ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 7.

¹²⁹ Macmillan, W.M., *The Cape Colour Question: A Historical Survey* (London: Faber & Gwyer, 1927), p. 35.

Add in a more recent reference

¹³⁰ Penn, *The Northern Cape Frontier Zone*, p. 287.

The 1809 Caledon Code forced every Baster and Khoi to have a registered place of residence and they were also required to carry passes in order to move from place to place. Many were forced to be bonded to a master and become indentured labourers as they could not afford their own land. While some would be able to reside on the newly-created mission stations, their way of life was once again being undermined and uprooted. In 1809, Hendrik Van der Graaf, the landdrost¹³¹ of Tulbagh, made a tour of the northern boundaries. In Namaqualand, he became aware of the unfair treatment towards the Khoi, as their movements were circumscribed, they were pushed off land and some were not paid for their work. It also came to his attention that people were using government land without paying for it.¹³² This is an important observation. Apart from the registered farms in the area, other white farmers were using lands without the knowledge of government. Official figures did not account for this and therefore the situation for the indigenous groups was probably even more desperate than was generally presumed. For example, Sharp, citing Smallberger, wrote that in the 1860s there were 678 white farmers in Namaqualand. However, only 134 farms had been surveyed. This meant that there were over 500 white farmers in the region practicing farming as nomads with no land of their own.¹³³

By the 1820s, with slavery in decline and a push for humanitarian reform and greater equality for non-Europeans in the British colonies, the Caledon Code was overturned with the passing of Ordinance 50 in 1828 by the Acting-Governor, Sir Richard Bourke. Also known as the 'Emancipation of the Khoi', this allowed 'Hottentots, Bushmen and free Coloured persons' to own and use land to the same extent that Europeans could and ended the prohibition of their movement.¹³⁴ However, the damage had been done and many indigenous people were too poor to buy land and were tied to their masters as labourers with few options. Additionally, by this stage, the best lands were generally occupied by whites. Khoi were effectively in a position of subservience from which it was very difficult to escape. While they were given liberty and a sense of self-determination, after a century and a half of discriminatory laws, very few people of colour could afford to purchase land for themselves. The livestock and land that had been theirs was not considered and they were not compensated. It seems rather ironic that only a few years after Ordinance 50 was passed, a so-called liberating piece of

¹³¹ This position was appointed by the Governor. It included the responsibilities of collecting taxes, dealing with land issues, acting as a judge in legal matters and organising local militias.

¹³² Penn, *The Northern Cape Frontier Zone*, pp. 471 – 474.

¹³³ Sharp, J., *Community and Boundaries: An inquiry into the institution of citizenship in two Cape Coloured Reserves, South Africa* (Ph.D. Thesis, King's College, Cambridge, 1977), p. 55.

¹³⁴ Ulgem, 'Developing the Doctrine of Aboriginal Title in South Africa: Source and Content', p. 138.

legislation, people flocked to stations like Komaggas to maintain their security. The abolition of slavery in the British Empire came into effect in 1834 (although there was a period of apprenticeship that only concluded in 1838). Like other 'humanitarian' legislation, it did little to redress the past and left those it had affected in poverty. Despite the benevolent tone of such legislation, the situation for the Khoi and other local groups remained unchanged.

In 1834 there was a call for Vagrancy Bill to be passed. This was aimed at bonding Khoi to their masters to secure a labour force. Those who favoured it argued that it would be best for society if Khoi were not allowed to move as they pleased and should have a place of residence. This further sought to undermine their nomadic way of life and ensure the farmers a source of labour. This law was not passed yet it had defined 'thieving' as looking for natural produce. Activities such as hunting and fishing on land not owned by that person or without permission were deemed illegal. Macmillan writes that this definition, 'could hardly more accurately describe the original and natural life of the Hottentots'.¹³⁵ Further legislation such as the Masters and Servants Ordinance of 1841, 'although it was claimed to apply to employer-employee relations regardless of colour, nevertheless had the practical effect of confirming 'Basters' and Khoi-Khoi in their position as landless labourers'.¹³⁶ When this Ordinance became law, it gave masters greater scope to punish their workers.

¹³⁵ Macmillan, *The Cape Colour Question*, p. 34.

¹³⁶ Sharp, *Community and Boundaries*, p. 27.

Chapter 4

4.1 The Establishment of Komaggas as a Mission Station

Little has been said of Komaggas up to this point because the groundwork needed to be laid to give an understanding of the processes that were at play and the situation in which Nama and Basters found themselves by the early nineteenth century. Furthermore, prior to its establishment as a mission station, it is uncertain when this area would have been referred to as, 'Komaggas'.

The founding of a discernable community at Komaggas is a controversial topic because there are a number of versions as to how it came into being. Today, these different accounts are attributed to different people within the community, with varied reasons and objectives. In addition to this, the history of its founding has been passed down through the generations and by virtue of this progression, it has become fragmented. Residents themselves admit that, 'one hears but one cannot know for sure because one was not there. Our parents and grandparents told us of things which they did not see, but only heard, and we heard these things as children but have, doubtless, forgotten much'.¹³⁷ All stories, however, share a number of characteristics. In the most well-known version the founder, a man named Jasper Cloete is credited as being the founding father. According to residents, Cloete was the son of a white Dutch farmer of the Kamiesberge and a Nama woman. The father died around the end of the 18th century and Jasper was pushed out of the area by his white half-brothers circa 1790. He ventured northwards to the Buffels River where he came into contact with the Nama chief of that region, Kurib¹³⁸, and his followers. Jasper married a Nama woman and when Kurib and his group vacated the area, Jasper stayed on. He began to attract Khoi and Baster followers and the community of Komaggas grew from this beginning.¹³⁹ Another version claims that Cloete purchased the land from Kurib by paying him cattle and this act of payment is emphasised to promote the idea that the land was his not by virtue of occupation alone.¹⁴⁰

¹³⁷ Ibid, p. 63.

¹³⁸ Wildschut was the chief of all Little Namaqua and because his domain was so extensive, he employed other chiefs to reign over portions of Namaqualand. Kurib was one of these.

¹³⁹ Sharp, 'Land claims in Namaqualand', p. 409.

¹⁴⁰ Ibid.

Penn maintains that the founder was actually Jasper Cloete Snr, a white man and that the image of the coloured Jasper Cloete was adopted to make a distinction that the community was neither dependent on, nor related to, the whites of the area.¹⁴¹ Indeed, the archival evidence substantiates this and this has been accepted as the true version by academia, if not by the Komaggas community. In 1809 a government expedition to the Orange River journeyed through Little Namaqualand and came across an old poor white settler whose name was Jasper Cloete and who was living in the area of Komaggas. Cloete asked the Landdrost of Tulbagh who was part of the expedition, ‘whether he and his family could have permission to graze their livestock to the westwards, as far as necessary, and within the limits of the Koussies River’.¹⁴² This request was granted and Cloete’s family became the founders of Komaggas and a community began to grow. Gordon who journeyed into Namaqualand in the late 1770s mentions a Jasper Cloete close to the Kamiesberge, who had been baptized in 1742.¹⁴³ It is possible that this is the same person as he would have been in his late 60s in 1809.

Records held in Komaggas show that the earliest recorded birth was recorded in 1829 when a boy named Jakob was born. In the early years of its existence, most people shared the surname ‘Cloete’. As the community grew and incorporated outsiders, the surnames began to become more varied.¹⁴⁴ As time passed families such as the Fortuines, Damons and Beukes joined the community.¹⁴⁵

It had become clear to Cloete and his followers that one way to secure their land (and therefore their way of life) was to attract a missionary to serve their community and endorse their rights. With the influence of a respected and educated white man, this Khoi and Baster society would be able to maintain a degree of identity and would stand a better chance of securing rights to their ancestral lands. Without the endorsement and weight of authority that a missionary held, there is little chance that the community of Komaggas would have survived. Its members would probably have been absorbed into the unskilled labour pool of

¹⁴¹ Penn, ‘Land Rights, Missionaries and Surveyors’, p. 154.

¹⁴² CA, Miscellaneous Documents, 76, *Journey to Namaqualand*. Penn, *The Forgotten Frontier*, p. 335, Note 198.

¹⁴³ Raper, P.E. and Boucher, M. (eds), *Robert Jacob Gordon: Cape Travels, 1777 to 1786, Volumes 1 + 2* (Houghton: Brenthurst Press, 1988), p. 287.

¹⁴⁴ *Doop en Sterf Register, Komaggas* (Baptism and Death Register, Komaggas)

¹⁴⁵ Moritz, W., *Auf dem Reitochen quer durch’s südwestliche Afrika: Missionar Schmelen, ein Pionier der Sprache der Nama (1811 – 1848) am Oranje, in Bethanien, Steinkopf und Komaggas* (Windhoek: John Meinert Printing, 2004), p. 44.

the area. MacMillan writes that, 'Only a small remnant of the Hottentots retained a semblance of freedom under their own captains within the colonial boundaries, such "kraals" as survived in this way tending to become mission stations'.¹⁴⁶

This sense of fear was a result of the fact that the, 'social fabric of entire societies had been torn apart resulting in attendant culture and psychic trauma for individual members. Such a terrain was fertile ground for Christianity'.¹⁴⁷ Pragmatically they understood that vital elements such as legal and political protection could only be provided by an outsider. While they certainly benefited from certain things a missionary could provide, their choice to petition for one was influenced by more than the desire to receive a Christian education. The spread of missionaries to distant regions suited the Cape government. Like it or not, these communities came under greater control and administration once missions were established. By 1911, there were 30 societies and over 1600 missionaries in Southern Africa.¹⁴⁸ The first missionaries had been the Moravians who had arrived in 1737 and founded a mission at Bavianskloof, later renamed Genadendal, near Caledon. The first mission in the Namaqualand area was established by the Wesleyans at Leliefontein in 1816 by Rev. Barnabas Shaw.¹⁴⁹

The LMS had begun work at the Cape around the turn of the 19th century. In 1811 Johann Heinrich Schmelen (born in 1778 in Hanover) arrived at the Cape under the auspices of the LMS, following the likes of Seidenfaden in 1805 and Van der Kemp and Kicherer at the end of the 18th century.¹⁵⁰ Schmelen worked extensively on both sides of the Orange River and had established Bethany. He married a Nama woman, Zara, and together they translated parts of the Bible and a catechism into Nama which were printed in 1830.¹⁵¹ He was also instrumental in compiling a dictionary and grammar book of the Nama language.¹⁵² He has been referred to as the 'real pioneer of Nama literature' for his efforts.¹⁵³ He would become the first missionary of Komaggas, an influential figure of the time and an important source of information for this paper.

¹⁴⁶ Macmillan, *The Cape Colour Question*, p. 28.

¹⁴⁷ Penn, *The Northern Cape Frontier Zone*, p. 436.

¹⁴⁸ Mountain, *The First People of the Cape*, p. 59.

¹⁴⁹ Strassberger. E., *The Rhenish Mission Society in South Africa, 1830 – 1950* (Cape Town: C. Struik, 1969), p. 7.

¹⁵⁰ Ibid, p. 66.

¹⁵¹ Penn, 'Land Rights, Missionaries and Surveyors', p. 157.

¹⁵² Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 70.

¹⁵³ Moritz, *Auf dem Reitochen quer durch's südwestliche Afrika*, p. 43.

According to Strassberger, in 1829, the ‘half-caste Jasper Cloete’, met Schemelen at the farm called Ugrabies and asked him to come to Komaggas and the LMS agreed to this arrangement.¹⁵⁴ It seems that this would have been the original Cloete’s son. In 1829, Rev. Richard Miles, who had become the head of the LMS in 1826 after Dr Philip had returned to England, wrote to Governor Sir Lowry Cole on behalf of the community to secure their land and requested for a mission in the area.¹⁵⁵ One might view this act by the people of Komaggas as accepting the legitimacy of the government as the rightful owners of the land and that they recognised government as the only force that could offer them security of tenure. However, in agreement with Penn, ‘in the historical context of the times they had no real alternatives and that ultimately their survival as a community did indeed depend upon colonial protection’.¹⁵⁶ One can easily forget the nature of these times and the relative powerlessness of Khoi to protect their interests

1831 Schmelen and the new head of the LMS, the renowned Rev. Dr John Philip reminded the government of the 1829 correspondence.¹⁵⁷ The Colonial Secretary, Bell, replied that the original correspondence had been lost. Another apparent issue for the delay was determining whether Komaggas fell within the colonial boundary. As it was south of the Buffels, which had been declared the boundary many years previously, this seemed a weak excuse.¹⁵⁸ On the 20th August 1831 instructions were forwarded to J.M. Wentzel to survey the land. He was the land surveyor for Clanwilliam, the district which encompassed Namaqualand at that time. He surveyed the land which was to formally become the mission station of Komaggas by 17th November later that year. According to Wentzel, he was assisted by Schmelen as well as local Komaggas farmers, ‘who declared that said extent of ground and the water it includes have always been occupied by them and are essentially necessary for their maintenance’.¹⁵⁹ This statement would therefore indicate that the size of land was not a government

¹⁵⁴ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 68. This was presumably a relative of the founder, the white Jasper Cloete.

¹⁵⁵ CA, Colonial Office (hereafter CO) 362: *Orphan Chamber, School Commission, Agents and Missionaries in the Interior, 1829*, No. 32. Miles to Cole requesting for establishment of an LMS branch at Komaggas.

¹⁵⁶ Penn, ‘Land Rights, Missionaries and Surveyors’, p. 157.

¹⁵⁷ CA, CO 4901: *Letters Despatched: Civil, Letter Book, Vol. 4, 1830 Dec. – 1831 Sept.* J.Bell to Civil Commissioner for Worcester, 17th July 1831, p. 54.

¹⁵⁸ CA, CO 5100: *Letters Despatched: Ecclesiastical and Schools, Letter Book Vol. 1, 1828 Sept. – 1835 Dec.* Bell to Philip, 8th April 1831.

¹⁵⁹ CA, Worcester Magistrate’s Office (hereafter 1/WOC) 12/23: *Letters Received, Government Officials, 1831.* 17th November 1831.

imposition, but reflected what the community felt was rightly theirs. Wentzel himself thought the area was extremely large.¹⁶⁰

The map Wentzel produced indicates that the area laid out for Komaggas was 69,173 morgen and 131 square roods.¹⁶¹ His map and later replications indicate that the land to the west was regarded as ‘waste government ground good summer grazing’. He commented that he felt it was necessary for missionary supervision of the land and agriculture to ensure productivity and was impressed with the efforts so far as wheat and rees had been planted. There was adequate water and arable land. Given the context of the time, Penn observes that, ‘Wentzel’s survey was a most favourable outcome’.¹⁶² In a colony in which Khoi and Basters were hardly on an equal footing with whites, to achieve relatively secure tenure over such a piece of land was indeed a remarkable achievement.

12 years later in 1843 the Cape government finally recognised Komaggas as, ‘an incorporated community within the Colony’.¹⁶³ A Ticket of Occupation was drawn up which meant that this land was theirs indefinitely. However, it did not mean that they *owned* the land, but merely had the right to be on it. It would remain the property of the government who would hold the land in trust for the community. For people at Komaggas this must have been a wonderful moment – for the first time they had some form of assurance that their lands would be safeguarded against further imposition. Residents today and no doubt in the past have argued that the Ticket was merely a corroboration of their deep-seated rights to the land as a result of their connection with the indigenous Nama. The major issue that would arise in later years was that of ownership versus occupation.

¹⁶⁰ Ibid. Wentzel wrote to the Civil Commissioner of Worcester indicating that he viewed the area as ‘*verschrikklik groot*’.

¹⁶¹ According to Duly, L., *British Land Policy at the Cape, 1795 – 1844: A Study of Administrative Procedures in the Empire* (Durham: Duke University Press, 1968), p. xiii, one morgen was equivalent to 2.11654 Royal standard English acres, but was accepted by government as two English acres. One rood was equal to 144 square feet and 600 square roods was equivalent to one morgen.

¹⁶² Penn, ‘Land Rights, Missionaries and Surveyors’, p. 158.

¹⁶³ Carstens, ‘Opting out of colonial rule’, p. 145.

Below is a full copy of the Ticket of Occupation:

By his Excellency Major-General Sir George Thomas Napier KCB, Governor and Commander in Chief, &c.

This is to certify that the land comprised within the annexed diagram framed by the sworn land-surveyor M. J. M. Wentzel and represented to contain an extent, more or less, of 69 173 morgen situated in the division of Clanwilliam, Field Cornetcy of Little Namaqualand and known by the name "Kamaggas", shall not be alienated, but be held for the families of Aborigines and Bastards who were in occupation thereof on the 1st day of January of the present year 1843, or of others, of the same description, who having resided thereon before the date, left it, and be inclined to return thereto, or may be admitted as residents upon showing that they are entitled to such admission, and should any discussion arise regarding the admission as residents, of any party claiming such, the question shall be submitted to the Civil Commissioner of Clan William for investigation into the justice of the claim, which he is hereby empowered to decide. Also that the missionaries belonging to the Rhenish Society in charge of the mission station established on this land, are permitted to occupy the ground on which the mission buildings stand, and to cultivate such an extent as they may need for horticultural purposes.

Any trespassing on this land of cattle not belonging to the occupiers shall be dealt with in like manner as trespass on other private property.

Given under my hand and seal at Cape Town, Cape of Good Hope, this Ninth day of November in the Year of our Lord One Thousand Eight Hundred and Forty-Three.

Signed: Geo. Napier, Gov by his Excellency's command

Signed: W. Fred Herzog, Assist. Surveyor General¹⁶⁴

4.2 Life at Komaggas in the 19th century

The establishment of the mission station and the introduction of western and Christian ideals to the Nama and Bastards who formed the community greatly altered their lives. Perhaps most importantly, it offered them security from settler advances. With their land relatively secure and the added protection they received by having a white missionary to champion their affairs, for the first time since settlers began moving into their area did they have any form of defence. Missionaries also brought with them religion and many at Komaggas adopted

¹⁶⁴ Cape Town Deeds Office (hereafter DO) *Clanwilliam Freeholds, 9 – 11 – 1843 to 22 – 6 – 1854, Volume 1, Part 1*, p. 1a.

various tenants of Christianity. Those who were born after the LMS arrived were baptised. By 1836 there were approximately 30 baptised individuals at Komaggas. It is difficult to ascertain the degree to which Nama and Basters truly adopted Christian beliefs, but Komaggas was a Christian place and religion permeated most facets of everyday life. A church was built and various services were organised. Church and religion were the focal points of communal life and a variety of activities including choirs, Sunday school, confirmation classes, prayer meetings and youth associations were held. While importance was placed on education, 'The spiritual work, however, was always of primary importance'.¹⁶⁵ By 1874, there were 800 baptised and 150 full church members.¹⁶⁶ Strassberger, who himself was heavily influenced by Christian doctrine, wrote of the positive influence Christian ideals had on the communities:

The Christian influence raised the standard of living. Better housing was provided, furniture and crockery were acquired and the people wore clothes. Cleanliness and neatness were encouraged and achieved. Gradually the nomadic peoples adopted a settled way of life. They cultivated gardens and cleared cornfields. The settled type of life led to a more disciplined life. Church discipline and regulations on the mission stations helped to create law and order.¹⁶⁷

A school was built and formal education began. Education was given not only to children but adults as well.¹⁶⁸ By 1840 or so, there were approximately 100 children in the day school, 140 adults in the night school and 160 attendees at Sunday school.¹⁶⁹ In 1840, missionary Leipoldt made a tour of Namaqualand. He visited the schools at Komaggas and at Steinkopf. He described what he saw as follows:

Mothers with babies on their backs, or at the breast, fathers with small children by the hand, youths of both sexes, boys and girls from many nations and colours: Bastards, at times as white as Europeans and generally neatly attired; dark brown Namaquas and light brown Bushmen and black Damaras, very scantily attired, in fact, almost naked: this motley collection sits together.¹⁷⁰

Mission stations had formal written constitutions and Komaggas was no exception. The constitution outlined the basic criminal code for the community. In 1857 a law book

¹⁶⁵ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 96.

¹⁶⁶ *Ibid.*, pp. 86 - 87.

¹⁶⁷ *Ibid.*, p. 96.

¹⁶⁸ *Ibid.*, p. 68.

¹⁶⁹ *Ibid.*, p. 69.

¹⁷⁰ Sharp, *Community and Boundaries*, p. 41. Translated from the original German.

consisting of 38 articles and 6 regulations was approved by the Governor of the Cape. This constitution was signed by 84 male members of Komaggas and was known as the *Congregational Ordinance of the Kommaggas (sic) Institute*.¹⁷¹ A system of government developed in all of these mission stations whereby a *Raad* (council) of elected or appointed members of the community, under the chairmanship of the missionary, was established. In Komaggas the *Raad* came into being 1858.¹⁷² This body acted as a court of law and a number of elected burgers sat on this body. The power of the missionary was circumscribed by 2 or 3 elders of the community and a number of corporals who dealt with secular affairs. The *Raad* was elected annually by male heads of each family and was given the responsibility of preserving order, settling disputes, punishing transgressors, and managing sites for gardens. It also collected taxes. Within the laws laid down for Komaggas is the following paragraph:

Shall live in peace and harmony with each other and shall not give offence should anyone have a complaint against the other he shall lay his complaint before the *Voorstand* of the community, which shall take steps to settle the unpleasantness and to establish a brotherly feeling.¹⁷³

Within their laws one can find legislation reflective of their semi-nomadic lifestyle and their views towards land use. Regarding farming their laws state that, 'Komaggas stands out as a utopia leaning towards co-operative ideals'.¹⁷⁴ All water springs were communally maintained and irrigation was shared. No individual had the right to reserve land for private use and while there were private gardens, these were strictly regulated by the *Voorstand* to ensure that land was allotted equally. Furthermore, no members were allowed to sell, rent or give away land. With a sense of practicality, *burghers* who did not cultivate their allotted land for a period of 3 years gave up the rights to it. There was communal herding of milk cows on a rotational basis.¹⁷⁵ Each adult male with dependents had a right to a piece of land for private gardening and crops, as well as the use of the commonage for livestock.¹⁷⁶

Internal social systems elevated some members of the community above others. *Burghers* had the highest level of citizenship. *Bywoners* or co-residents were in an inferior position, while *vreemdelinge*, such as teachers and traders, had the least amount of rights. While these

¹⁷¹ Carstens, 'Opting out of colonial rule', p. 145.

¹⁷² Sharp, *Community and Boundaries*, p. 161.

¹⁷³ Carstens, 'Opting out of colonial rule', p. 146.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ Sharp, *Community and Boundaries*, p. 45.

communities, from a certain period, existed under the theoretical rule of the colonial government, in many instances, they ruled themselves and governed their own affairs. Serious cases such as murder, rape etc. were referred to the nearest government authority.¹⁷⁷

A number of travellers passed through the area and visited the mission station. Alexander reached Komaggas in 1836. He refers to it as 'Komakas'. He described it as consisting of, 'a long mission house of one story, a church, and outbuildings, situated under a mountain of about a thousand feet high'. In the valley surrounding Komaggas there were mat huts belonging to the inhabitants of the mission, described by Alexander as Bastards and Namaquas.¹⁷⁸ Statements such as the following are central to the major thrust of this paper: 'To save the grass about the station for another season, most of the people of Mr. Schemelen were in the field with their flocks and herds, and only about thirty or forty were now present'.¹⁷⁹ This substantiates the claim that the conservation of land was of paramount importance and that even after the station was formed, its members continued to practice transhumance as they had done previously. Alexander described the place very favourably:

There was a small wind-mill for grinding corn, also a good garden; and no less than five fountains of excellent water were in the green and secluded valley, in which the distant roar of the sea can be heard, and over which peace seemed to wave her olive branch.¹⁸⁰

While he was in the area, he spoke to a white man who asked for his assistance in securing land beyond the colonial boundary. Alexander asked him what he proposed would happen with the people who lived in and used that area. The man replied that because they were lazy they should just move further northwards towards the Orange. Alexander compassionately commented that, 'This is a sample of the little regard which is paid to the rights of the aborigines by people who have been born and bred to believe them merely denizens of the soil at sufferance'.¹⁸¹ He also wrote that the, 'old farmers cannot get over their thorough contempt for the coloured races'.¹⁸² Because Namaqualand was far removed from any

¹⁷⁷ Carstens, *The Social Structure of a Cape Coloured Reserve*, p. 17.

¹⁷⁸ Alexander, J.E., *An Expedition of discovery into the interior of Africa Vol. I* (Cape Town: C. Struik, 1967, originally printed 1838), pp. 89 – 90.

¹⁷⁹ *Ibid*, p. 90.

¹⁸⁰ *Ibid*.

¹⁸¹ *Ibid*, pp. 94 – 95.

¹⁸² *Ibid*, p. 103.

authority, Alexander felt the need for a resident magistrate because the, ‘field-cornets and the farmers are all related or connected’.¹⁸³

In 1840 the Rhenish Missionary Society (RMS) took over the LMS stations in Little Namaqualand.¹⁸⁴ This society had been established in 1828 and was the amalgamation of a few smaller societies from Barmen in Germany. Its full name was Vereinigte Rheinische Missions Gesellschaft, or the United Rhenish Missionary Society.¹⁸⁵ Its mission statement was, ‘the training and sending forth of Christian missionaries to non-Christian nations’.¹⁸⁶ At Komaggas, Schmelen continued his work, despite him being a member of the LMS. The first Rhenish missionary to work with the Namaqua was Franz Kleinschmidt who worked with the Schmelen at Komaggas.¹⁸⁷

James Backhouse (1794 – 1869), who was born in England and had practiced botany before becoming a missionary, visited Komaggas around 1840. He reported that almost all spoke the indigenous Nama language, while the few who spoke Dutch were Basters. Carstens suggests that Schmelen, who spoke Nama, might have prevented the introduction of Dutch until after his death, when it became the main language.¹⁸⁸ When he arrived he was informed that Schmelen, ‘had gone, with several of the people to the coast to fish, and was not expected to return for several days’.¹⁸⁹ He explained that the:

population of Komaggas is very fluctuating, many of the people being often under the necessity of making temporary removals with their cattle: the number upon the Station was at this time small; a large proportion of them were, more or less remotely, of Dutch and Hottentot descent.¹⁹⁰

The buildings at Komaggas were constructed of rough stone. There was a chapel and a few cottages. The majority of people lived in the traditional mat huts.¹⁹¹ When he was there, there

¹⁸³ Ibid.

¹⁸⁴ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 63. The LMS had begun operating in Namaqualand in 1805, while the Wesleyans entered the area in 1813. The LMS stations in Namaqualand were at Komaggas, Steinkopf, Concordia and Richtersveld.

¹⁸⁵ Du Plessis, J., *A History of Christian Missions in South Africa* (London: Longmans, Green and Co., 1911), p. 91.

¹⁸⁶ Ibid, p. 201.

¹⁸⁷ Ibid, p. 204.

¹⁸⁸ Carstens, *The Social Structure of a Cape Coloured Reserve*, pp. 238 – 239.

¹⁸⁹ Backhouse, J., *A Narrative of a Visit to the Mauritius and South Africa* (London: Hamilton, Adams and Co., originally printed 1844), p. 531.

¹⁹⁰ Ibid, p. 532.

¹⁹¹ Ibid, p. 532.

were only 13 mat huts – at times there were more than 30. According to Backhouse, there were about 400 people and between 70 and 100 children at the school and that, ‘The progress made in reading was slow and irregular, in consequence of the moving about of the people’.¹⁹² Of the land itself he described it rather negatively:

It was of very poor quality, and except at the Missionary Station, almost destitute of water in dry weather. It might be described as granitic sand, besprinkled with small bushes. Grass was scarcely to be found upon it, except near the spring, where it grew among brak-bushes, and after rain, when it sprang up, in scattered patches on the flat which extends to the coast. The crops of corn grown on the mountains were often so thin that they would scarcely be thought worth reaping in England.¹⁹³

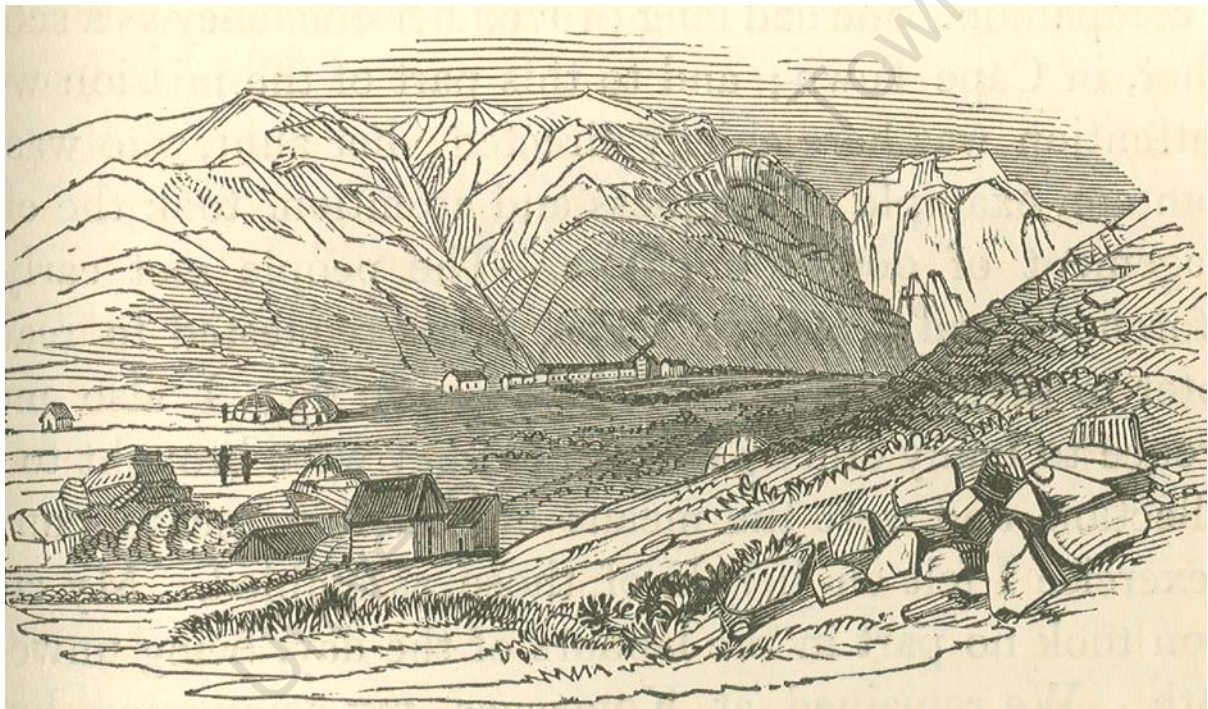


Image 2: Depiction of Komaggas in the 1840s when it was still an LMS station

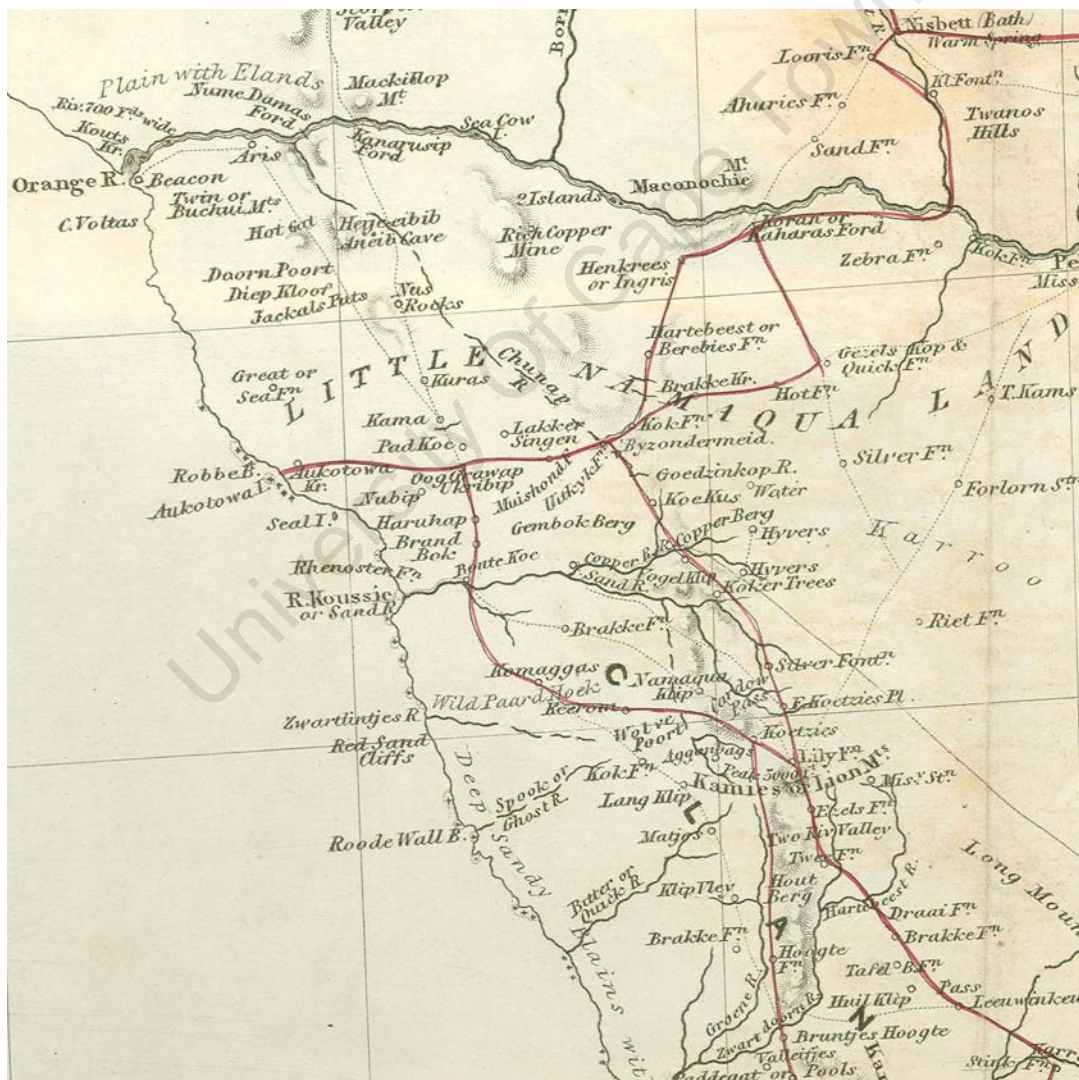
Backhouse decided to meet Schmelen and was guided by a Girt Kloete who was on his way to the mouth of the Orange River, ‘where he generally lived, and where he had cattle feeding’.¹⁹⁴ Backhouse does not state that Kloete was a member of the Komaggas community, but this is certainly a possibility. If this was the case it further supports the major thesis of this paper which is that people from Komaggas made use of distant lands far removed from

¹⁹² Ibid, p. 533.

¹⁹³ Ibid. This description conflicts with Alexander’s and given the fact that they visited the station only a few years apart does seem confusing. Perhaps Alexander’s words described the area surrounding the actual station.

¹⁹⁴ Ibid, p. 533.

the mission station itself. On the way, at a place called Oeg Grawep, also known as Footjes Kraal, he met Jonas Englebrecht, ‘an aged man of Hottentot descent...who had charge of some cattle belonging to J.H. Schmelen’.¹⁹⁵ He reached Schmelen and the fishing party who were at ‘Robben Bai’, today known as Port Nolloth.¹⁹⁶ In 1840, this location was outside the colony and quite a distance from Komaggas. Given the dates in Backhouse’s record, Schemlen and his group were away from Komaggas for a minimum of 8 days. These fishing trips were no doubt important sources of food for the community and indicate that the people from Komaggas made use of other parts of Namaqualand for their sustenance. They would have had access not only at the coast itself, but the route they took to reach this destination must also have been unhindered.



Map 7: A portion of Backhouse’s route in Namaqualand

¹⁹⁵ Ibid, pp. 534 – 536.

¹⁹⁶ Ibid, p. 538.

Karl Johan Andersson (1827 – 1867), the Swedish explorer, hunter and trader, undertook two expeditions at the Cape between 1850 and 1854. He passed through Little and Great Namaqualand and also stopped at Komaggas. As was often the case, he communicated with the indigenous people (through interpreters) and asked them a variety of things he thought to be of interest. When he arrived at Komaggas it was a Rhenish Mission under the supervision of Mr Weich. Andersson was aware of the grant of land made and commented that, ‘during the administration of Sir Lowry Cole, it received, by charter, an extensive grant of territory from the British government at the Cape’.¹⁹⁷ He described those living at the station as, ‘a promiscuous collection of Hottentots, and the offspring of other dark-coloured natives’.¹⁹⁸ He was impressed by the agriculture, felt there was adequate water and commented that, ‘Gardening is brought almost to perfection; and notwithstanding the dryness of the atmosphere, corn is cultivated with success in the neighbourhood. Indeed, the best wheat in the west part of the colony, I am informed is grown here’.¹⁹⁹ Despite this positive portrayal, he mentioned that there was not adequate water for grazing, that many cattle were dying from starvation and that a number of the people in the area had been reduced to begging and living in a state of poverty.

Schmelen had died in July 1848. By 1850, the population in and around the station was approximately 400, including 200 baptised members and 72 full church members.²⁰⁰ By this time, the majority of those at the station were Basters. In a relatively short space of time, the Basters had absorbed many local Nama. As they were seen to be superior, no doubt some Nama had tried to achieve the same status through intermarriage. Even at this point in time, those who lived at Komaggas were able to migrate with their animals when it was necessary and to move from place to place in search of food. The landscape had been dramatically altered in terms of freedom of movement and access to land and resources. While people still had the ability to move about, the noose was tightening and with added pressure from white farmers it was only a matter of time until Komaggas became truly cut off from its surrounds.

¹⁹⁷ Andersson, C.J., *Lake Ngami or Explorations and Discovery during four years of Wanderings in wilds of South-Western Africa* (Cape Town: C. Struik, 1967, originally printed 1856), p. 337.

¹⁹⁸ Ibid.

¹⁹⁹ Ibid, p. 338.

²⁰⁰ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, pp. 86 - 87.

Criticism of the mission stations and their semi-communal way of life was voiced by white farmers in the Komaggas region as early as 1851. The group objected to what they considered the extremely large size of the mission station.²⁰¹ A letter was sent to government stating that:

the majority of the inhabitants of the stations, not being aborigines of the soil, and having only recently localised themselves under the auspices of the Missionaries, at the same, cannot even substantiate a claim to the ground they now occupy, and certainly cannot lay claim to a grant of extension of territory.²⁰²

The farmers argued that they and their fathers had been in the region for 40 years, which they claimed was as long if not longer than those who lived at the station. A further argument that was used to criticise the stations was that their poverty was linked to the communal way of life that was allowed to exist in these missions. Critics equated the mission stations' poverty with a bad work-ethic and natural laziness. The farmers further maintained that, 'Your Memorialists are of opinion that the isolating of the coloured tends to widen the chasm between the races, and severed they are and will remain as long as the present system is pursued'.²⁰³ This was nothing more than a thinly veiled disguise of the fact that these farmers were seeking to secure more land for grazing and other uses, as well as the labour to be found on the station. With this in mind, they requested that the stations in the area were not granted further land. Such sentiments would be echoed 40 years later in 1890 when Assistant Surveyor General Melvill was given the task of investigating the land used by the mission stations of Namaqualand. He too was of the opinion that the amount of land held by the stations was too large and that the communal system of land tenure was to blame for the poverty that existed.²⁰⁴

Despite their protests, as was often the case in these distant regions, there was a degree of co-existence and co-operation. Sharp writes that, 'Several Boers paid to use grazing and water in the territory claimed by the people, and Boer and 'Baster' made the trek to summer grazing in the sandveld or Bushmanland together'.²⁰⁵ A number even joined the mission stations to

²⁰¹ Wisborg, *'It is our land'*, p. 140.

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Melville, S.G. 'Report on the lands in Namqualand set apart for the occupation of natives and others' (G. 60 – '90) in CCP, 1/2/1/77, 1890.

²⁰⁵ Sharp, *Community and Boundaries*, p. 31.

secure some land, intermarried and became part of the community.²⁰⁶ This is rather telling – while those in the area wealthy enough to own land and hire labour were against the missions, others joined them as a way to survive. Given the fact that *trekboers* employed similar tactics of pastoral nomadism in this region, it is highly ironic that they were critical of such practices by the indigenous groups of the area. Sharp continues and agrees with the assertions of people he spoke to that in earlier years, ‘the Boers had a measure of respect for the Reserve-dwellers which was lacking in other districts’.²⁰⁷ Boers and Basters from the Komaggas and Steinkopf regions even went on commando together against San.²⁰⁸ In 1850, the missionary at Komaggas opened a small boarding school for the children of white farmers of the area.²⁰⁹

Many would assume that the racial landscape of this country was created when the Dutch arrived. To some degree this is true, but concrete racial divisions and ‘the concept of race in its modern sense’ only came into being much later.²¹⁰ Conradie, cited in Sharp commented that, ‘Namaqualand Boers were, through poverty, illiteracy and neglect, hardly distinguishable, on any grounds, from the inhabitants of the Reserves. The isolation and barrenness of Namaqualand were great levellers, until the mines came’.²¹¹ According to Sharp there was a Boer-Baster-Khoisan continuum which, in the 18th and 19th centuries was, to some degree, fluid. Divisions between the groups were not as definite, but as the 19th progressed, economic and political imperatives changed the landscape in this regard and a division between white on the one side and Baster and Khoi on the other was institutionalised. Inequality and both official and unofficial prejudice continued to amplify.

4.3 Missionaries: Benefit or Drawback

Weighing up the benefits and drawbacks of the missionary element is difficult. Within South African historiography there has been a complex debate as to the true effects of missionary involvement. As colonial intrusion increased, the mission stations were one of the only places in which indigenous people could maintain their identity. While they were under the

²⁰⁶ Ibid, p. 55.

²⁰⁷ Ibid, p. 31.

²⁰⁸ Ibid, p. 32. Between 1800 and 1830 Sharp writes that this happened at least twice.

²⁰⁹ Ibid, p. 30.

²¹⁰ Elphick, R. and Gillomee, H. (eds), ‘The structure of European domination of the Cape, 1652 – 1820’ in *The Shaping of South African Society, 1652 – 1820* (Cape Town: Longman Penguin, 1979), p. 385.

²¹¹ Sharp, *Community and Boundaries*, p. 47.

supervision of an institution they no doubt had a degree of freedom. Economically, the reserves offered a degree of security and in later years when people from Komaggas could not find work on the mines, the reserves offered this sanctuary. In difficult times those who were well-off could lend a hand to the less fortunate. Penn writes that given their status and inability to secure title to land, 'it is unlikely that the colonial Khoikhoi would have been able to preserve their identity at all and would have disappeared into the amorphous underclass of farm labourers'.²¹² A degree of identity has survived and Namaqualand is the region in which Khoi and Nama identity is best maintained. It was imperative that the local people were able to reside in this area as their identity and history is intricately bound to their land.

Ostensibly, the main responsibility of the missionaries was to serve as a moral compass for the community that they worked with. In reality, they performed a number of other tasks and, 'missionary involvement in education, local and external politics, trade, technology and health was as important as teaching Christianity and uniting the members of congregations through the organizations of communal rituals'.²¹³ At Komaggas and no doubt other places, the missionary assumed the role of superintendent and was the most powerful and respected member of the community. At times the missionary was lauded as the benefactor of the indigenous groups and the following words of Dr Philip would seem to suggest that many did have their interests at heart:

The missionary stations in South Africa are the only places where the natives of the country have a shadow of protection, and there they can claim an exemption from the most humiliating and degrading sufferings; but when the British government shall afford them the protection of equal laws, our missionary institutions will be no longer necessary as houses of refuge, and the aboriginal inhabitants, now living as a separate people, will become amalgamated with the other parts of the colonial population. It is the cruel oppression under which they labour, which makes such asylums necessary. Do away with those oppressions; allow the people to have a fair price for their labour; to settle as free labourers in any part of the colony they may choose for their abode, and the natives themselves will prefer the advantage of a residence among the inhabitants as a free people, to their present and straitened conditions at our missionary settlements, where they must always find it difficult to obtain the means of subsistence²¹⁴

²¹² Penn, 'Land Rights, Missionaries and Surveyors', p. 151.

²¹³ Carstens, 'Opting out of colonial rule', p. 137.

²¹⁴ Philip, J., *Researches on South Africa; Illustrating the Civil, Moral, and Religious Condition of the Native Tribes, Vol. 1* (London: James Duncan, 1828), p. xxx.

While they certainly offered beneficial services to the communities they served, there was an unsavoury side to the missionary ideal. They acted as ‘agents of civilisation’ and as indigenous people were schooled in Christianity and the language of the colonising power they became part of the system that was subjugating them. In addition and this is reflective in the above quote, this education was aimed at moulding labourers and servants, not doctors or independent entrepreneurs. In the 1850s, the South African High Commissioner George Grey proposed that, ‘most African education should be practical, with literary instruction only allowed to a tiny elite’.²¹⁵ Their traditional political structures broke down as the missionary’s role slowly enveloped that of the chief’s. While their motives were generally noble, a direct consequence of their activities further immersed the Nama and Basters into the colonial world. The Comaroffs commented that the missionaries were guided by, ‘a universalizing ethos whose prime object was to engage the Africans in a web of symbolic and material transactions that would bind them ever more securely to the colonizing culture’.²¹⁶ By acting as facilitators between indigenous groups and the political rulers, whether it was inadvertent or not, they played a role in furthering British dominion and rule of law. Missionaries supplied government with information about the people and the area in which they worked and their descriptions were tainted with their own prejudices. The fact that missions were often established in remote areas with little or no government authority was not mere coincidence. Majeke (the pen name for Dora Taylor) writes of the overly sentimental way in which English missionaries were portrayed, as people who:

devoted their energies to the emancipation of the slaves, the “liberation of the Hottentots”, the conversion of the heathen to Christianity. There is no doubt that there were well meaning people who supported these humanitarian movements. But we would have a false perspective of events if we accept these grandiloquent claims at face value and assumed that there was some mysterious milk of human kindness animating the hearts of the English.²¹⁷

In general, whites held the assumption that indigenous people were backward, indolent and needed to be educated to better themselves. It was never a consideration that their way of life was acceptable. Their aim was not simply to help the indigenous groups to better their own lives in a fashion congruous with their own cultural beliefs and practices. As Beidelman

²¹⁵ Etherington, N., ‘Education and Medicine’ in Etherington, N. (ed.), *Oxford History of the British Empire Companion Series: Missions and Empire* (Oxford: Oxford University Press, 2005), p. 268.

²¹⁶ Comaroff, J.L. and Comaroff, J., *Of Revelation and Revolution: Christianity, Colonialism and Consciousness in South Africa, Vol. 1* (Chicago: University of Chicago Press, 1991), p. 310.

²¹⁷ Majeke, N., *The role of the missionaries in conquest* (Cape Town: J. W. Jagger Library, 1984), p. 1.

succinctly writes, 'Christian missions represent the most naïve and ethnocentric and therefore the most thorough-going, facet of colonial life...Missionaries invariably aimed at overall changes in the beliefs and actions of native peoples, at colonization of hearts and mind as well as body'.²¹⁸ He continued to write of the supposed, 'cultural superiority and arrogance' the missionaries displayed and deeply criticised their notions of the 'transferability of Christianity', whereby they simply discarded pre-existing religions and belief systems.²¹⁹ At times indigenous groups no doubt opposed some changes the missionaries were instituting. However, 'even when they resisted the overtures of the mission in favour of their own conventions, the Africans were subtly transformed by their participation in its discourse'.²²⁰

It was hoped by governments that missionaries would 'civilise' people in an attempt to make them more manageable. For this reason, 'Home and colonial government supported ecclesiastical missionary expansion wherever it was likely to buttress their authority and promote social order'.²²¹ The British employed a strategy of allowing the missionaries to become intermediaries between government and the people on the stations. People would have been far more trusting of the advances made by a seemingly humble and altruistic missionary over those of government agents. Majeke describes the penetration of these areas as beginning with the missionary which would in turn attract traders who would introduce goods into these societies such as alcohol. As the missionary established his presence, he would promote a relationship between the chief and government. Eventually, as whites began to move in these once distant regions, tensions over resources would increase. When government realised it needed to gain control over such an area because of an increasingly violent and tense situation it would establish magistracy or some fold of colonial oversight. The land would eventually be annexed so as to maintain control and deal with a state of affairs that the government had been responsible for creating.²²² It became evident that missions often preceded large scale white colonisation of many areas across South Africa.

²¹⁸ De Bruyn, J.T., *Missionaries in South African historical writing* – Paper presented at the conference on People, Power and Culture the History of Christianity in South Africa, 1792-1992, organised by the Institute for Historical Research, University of the Western Cape and held on 12-18 August 1992 (Bellville: University of the Western Cape, Institute for Historical Research, 1992), p. 3. This sentiment is echoed by the Comaroffs in *Of Revelation and Revolution: The Dialectics of Modernity on a South African Frontier, Vol. 2* (Chicago: University of Chicago Press, 1997), p. 119: The aim of the missionaries was to, 'remake the Africans in their own image', and to achieve this, 'they would have to begin on the terrain of everyday practice'.

²¹⁹ De Bruyn, *Missionaries in South African historical writing*, p. 3.

²²⁰ Comaroff and Comaroff, *Of Revelation and Revolution: Christianity, Colonialism and Consciousness in South Africa, Vol. 1*, p. 310.

²²¹ Porter, A., 'An Overview, 1700 – 1914' in Etherington, N. (ed.), *Oxford History of the British Empire Companion Series: Missions and Empire* (Oxford: Oxford University Press, 2005), p. 40.

²²² Majeke, *The role of the missionaries in conquest*, p. 7.

Philip himself, often lauded as a philanthropist and humanitarian, commented as such in the preface to his *Researches in South Africa*:

While our missionaries are everywhere scattering the seeds of civilization...they are extending British interests...Wherever the missionary places his standard among a savage tribe, their prejudices against the colonial government give way, their dependence upon the colony is increased by the creation of artificial wants....Industry, trade and agriculture spring up.²²³

Mission stations were also perfect labour pools and gave local farmers a steady stream of workers, who had little choice in terms of work and survival given the changing landscape. Additionally, 'At the mission stations their traditionally pastoral lifestyle was restricted and transformed into a partially agrarian one'.²²⁴ One can also argue that missionaries initiated the transformation of, 'agriculture in the region from subsistence to market-oriented production'.²²⁵ Philip's mention of the 'creation of artificial wants' would further substantiate the aim of incorporating those at mission stations into the colonial economy. In the western colonial mind, stability and settlement was the ultimate evocation of civilisation and productivity. Missionaries assisted in this regard as well.

One cannot argue that the introduction of a mission station brought prosperity or an elevation of status for those who lived there. Komaggas was and continues to be a poor community. It was often reliant on the fortunes of the weather and when there was drought people suffered. Its isolation and lack of industry up to the mid 19th century meant that it was prone to financial instability and had few sources of revenue. This, however, was beyond the power of a missionary. Despite the long-term negative repercussions of a missionary presence at Komaggas and Namaqualand in general, they did manage to hold onto the reserves for the people and not let them fall into private hands. Keegan's term, 'humanitarian imperialism'²²⁶ seems to fit this situation rather aptly. The fact remains that mission stations were a source of refuge for people seeking protection and they were able to offer a degree of stability against displacement. Without the missionaries, it is arguable that indigenous people would have lost more than they did.

²²³ Philip, *Researches on South Africa*, pp. ix – x.

²²⁴ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 8.

²²⁵ *Ibid*, p. 13.

²²⁶ Keegan, T., *Colonial South Africa and the origins of the racial order* (Cape Town: David Philip, 1996), p. 7.

Chapter 5

5.1 The Annexation of Namaqualand and the Beginning of the Copper Boom

Namaqualand first came to the attention of the colonists because of its copper wealth.²²⁷ This resulted in number of explorers and government sponsored expeditions journeying to the region. Accounts from the journeys of Vasco da Gama in 1497 mention meeting indigenous people who wore bracelets made of copper. In later centuries, Jan Van Riebeeck and Simon van der Stel²²⁸ would also report on the abundance of this metal in Namaqualand.²²⁹ When van der Stel undertook his expedition in the 1680s, his mining engineer, Friederich Mathias von Werlinckhof reported, 'I am entirely convinced of the favourable character of these mines; in the event of mining operations being continued, richer and richer, and better minerals will be found'.²³⁰ An expedition undertaken in July 1761 under Hendrik Hop reported that it found many minerals but felt that it was not yet financially viable to extract and transport them.²³¹ Alexander journeyed to that region in the 1830s under the Royal Geographic Society and found a high grade copper.²³² Before the mineral rush that followed the discovery of diamonds (best known is the Kimberley rush of the 1870s) and gold (the Witwatersrand of the 1880s), it was Namaqualand's copper that sparked off a massive amount of interest and investment.

Initially, due to a lack of infrastructure, it was not a feasible industry as it was too expensive to mine and transport to the Cape, and then ship overseas for sale. It was only in 1846 that the first major company, the South African Mining Company (SAMC) was established with the intention of mining copper in Namaqualand. Thomas Fannin, who had journeyed into the region on behalf of the SAMC in late 1845 to ascertain various things, had met with Schmelen at Komaggas. In his report to the company, Fannin made the quite incredible

²²⁷ Apart from copper, Namaqualand has yielded various other precious metals such as iron, gold, silver, lead and platinum.

²²⁸ Waterhouse, G. (ed.), *Simon van der Stel's Journey of his Expedition to Namqualand, 1685-6* (Dublin: University Press, 1932)

²²⁹ Currey, J.B. in Schaefer, *Life & Travels in the Northwest*, p. 82. Currey noted that Van der Stel was well aware of the potential of the 'Koperbergen', but, 'could devise no means of carrying the ore to the coast or even the metal if he could smelt it, for which there was no fuel; and Namaqua copper remained one of Africa's secrets for another century-and-a-half'. In terms of roads, this area was totally underdeveloped and there was no infrastructure to speak of until the copper craze began. Animal muscle was employed to transport goods over a rugged landscape.

²³⁰ Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 3.

²³¹ Report by Dr Carel Christoffel Rykvoet, one of Hop's companions in Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 4.

²³² *Ibid*, p. 6.

assertion that, 'no tribe or individual whatever has any claim, worth a straw, to any part of the district between the Kousie and the Orange River'.²³³ While there was certainly insecurity of tenure and a lack of fixed boundaries denoting ownership, this statement is ludicrous and was entirely misleading.

Namaqualand was still not officially part of the Cape colony until 1847 when the Orange River became the border. Carstens writes that, 'up to 1847 the whole of Little Namaqualand from the Buffels to the Orange Rivers had belonged to the Nama and Basters who resided among them'.²³⁴ Smallberger quite astutely points out that, 'The subsequent annexation of Namaqualand by Sir Harry Smith in December 1847, leads one to wonder whether this was not one of the earliest examples of the flag following trade'.²³⁵ The copper craze would intensify the situation and the desire for land became paramount. Because it was not known what lands would yield the best results, companies would begin securing leases over large areas in the hope of getting striking it rich. Previously there would have been no great financial benefit for the state to take control of and administer this area. It was only once the known prospect of copper became a realistic venture that the government showed any real interest. The government had previously been blasé regarding this area and seemingly indifferent to the conditions affecting its inhabitants; it now took a far more active role. Beforehand it had made tacit, if not explicit guarantees to the mission stations that their lands would be respected. Things began to change as the copper boom exploded.

Within a short space of time, a 'Copper Mania' broke out at the Cape and as well-respected people reported on the possible fortunes to be made and capital, both local and foreign, poured into new companies, 'many based on meagre surface scratching or heresy'.²³⁶ Andrew Geddes Bain (1797 – 1864) was a well-respected member of Cape society and a renowned road engineer responsible for a number of important passes. He was also an explorer, palaeontologist and is credited as the father of South African geology. Bain himself admitted that his was a fairly rushed investigation and a hurried survey (carried out in the early part of the 1850s), but nevertheless declared:

²³³ Ibid, p. 23.

²³⁴ Carstens, 'Opting out of colonial rule', p. 150.

²³⁵ Smallberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 23. Proclamation on 17th December. At the time, main inhabitants were Namaqua Hottentots, Bastards of mixed races, refugees from justice, Bushmen.

²³⁶ Schaefer, *Life & Travels in the Northwest*, p. 10.

Let the farms be cultivated and the mines opened, and it will be found that Namaqualand contains more real wealth than the whole colony put together; for I have little doubt that all the country from the Oliphant's River to the Orange River abounds in mineral wealth, and only wants to be thoroughly explored to develop its riches²³⁷

This report, published in the *Commercial Advertiser* had massive repercussions for the economy. With the Australian and Californian gold rushes fresh in many minds, it was hoped that Namaqualand would be the next big thing. Rumours of gold in the region further fuelled interest and massive speculation on the Cape Town Stock Exchange. Mining began in earnest in 1854 in what is today called the Blue Mine, around which the town of Springbok developed. Between July 1854 and January 1855, 22 companies were formed.²³⁸ Soon, sustainable mining began at Okiep, Concordia, Spektakel and later at Nababiep. Mining would continue at these sites (and others discovered later) until the beginning of the 21st century. Countless other mines were unsuccessful and shut down. The Spektakel mine was opened in 1854 and the vicinity to Komaggas meant that a number of residents worked there. Because Komaggas was along the road from Springbok and Concordia to Honedklipbaai, many worked as transport riders.²³⁹

Later reports by the Surveyor-General Charles D. Bell Esq. and the geologist Andrew Wyley in 1857 warned that it might not be economical to mine. However, the allure of the chance to get rich quick overrode such cautions.²⁴⁰ Some were aware that the costs of transporting ore to the coast were prohibitive enough to make the venture unprofitable. At times, it was impossible regardless of cost. Wyley visited a few dozen mines in Namaqualand, including O'okiep, Springbokfontein, Nababiep and Spektakel. In his report to the government entitled *The Mineral and Geological Structure of South Namaqualand*, he wrote that if labour and transport could be required at feasible rates, the chance of successful mining ventures would increase dramatically.²⁴¹ However, he urged great caution and it seems that he was generally of the opinion that most mines did not have sufficient deposits to either be lucrative or long-term prospects. Others, like W.G. Atherstone, who spent 5 months in

²³⁷ Bain, A.G., 'Correspondence upon the Subject of the Discovery of Metals in Namaqualand and the Leasing of Lands in that Part of the Colony' (G. 8 – '54) in CCP, 1/2/1/1, 1854.

²³⁸ Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 55.

²³⁹ Sharp, *Community and Boundaries*, p. 48. Transport riders carried copper ore to the coast.

²⁴⁰ Schaefer, *Life & Travels in the Northwest*, p. 10.

²⁴¹ Wyley, A., 'Report upon the Mineral and Geological Structure of South Namaqualand and the Adjoining Mineral Districts', p. 3.

Namaqualand in 1854 and 1855 on behalf of the Grahamstown Prospecting Company, were outright pessimistic. While he did not dismiss the possibility of mining altogether, he felt a more thorough evaluation was needed. He also understood that everything would be needed to be transported to the sites at considerable cost, including labour, materials and machinery. He concluded that:

I must confess, indeed, that the startling realities of Namaqualand bursting thus suddenly upon me amidst its barren granite hills and sandy wastes, together with the accidental detections of the means adopted in one or two instances for 'getting up' companies to work imaginary mines, provided a feeling of utter despair, and had I acted upon first impressions, I should have written to the committee at once, recommending them to abandon all idea of investing capital in a country apparently so unpromising.²⁴²

Companies were often founded with little evidence of actual deposits or plans as to how it would be lucrative for its investors would see a return. The newspapers of the day were littered with advertisements aimed at those willing to provide capital. Smallberger relates an example of the ludicrous assumptions upon which investors were asked to empty their pockets:

we have...(for example)...the origin of the Dog's Ear Company, who are unsuspectingly outlaying on red paint...Hondeklip literally translated means Dogstone, and Hondeklip derived its names from a large stone likened to a dog, which is there found. A traveller some years ago, having no better amusement, painted the stone red. The weather has however cleared the surface of it, and the paint is all off except in the crevices, where it just appears. A Prospector, sent down by one of the companies, mistook these red spots for indications, and knocked off the dogs ear and sent it home to his employees, who cherish it as the foundation of their hopes, and shew it as a prize, which the shareholders inexperienced in mineralogical science, rely upon in perfect faith.²⁴³

Because so many were formed without any knowledge, the vast majority failed. Also, a lack of infrastructure and means to transport to the cost prohibited development and success. By 1857, only 3 remained: the SACM, Phillips and King and the Namaqua Mining Company (NMC).²⁴⁴ Despite many failing, the effects on the people of Namaqualand were far from slight. The government's position was that the lands of Namaqualand belonged to the government, including mission stations. Natives were allowed to stay there as they pleased,

²⁴² Atherstone, W.G., in Schaefer, *Life & Travels in the Northwest*, p. 70.

²⁴³ Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 52.

²⁴⁴ Ibid.

but had no rights to the minerals, as, it was argued, they had never worked them in large quantities. Charles Bell, the Surveyor-General, upheld the government decision regarding mineral rights. He maintained that the natives themselves were disinterested in working the copper and that they would actually benefit as companies paid to work their land.²⁴⁵ While some Basters did own land in Namaqualand as late as the 1850s, many would sell to mining companies.²⁴⁶ Not understanding the value of what could lie beneath them people sold their land for what seemed to be generous amounts. Those who worked on white farms were kicked off as the value of the land became known and agriculture was neglected.²⁴⁷ People like Bell also never took into account the negative effects of the mining industry as well as long-term results such as a ruining of the environment and poverty.

Bell had spent a few months on a tour of Namaqualand in 1854. He spoke to Paul Lynx, a chief in the north-western part of Namaqualand about the issue of land in the area. Lynx also based his community's claim to land on the fact that he and his forefathers had used and occupied it since time immemorial. He was direct in his opinions and along with his councillors told Bell that it was their desire that the Government should leave them undisturbed. Bell asked Lynx how he could request the government to preserve, what in Bell's opinion, was an enormous piece of land. Bell, as many of his day, did not understand or was not willing to accept the way that land was viewed and used in indigenous societies. The issue of why this land was not previously explored and invested in is not discussed. The fact that the government only became interested in 'improving' this area because of the wealth to be made was not mentioned. If Namaqualand was not rich in minerals, this degree of interest would certainly not have existed. Bell reported that when he asked people about their claims to the minerals most said that they were not interested in the copper. Bell felt that the government had made fair provisions for the people of the area and was going to protect and reimburse them. When Bell uncovered overlapping claims to the same extents of land he asked Lynx how such an issue was resolved. He answered that Schmelen had, 'arranged it so that peace might be preserved'.²⁴⁸

²⁴⁵ Ibid, p. 76.

²⁴⁶ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 9.

²⁴⁷ The same thing would happen when gold was discovered in the Witwatersrand in 1886.

²⁴⁸ Bell, C.D., 'Report on the Copper Fields of Little Namaqualand' (G. 8 – '55) in CCP, 1/2/1/2, 1855, pp. 5 – 6.

Bell attended a meeting with members of Komaggas on 30th November 1854. Present were the corporals and 15 other inhabitants, as well as Mr Wild, who was the manager of Phillips & King. Bell informed the Komaggas residents that government had claimed land to the east of the reserve. The residents felt that this belonged to them. Klaas Cloete argued, according to Bell, that their forefathers had inhabited and made use of that area for many years and at the time, people were cultivating those lands. This indicates, as various sources have previously, that the reserve as laid out in the Ticket was not the only land that the people of Komaggas used. This is further substantiated by the fact that Bell spoke to them about possible compensation for Komaggas inhabitants who owned farms outside the grounds:

The question of damages also came up in respect of farms held by Komaggas inhabitants, outside the mission area, as surveyed under the old colonial dispensation. I considered that these claims should be handled the same way as neighbouring farmers'. The damages caused by normal right of way across Kamaggas land was subjected to general rights of outspan, but due to its excessive nature, the Government could be approached so that some practicable valuation or compensation could be instituted.²⁴⁹

His official report as the Surveyor General offers great insight at a time of change as the copper industry found its footing. Bell spoke to a number of communities in the area and he wrote that those he spoke to had no qualms about the issuing of leases for mining, but complained that their lands were being destroyed by copper carriers. It is possible that Bell failed to report fears vented by these communities in an attempt to portray an agreeable and easy situation for the government and industry. Another feasible scenario is that these communities misunderstood the full extent of the imposition that was to occur and therefore offered little resistance. However, evidence suggests otherwise; there were numerous petitions by the missions of the area protesting the imposition of the mining companies and other forces well before the industry had cemented its position in Namaqualand.

In 1842 Rev. Ferdinand Brecher, who was the missionary at the R.M.S. stations of Steinkopf and Concordia in Namaqualand, voiced his apprehension at the rate at which the frontier was moving. He saw a steady movement of settlers crossing the colonial border of the Buffels and moving towards the Orange. The government assured him that they had no intentions to

²⁴⁹ Ibid, pp. 30 – 31.

infringe upon the rights of the Basters and Nama in the area.²⁵⁰ In 1846, shortly before Namaqualand was annexed, the government had informed the people of Steinkopf of their plans to do so. The chief of the people had replied to Field-cornet Jacobus Kotze: ‘what the great chief or governor does, I cannot object to; but this only I say, that I will keep my ground, for me and my people, in order to lead a quiet and honest life’.²⁵¹ By 1851, Rev. Brecher had once again petitioned government. He informed the government that:

The chiefs and natives residing here wish to be placed under the protection of the British Government, and that the ground occupied by them...may be reserved for their occupancy, against the encroachment of farmers, traders, or any others wishing to settle on the same, as much unpleasantness had already arisen on this point.²⁵²

Montagu, the Colonial Secretary made it clear that these wishes would be upheld and that the government would not: ‘countenance any encroachments on the land occupied by the people of the institutions...on the part of any farmers or others not belonging to the same; nor had His Excellency any desire to disturb them in their occupancy’.²⁵³ Given Montagu’s assurance, Brecher felt, quite understandably, that the land was secured. As was the case in many other regions, Brecher’s intuition proved to be correct as in 1853 the Concordia Consortium found copper deposits at Tweefontein, a piece of land belonging to the reserve and it became apparent that the NMC planned to commence mining within their boundaries. When members of the NMC arrived, a letter was waiting for them:

‘To Messrs. A. von Schlicht, and
G. Prince, Tweefontein, -

Gentlemen, - Whereas I am informed by yourself of your settlement in the neighbourhood of the place called Tweefontein, for working copper mines, & c.; and whereas it was in your belief that the said places were situated without the institutions-ground of Steinkopf; - on, however, making inquiry I find the same is situated, not without, but within the ground belonging to the institution.

And I beg to state that this mentioned ground is secured from Government against any encroachments on the part of any farmers, or others.

²⁵⁰ Sharp, *Community and Boundaries*, p. 36.

²⁵¹ Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 62.

²⁵² *Ibid*, p. 63.

²⁵³ *Ibid*, p. 64.

Therefore, gentlemen, I must, in the name of my community, and especially of the Captain Jacobus Engelbrecht, make objection against your settlement on our territory, and declare you, by this, to remove from the said place.

Should you, however, be unwilling to remove, then I trust you will be kind enough to inform the Government of the truth of the case. I must do the same, and we have reason to believe the question between you and us settled according to law. You will please give me a reply – I remain, & c.

F. Brecher, V.D.M.²⁵⁴

Eventually an agreement was brokered whereby the mining company would pay the mission £100 per annum for a period of 10 years and in return would receive sole mining rights. While mission stations certainly needed injections of capital, by allowing mining companies to use their land and enter their domain they were opening up themselves and others to future exploitation. Perhaps by receiving money they set a precedent that had implications for future claims to mineral rights on their lands.

²⁵⁴ Ibid, pp. 66 – 67.

Farm	Farm No.	Date of Registration
Oubees	339	15/02/1844
Zoutpan	471	15/02/1844
Dikgat	195	01/09/1852
Kleyne Zee	194	01/19/1852
Kanoep	497	08/04/1852
Roode Vlei	189	31/05/1865
Mannels Vlei	321	31/05/1865
Roode Kol	336	18/04/1908
Predikant Vlei	190	18/08/1910
Sand Kop	322	11.10.1910
Kannabieduin	324	11.10.1910
Joumat	178	17.10.1911
Taaibosch Vlakte	337	25/09/1912
Kameelboom Vlei	338	25/09/1912
Klein Zee	193	9.?.1914
Stryd Rivier	188	30/06/1915
Koingnaas	475	21/12/1915
Somnaas	474	08/02/1916
Kwakanab	172	02/03/1922
Goraap	323	02/03/1922
Samson's Bak	330	02/03/1922
Zwart Duinen	332	22/09/1925
Heidons	335	10/10/1925
Twee Pad	176	27/10/1925
Karreedoorn Vlei	177	05/11/1925
Dreyers Pan	192	05/11/1925
Noup	473	12/11/1925
Oubeep	173	18/11/1925
Hondevlei	325	03/12/1925
Zonnekwa	328	22/12/1925
Paardevlei	334	15/02/1926
Rooivlei	327	03/09/1926
Paarde Vlei	334	03/04/1926
Gra' Water	331	21/04/1926
Eland's Klip	333	21/04/1926
Schulfontein	472	21/04/1926

Table 1: List of Farms surrounding and in the vicinity of Komaggas including the date that they were first registered. This list is compiled chronologically and indicates how in a few years the land around Komaggas was bought up and left the community cut off from their surrounding lands. Taken from the Namaqualand and Clanwilliam *Farm Registers* located at the Cape Town Deeds Office

5.2 Effects of the Copper Rush and Conditions in Komaggas in the late 19th century

The lack of any real infrastructure in Namaqualand had hindered development of the mining industry. While it had been evident for many years that there was great wealth below the surface, it was still very expensive to transport it to the coast and then be carried via ship. Despite the copper boom and subsequent investment, in the 1850s, scepticism meant that there was not enough capital for companies to construct railways or tramways. To be fair, the leases handed by government were too short for investors to commit fully as they were uncertain that their investments could be maintained. Before longer leases could be attained, the infrastructure remained. Hondeklip Bay had been established in the 1840s as a harbour from which copper could be transported. The harbour was approximately 200 kilometres from O'okiep, the major copper mine in Namaqualand. Initially ore and later concentrate and copper were transport primarily from O'okiep by ox-wagon to Hondeklip Bay and then shipped. This road had been constructed by convict labour. While more research is needed, this forced labour practice could certainly have had an impact on the Komaggas community and others in Namaqualand. The correlation between poverty and crime is obvious and poor Namaqualanders would have been brought into this system when they committed certain crimes. When Wyley visited the area in 1857, he wrote of the route to Hondeklip Bay as being broken in parts, sandy in others and generally of a poor quality.²⁵⁵ By 1860 copper had become the second biggest export from the colony.²⁵⁶

By the mid 1860s, miners and agriculturalists were pressuring government for better roads as their respective products could not be transported quickly enough and they were losing income. A major failure of the copper industry in the early years was that valuable deposits of ore often lay at the mines due to lack of transport. In the 1870s instead of building a railway or tramline from inland to Hondeklip Bay, a line was built between O'okiep and Port Nolloth, a harbour roughly 140 kilometres away from the mine.²⁵⁷ By 1873 the route between O'okiep and Hondeklip had come to a virtual standstill and the overwhelming majority of goods were moved to the sea on the Port Nolloth road. By the end of the 19th century, the infrastructure of Namaqualand had been greatly improved. New roads, a postal service and the railway

²⁵⁵ Wyley, A., 'Report upon the Mineral and Geological Structure of South Namaqualand and the Adjoining Mineral Districts', p. 51.

²⁵⁶ Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 96. Wool remained the biggest export.

²⁵⁷ Hall, R.T. in Schaefer, *Life & Travels in the Northwest*, pp. 120 – 121.

allowed the region to engage in industry to a degree previously impossible. These formative years would facilitate further developments such as the diamond industry in the 1920s.

While the discovery of a mineral and its economic potential is often positive, 'Namaqualand was found to be blessed, or cursed, depending on one's point of view, with an apparent bonanza of this metal, for which the European market had an almost insatiable appetite'.²⁵⁸ It did not take long for the effects of the copper industry to be felt and by the 1860s, a decade or so after the start of the copper boom, Namaqualand had undergone dramatic changes. The highly lucrative industry only benefited a relatively small number of people and these were the owners of the successful companies, not the indigenous people of Namaqualand who worked on the mines. The copper industry would become the largest source of income for the overwhelming majority of rural Namaqualanders in the second half of the nineteenth and the beginning of the twentieth century.²⁵⁹ While the mines did offer employment and therefore a source of income, miners who were not white received poor wages and the great amount of money that was made was not reinvested in the area. The copper industry was also responsible for the cementing of a wage labour system in the area, 'which transformed the largely subsistence-level population of mixed farmers into part-time farmers and migrant labourers'.²⁶⁰ Namaqualanders were being drawn further into the colonial framework and this continued to erode their traditional way of life. This vicious cycle witnessed them seeking work on the mines or as copper riders in order to survive. Their employment meant that their lands and herds were not maintained and in turn they became further dependent on the copper industry for their continued existence. Drought and loss of cattle as a result of copper riding only intensified the situation.

An unidentified writer, who Schaefer identifies only as 'J.S.H.', claimed to have worked at the mines in a supervisory position sometime in the 1850s or 1860s.²⁶¹ This writer goes into some detail about the wages paid at O'okiep, a group of mines he estimated supported between 800 and 900 people from Springbok and other areas in Namaqualand. While the wages paid may not be exactly the same as at other mines, they are surely comparable. More importantly, they show the difference in payment according to skill, which was almost

²⁵⁸ Schaefer, *Life & Travels in the Northwest*, p. 10.

²⁵⁹ Carstens, P., *In the Company of Diamonds: De Beers, Kleinzee, and the Control of a Town* (Ohio: Ohio University Press, 2001), p. 11.

²⁶⁰ *Ibid*, p. 10.

²⁶¹ J.S.H. in Schaefer, *Life & Travels in the Northwest*, p. 111.

always parallel with race. Miners earned from £10 to £12 per month while mine mechanics from £8 to £12 per month. Both of these groups were from England and were termed as skilled labour. Indigenous labourers, who were always employed in less skilled positions, earned considerably less. J.S.H. writes that:

These rates, it will be seen, vary very widely, but not more widely than does the skilled labour of civilization from the unskilled labour of barbarism. The coloured races are, the majority of them, when they come first to work at the mines, from tribes unacquainted with civilization; they have never seen work done, are entirely ignorant of the use of the names of the tools, and are unacquainted with the language, and all these preliminary difficulties have to be got over before they can be taught.²⁶²

He did not seem to consider that these people were not there by choice, but by necessity when he wrote that there was no, 'better proof of a desire for industry...than that of the great distances the various tribes come to look for employment'.²⁶³ His views of the local Nama and Baster people that worked at the mines were hardly positive and while there were those who would have disagreed with him, his views were certainly pervasive of the time. He felt that it offered the people of Namaqualand a better option than agriculture and the pastoralist way of life. As so often happened in the colonial scene, he was imposing his own ideas and biases on an indigenous group without understanding their practices. He claimed that about one fourth of the 10,000 people in Namaqualand received support directly or indirectly from the mines.²⁶⁴ His claims that this work offered greater security than agriculture, especially given the irregular rains in the region, hold some authority. However, employment on the mines was erratic and when there was no longer work, people were simply told to leave.

Strassberger speaks of the evils that this industry introduced to the area, such as alcoholism and immorality and that in short time, 'groups of starving people were trekking through the land'.²⁶⁵ Some would intentionally commit crimes in order to be caught and jailed in an attempt to be fed, clothed and sheltered.²⁶⁶ The Civil Commissioner of Namaqualand commented in 1861 that the mines were a nuisance and by:

²⁶² Ibid, p. 116.

²⁶³ Ibid.

²⁶⁴ Ibid, p. 118.

²⁶⁵ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 70.

²⁶⁶ Smalberger, *Aspects of the History of Copper Mining in Namaqualand*, p. 79.

diverting the labour and industry of the people from agricultural pursuits to those of mining. The carriers of copper ores are none the richer for their occupation; on the contrary, almost all of the Bastards who have ridden copper are poor, and almost insolvent. Where is the great benefit to the community?²⁶⁷

A number of Komaggas residents found work at the Spektakel mine. This was 20 miles or 32 kilometres north-east from Komaggas, and was owned by Phillips & King. The other major mine in the area was at Concordia (previously known as Tweefontein). Komaggas fell within the major point of work and two of its missionaries, Rev. Mr Brecher and Rev. Mr Weich, 'had a constant battle against these evil influences'.²⁶⁸ Between 1850 and 1902 Strassberger writes that the major operations of the missionaries were working against, 'materialism, superficiality, drunkenness and immorality'.²⁶⁹ The industry further entrenched the divide between local Nama and Basters and whites. Because it was always whites who held positions of management and power as well as receiving superior pay, the divisions became more concrete. Sharp writes that Komaggas, 'fell in an area which colonists did not attempt to have broken up into individual holdings until after 1850...Farms to the west of Komaggas were granted to colonists under quitrent title only after 1855'.²⁷⁰ This was of course a direct result of the copper industry as companies sought leases in the surrounding areas. In 1855 the Namaqualand magisterial district was established. Previously, the area was considered within the domain of Clanwilliam.²⁷¹

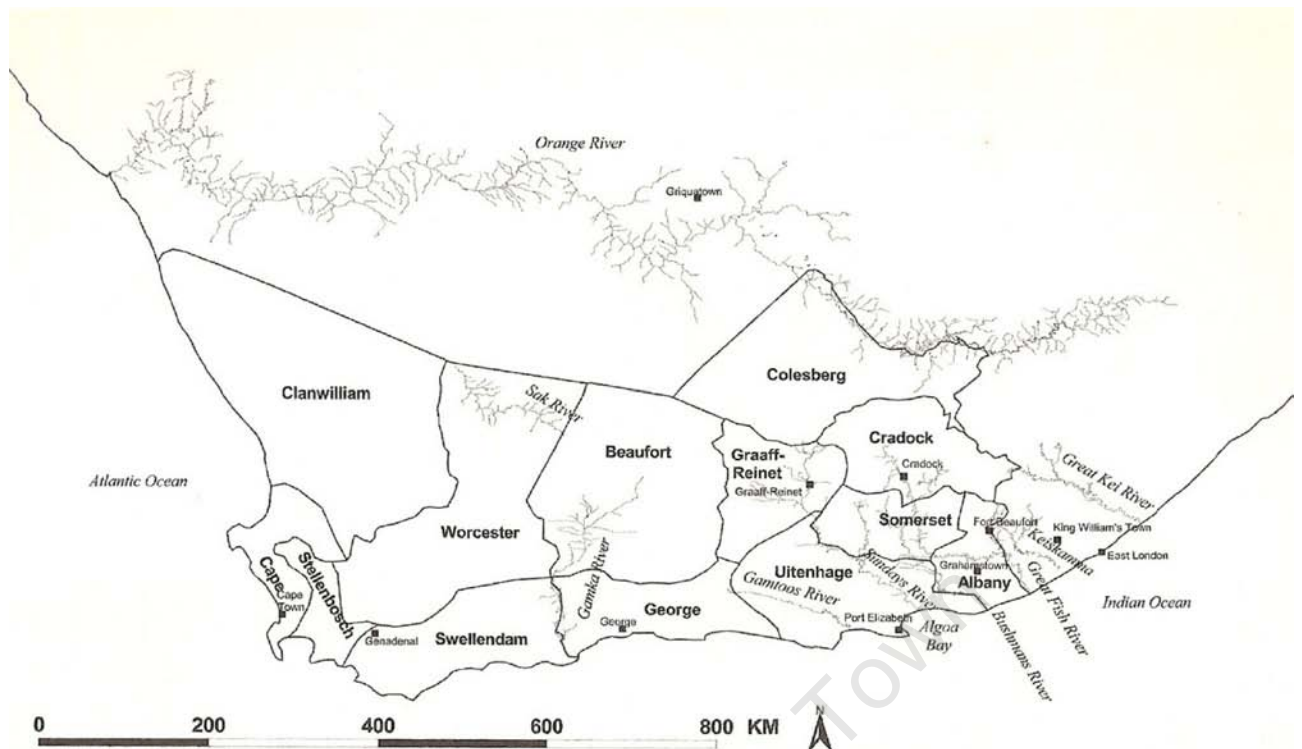
²⁶⁷ Ibid, p. 106.

²⁶⁸ Ibid, p. 70.

²⁶⁹ Ibid, p. 87.

²⁷⁰ Sharp, *Community and Boundaries*, p. 29.

²⁷¹ Ibid.



Map 8: District divisions in 1838, prior to the establishment of Namaqualand as a separate division

Numerous accounts of the region in the second half of the 19th century paint a rather dismal picture. In 1869, the harvest failed in Namaqualand and, ‘famine threatened the whole area’.²⁷² An unidentified visitor to the area in 1877 wrote that, ‘There is a general belief in Little Namaqualand, that there is only one good crop to be expected in three years’.²⁷³ Much of the time people relied on the fortune of the weather and potential work on the mines as, ‘One drought after the other had completely deprived them of their income from cattle-farming and agriculture’.²⁷⁴ At Steinkopf at a particularly bad time during this period many cattle had to be slaughtered just for the people to survive.²⁷⁵ It is not surprising that in such a harsh and unforgiving environment people sought the comfort of religion.

Despite its relative isolation, Komaggas and other mission stations in Namaqualand were involved in the Boer War²⁷⁶ (1899 – 1902). Most of the men of fighting age were called up for service and at Komaggas, all usable horses were commissioned, including those belonging to

²⁷² Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 71.

²⁷³ Unknown in Schaefer, *Life & Travels in the Northwest*, p. 160.

²⁷⁴ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 71.

²⁷⁵ Ibid.

²⁷⁶ This is sometimes referred to as the Second Boer War to differentiate it from the First Boer War which took place from 1880 – 1881.

the missionary. A number of block houses were erected around the mission station of Steinkopf and this station was used as a base camp.²⁷⁷ It is worth noting that the Basters and Nama residing on the stations fought on the side of the British against the Boers. This is of course understandable given the racial tensions in the area. For the Basters and Nama, the white farmer was their most obvious adversary because, on the simplest level, it was he who had taken their land and resources. Legassick writes that, 'Basters, and other brown people rallied under the British flag in defence of their land and their rights, and against the perceived threat of Republican enslavement'.²⁷⁸

In what was no doubt a controversial decision, the British had armed the Coloured population of the North West and created a number of military-style units to act as the protectors of the region against Boer incursions. The units established included the Northern Border Scouts, the Bushmanland Borderers and the Namaqualand Border Scouts, which was established in July 1902 and was comprised of 362 men.²⁷⁹ This led to a severe labour shortage as those who had worked on the farms in the region joined these units. Perhaps the most well known incident of the War that impacted upon the mission stations was the so-called 'massacre at Leliefontein'. In an action described by Strauss as a retaliatory attack by the Boers for their heavy and embarrassing loss at the Battle of Naroegas,²⁸⁰ a Boer force under the leadership of Denys Reitz killed more than 40 people at Leliefontein in the space of a few days.²⁸¹ Legassick argues that this act was in revenge for the casualties that the Leliefonteiners had inflicted upon Maritz and his followers the day before the massacre. This incident and the general hostilities in Namaqualand could only have antagonised the already tense state of affairs between those living on the stations and the white farmers of the area.

²⁷⁷ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 74.

²⁷⁸ Legassick, M., 'The Battle of Naroegas: Context, Historiography, Sources and Significance' in *Kronos*, 21 (Nov. 1994), p. 38.

²⁷⁹ *Ibid.*, pp. 37 – 38.

²⁸⁰ Strauss, J., 'Die Veldslag van Nouroegas' in *Kronos*, 21 (Nov. 1994), p. 30.

²⁸¹ Legassick, M., 'The Battle of Naroegas: Context, Historiography, Sources and Significance' in *Kronos*, 21 (Nov. 1994), p.58.

Chapter 6

6.1 Early 20th century

The situation for those living on the stations continued to deteriorate as the 20th century dawned. Drought continued to plague the region: a 1908 report recorded the difficulties of the area as 1,206 of 1,500 people at Concordia and 832 of 2,400 at Steinkopf required assistance to survive and in 1910 the people of Steinkopf had to sell their wagons, oxen and horses.²⁸² Legislation at the end of the 19th century, such as Act 37 of 1882 and Act 40 of 1895 were, 'designed to enable sons of the soil without means, such as the sons of farmers, to obtain land without necessitating the investment of capital'.²⁸³ These were laws aimed at benefiting poor whites. During these difficult times the little money that people of the missions had managed to save had to be spent. As has been highlighted, the loss of power, control, and access to land and resources for the people of Komaggas, and Namaqualand in general, was a relatively slow process. By the beginning of the 1900s, the little autonomy that remained was soon to disappear. Hoernlé visited the Richtersveld area around 1910. She reported that the people had lived there for as long as she could trace their histories and, 'only now the bounds of their reserve are more confined, and Dutch farmers have taken their best grazing at the mouth of the Orange River, while they themselves have retreated towards the mountains'.²⁸⁴

The most important piece of legislation to impact upon the missions of Namaqualand up to this time and the one that was to guide following legislation for the rest of the century was Act 29 of 1909, the Mission Stations and Communal Reserves Act. This piece of legislation placed the reserves under increased government control. Some felt that this would give the communities further rights to the land, while others were concerned that their rights to control their own ways would be circumscribed.²⁸⁵ A direct result was that the civil affairs of the stations no longer fell under the jurisdiction of the missionaries or the members of the community. The *Raad* of Komaggas was declared null and void.²⁸⁶ By 1913, for the first time Komaggas, 'fell under the full control of an outside power'.²⁸⁷

²⁸² Ibid, p. 75.

²⁸³ Burton, *Cape Colony for the Settler*, p. 24.

²⁸⁴ Hoernlé, *The Social Organization of the Nama and other essays*, p. 26.

²⁸⁵ Strassberger, *The Rhenish Mission Society in South Africa, 1830 – 1950*, p. 75.

²⁸⁶ Ibid.

²⁸⁷ Carstens, 'Opting out of colonial rule', p. 147.

Prior to this, the government did not directly control the missions and the communities. Given their distance from Cape Town and the costs involved of developing a working administration in the area, things had been left to run their own course. Now, the control of the reserves was taken away from the missions and into the hands of government in the form of the Department of Native Affairs, which would administer the reserves from 1912 – 1930. A district magistrate from Springbok and a Board of Management comprising of 6 elected and 3 appointed officials was created. However, the *Raad* continued to be a powerful force and was supported by the community. Magistrate D.C. Giddy wrote in 1913 to the Secretary for Native Affairs with reference to Komaggas that, ‘Public notices issued by the board of management are destroyed and disregarded, public works are interfered with and the “Raad” meets openly and issues its instructions which are observed by the majority of the community regardless of their legality’.²⁸⁸

Despite resistance to this legislation, its effects were soon felt. The legislation introduced a head tax for each adult male in these communities. An increase in license fees for land meant that some people who were working on white farms could no longer be employed as farmers had to pay more and could no longer afford as many labourers. It made it increasingly difficult for Bastards and Nama to own and lease land. The Act also once and for all claimed all mineral rights on these lands.²⁸⁹ While the government tried to portray this law as being beneficial to those living in the stations, it merely removed the little autonomy they possessed. As is so often the case, this can be seen as yet another attempt to funnel a source of labour by imposing legislation that would force those in the reserves to search for work in the employ of whites. Carstens writes of this act that it ‘imposed alien laws and regulations...and by rigidly encapsulating people in a Reserve situation has inhibited the process of emancipation from the peasant migrant-worker complex’.²⁹⁰

The well-known South African figure, A.A.S. Le Fleur was active in the early 20th century and an advocate of resettlement schemes for Griquas and other so-called ‘mixed-race’ people. He maintained that by securing land these groups could stave off impoverishment and further displacement. In the 1920s he worked in Namaqualand collecting money from a number of communities including Steinkopf, Komaggas and Leliefontein in a bid to create coloured

²⁸⁸ Wisborg, *‘It is our land’*, p. 146.

²⁸⁹ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 11.

²⁹⁰ Carstens, *The Social Structure of a Cape Coloured Reserve*, p. 245.

settlements. In August 1922, around 500 people from Leliefontein and ‘perhaps a couple of hundred from Komaggas’ trekked south to 3 farms covering 2100 morgen that he had purchased near the Olifants River.²⁹¹ Le Fleur’s scheme failed as there was insufficient space and people moved back to the reserves, no doubt bitter that they had lost money and animals and received nothing in return. Such an event is representative of the situation that the people of Komaggas were facing. They were willing to leave their home in search of a new dispensation. Most people will not pack up and leave everything behind if they do not have an incredibly strong reason influencing them to do so.

The Mission Stations and Communal Reserves Act can be seen as part of a larger government policy. After the Union of 1910 there was a discernable shift in policy to create a wage-labour force. The infamous 1913 Land Act was merely an extension and a re-emphasis of what had come before. It attempted to limit squatting and enforced segregation by creating homelands for the black population of the country whereby 87% of the land fell into white hands, while the majority of South Africa’s inhabitants were left with a mere 13%. Farmers would use this act, ‘to force tenants to become labourers, to turn them off the land and get them back under new terms’.²⁹² Sol Plaatje, an outspoken activist against the 1913 Land Act said of it that it was equivalent to ‘herd us into concentration camps, with the additional recommendation that beside breeding slaves for our masters, we should be made to pay for the upkeep of the camps’.²⁹³ The already poor inhabitants of the area, especially those indigenous groups were not helped by the government policies that put whites in a preferential position in terms of securing work at the state mining company in Alexander Bay from the 1920s. Temporary mine closures in 1919 and 1931 further compounded the issue as people struggled to find employment. The Wall Street Crash of 1929 affected a place as far removed as Namaqualand and its copper industry as the global desire for copper decreased. The ‘poor relief’ road gangs active in the area favoured white workers and was yet another obstacle to finding employment for Nama and Basters.²⁹⁴

Despite the passing of these laws the community seems to have been able to maintain some semblance of authority and autonomy. A number of whites in the area respected the Basters

²⁹¹ Edgar, E. and Saunders, C., ‘A.A.S. Le Fleur and the Griqua Trek of 1917: Segregation, Self-Help, and Ethnic Identity’ in *The International Journal of African Historical Studies*, 15, 2 (1982), p. 216.

²⁹² Surplus Peoples Project, *Land Claims in Namaqualand*, p. 15.

²⁹³ Wisborg, ‘*It is our land*’ p. 64.

²⁹⁴ *Ibid*, p. 146.

and Nama as the owners of Komaggas. This is illustrated in records of the *Raad* as the following extracts indicate:

Komaggas, 14 March, 1924: “Jan Meyer with his son Hendrik – Europeans – applies for ‘staanplek’ (a place to ‘stand’ or outspan) at Karoohoogte: granted until after the ploughing season, ie. Till the end of July: to pay 10/- per month as from April 1st.”

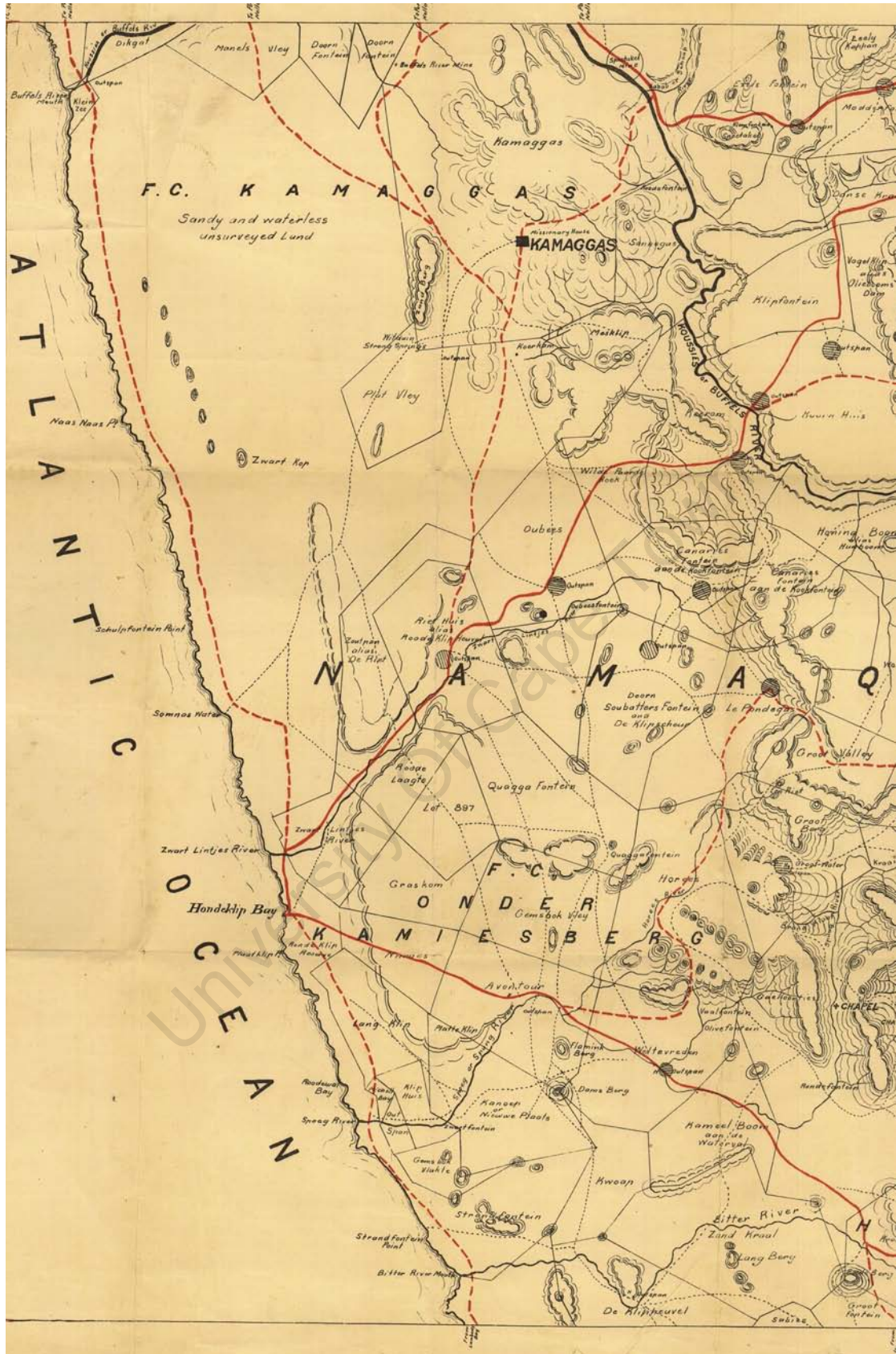
Komaggas, 25 January, 1932: “‘Vaal’ Sarel Coetzee politely requests that he be allowed to make further use of the water at Witteduin. Decision – his application will be considered after he has paid all his arrears.”

Komaggas, 19 September, 1932: “Sarel Coetzee applies to the Raad to hire ground from Doornfotein to Karoohoogte for one year. Refused: he asks for too much and he owes arrears”.²⁹⁵

It seems that after each major development in the area, the people of Komaggas were able, to some degree, to have continued with their lives as they had before. Of course, things had changed on various fronts, but in terms of access to land, much of the land to the west of the reserve was open Crown Land until 1915. By this stage while much of Komaggas was encircled by privately owned farms, because some were not fenced off, they could be crossed and this did not inhibit their movement. However, access to certain points would have been restricted by this stage and while they still had access across certain lands, their usage of these lands diminished. A Surveyor General of the Cape, A.H. Cornish-Bowden, visited the Richtersveld area in the mid 1920s. He was told that there were approximately 500 people living in the area but he found this difficult to believe because of the scarcity of people he encountered. He ‘could only account for it owing to their being scattered over such a large area and even on the Crown land adjoining it’.²⁹⁶ This suggests the people of the Richtersveld, like those who lived at Komaggas were still able to practice some degree of transhumance. When diamonds were discovered in the 1920s, movement and access was finally restricted once and for all.

²⁹⁵ Sharp, *Community and Boundaries*, p. 131.

²⁹⁶ Cornish-Bowden, A.H., ‘Visit to the Richtersveld, Namaqualand’ in *South African Survey Journal*, 1, 8 (1925), p. 396.



Map 9: Namaqualand (This map was drawn up by the Intelligence Department and is dated between 1900 and 1919. Note the land to the west of Komaggas is referred to as, 'Sandy and waterless unsurveyed land', suggesting that this was open and could have been used by Komaggas residents)

6.2 Diamonds and De Beers

The discovery of another precious metal in the region would change the playing field once again. Jack Carstens was the first recorded person to uncover diamonds in the Namaqualand region near of Kleinzee by the mouth of the Buffels River in August of 1925.²⁹⁷ This revelation was, in the long run, to have devastating effects for Komaggas and other communities in the area. Now, more so than ever, was the noose tightened and the ability of these communities to exist as they had done for centuries severely limited. In fact, whereas all the other processes described up to this point had restricted movement and access, within a few years the diamond industry and all that was attached to it would once and for all bring this ability to migrate and make use of various portions of Namaqualand to an end. The discovery of 1925 was the turning point and signalled the end of free movement for Komaggas residents.



Image 3: Photo taken soon after the discovery of diamonds at a site roughly 10 kilometres from Port Nolloth on Oubeep Farm. From left to right, Harry Jacobs (cook), William Carstens, Jack Carstens, the gravitater and two workers.

As had been the case with the copper rush, a number of prospectors moved into the area, funded both locally and with overseas capital, to try and hit the jackpot. During the first years of discovery, much of the land along the coast was gobbled up by what is today De Beers, a company that is partially owned by Anglo America. In January 1928, Oppenehimer established Cape Coast Exploration Limited which owned and had the right to prospect on many of these lands, including Kleinzee which became the major site of diamond

²⁹⁷ Carstens, *In the Company of Diamonds*, p. xiii. Diamonds were first discovered in South Africa in the 1860s.

operations.²⁹⁸ At this time, in less than a year at Kleinzee, diamonds worth £266,484 were exported. The operating costs for extracting them amounted to just over £6,400 which equates to an incredible profit.²⁹⁹ Between 1927 and 1956, Cape Coast and De Beers extracted diamonds worth over £14 million.³⁰⁰

While the first quitrent tiles has been issued in 1843 covering land between the Swartlentsjies and the Buffels, such grants were, 'only in the vicinity of the two rives themselves, and the waterless coastal plains between the rivers, and between Komaggas and the sea, were left as open crown land'.³⁰¹ There was continued unrestricted access to the coast and even as late as 1915, when Komaggas was completely encircled by the farms of colonists, they still were not hindered from using grazing sites on the coast.³⁰² Doria, a resident of Komaggas born in 1919, remembered that when she was growing up there were no fences and one could walk all over without impediment.³⁰³ By the end of the 1920s De Beers Consolidated Mines had purchased a great deal of land around Kleinzee and in the vicinity of Koingnaas at the mouth of the Swartlentsjies.³⁰⁴ Today, De Beers 'owns and controls most of the contiguous coastal strip of stock farming land extending south from Port Nolloth for about two hundred miles'.³⁰⁵ While a number of private landowners remained, De Beers was attempting to 'create a tight security zone, from which people in Komaggas were definitely excluded'.³⁰⁶

²⁹⁸ Also spelt Kleyne Zee, Kleine Zee and Kleinsee.

²⁹⁹ Carstens, *In the Company of Diamonds*, p. 38.

³⁰⁰ *Ibid.*, p. 129.

³⁰¹ Sharp, 'Land claims in Namaqualand', p. 404.

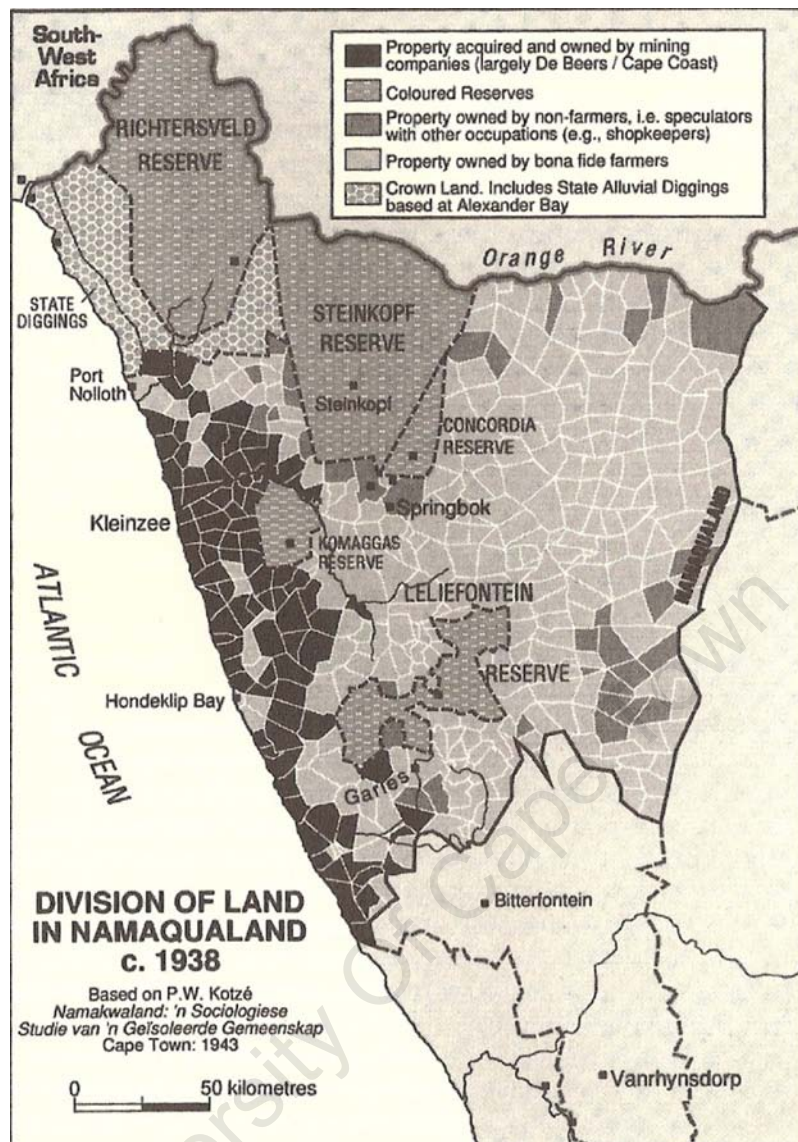
³⁰² *Ibid.*

³⁰³ Interview with Doria, an elderly Komaggas resident, taken on 6/08/2008.

³⁰⁴ Sharp, 'Land claims in Namaqualand', p. 404.

³⁰⁵ Carstens, *In the Company of Diamonds*, p. 6. De Beers was established in 1888 by Cecil John Rhodes. Anglo American was established in 1917 by the Oppenheimer family. These two companies were enormously wealthy during this period, and continue to be today.

³⁰⁶ Sharp, 'Land claims in Namaqualand', p. 404.



Map 10

Initially, people from Komaggas struggled to find work on the diamond mines. While the copper mines still ran, they were becoming a secondary venture due to diamonds. Whites were given preferential treatment in terms of securing work. When mining was well established by the 1940s, ‘a notion that all of Namaqualand’s whites had a right to training, a superior position and ‘civilised’ pay had been institutionalized, and the position of the erstwhile Boers, now Afrikaners, as a people different from the ‘Basters’ was secure’.³⁰⁷ At Kleinzee, the head diamond mine, it was not until the 1950s that coloureds of the area began to be employed in any great numbers. In the early 50s, of the approximately 380 inhabitants of Kleinzee which had been developed into a town owned and run by De Beers, around 200

³⁰⁷ Sharp, *Community and Boundaries*, p. 55.

were coloured workers, many of whom had left their wives on the reserves.³⁰⁸ The mission *Raads* approved of this decision to work on the mines. At times of drought it was necessary for supplementary income and workers were allowed to return home for harvests. Basters, Nama and other indigenous groups working on the mines were paid substantially less than whites, had inferior living conditions and generally their standard of living on the mines was worse. For example, the Owambos from Namibia who came to work the mines as contract workers in the late 1940s were paid $\frac{1}{4}$ of the wage that a black South African earned, itself a fraction of what whites received.³⁰⁹ Women from the reserves also worked on the mines, usually in the homes of white employees, often for very little compensation.

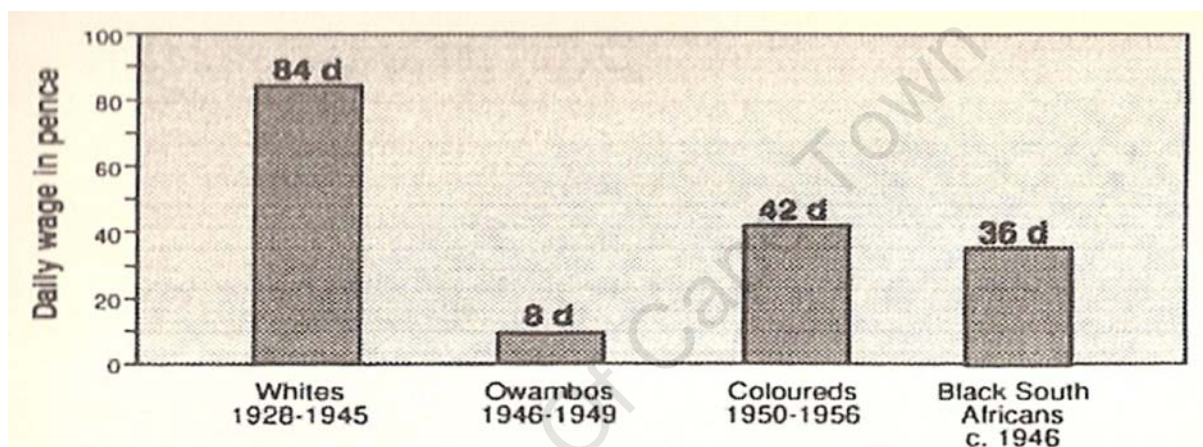


Image 4: Daily wage for the same work performed for different ethnic groups working at Kleinzee

Diamond mining in Namaqualand resulted in the establishment of mining towns such as Kleinzee, entirely owned and run by the mining company. De Beers moved into the area, bought up vast amounts of land and ‘raped and pillaged’ the natural resources with little regard for future generations or the practices of the people living in the area. Referring to Kleinzee, Carstens correctly maintains that while De Beers had built a modern town with certain amenities such as health care, security and education, it was by no stretch of the imagination a charitable organisation. De Beers has always and remains to be a, ‘gigantic industrial and commercial enterprise, whose purpose in Namaqualand is to mine diamonds for enormous profit. When all the diamondiferous gravels have been exhausted, the mine will close and the amenities will cease to exist’.³¹⁰

³⁰⁸ Carstens, *In the Company of Diamonds*, pp. 62 – 66.

³⁰⁹ *Ibid*, pp. 93 – 111.

³¹⁰ *Ibid*, p. 155.

Security was naturally a major concern for the mine owners who wished to protect their wealth. Kleinsee was heavily fenced on all sides, except for that leading to the sea. As early as the 1930s, Frank Humphreys who was a mine manager had, 'wanted the company to have all the inhabitants of the Komaggas reserve removed from their land, believing that their being so close to rich diamond deposits made them a nuisance'.³¹¹ One would assume that the mine would have eagerly sought out workers from Komaggas but this was not the case. Humphreys made his position crystal clear:

The police are still inadequate in strength...to deal (efficiently) with the menace, especially when the graduates of the Komaggas School of Mines thoroughly grasp what an enormous gravel run they possess at their very feet. In my opinion the Coloured community should be put off the "Reserve" and compensated, and Komaggas proclaimed a "prohibited area", but presumably the Powers that Be would be too fearful of losing a few votes by such action.³¹²

Such insensitivity towards a group of people that were already being negatively impacted by the imposition of these mines is remarkable. While this attitude is certainly not reflective of all those in the region, it was no doubt shared by others. To Humphreys, the people of Komaggas were only valuable as a source of labour, and in every other way a negative force.

In 1992 Carstens spoke to a white Afrikaner worker who told him that his father had told him that in the 1930s as De Beers gained greater control in the area, all the roads to fishing spots on the coast were closed to the public.³¹³ Such an act would have limited the amount of marine resources available to locals. As we have seen, there is evidence of people from Komaggas collecting fish from the 1840s and it is well documented that the Nama made use of the ocean as a food source. Further evidence needs to be gathered to uphold this assertion, but given the attitude of people like Humphreys this seems very possible. This blocking of routes to the coast was emblematic of the inability of communities to sustain themselves as they had in previous times. Not only were their lands and access to grazing and water being taken away, but important food sources were being removed. While business ethics and pressure from interest groups have made the company more responsible in recent years (refer to the redevelopment of destroyed lands project), in the early days these demands were not felt and profit was at the forefront of decisions. The people of Namaqualand were dispensable

³¹¹ Ibid, p. 66.

³¹² Ibid, p. 113.

³¹³ Ibid, p. 178.

and their long term position was not a major consideration until recent times. The diamond industry continues in Namaqualand today, although it is no longer as productive as it once was. Its effects have been far-reaching and as has been shown its development signalled the closure of access for Komaggas. According to older members of the community, the current boundaries were established around 1947 which coincides with the time that De Beers would have been gaining paramount control in the region.³¹⁴

6.3 Apartheid Years

By the time the National Party (NP) came into power in 1948, the outline of Apartheid had already been created. Much of South Africa was already divided along racial lines and race often dictated social, economic, and political positions. While the voice of whites had long been given pre-eminence, now their advancement became official state policy. Apartheid violated countless human rights including: the right to own property, freedom of movement and association, employment, non-discrimination and the right to be involved in politics. For the people of Namaqualand, the racialisation of every sphere of life was certainly felt. During the election that resulted in the NP coming into power, their manifesto stated that, 'The National Party, anxious to stimulate active Christianity enterprise among the non-whites, will gladly support the efforts of mission churches. Churches and missions, however, which frustrate the policy of apartheid or which propagate foreign doctrines, will not be tolerated'.³¹⁵ It was obvious that places like Komaggas would only be allowed to continue to exist if they conformed to government standards.

In 1949, Act 29 of 1909 was renamed the Coloured Mission Stations and Reserves Act, a clear indication of the Apartheid policy of labelling and segregation. Act 30 of 1950, also known as the Population Registration Act, a piece of legislation described as one of the, 'cornerstones of the policy of Apartheid', defined Coloureds negatively as, 'not a white person or a native'.³¹⁶ The state did not view the people at Komaggas as Nama or Baster, but as Coloured. From 1950 Coloureds were restricted from purchasing land outside the reserves.³¹⁷ With Apartheid legislation in full force, Coloureds in Namaqualand actually

³¹⁴ Wisborg, *'It is our land'*, p. 299.

³¹⁵ Elphick, R., 'Missions and Afrikaner Nationalism: Soundings in the Prehistory of Apartheid' in Stanley, B. (ed.), *Missions, Nationalism, and the End of Empire* (Michigan: W.B. Eerdmans, 2003), p. 54.

³¹⁶ Sharp, *Community and Boundaries*, p. 1.

³¹⁷ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 26.

found it easier to secure employment at the mines. As whites moved to cities with jobs reserved for them, Namaqualanders found work at Kleinsee and other mines in the area. By the early 1950s at Kleinsee, 74% of employees were from Steinkopf and Concordia, 9% from Komaggas, Leliefontein and Richtersveld and 17% were townsmen from O'okiep, Nababeep, Springbok and Port Nolloth.³¹⁸ Despite this period of consistent employment, it would not lead to prosperity. Coloureds earned substantially less than white workers and in a country that promoted whites as superior, there was little room to move up the ranks. While Namaqualand was one of the most profitable areas for companies such as De Beers, those who lived there saw few benefits.

In the 1930s, the Rhenish had left Komaggas. They had transferred their work to the Dutch Reformed Church (DRC). In the early 1950s, around 75% of the community left the Dutch Reformed Church and joined the Calvin Protestant Church. At an earlier date, a meeting was held to approach the Anglican Church, as the DRC was seen to be the 'Boere Kerk', and practiced racial discrimination.³¹⁹ This decision in the 1950s reflected their dissatisfaction with the government and its racist policies. When Wisborg worked in the area, he noted a division between African National Congress (ANC) supporters, who aligned themselves with the DRC, while Democratic Alliance (DA) supporters had evolved from the Calvinist Church.³²⁰

The next major piece of legislation that was specific to the missions was The Rural Coloured Areas Act 24 of 1963. This repealed the 1909 Act and once again attempted to wrest further control from the residents to the state. Clauses stated that land could be divided up and commonage transferred to the Board of Management, who along with the approval of the Minister, could also regulate, 'human conduct, land use, livestock, dwellings, businesses and so on'.³²¹ As had happened before residents at Komaggas resisted such an imposition. Sharp relates an event in 1975 that illustrates the degree to which residents felt their rights were being infringed. A group of around 100 women barricaded the superintendent in his office and sent away bulldozers that were there to build.³²² Act 24 of 1963 was implemented with little success in Komaggas, but Sharp comments that its aim was to undermine, 'claims by

³¹⁸ Carstens, *In the Company of Diamonds*, p. 114.

³¹⁹ Sharp, *Community and Boundaries*, p. 153.

³²⁰ Wisborg, *It is our land*, p. 300.

³²¹ *Ibid*, p. 147.

³²² *Ibid*, p. 148.

existing burgers to exclusive rights to the land by virtue of descent from forefathers'.³²³ Every successive piece of legislation that affected those in the reserves can be viewed as efforts by the state to impose its will on them.

Attempted changes to the laws in 1979 and 1983 tried to implement a system of 'economic units'. The plan was to subdivide the commonage, and lease these plots to so-called 'bona fide farmers'. As has been made clear, the government considered communal farming as backward and inefficient. The scheme meant that the poorer residents would not have access to land and this was seen to undermine, 'the remnants of the institution of citizenship with accompanying rights to land and increased the risk of impoverishment for non bona fide farmers'.³²⁴ After conflict and pressure, such a scheme was dropped in Komaggas. Wisborg writes that this attempt was, 'to create or consolidate contrasts between land-rich and land-poor within the Rural Areas... Largely disregarding existing land rights or residents' fundamental rights, it was motivated by a forward-looking construction of an entrepreneurial class'.³²⁵ This privatisation scheme would benefit the full-time farmers. Those who worked on the mines and used farming as a backup (during unemployment and even retirement) would have lost this buffer. Communities explained to government that they needed communal tenure to survive as they had in the past. This scheme was overturned in 1988 due to a government technicality as well as resistance from community members.³²⁶

The next major piece of legislation to impact upon Komaggas was the Rural Areas Act 9 of 1987. This placed even greater power in the hands of the Minister and the state and allowed for the Board of Management to be overruled. This was, however, the time of national change and it was not long before a new dispensation was sought. The De Klerk government's 1991 White Paper on Land Reform proposed various tenure options. Namaqualand communities met on 9th February 1991 to discuss a way forward. Four major agreements were made: communal ownership and farming were to be encouraged and protected against private ownership; historical land claims were to be addressed; a concerted effort to gain more communal land was required; and it was stated that communities wished to be consulted regarding new laws.³²⁷ While some racist legislation was repealed, Act 9 remained, and was

³²³ Sharp, *Community and Boundaries*, p. 159.

³²⁴ Wisborg, *It is our land*, p. 148.

³²⁵ Ibid.

³²⁶ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 17.

³²⁷ Wisborg, *It is our land*, p. 151.

open to much criticism from Namaqualanders as their lands remained under the power of the state, and also included clauses that promoted privatisation. The General Law Amendment Act 108 of 1993 continued to promote private ownership instead of a communal form. This very brief overview of the Apartheid period might seem excessively concise. However, during this period the situation in terms of access and rights to land did not change in any meaningful way for the community.

By this time, Komaggas was largely a place of, 'residence for the aged and as cultural centres with schools and churches, while the main income is earned outside the area'.³²⁸ The reserves were not self-sufficient. The arid nature of the environment and the irregular and often poor rainfall meant that agriculture alone could not provide for the community. The boundaries of Komaggas had been fixed thereby putting an end to the practice of transhumance that people from the area had practiced for centuries. This meant that they could no longer support as many livestock as they once could have. Because there was almost no little industry within Komaggas itself, many able-bodied residents had to find work outside the reserve. This further impacted the ability of the development of farming and agriculture as men of working age were not always available. Komaggas was not improved or developed because most that had the ability to do so had to work on the mines. Penn writes that, 'By the 1980s there seemed to be no way to escape this steady impoverishment and decline. The community had survived but future prospects were grim'.³²⁹ This lack of progress is all too clear today; the infrastructure of Komaggas remains outdated. Electricity was only introduced in 1994 and electric streetlights 5 years later in 1999.³³⁰

In the late 20th century, De Beers expanded its presence in the area by building and expanding its potential to extract precious stones. In 1989, the results of De Beers three complexes in the area yielded 964,375 carats valued at an incredible \$150 million.³³¹ At the time of writing, the population of Kleinsee was 4,000 people. While De Beers grew and extracted more and more from the area, growing enormously wealthy, 'the company ignored the level of poverty among the Coloured population in Namaqualand – poverty intensified by drought and factory closure'.³³² Carstens does note that from the late 1970s there was some effort from the

³²⁸ Sharp, *Community and Boundaries*, p. 11.

³²⁹ Penn, 'Land Rights, Missionaries and Surveyors', p. 159.

³³⁰ Wisborg, *'It is our land'*, p. 300.

³³¹ Carstens, *In the Company of Diamonds*, p. 130.

³³² *Ibid*, p. 132.

Company to lessen racial segregation, but in terms of wages, there was little parity. In the late 1980s it helped Komaggas with its sanitation system and by 1990 it had begun to break down the barriers of Apartheid at Kleinzee.³³³ Such actions, while positive in nature, were perhaps the result of pressures and not done completely willingly and altruistically.

In 1992 a socioeconomic impact assessment report was written by an evaluation unit from UCT. As the reserves in Namaqualand's mines began to deplete, the impact on the local communities that worked in the area began to be explored. This report was written 10 years ahead of the expected time of closure.³³⁴ When the report was written the majority of employees in the De Beers Namaqualand mines were from the Transkei and the communities of Komaggas and Steinkopf. In some households, more than 1 person worked for the mines. The impact upon their closure was correctly anticipated to be extreme and far-reaching. This was compounded by the fact that apart from mining, there was little diversification in terms of industry in the region able to provide jobs for a great number of people. In Komaggas, it was estimated that almost 90% of households had at least one employee who would be retrenched. The authors asserted a variety of negative results for the communities affected including: depression as a result of entrenchment, a drop in social status and breakdown of the family unit.³³⁵

The damage that would be done in terms of overuse of natural resources was also stressed. Naturally, people would return to the land and at the time, and even at the time of writing, it was felt that resources were stretched to their limits. Emmett proposed in 1987, that the stocking rate was 94% over the recommended limit in the vicinity of Komaggas, and that this was responsible for, among other things, soil erosion.³³⁶ The report asserted that in terms of 'deterioration in infrastructure and services', 'drop in standard of education', 'loss of community cohesion' and 'loss of quality of life', Komaggas would be heavily affected.³³⁷ One needs not go into detail about the unquestionable links between increased levels of poverty and rising crime levels. It was estimated that approximately 3,000 people would lose jobs, and another 250 who did not work directly in the mining industry, would also be

³³³ Ibid, p. 135.

³³⁴ Brownlie, S.F., *Closure of De Beers Mines in Namaqualand: A Socioeconomic Impact Assessment* (Cape Town: Environmental Evaluation Unit, University of Cape Town, 1992), p. xi.

³³⁵ Ibid, p. 65.

³³⁶ Ibid, p. 66.

³³⁷ Ibid, p. 69.

retrenched.³³⁸ It was hoped that De Beers could potentially begin other projects on the land they owned which would offset the closure of the mines. Despite claims by De Beers that they have reinvested their wealth in the region, Namaqualand remains an area in which poverty is rife, and Komaggas is a prime example of this. It was assumed, correctly so, that downscaling in mining would lead to an increase in livestock keeping. Wisborg spoke to people at Komaggas and Pella who confirmed this, further reiterating the need for more land.³³⁹

In 1993 Eskom, the state electricity provider, showed interest in purchasing farms between the Buffels and the Swartlentsies. Hondeklipbaai was mentioned as a possibility.³⁴⁰ Eskom was searching for a site to build another nuclear reactor. Such sites need to be close to large bodies of water as the cooling process is vital. Close to the coast, the farms known as Brazil and Sculpfontein were singled out as possible sites. A meeting was held in Komaggas in 1993 to discuss this; it was articulated that the proposed land fell within an area that they felt belonged to their community. Eskom commissioned reports. One was written by Penn and another Roos and Sharp. Borg concluded that the colonial record provided no evidence for the claims of the community.³⁴¹ While nothing was found substantiating these assertions, Eskom realised that this would be a contentious issue given the talk of land claims and possible restitution and redistribution programs. It has since abandoned its plans for these sites.

³³⁸ Ibid, p. 80.

³³⁹ Wisborg, *'It is our land'*, p. 136.

³⁴⁰ Penn, 'Land Rights, Missionaries and Surveyors', p. 159.

³⁴¹ Sharp, 'Land claims in Namaqualand', p. 405.

Chapter 7

7.1 Land Reform

As Apartheid began to be dismantled, it was obvious that land was going to be one of the central issues that needed to be addressed. Land is so instrumental to everyone's existence; you need land to live on, to grow food, it is a source of wealth and security. Unsurprisingly land has been one of the most controversial and heatedly debated topics since 1994. The legislation of Apartheid had so grossly skewed the playing field with regards to land ownership and usage it would be a momentous, if not impossible mission to resolve. The 1950 Group Areas Act opened the way for segregation of residential areas and forced removals. Between 1960 and 1983, approximately 3.5 million black South Africans were forcibly removed from their residences and relocated.³⁴²

The early years of land reform were troubled. The 1991 government White Paper on Land Reform was rejected by organisations that fought for community's rights to land. This White Paper issued by the De Klerk government understood how pivotal land was to one's existence. However, it argued that the right to land had to be evaluated against issues such as its economic use, housing and food production. It was not in favour of aboriginal rights. The De Klerk government also made it clear that it was not willing to infringe on lawfully acquired property rights. Of course, this 'legally' acquired land had often been bought within a framework that was wholly unfair and prejudiced both during pre-Apartheid and the Apartheid years. The NP government felt that, 'a programme for the restoration of land to individuals and communities who were forced to give up their land on account of past policies or other historical reasons would not be feasible'³⁴³, as this would cause conflict and disruption. Essentially, they hoped that free enterprise would pave the road of reconstruction. Wisborg writes that, 'Apparently the purpose of the 1991 White Paper was not to reform the last but to communicate the view that change could happen through autonomous market processes'.³⁴⁴ This document also favoured private ownership over communal, arguing that it was more productive.

³⁴² Wisborg, *'It is our land'*, p. 59.

³⁴³ Ibid, p. 85.

³⁴⁴ Ibid, p. 86.

Albie Sachs (who would serve as a judge on the Constitutional Court from 1994 until 2009) wrote in 1990 of the government attitude to land that, 'it is ironic that those who over decades and centuries have converted land law into an instrument of pure racist domination should now be the strongest defenders of what they call a neutral property law, by which they mean a law which will defend the existing ownership pattern'.³⁴⁵ Central to this issue was the fact that when the government spoke about land rights, it seemed to be considering the rights of the landowners, and not of the poor and landless. He continued:

The whole question of property as a human right has been turned inside out in South Africa. The issue is presented as though the one fundamental right in relation to property is the right not to have your title deed impugned. All other aspects, your right to a home, to security, to independence, are ignored if you do not possess the title deed...The basic fact is that in South Africa property law is completely out of tune with human rights principles. In fact, far from property law being one of the foundations of human rights, it is one of the bastions of rightlessness. In feudal society, the serfs went with the land and owed duties to the landowner, but the landowner also had certain responsibilities towards the serfs. In South Africa, the feudal-type dependence exists without any corresponding obligations. It is the worst of all worlds...Nowhere is the indivisibility of human rights more evident than in the South African countryside. Violation of people's property rights has been accompanied by denial of general human rights; the restoration of the one cannot succeed without the recovery of the others.³⁴⁶

The government established an Advisory Commission on Land Allocation in November 1991, but this body was to prove ineffectual as it was purely advisory in nature. Also, it could only consider land to be given back that presently belonged to the state rendering it rather useless. The same year saw the passing of the Abolition of Racially Based Land Measures, Act 108 of 1991 and Act 112 of 1991, the Upgrading of Land Tenure Rights Act. There was a degree of grassroots involvement in the process, as a Back to the Land Campaign began, which saw more than 60 communities nationwide unite over the issue of restitution. Around this time the issue of nationalisation of land, and a possible wealth tax to finance such projects was met with fierce resistance and even death threats to those suggesting such policies.³⁴⁷ While the Land Acts had been repealed, this made little substantive difference as only few coloureds and blacks could afford to purchase land on the open market. Major

³⁴⁵ Ibid, p. 87.

³⁴⁶ Ibid.

³⁴⁷ Ibid, p. 83.

players in the negotiations, such as the ANC and the World Bank, made it clear that a government-led land redistribution and reform programme was ultimately necessary.

When the ANC came into power they embarked on a land restitution project to level the imbalances of the past. By November 1994 government had passed the Restitution of Land Rights Act and managed to return some land.³⁴⁸ In the mid 1990s, the government purchased some land from farmers and mining companies in Namaqualand, 'adding 245 550 hectares of land for the benefit of residents of the Act 9 Areas and 73 750 hectares for other towns'.³⁴⁹ In November 1997 Komaggas was the beneficiary of this process and received land, part of which was previously owned by De Beers. The two small farms were situated to the north-west of the reserve, Witbergskloof and Grace's Puts. The size of Komaggas was increased by 43% and by 6 hectares per capita. While this might sound like a sizeable piece of land, it was estimated at the time that 8 hectares was about the land necessary to sustain one sheep or goat.³⁵⁰ Purchased by the Department of Land Affairs under the provisions of Act 126 of 1993, the farms are currently held by the municipality for the benefit of the Komaggas community.

A number of companies and farmers offered their lands for redistribution as they realised they were in a desirable position. Wisborg writes that the process had, 'not challenged private property rights. Instead, state sponsored redistribution has solved problems for farmers and helped mining companies dispose of exhausted land'.³⁵¹ For example, the Okiep Copper Company was willing to sell portions of its land as they were no longer useful to the company. A manager voiced his views in 2001:

The price was slightly below market value, but the problem is [that] the land was located next to Komaggas communal area and it was always over the years fighting [due to] land rights. Because the area is not fenced, so the guys move over to the next farm, the neighbour's farm. So you would not get a commercial farmer to buy that area, with the risk. It is a political issue. You can't chase the guys off the land. Let's say, a white guy in history, he would take it to court, and the court would get it settled quickly, put up a fence and that's it. But it is, yeah, a difficult issue these days. So we were in a way happy to take less for the farm, but at least get our money and get

³⁴⁸ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 2.

³⁴⁹ Wisborg, *It is our land*, p. 155.

³⁵⁰ *Ibid*, p. 156.

³⁵¹ *Ibid*, p. 158.

out...and at the same time it is also some advantage to us that we can say: 'Yes, we have done something for the community'. So it's good value.³⁵²

Despite this positive beginning for Komaggas, the Land Claims Court and Commission did not have the power to deal with every case. The legislation that was passed was flawed in a variety of ways. Most pertinent to this paper is the fact that the Act only allowed for compensation for land that was lost as a result of policies that were to further the ideals of Apartheid. The Act further limited claims to land in that it imposed a cut-off date. All land lost prior to 1913 would not be considered.³⁵³ Under this legislation, the Komaggas community could not approach the court in a bid to restore lost lands. Many people and whole communities would be excluded from this process. The two farms the community received seem to have been a 'goodwill gesture' and accounted for a small percentage of the land that the community was claiming.

The decision to make 1913 the key date correlated with the infamous 1913 Land Act. This was the piece of legislation that most connected with land dispossession. Surely this decision to limit the land claims process was based on financial imperatives and the possibility of multiple claims to the same land and the possible tensions arising from this. Irrespective of these concerns, Ulgem correctly asserts that the, 'Lack of a statutory remedial mechanism for pre-1913 land rights restitution claims is at variance with the "new" South Africa, admirably seeking to undo years of systematic racial discrimination with robust land reform policies and constitutionalization of property rights and state duties to implement land reform'.³⁵⁴ The SPP writes that unless things take a different turn, 'the Land Claims Court will be judged harshly by history as a mechanism to placate a few landless communities at the expense of the majority of dispossessed'.³⁵⁵ The exclusion of pre-1913 claims is simply unacceptable. The government itself has admitted this to some extent in a White Paper:

The 1913 cut-off date recognises that systematic dispossession predated the post-1946 grand apartheid era of legally sanctioned forced removals. However, although dispossession took place during the colonial era prior to 1913 through wars, conquest, treaty and treachery, the government believes these injustices cannot reasonably be dealt with by the Land Claims Court.³⁵⁶

³⁵² Ibid, p. 158.

³⁵³ 1913 saw the passing of the infamous Native Land Act.

³⁵⁴ Ulgem, 'Developing the Doctrine of Aboriginal Title in South Africa', p. 132.

³⁵⁵ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 30.

³⁵⁶ Ulgem, 'Developing the Doctrine of Aboriginal Title in South Africa', p. 141.

The long-awaited Constitution was delivered to the public in 1996 and included property rights in Section 25. It emphasises South Africa as belonging to all and the need to heal the divisions of the past. The Constitution acts as the guiding legislation for our society. It outlines 3 forms that land reform can take place: *redistribution*, *restitution* and *tenure reform*.³⁵⁷ For Komaggas, *restitution* and *tenure reform* seem to be the most important avenues to pursue. For the community there is a deep sense of connection with the land they claim as historically theirs and restitution would be their ultimate goal. The possibility of redistribution, i.e. receiving lands that they did not consider to have been used by and belonged to the historical community, could in some way undermine their claim based on ancestral use. Tenure reform is also critical. For Komaggas it remains an issue of discontentment and the need for a move from an allowance to be on the land to one of full-tenure remains of paramount importance. As mentioned, the land is still held in trust by the Minister. The most important piece of legislation passed in the first years of the new South Africa relative to tenure was the Communal Property Association Act 28 of 1996. This law regards, 'communities as juristic persons'³⁵⁸, and allows for groups to communally own property. Miller and Pope write that, 'The concept of a communal property association thus allows scope for traditional ways of doing things but within the framework and spirit of the Constitution'.³⁵⁹

Various bodies have commented on the progress of the land reform programme. The South African Human Rights Commission noticed some positives, but in general, their 2000 report found that a, 'progressive realisation of the right of access to land was not adequately dealt with' and in 2001 that, 'The biggest challenge remains that of effective implementation of land legislation, especially in the areas of tenure reform'.³⁶⁰ By 2003, The Land Claims Court had distributed 512,000 hectares and R1.2 billion had been paid out in reparations. By 2004 only 3% of commercial farmland had been redistributed; far below government promises of 30%.³⁶¹ Despite increased budgets, critics of the programme have highlighted the lack of

³⁵⁷ In reality, this translates to restoration of land, provision of alternate lands, compensation or some combination of the three options. The government could also offer services such as infrastructure and land development programmes as a means of remedying the situation.

³⁵⁸ Wisborg, *'It is our land'*, p. 100.

³⁵⁹ Murray, C. and Williams, G., 'Land and Freedom in South Africa' in *Review of African Political Economy*, 61 (1994), p. 173.

³⁶⁰ Wisborg, *'It is our land'*, p. 96.

³⁶¹ *Ibid*, p. 8.

resources to implement the programme.³⁶² Government budgets for land reform continued to increase in the first decade of the 21st century to R4.8 billion in 2006/07 and R5.6 billion in 2007/08. Despite these increases, results have been limited. At present the issue of land reform is highly politicised and controversial. The sheer scale of the project is enormous and creating an end result that suits everyone seems near on impossible.

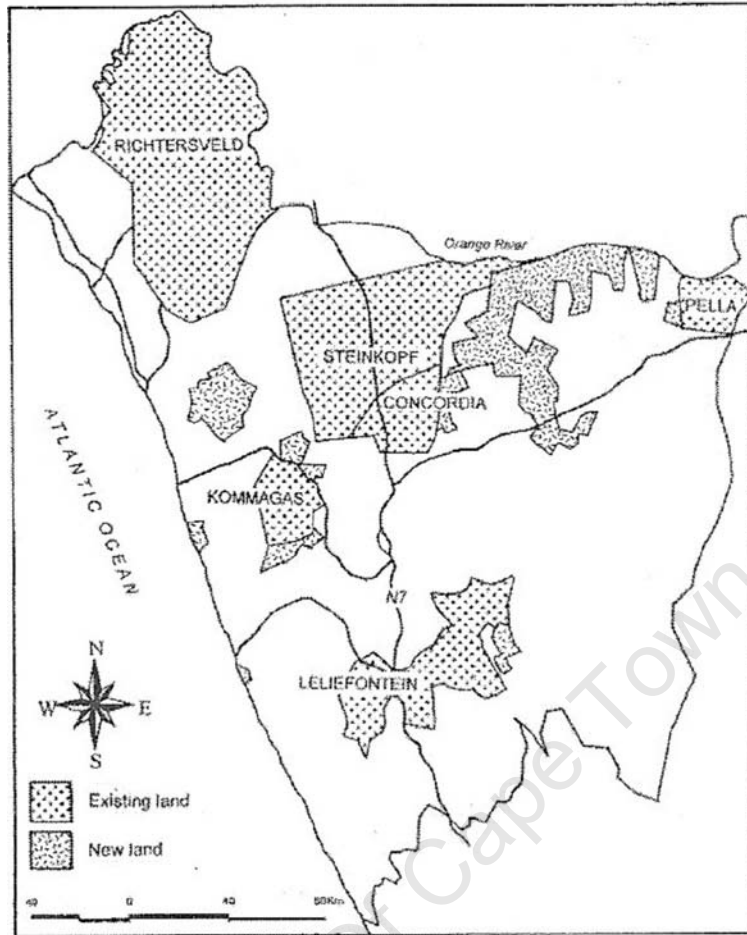
7.2 Land Reform in Namaqualand: TRANCRAA

In 1994, 665 white farmers owned almost 2 million hectares of the farm land in Namaqualand which amounted to 53.6% of all the farm land in the region. The coloured reserves held less than 1.5 million hectares, or 27.1%.³⁶³ In 1998, TRANCRAA or the Transformation of Certain Rural Areas Act (Act 94 of 1998) came into effect. This was the end-point of a long consultative process. There were workshops and conferences in Namaqualand with local people and other bodies. It legislated for land tenure reform in, 'state-claimed rural areas, formerly 'coloured reserves', by returning ownership rights to residents of local institutions through a consultative process'.³⁶⁴ The land in question was the 23 areas governed under the Rural Areas Act 9 of 1987 (18 of these areas were originally mission stations). 6 of these areas are in Namaqualand: Komaggas, Pella, Steinkopf, Concordia, Leliefontein and Richtersveld. This act was the first post-apartheid legislation that properly dealt with state-owned communally held lands and for Komaggas, was a very positive development.

³⁶² Ibid, p. 99. In terms of *redistribution* between 1994 and 2004 only 3% of commercial farmland had been redistributed. In 1994 the government had planned to redistribute 30% within 5 years.

³⁶³ Allsopp, N. and Timm, M. (eds), *Towards sustainable land use in Namaqualand*, pp. 7 – 8. The rest of the farm land was held by South African National Parks, mining interests, the state and small towns.

³⁶⁴ Ibid, p. i. Wisborg's detailed and well-researched thesis focuses on the need for land rights to become synonymous with human rights. He argues, convincingly so, that in the past, policies that have focused on eradicating social issues such as poverty and hunger have not included land rights. He uses a variety of sources to substantiate his argument which proposes that secure property tenure and land rights for all are integral in the fight against poverty.



	Population	Area (Ha)	Share of the Namaqualand Rural Areas
Leliefontein	4 800	159 200	13%
Concordia	4 600	75 700	6%
Pella	4 100	48 300	4%
Komaggas	4 900	62 600	5%
Steinkopf	7 800	329 000	28%
Richtersveld	3 600	513 900	43%
Total	29 800	1 188 700	100%

Map 11: Act 9 Areas as well as previously privately owned land purchased by government and distributed to municipalities for the benefit of the reserves denoted as 'New land'.

By 2001/2, TRANCRAA was introduced in Komaggas as well as the other 5 'coloured reserves' in Namaqualand: Richtersveld, Steinkopf, Leliefontein, Concordia and Pella. The Komaggas Inwoners Vereniging (KIV), which translates to the Komaggas Resident's Association wanted greater control of the process than the government was willing to give by demanding more representation on the Transformation Committee. While not representative of the views of the entire community, the KIV was instrumental in boycotting meetings and

stopping dialogue.³⁶⁵ Differing viewpoints resulted in the process falling apart as some claimed that the Act was guilty of, ‘unduly assuming state ownership of land and the process as promoting the interests and power of a new municipality’.³⁶⁶ This echoed the views of people such as Joseph Grace, an elderly inhabitant who had previously stated in 1996 that such processes were irrelevant as the residents were the rightful owners and no title deed or government decision could ‘return’ what was already theirs:

Sir, I would still like to say, and I have lived a few years too, that title deed [kaart en transport] was never anything for this Nama area, for Komaggas. Because title deed was already given to the Nama kaptein who got the land...For us, the owners of Namaqualand, it was never worth anything. Because, the surveyor comes and he cuts off parts for his white brother.³⁶⁷

On the one hand, this seemed a fair argument; by allowing the process to continue, the residents would have been admitting that the government was the rightful owner of the land and therefore further claims to other lands would be sidelined.³⁶⁸ Additionally, the Act planned to divide Komaggas into a town section and commonage which was also resisted. In 2002, surveyors were chased away trying to survey plots.³⁶⁹ KIV maintained that TRANCRAA was a government tactic to privatise land and felt that far from bringing the land to the people, this would cause further land insecurity. KIV stressed that, ‘according to the law of the community the tenure should not be ownership by life long tenure that is passed on from generation to generation’.³⁷⁰ By not involving themselves in the process Komaggas was left out. Differing political affiliations in Komaggas have in the past and continue today to cause rifts in the community. Some meetings were not attended and a number of residents boycotted the whole process. After further disagreements the process was disbanded in Komaggas and the community missed its chance to resolve the issue of tenure during the TRANCRAA process.

The process had been welcomed by the local ANC, various other local people and associations, but the KIV that was largely pro-DA, resisted it. A TRANCRAA supporter told

³⁶⁵ Ibid, p. 302.

³⁶⁶ Ibid, p. i.

³⁶⁷ Ibid, p. 301.

³⁶⁸ Ibid, p. 10. Wisborg spoke to the former chair of the Land Committee at Komaggas who told him that many feared being part of the process because of possible financial payments that would be incurred, as well as a loss of power to rule their own community.

³⁶⁹ Ibid, p. 312.

³⁷⁰ Ibid.

Wisborg that the KIV did not want to participate because, ‘Most of our people have still got this tunnel vision that *it is our* land, so nobody can come and do anything on it. They feel that the municipality will come and do things and that we will lose everything. It is a fear of payment, a fear of losing *baasskap* over something’.³⁷¹ Some, perhaps rightly, felt that to work within the TRANCRAA process was better than nothing. This was and no doubt still is a touchy issue because of its ramifications. It is likely that any future programmes will be tainted with similar problems.

7.3 Contemporary Arguments by the people of Komaggas

To understand why Komaggas has not adopted any of the options laid out by government one needs to examine the logic and reasons of community members. As land reform has become a real possibility over the last 15 or so years, Komaggas and those who represent it have had to develop a line of argument as to why they deserve to receive land. While there are disagreements within the community regarding various issues including the way in which to achieve their goals, there is certainly a concurrence that they are the rightful owners of a larger portion of land than the current boundaries designate.

An argument commonly submitted was that their ownership of the land was vested in their association with the Queen. This alliance allowed them, in their mind, to ‘skirt around the question of their historical links with the indigenous people of the Namaqualand region’.³⁷² According to this line of argument, Queen Victoria had given an earlier grant of land (i.e. prior to the survey and subsequent ticket) of 369,173 morgen covering much of the area between the Swartlentsjies and the Buffels. It has been asserted that at a later stage, the 3 was clumsily lopped off the original grant. There is, however, little factual evidence to substantiate this. Perhaps most compelling against this line of argument is the fact that Queen Victoria only ascended to the throne in 1837. Sharp continues that, ‘There is nothing in the colonial records to suggest that the government was even aware that there was a group of people at the Kousie River before 1820’.³⁷³ Despite these shortcomings, this argument persists today.³⁷⁴

³⁷¹ Ibid, p. 306.

³⁷² Sharp, ‘Land claims in Namaqualand’, p. 407.

³⁷³ Ibid, p. 404.

³⁷⁴ Interview with Johanna, an elderly Komaggas resident, taken on 22/07/2008. Johanna made reference to the Queen granting Komaggas rights to the land.

For many years, the residents at Komaggas have argued that the original survey made by Wentzel was specifically for land to be used for the church and the school and that this 69,173 morgen was but a part of the overall area. In Wentzel's view, the area he surveyed was '*vershrikklik groot*'³⁷⁵ and some travellers to the area mentioned the large nature of the reserve. The obvious question is: If Wentzel was shown by members of Komaggas the extent of lands that they used and needed to survive, and then allotted them that land, why is there today a claim for more land? The answer is quite simple. The land that was surveyed and that later became Komaggas represented the centre of their land, which was to house the church, school and other buildings. What Wentzel could not show on his map was the extensive area that people used as they moved with their animals according to seasonal and climatic change. Referring once again to Penn, Wentzel's map was incapable of showing, 'the ancient, customary and historical right of the inhabitants of Namaqualand to use the region between the Kamiesberge and the sea as seasonal pasturage'.³⁷⁶

Researchers in the past have experienced a degree of resentment for questioning the validity of these arguments. In my experience, the Karusab group has not displayed any of these traits. It is understood by all that in order to achieve the aims of land restitution, the case will have to be watertight and be able to withstand scrutiny. Therefore, what is presented in this paper is mostly from the historical record. In no way do I mean to undermine the other types of evidence, most importantly oral sources. As will be shown, in other legal cases that look at aboriginal rights, the use of oral evidence is admitted, shown respect and given a great deal of weight.

More recently however, that has been a discernable change in the way people from Komaggas have articulated their claims to the land. By the end of the 20th century, there had been a major ideological shift. Instead of maintaining previous lines of argument, many members of the community felt it would be more beneficial to adopt the route of ancestral rights to the land under the law of aboriginal title. A number of Namaqualanders began to reassert their Nama heritage over their coloured identity, an identity which was to some degree imposed on them. People attempted to illustrate a strong bond between their present-day occupation and that of the pre-colonial Nama inhabitants of the region. Sharp and Boonzaier wrote that, 'this statement of Nama ethnic identity is a carefully controlled

³⁷⁵ CA, 1/WOC 12/23.

³⁷⁶ Penn, 'Land Rights, Missionaries and Surveyors', p. 159.

performance. It is role-play, a highly self-conscious statement of 'who we are' that is being formulated collectively through dialogue and modified according to context'.³⁷⁷

Previously, during colonial times as well as Apartheid, the connection to the indigenous Nama had been intentionally played down by the people at Komaggas and no doubt at other reserves in Namaqualand. During these periods, people recognised or classified as Khoi or San were viewed as inferior by white society, the state and the law. The Nama were seen, as many other indigenous groups, as lazy, immoral and lacking in stamina. During the 19th century a discernable prejudice against the Nama in favour of the Basters began to take place. Basters were considered by many to be, 'more trustworthy, sober, and hardworking than Nama people'.³⁷⁸ The warped thinking of this time meant that Basters, due to their mixed heritage, were seen to be more agreeable to be civilised than the indigenous Nama. This had repercussions when Namaqualanders tried to find work on farms and mines in the area:

There are adults in all the reserves who still recount how school teachers (invariably self-conscious 'Basters' themselves) used to beat them for daring to speak Nama in public, and how they were turned down for jobs in the region because prospective employers decided that they were 'too Nama'.³⁷⁹

It is a sad fact that, 'The people of the reserves have thus been induced to participate in this process of denigrating 'indigenusness''.³⁸⁰ This manifested itself in very noticeable ways as the Nama language was suppressed in favour of Afrikaans. Traditional Nama customs took a backseat in order to fit into the social order of the day. In the 20th century this meant that people in the reserves, perhaps unwillingly, began to associate themselves with the larger coloured population of the country in a bid to receive a higher social dispensation. Government sentiment and the views of influential and wealthy members of the Cape, of whom the overwhelming majority were white, led to the Nama further burying their ethnicity.

Sharp and Boonzaier recount a ceremony in 1991 to commemorate the establishment of a national park in the Richtersveld reserve. The local inhabitants displayed a number of emblems invoking their Nama heritage and ethnicity. These symbols were indicative of the

³⁷⁷ Sharp, J. and Boonzaier, E., 'Ethnic Identity as Performance: Lessons from Namaqualand' in *Journal of Southern Africa Studies*, 20, 3, Special Issue: Ethnicity and Identity in Southern Africa (Sep. 1994), p. 405.

³⁷⁸ Ibid, p. 408.

³⁷⁹ Ibid.

³⁸⁰ Ibid.

attempt by people from the Richtersveld to illustrate as well as promote a link between them and their ancestors. Such illustrations aim to stress the continuity between ‘then’ and ‘now’ and it is hoped by locals that this extended period of use and settlement will be powerful arguments in asserting their rights to the land. In some ways, critics can argue that these links are tenuous and are being employed to further certain goals. However, these links are undeniable and as explained above, had been largely absent because they would have been frowned upon in the past and disadvantaged these communities. Written in 1994, the following sentiments still seem to hold true for various communities across South Africa who are attempting to recapture their identity after years of suppression:

no more appropriate medium through which to express the people’s collective resolve, right, and unity than the idiom of ethnic identity. All claims to shared ethnicity involve the idea of fundamental unity, of a community that has such a long pedigree – one that has been unbroken ‘since time immemorial’ – that it, together with its accompanying rights and duties, cannot be questioned by anyone: not by those who partake in this community, not by outsiders, and certainly not by a state that has had only a finite span of existence.³⁸¹

It is obvious that people in Komaggas and other Nama reserves no longer live the life of their pre-colonial ancestors. This does not diminish the links they have with the past and the symbols that are used today (such as the logo of the KIV) are representative of the ways in which people are reasserting and taking back their cultural heritage. Also, they understand that there is much to be gained. These communities have been sidelined for so many years, and if this is a line of argument that needs to be pursued then so be it. The issue of aboriginal rights is a powerful tool available to such communities. Sharp and Boonzaier assert that communities have used their reclaimed identities to deliver:

a very pointed message about the unchallengeability of their rights to the land. The notion of ‘aboriginal’ or ‘indigenous’ rights was a powerful weapon in this regard, particularly at a time (after February 1990) when the South African government was basking in new-found international respectability, and did not want to be seen to be acting in ways that ran counter to the tide of progressive opinion about the significance of these kinds of rights in other parts of the world.³⁸²

³⁸¹ Ibid, p. 407.

³⁸² Ibid, p. 409.

Given the negative connotations associated with being Nama the connection to the land based on a relationship with the Queen is highly understandable. By the late 20th century as the political landscape had changed, residents felt that they were entitled to the land in question not due to their connection with the Queen, but by virtue of their ancestral rights. Some argued that this change of heart was based purely on the claims for land.³⁸³ While this does seem a valid argument, it is one that has been successfully countered as these communities maintain that a central component in the preservation of their aboriginal identities and heritage is closely connected to the land of their ancestors. Penn writes that, ‘For the first time in years it was possible to express a genuine pride in an aboriginal identity which either had been unacknowledged or subsumed under the derogatory appellations “bushmen”, “Hottentot” and “coloured”’.³⁸⁴

7.4 Aboriginal Title: A Way Forward?

The South African legal system is defined as a hybrid or mixed system because it is an amalgamation of a number of legal traditions. South Africa has a civil law system from the Dutch, a common law system from its English colonisers, and an indigenous law system, also known as African customary law. However, the Constitution is paramount and a number of clauses contained within it offer much hope for the emergence of aboriginal title as a well-accepted argument in South African courts. It gives much credence to the right to property and puts pressure on the state to create conditions that will allow people to own and use land. These clauses most certainly, ‘support development of the doctrine of aboriginal title’.³⁸⁵ Section 231 of the Constitution allows for the adoption and implementation of international treaty law. Given the fact that bodies such as the UN have passed declarations upholding the rights of indigenous groups, this too provides hope.

Put simply, aboriginal title is a property right based on exclusive use and occupation of an area by an indigenous group prior to colonisation. In South Africa, aboriginal title is not part of the common law and has played a relatively small role in land reform cases since 1994. Countries in which aboriginal title is well respected and has had a relatively long history of being used as powerful arguments in aboriginal land claims include Australia, New Zealand

³⁸³ Penn, ‘Land Rights, Missionaries and Surveyors’, p. 159.

³⁸⁴ Ibid.

³⁸⁵ Ulgem, ‘Developing the Doctrine of Aboriginal Title in South Africa’, p. 133.

and U.S.A. Aboriginal title is not a new legal concept and became institutionalized in the U.S.A. in the 1820s and onwards as courts began to uphold the rights of Native Americans to certain lands. The landmark case of *Mabo vs Queensland* (No. 2) in 1992 is the foundational case for aboriginal title in Australia. The court found that the declaration of much of Australia upon its colonisation by Britain in 1788 as *terra nullius*, which translates to ‘land belonging to no-one’, was incorrect and unjust. In Canada the major case is *Delgamuukw v. Her Majesty The Queen in Right of the Province of British Columbia* of 1997.

What occurred throughout the colonised world was a process of foreigners settling in or making use of areas that were deemed to be uninhabited but were part of the indigenous people’s migration systems. While there were no houses or obvious indications of settlement to the eye of those who moved into these areas, to consider the land uninhabited and *terra nullius*, ‘by virtue of the absence of the requisite level of civilisation’³⁸⁶, is racism in its simplest form. The term has come to be understood as land that, according to western conceptions, was determined as such, but was actually used by indigenous people. Ulgem defines it as, ‘territory not actually uninhabited but considered so by virtue of sparse presence, low level of social and political development and lack of settled law of people encountered’.³⁸⁷ As has been explained, this practice occurred in the early years of the Cape Colony.

While legislation in these countries is no doubt encouraging, the South African case is unique. A 1997 White Paper that investigated land policy in South Africa stated the following, hardly a positive dispensation for indigenous groups seeking redress:

The government believes it is not possible to address pre-1913 claims through a judicial process such as laid out in the *Restitution of Land Rights Act* or Aboriginal Title arguments that have been used in countries such as Canada and Australia. In South Africa, ancestral land claims would create a number of problems and legal-political complexities that would be impossible to unravel: most deep historical claims are justified on the basis of membership of a tribal kingdom or chiefdom. The entertainment of such claims would serve to awaken and/or prolong destructive ethnic and racial politics; the members of ethnically defined communities and chiefdoms and their present descendents have increased more than eight times in this century alone and are scattered; large parts of South Africa could be subject to overlapping and competing claims where pieces of

³⁸⁶ Sharp, ‘Land claims in Namaqualand’, p. 413.

³⁸⁷ Ulgem, ‘Developing the Doctrine of Aboriginal Title in South Africa’, p. 134.

land have been occupied in succession by, for example, San, Khoi, Xhosa, Mfengu, Trekkers and British.³⁸⁸

This is a remarkable statement in a number of respects. So where does this leave the countless descendants of the aboriginal people of South Africa who were unfairly disadvantaged? Why should only groups who were dispossessed after 1913 be allowed to claim land? While compensation is, and has been used as a means of settlement, the issue of the land itself and the attachment that people have to their ancestral home remains, and cannot be resolved with money or alternative lands. Of course, some communities would be amenable to compensation and a pragmatic approach must be adopted in terms of the community's needs. For many, and Komaggas is one of these, the land itself its symbolic and historic importance are also key determinants. The government has not denied that injustices occurred, and that societies had been torn apart and impoverished as a result of dispossession and displacement. However, it argued that the process would be too much work and too costly. Another worrying factor is the potential for tribal and ethnic tensions to arise. In this country, Sharp writes, 80% of the population can claim rights to land and this will inevitably lead to overlapping claims.³⁸⁹ This could fuel identity politics and lead to further racism as some groups receive favourable dispensation while others do not.

Aboriginal title has also been criticised as some claim that it promotes 'invented traditions'.³⁹⁰ Sharp cites the Australian case of Coronation Hill in the Northern Territory. A pro-mining group maintained that Australian Aborigines who were opposing mining operations had fabricated claims that the area was sacred. They also argued that these people had lost their traditional culture because they had accepted modern lifestyles and that therefore claims to land based on indigenous rights were counterfeit.³⁹¹ Elements of this argument can be easily countered. There is no reason why traditional rights cannot be fought for in a modern world. Times have indeed changed and people have adapted. Surely it would be incongruous for one to expect a people that lived hundreds of years ago to exist in the same form today and to continue the same practices. The Komaggas community, 'do not live according to the norms and practices of pre-colonial Nama culture, about which they know very little, and they have no intention whatever of trying to reconstruct this culture in a bid to establish the authenticity

³⁸⁸ Ibid, pp. 131 – 132.

³⁸⁹ Sharp, 'Land claims in Namaqualand', p. 410.

³⁹⁰ Ibid, p. 411.

³⁹¹ Ibid.

of a Nama identity'. Due to the political climate of previous years, the stressing of a Nama identity was inadvisable in a bid to pursue a land claim.

The legislation aimed at land reform for the Namaqualand communities has been aimed more at tenure reform than land redistribution or restitution. Given the 1913 cut-off date, the community is in favour of launching a claim based on aboriginal rights to the land. In a country in which an enormous number of people can claim aboriginal title to land, it could potentially throw the issue of land reclamation wide open. This is indeed uncertain ground and some, such as Sharp, who has written extensively about land claims in Namaqualand, argues that such an action could be detrimental to the country, resulting in countless splits in an attempt to gain land.³⁹² As of 1995, the SPP felt that court cases based on aboriginal title were not the way forward for the Namaqualand communities seeking redress. They preferred a negotiation with government and a redistribution programme. Reasonably, SPP cautioned that never before has a private company or person been removed from land they legally acquired because it was ancestral land. It was one thing if the people still lived on the land and they wanted to secure title to it – to remove another, which is a possibility with the Komaggas example, is incredibly difficult.³⁹³ However, when one considers the case and realises that there has been undisturbed habitation for centuries, there is promise. For communities such as Komaggas who were essentially prohibited from the major land reform process, this offers a real alternative.

We cannot merely shy away from the idea of aboriginal title and it most certainly has a place in our society. It is an instrument which must be used to alter the much skewed playing field. Still, it needs to be exercised in a diplomatic manner. Naturally those claiming land are keen to receive compensation immediately. It would be unwise to begin this process without adequate research and while this will undoubtedly lead to irritation, it is necessary. Being able to prove aboriginal title to a piece of land is generally very complicated. The gathering of evidence to substantiate such claims is difficult. This is for the simple reason that when dispossession took place bureaucracies were not in place that kept records of land rights and what groups inhabited what areas. The lack of demarcated boundaries has made this process extremely tough. The migratory practices followed by a number of aboriginal people, further complicates issues of ownership and use. While different countries require different historical

³⁹² Ibid, pp. 403-414.

³⁹³ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 23.

evidence, generally speaking the requirements include exclusive occupation for an extensive period of time. The question of whether rights to this land were extinguished at any time also needs to be established. The historical evidence delivered in this, and other papers, needs to be examined by the legal team working with the Komaggas community to ascertain whether there is indeed sufficient evidence for aboriginal title to be a feasible legal route. Sharp writes that such an attempt is risky because if it is unsuccessful in court, it becomes difficult to attempt another claim. Additionally, the Komaggas group is small and lacks resources. Those who hold the land are wealthy and have much influence. Those who researched the possibility of a claim felt that, 'the historical processes surrounding the establishment of Komaggas, together with the well documented process of surveying the mission land, did not suggest to the community of Komaggas, or their legal advisors, that there was a good legal claim to the restitution of lands to the west of the surveyed area'.³⁹⁴ Never before has such a claim been lodged in a South African court.

An issue central to the Komaggas claim is the nature of their rights to the land and the question of whether these include mineral rights. If Komaggas secures rights to lands, would these only be partial rights to use such land for agriculture and pasturage? The true economic value of the land in Namaqualand lies in its mineral wealth. Depending on how a court interprets the scope of rights would determine whether the community would be able to benefit. The Roman-Dutch law maxim of *cuius est solum eius usque ad inferos et ad caelum*, which translates as, 'To whom the ground belongs, to him it belongs down to the underworld and up to the sky', most certainly supports an argument that Komaggas residents have a claim to mineral rights.³⁹⁵ At the time of dispossession the indigenous people were not extracting this wealth in any real quantities and it has been argued that because they were not involved in benefiting from the minerals they never possessed such rights. The companies that have extracted from Namaqualand have made a fortune, yet the region is extremely poor. Groups such as the LRC have fought for communities to be able to share in the mineral wealth. Sections of the RDP hold for the power and position of the community to be upheld and expanded. With this in mind the LRC proposed that it would be right for Komaggas to hold some mineral rights; a prerequisite to sustainable development in the area. As Kobus Pienaar of the LRC stated in a letter to the DLA in 1998:

³⁹⁴ Penn, 'Land Rights, Missionaries and Surveyors', p. 159.

³⁹⁵ Ulgem, 'Developing the Doctrine of Aboriginal Title in South Africa', p. 133.

It is not just the perception that mineral rights belong to the communities, but in practice, decisions are made and negotiations conducted as if it is the case, In Komaggas, for example, we helped in the negotiation of a diamond mining lease. De Beers for all practical purposes treated the Komaggas community as if they were the owners of the mineral rights.³⁹⁶

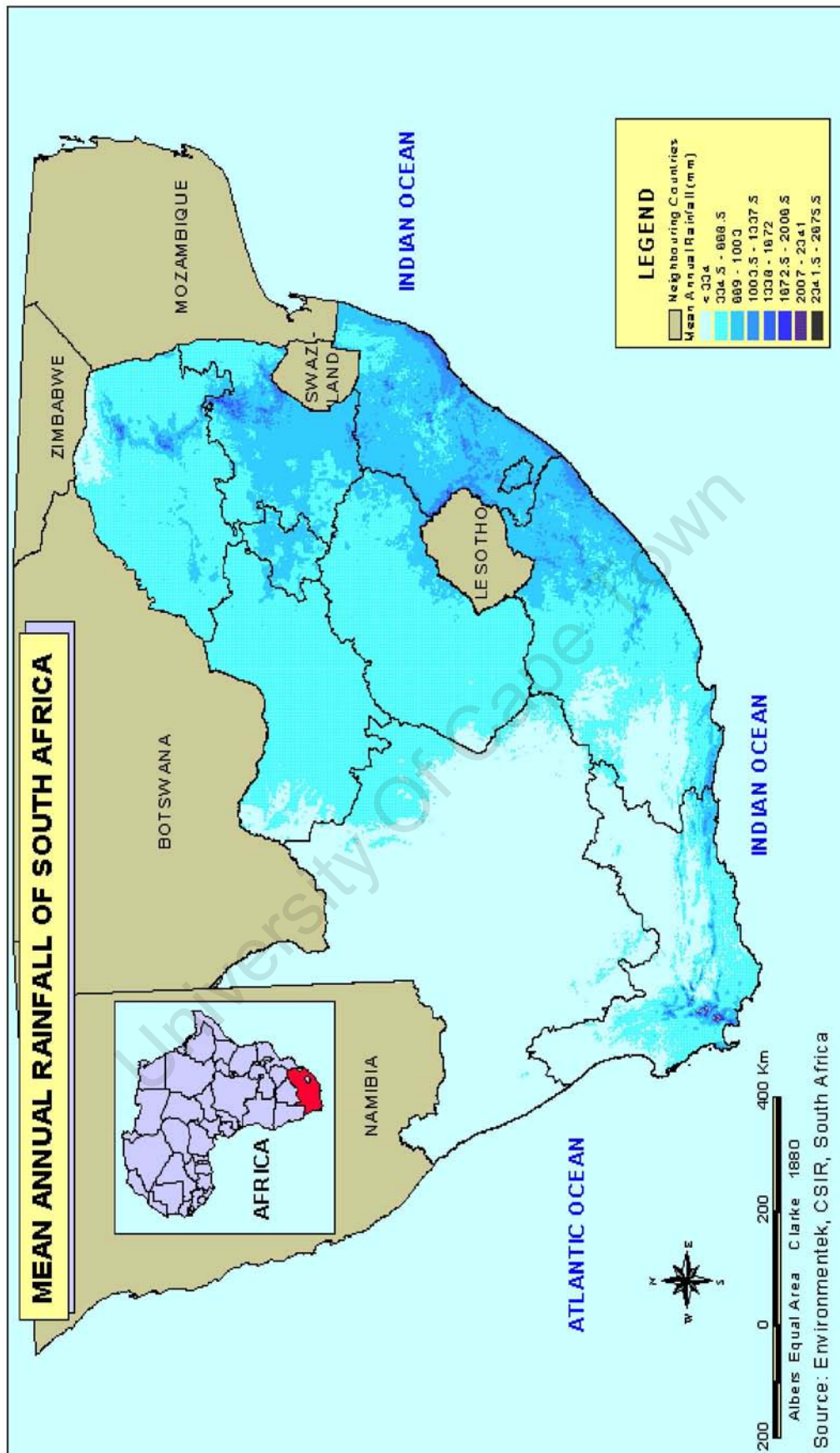
For Komaggas, the case closest to home and the one that might offer some degree of encouragement, is that of *Richtersveld community vs Alexkor*. First launched in 1998, the community sought land and compensation for dispossession in the 1920s as their land was taken by the diamond industry. In 2001 the Land Claims Court dismissed the case. This Court rejected their claim, citing that it could not, ‘consider the broader issue of the effect of colonial acquisition of territorial sovereignty on pre-existing customary land tenure system, or rights in land’.³⁹⁷ However, in 2003 the Constitutional Court overruled this decision and maintained that annexation had not extinguished land rights. The Richtersveld case is important to this thesis. This was the first land reform case taken to the Constitutional Court in 2003. The rights of the community were vindicated as the court ruled in their favour. It was found that their rights had been infringed when the state annexed part of their land for diamond development in the 1920s. The people of the Richtersveld claimed that long-term occupation was a form of land ownership.³⁹⁸

Where land has been registered and passed down through inheritance, families and communities have a way to maintain security and wealth. Because the land practices of indigenous people were neither fully understood nor respected, when they became dispossessed of land, they had no recourse. Because of the 1913 cut-off date, communities that fell outside this scope have had to search for alternative methods to remedy the injustices that have befallen them. The moral justification for tenure reform, land redistribution and reclamation seem logical. When one can prove unfair dispossession of land prior to 1913, aboriginal title offers the legal resort for communities such as Komaggas to pursue such claims.

³⁹⁶ Wisborg, ‘*It is our land*’, p. 117.

³⁹⁷ Ulgem, ‘Developing the Doctrine of Aboriginal Title in South Africa’, p. 131.

³⁹⁸ *Ibid*, p. 142.



Map 12: Recent rainfall in South Africa (Note that Namaqualand continues to experience low rainfall in comparison to most other regions of the country)

Chapter 8

8.1 Concerns and Recommendations

At the time of writing, Komaggas remains poor and underdeveloped and suffers from high levels of unemployment. The environment continues to be harsh and as mining operations slow down, the region is bound to experience difficult times. Recent developments have however offered hope for a new dispensation. The Department of Land Affairs entered into a Memorandum of Understanding (MOU) with De Beers in 2009. The influence of this company in Namaqualand has been discussed at length. The relevant portion of the statement reads as follows:

Our strategic partnerships have been extended to include the restitution projects. Here, let me pause and say that we have recently entered into a Memorandum of Understanding (MOU) with Anglo Group to fast track settlement of mineral claims with anticipated models to benefit the community and Anglo, and duplicating with other mining houses. Other MOU to be undertaken include among others Forestry South Africa SAFCOL and the First National Bank. Discussions are underway between ourselves, De Beers and other mining houses who are winding up their mining operations, to work together on agricultural projects that can empower rural communities, and increase their access to food security, this in keeping with the social plan of our new mining act.³⁹⁹

It is hoped that these partnerships will benefit the people of Namaqualand. In January 2010 a land conference was held in Namaqualand. This was attended by representatives of a number of communities, including Komaggas, as well as other recurring players such as the SPP, the LRC and government officials. According to Henk Smith of the LRC, a final agreement was made that will see Komaggas be the beneficiary of both Brazil and Schulpfontein, two farms the community has been trying to secure for a number of years.⁴⁰⁰ These farms are located on the coast; Brazil is located to the west of the reserve and Schulpfontein to the south-west.

Without taking the lengthy and expensive route of taking this claim to court, the community was able to come to an agreement with government, in this case with the Department of

³⁹⁹Department of Land Affairs. 'Statement on the Recent Media Reports on Land and Agrarian Reform'. Accessed at

<http://www.dla.gov.za/Documents&Publications/Publications/2009/Ministers%20Statement%20on%20Land%20Reform.pdf> (2009) Accessed December 2009

⁴⁰⁰ Personal communication with Henk Smith, February 2010.

Public Works. Pragmatically it was decided that Komaggas had the greatest claim to these lands because of its proximity to them. Initially, these farms will be held in trust for the community. Eventually, a Communal Property Association (CPA) will be established so that the community itself is the owner. The land reform farms, Witbergskloof and Grace's Puts, will be dealt with in a similar manner.

While these are certainly promising developments, the road ahead is fraught with many potential difficulties. Additionally, until the land is actually transferred to the community there will be little joy. This is a long and arduous process and previous experiences have illustrated this. In general, the South African land reform programme is far behind its own pre-determined goals. It is evident that the aims laid out by government to redistribute thirty percent of white-owned farm land to black recipients by 2014 will not be met. Problems include a lack of funding and staff, difficulties in securing the white-owned farms and fighting amongst families over who should receive these lands. The fact that the South African land reform programme relies on the forces of the market and *hopes* that whites will be willing to sell their lands has hampered its development. Many are not keen to sell their lands and additionally, the government does not have limitless coffers to buy these properties. This means that, 'the colonial and apartheid status quo in land relations have been largely left intact'.⁴⁰¹ In Namaqualand, a number of farmers did offer their lands for sale, but often these were no longer useful to them and were of poor quality.⁴⁰² In a way, the programme has helped people dispose of property they no longer wanted at very good prices. In terms of land restitution, the figures are more promising. By 2008 government had resettled, 'more than 53 000 of the 79 000 claims lodged by the cut-off date of December 1998'.⁴⁰³ Of course, this is the process that Komaggas was systematically excluded from. SPP stated last year with reference to Namaqualand that:

There is mounting frustration at the slow pace of land reform and this necessitates the building of political strength of rural communities. SPP is confronted by the reluctance of white farmers to make land available to black people and the relative weakness of rural organisation. This is further exacerbated by the lack of a political will for a comprehensive land and agrarian reform agenda by government. In the case of Namaqualand the impact of the downscaling of mining is evident.

⁴⁰¹ South African History Online. 'A Land Dispossession History: Conclusion'. Accessed at http://www.sahistory.org.za/pages/governance-projects/land-dispossession/07_conclusion.htm (No Date) Accessed January 2010

⁴⁰² Wisborg, p. 158.

⁴⁰³ Kgosana, C., '2014 target for redistribution of farm land won't be met' in *Cape Times*, July 2, 2009

Retrenched workers have invested resources in land-based activities, in particular stock farming.⁴⁰⁴

The land conference referred to above had as one of its aims an assessment of the progress of land reform and development in the region over the last 15 years. While it was agreed that various improvements had been made, there was still far to go and a number of unresolved issues needed to be addressed.⁴⁰⁵ Even if Komaggas receives Brazil and Schulpfontein, the development of the community is still in danger. When Wisborg wrote his thesis, he reported that approximately 670 farms were owned by whites, covering 52% of Namaqualand. Each farm averaged 3700ha, but a number of whites owned more than one farm. Despite some redistribution, the average farm owned by people in the Act 9 areas was approximately 650ha per farming household. With reference to Komaggas, including old and new land, the average land endowment per household is about 90ha of land. This translates to approximately 450ha for each of the estimated two hundred households who own livestock.⁴⁰⁶ While further investigation is needed, Wisborg cites the Agricultural Union as stating that, 'A commercial farmer's rule of thumb holds that a 'viable' farm must be 5000ha, and more in the arid Bushmanland'.⁴⁰⁷ Allsopp and Timm summarise the situation:

Despite major changes in the economy of Namaqualand and the lives of its people of the past century, land-based activities remain an important component of the livelihoods of most households. Secure access to land, particularly for grazing purposes, but also for cropping, is therefore a critical factor in making a living and overcoming poverty and vulnerability.⁴⁰⁸

What must also be considered are the hazards associated with the process of land reform. Such programmes have the potential to create rifts in and between communities. People generally attempt to achieve the greatest dispensation for themselves and those close to them. This can result in infighting and local power struggles. The case of Komaggas and its lack of involvement in TRANCRAA is a case in point. The SPP correctly point out that, 'Returning land to communities must result in their empowerment – economic, social and moral. It should not lead to the creation of an elite who benefit "on behalf of the community". It should include women and the youth who have to build the future. It should result in preserving the

⁴⁰⁴ Surplus Peoples Project. *Project Proposal for Embassy of Finland: Facilitation of Land Reform & Community Capacity Building Initiatives in the Namaqua District of the Northern Cape, November (2009)*, p. 4.

⁴⁰⁵ *Namakwaland Grondnuus: Spesiale uitgawe vir Namakwaland Grondberaad, 28 Januarie 2010, Springbok.*

⁴⁰⁶ Wisborg, 'It is our land', pp. 298-99.

⁴⁰⁷ Ibid, p. 134.

⁴⁰⁸ Allsopp, N. and Timm, M. (eds), *Towards sustainable land use in Namaqualand*, p. 14.

land for the enjoyment and livelihood of future generations'.⁴⁰⁹ In the Richtersveld, despite their landmark victory of millions of rand in 2007 as a result of their land claim, issues are dividing the community. Residents have recently voiced concerns regarding mismanagement by the CPA.⁴¹⁰ Unfortunately, this is always a possibility as power is transferred from the municipality to the community.

Land reform programmes have seen more than 450 000 ha of land transferred to municipalities in Namaqualand for use by communities. SPP maintains that there are difficulties in the administration of this land. Land cannot just be held in name by the municipality; they need to take an active role in seeing these new lands put to use and the maximum benefit extracted. For example, there is a need for commonage management to stop overgrazing and overstocking. Support of some form will also be needed when lands start being transferred to the CPAs. Advice and training in the areas of organic vegetable production and how to penetrate local markets are two areas the SPP has outlined.⁴¹¹ Other initiatives such as creating ecological reserves to promote tourism in the area also need to be considered. There is also a need to veer away from a, 'one size fits all' policy when dealing with land reform. Each community and group is different and has specific needs and government and land organisations need to be attentive to this variety of requirements.

Closely linked to the issue of the previous paragraph is that of land reform versus food security. Concerns regarding this have been raised since the start of the reform programme in the mid 1990s. In some cases, what has happened lends little popularity to the programme. White farms are bought up by the state and allocated to those who had been dispossessed. The new owners' lack of training, working capital and knowledge in the area of farming has led, in a number of cases, a drop in food production. There is certainly a fear among many South Africans that the land reform programme will result in a similar situation that Zimbabwe now experiences. Thousands of white farmers were removed from their land and this has left the country foodless and in chaos. A 2008 report by the Centre for Development and Enterprise concluded that, 'a minimum of 50% of land reform programmes were considered to be dismal failures'.⁴¹² According to Cousins, government policies impose

⁴⁰⁹ Surplus Peoples Project, *Land Claims in Namaqualand*, p. 5.

⁴¹⁰ No Author (Sapa), 'Row hots up over land claim in N Cape' in *Sunday Argus*, October 4, 2009, p. 9.

⁴¹¹ Surplus Peoples Project. *Project Proposal for Embassy of Finland*, p. 9.

⁴¹² van Schalkwyk, S., 'Food vs land reform' in *Mail&Guardian*, May 9 to 15, 2008, p. 32.

flawed methods on small-scale producers who have received land as part of the reform programme. He comments:

A new approach is needed premised on adequate understanding of the real needs and aspirations of small-scale producers and those benefiting from land redistribution and restitution. This is the urgent task facing land reform policy-making in South Africa.⁴¹³

The actual condition of the land is also important. The Constitution recognises environmental rights and a number of Acts have been passed to protect the environment.⁴¹⁴ Section 24 states that all have the right, ‘to an environment that is not harmful to their health of well-being, and to have the environment protected for the benefit of present and future generations, through reasonable legislative and other matters that – prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development’.⁴¹⁵ The quality of the land has suffered in Namaqualand over the years as a result of mining and being overworked by farmers. This needs to be addressed; there is little point in redistributing damaged land that cannot produce food or be of benefit to its new owners. De Beers has embarked on programmes to redevelop troubled lands.⁴¹⁶ As recently as August 2009 De Beers, through a consultant, announced its intention to proceed with an environmental rehabilitation plan of its Kleinzee and Koiingnaas mines, including environmental damage on a number of the farms in the vicinity of these mines. The Komaggas community was excluded from the consultation processes despite approaches to the consultancy that the community be invited to participate. It is hoped that they and other communities will be included in further initiatives.

⁴¹³ Ibid.

⁴¹⁴ An Example is the National Environmental Management Act 107 of 1998.

⁴¹⁵ *Coastal Management Plan – Namaqualand. Support Document: Application for the Development and Management of Specified Coastal Areas – Namaqua District Municipality* (No Date)

⁴¹⁶ De Beers Group. ‘Namaqualand’. Accessed at <http://www.debeersgroup.com/en/Exploration-and-mining/Mining-operations/Namaqualand/> (2008) Accessed January 2010

8.2 Conclusion

Despite all the changes brought about by the end of Apartheid and the introduction of democracy, many people who are descendents of the Khoi and San today constitute, ‘a minority in a majoritarian society’ and continue to, ‘carry the burdens of disempowerment and alienation’.⁴¹⁷ As has become all too evident in the South African context, the act of ending an unfair system does not instantly result in a levelling of the playing field and substantive changes. Terreblanche speaks of the ‘contaminated’ nature in which whites have benefited and come to be in the position they currently hold today. The previous centuries of unfair racial legislation and the resulting segregation, dispossession and exploitation cannot be undone, but policies can be put in place to begin to alter their negative effects. It seems a fair statement that, ‘Current White power and privilege rests firmly on this skewed and unequal distribution of land. For most Black South Africans, therefore, the resolution of the land question will signal real change...Redressing the imbalances in land distribution is a crucial precondition for the legitimacy of the new democratic order.’⁴¹⁸

Initiatives such as affirmative action and Black Economic Empowerment (BEE) have tried to redress this problem, but racial inequality is all too clear. South Africa was recently found to be the most unequal society in terms of income.⁴¹⁹ While this paper is ostensibly about the history of land rights in Komaggas, it should be located within a broader spectrum of the plight of our country and the desperate need to reduce poverty and unemployment. What should be highlighted is the need for land to be central within this dialogue. The land question needs to be addressed because it has the potential to either heal or widen the gap between South Africans. With reference to Namibia, but sentiments that certainly apply to this country, Hunter points out the following:

As an obvious projection area of potential social conflicts, the complex and emotional land question has the potential to create or even deepen racial mistrust and hatred. Some 13 years after Namibia achieved independence; the existing land distribution remains an obvious expression of

⁴¹⁷ Mountain, A., *The First People of the Cape*, p. 8.

⁴¹⁸ South African History Online. ‘A Land Dispossession History: Conclusion’. Accessed at http://www.sahistory.org.za/pages/governance-projects/land-dispossession/06_liberation.htm (No Date) Accessed January 2010

⁴¹⁹ Pressly, D., ‘South Africa has widest gap between rich and poor’ in *Cape Times*, September 28, 2009.

expropriation, oppression and extermination of the African people by German and South African colonists, settlers and members of the occupied forces.⁴²⁰

An argument that is perhaps overlooked when one considers the issue of land reform is placing secure land tenure as a human right. The basis of Wisborg's thesis is that, 'To institutionalize human rights with regard to land tenure is to create or strengthen the social and legal entitlements that enable individuals to use land to expand human capabilities'.⁴²¹ For centuries, local indigenous land rights were not respected and this has resulted in the situation in Komaggas and other parts of Namaqualand. These include: 'lasting substantive inequalities in employment, income, distribution of water, land, capital, technology, services and infrastructure'.⁴²² Since 1926 diamond mining and the reservation of coastal land for security purposes have encroached on the coastal plains and the coastline by the community. De Beers Namaqualand Mines, and its predecessors, have been mining the area for many decades. Its operations were concentrated at Kleinzee and Koiingnaas. The De Beers mining operations on the Komaggas ancestral lands produced enormous profits for the company and taxes for the country. Komaggas has not benefited in any meaningful way from these ventures and it is arguable that the effects have been more destructive than positive.

The reasons that the Komaggas community has been trying to secure more land are self explanatory. Land is a commodity and a source of wealth. By owning a greater extent of land they will be enriching themselves. Land also represents sustenance and as has been described, many in the community and Namaqualand in general make use of the land for their animals and to grow fresh food. While the region has developed over the years, farming remains of vital importance to the existence of many people. Apart from this desire to receive further lands and the related benefits, there is a very real *need* for an increase in the size of their territory. The other major strand of argumentation proposed by the community is that of maintaining and preserving its own history and identity. Land is intricately linked to the histories and lives of these people and their continued existence and group character depends on being able to exist in this area. The loss of communal land can result in the fragmentation

⁴²⁰ Hunter, J., 'Who should own the land? An introduction' in Hunter, J. (ed.), *Who should own the land? Analysis and Views on Land Reform and the Land Question in Namibia and Southern Africa* (Windhoek: John Minert Printing/Namibia Institute for Democracy, 2004), p. 1.

⁴²¹ Wisborg, *It is our land*, p. 319.

⁴²² *Ibid*, p. 320.

of a people. Conversely, the maintenance or regaining of traditional land can cement the continued cultural identity of a people.

The evidence in this paper has illustrated that historically, the forebears of the Komaggas community made beneficial and often sole usage of lands surrounding the current reserve. It is true that no document exists that states outright that the residents and their forefathers owned and used a *specific* portion of land. However, there is sufficient evidence showing usage over a much larger area than the people of Komaggas currently have access to. For years the community has been systemically sidelined and their prerogatives relegated. Logic must be used in such cases and we need to read between the lines of the historical record. A restructuring of the current land ownership patterns is vital to the stability and development of our still young democracy. Extreme measures need to be employed to even out the skewed nature of land ownership and usage. It does not seem hyperbolic to state that the future of our country depends on this.

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