"We Must Never Forget Where We Come From": The Bafokeng and Their Land in the 19th Century Transvaal

J. S. Bergh

History in Africa, Volume 32, 2005, pp. 95-115 (Article)

Published by Cambridge University Press

DOI: https://doi.org/10.1353/hia.2005.0005

For additional information about this article
https://muse.jhu.edu/article/187876

For content related to this article
https://muse.jhu.edu/related_content?type=article&id=187876
“WE MUST NEVER FORGET WHERE WE COME FROM”: THE BAFOKENG AND THEIR LAND IN THE 19TH CENTURY TRANSVAAL

J.S. Bergh
University of Pretoria

I

The aim of this paper is to analyse the events, forces, realities, challenges and opportunities with which the Bafokeng community in the vicinity of Rustenburg was confronted during the course of the nineteenth century, especially with regard to the loss of their land and the way they responded to this dispossession. Much of the groundwork for their subsequent successful acquisition of land was laid during this period. These successes—and the good fortune of the Bafokeng that rich platinum deposits were later discovered on the land they obtained in this way—elevated them to a prominent position at the beginning of the twenty-first century. The status of the Bafokeng was emphasized when the former South African President Nelson Mandela, the Home Affairs Minister Mangosutho Buthelezi, the South African first lady Zanele Mbeki, and the Lesotho Queen Mother were among the guests at the coronation of Leruo Moletlegi as kgosi or chief of the Bafokeng in 2003.²

II

The dispossession of the land of the Bafokeng by white settlers from the end of the 1830s and the Bafokeng’s attempts to regain this land should be seen against a number of important nineteenth-century trends. Firstly,

¹Earlier versions of this paper were presented at the Biennial Conference of the Historical Association of South Africa, Stellenbosch, April 2004, and the Annual Meeting of the African Studies Association, New Orleans, November 2004. I wish to express my appreciation to Charles van Onselen, Ian Phimister, and Sue Cook for their constructive comments and suggestions for improving these earlier versions.

²Sunday Times, 17 August 2003 (“Bafokeng king takes the throne”).
there was the forfeiture to the white settlers of large tracts of land claimed by indigenous communities in European colonies in the nineteenth and earlier centuries. In southern Africa white settlers seized no less than 40.2 million hectares of land up to 1860 and another 107.3 million hectares during the next hundred years. A second important trend was the mineral revolution in the interior of southern Africa. Thirdly, the settlement of a large number of missionaries among African communities in this period also influenced the dynamics of the dispossession and acquisition of land.

Against this background the Bafokeng community represents a fascinating example of a counter-current defying the negative impact of the above-mentioned powerful trends and turning events to their own advantage. This phenomenon is especially striking if the relatively small population numbers of the Bafokeng during the nineteenth century are taken into account. It was estimated that in the 1880s they were approximately 3,000 in number (11.4%), out of a total African population of roughly 26,300 for the entire District of Rustenburg. By 1881 the African population of the whole of the Transvaal was approximately 775,000. On the other hand, although the District of Rustenburg could be regarded as one of the densest areas of white settlement, the population numbers of white settlers in this district by 1886 were only about 6,500 out of a population of 45,000 for the entire Transvaal at the time.

The value of focusing on the Bafokeng community is that this offers an opportunity to understand in greater depth the socio-economic and political processes at work at that stage. In addition, it also opens up new insights into the very interesting relationship between, on the one hand, a prominent and talented African leader, Mokgatle Thethe, kgosi of the Bafokeng, and, on the other hand, Paul Kruger, who was later to become president of the South African Republic and was one of the best-known


4Transvaal Archives (hereafter TA), Archives of the Superintendent of Natives (hereafter SN) 177, Minutes of Native Location Commission, 22 August 1883 and 26 December 1887, 15, 43; F.J. Potgieter, “Die Vestiging van die Blanke in Transvaal (1837-1886) met Spesiale Verwysing na die Verhouding tussen die Mens en die Omgewing,” *Archives Year Book for South African History* (1958/2), 25. In 1906 the population numbers of the Bafokeng were calculated to be 11,673 (TA, Archives of the Native Location Commission, 1904-1908, hereafter C27, vol. 13, Reports on Rustenburg Locations, C. Griffith to Location Commission, 11 February 1906) and the above estimation of 3,000 for the 1880s is perhaps too low.

leaders in southern Africa at that time. The farm Kruger lived on, Boekenhoutfontein, and the settlement of Mokgatle and his Bafokeng followers on the farm Beerfontein were adjacent to each other.

During the past fifty years a few publications have appeared that have made a substantial contribution to our knowledge of Bafokeng history. Initially, contributions were made from an anthropological, ethnological, and archaeological perspective, but they nevertheless contained useful material for the historian to work with. These publications were followed by the autobiography of Naboth Mokgatle, first published in 1971. His grandmother was a wife of the Bafokeng kgosi Mokgatle Thethe, and he relates not only his own experiences at Phokeng, where he was born in 1911, but also Bafokeng oral traditions that had been passed on to him as a child. Belinda Bozzoli’s Women of Phokeng was published in 1991. Although the period Bozzoli covers (1900-1983) falls mainly outside the scope of this paper, she includes a chapter on “[t]he Bafokeng: Myths and Realities of the Past.” Both Bozzoli’s and Mokgatle’s publications are important, especially because they provide insight into the historical consciousness of the Bafokeng and enable us to compare the oral traditions that they have recorded with other sources. In the past four years another three publications on the history of the Bafokeng have been released, but they all focus on the last half of the twentieth century.

Apart from the above-mentioned publications with a more direct focus on the Bafokeng community, a number of other publications contribute to a better understanding and analysis of the environment and structures that had an influence on the history of the Bafokeng in the nineteenth

9Ibid., 27-38.
century. In this paper the material is arranged under the following headings: the period of dispossession up to the 1860s; new opportunities from the end of the 1860s; the Bafokeng and the formal trusteeship system; and conclusion.

III

According to Bafokeng oral traditions, the land in the Transvaal that they regarded as their traditional land from about 1700 extended to the Selons River in the west, Sterksroom in the east, the Magaliesberg in the south, and at least up to the Elands River in the north. Against the background of their relatively small numbers, this area probably refers to land occasionally utilized by them, for example, for pastoral purposes, especially in times of drought. In the first half of the nineteenth century they seem to have been dispossessed of all this land.

Although the Bafokeng community was severely disrupted by the Khumalo Ndebele of Mzilikazi during the 1820s and 1830s, it was the settlement of white farmers in this region from the end of the 1830s that threatened to dispossess them of their land permanently. After their mil-

---


12 Coertze, Bafokeng Family Law, 34; August Mokgatle testified before the Native Location Commission on 17 December 1906: “[o]ur tribe has lived in this part of the country for a very long time. Thirty two chiefs have died here in succession” (TA, C27, vol. 13, Evidence of Chief August Mokhatle and Indunas, 17 December 1906).

13 TA, Archives of the State Secretary (hereafter SS) 139, Supl. 27/1871, Declaraties aangaande overwinning van Moselikatze door de oude emigranten, Verklaring van den Hoofd Capitein Magata wonende in het District Rustenburg, 1871, 106-07; Coertze, Bafokeng Family Law, 33-37.
itary victory against the Khumalo Ndebele, white farmers claimed the central and western part of the Transvaal by right of conquest and they began to settle in this area from 1839. In this process white settlers encroached on land claimed by African communities. The land in the immediate vicinity of the Bafokeng settlement at Phokeng (where the farm Beerfontein No. 263 was later demarcated) must have been much sought after by white settlers. Almost all the farms established there incorporated the word “fountain” as part of their names, indicating an adequate water supply in that area. Also, the Bafokeng settlement lay within an area of relatively constant and predictable summer rainfall where fertile soil types were found.\textsuperscript{14}

However, the initial contact of the Bafokeng with the white settlers apparently went well. According to the testimony of Mokgatle Thethe before the 1871 African Labour Commission, the leader of the white settlers, Hendrik Potgieter, set land aside for the Bafokeng. It appears that this land included the farms Boekenhoutfontein No. 260 (by 1871 the farm of Commandant-General Paul Kruger), Turffontein No. 262, and the farm of a certain Jan Botha. Some sources also refer to the farm Kookfontein No. 265 in this regard. Mokgatle claimed that white farmers had settled on this land and had taken it away.\textsuperscript{15} This claim by Mokgatle was confirmed by another source, namely the earliest farm registers of the Transvaal. In these farm registers descriptions are given of the location of white farms in the vicinity of Mokgatle’s kraal. In the case of Zacharias Johannes de Beer’s farm Beerfontein No. 263, for example, the description noted in July 1849 was: “[l]ocated next to the Magaliesberg on the lands (plaats) of the native chief Mogata [Mokgatle].”\textsuperscript{16} Similar entries with regard to land on or adjacent to Mokgatle’s land were made in a few other cases as well, with one entry dating back to as early as 1843.\textsuperscript{17} Fur-


\textsuperscript{16}TA, Plaas Requestenregister (hereafter RAK) 2433, Z.J. de Beer, Beerfontein, 30 July 1849, no. 462, folio 42.

\textsuperscript{17}J.S. Bergh, “To Make Them Serve’: the 1871 Transvaal Commission on African Labour as a Source for Agrarian History,” HA 29(2002), 44.
ther corroboration of Mokgatle’s testimony is to be found in the debate on the report of the 1871 Commission on African Labour in the Volksraad. J.R. Lys, a Member of the Volksraad for Pretoria, referred to the original allocation of land to Mokgatle as follows:

[Lys] asked whether Magata [Mokgatle Thethe] still had the farm granted to him by the Government. He said no, speculators took over the farms and later sold these to the detriment of the state. It should not happen again that two or three people enrich themselves in such matters and he regretted that the Government had not earlier countered such acts and he wished to know what should be done now when the land was lost.\textsuperscript{18}

Commandant-General Paul Kruger, who must have felt that Lys was implicating him by this accusation, responded to it:

[Kruger] felt compelled to defend himself against Mr Lys because he had bought the land of Magata [Mokgatle Thethe] nearly seventh hand as not to have the natives oppressed.\textsuperscript{19}

These three sources seem to confirm independently of each other that land had been allocated to the Bafokeng by white leaders/authorities in the pioneer phases of white settlement in the Transvaal—perhaps very much in the same way as in the cases of the Bahurutshe and Rapulana Barolong—and that white settlers encroached on these lands very soon afterwards and dispossessed the Bafokeng.\textsuperscript{20}

The process of land dispossession was stimulated by the concession of the Transvaal government to those white settlers who had settled in the Transvaal before 1852 that they qualified for two farms per household free of charge.\textsuperscript{21} Land dispossession of African communities was also expedited by the activities of a small group of wealthy and influential speculators who participated actively in the practice of land accumulation

\textsuperscript{18}Bergh/Morton, “To Make Them Serve…”, 158: Minutes of the Volksraad, 13 November 1871, article 344.
\textsuperscript{19}Ibid, 158-59.
\textsuperscript{20}Evidence taken at Bloemhof before the Commission Appointed to Investigate the Claims of the South African Republic, Capt. N. Waterboer, West Griqualand, and Certain Other Native Chiefs, to the Portions of the Territory on the Vaal River, Now known as Diamond Fields (hereafter Bloemhof Blue Book 1871) (Cape Town, 1871): Evidence of Moiwa, 3 June 1871, and Matlaba, 2 June 1871, 316-17, 363.
\textsuperscript{21}F. Jeppe, and J.G. Kotzé, eds., De Locale Wetten der Zuid-Afrikaansche Republiek, 1849-85 (Pretoria, 1887), 142: Minutes of the Volksraad, 28 September 1858 (sic) (1860), art. 149.
in the Transvaal. Trapido, for example, argues convincingly that ZAR officials, such as field-cornets and landdrosts, played an important role in this regard. They were in a position to take advantage at an early stage of information that had reached them on land that would become available. Furthermore, these officials were sometimes remunerated with land because of the weak economic position of the Transvaal government in the first few decades. Trapido identifies two prominent Boer leaders of the nineteenth century, Paul Kruger and Piet Joubert, who were heavily involved in land transactions and who had benefited from the practice of payment for services in land in lieu of salaries.\(^{22}\)

For the purposes of this paper, special emphasis is placed on Kruger’s activities as a land speculator, since he lived in the immediate vicinity of the Bafokeng. From the late 1850s to the 1870s Kruger was involved in at least 26 land transactions in the Rustenburg District. In nine of these transactions government awarded him farms, probably as payment for his services. More than half of Kruger’s land transactions were in connection with farms in the vicinity of the Bafokeng settlement.\(^{23}\) A few other officials and business and professional people in the Rustenburg District, however, were also very active in land speculation.\(^{24}\)

The encroachment of white settlers from the late 1830s onwards on land utilized by African communities left the Bafokeng without any land of their own by the 1850s and 1860s. In addition, no legal provision was made for Africans to re-obtain land and have it registered in their own names.\(^{25}\) In this regard it was the duty of the field-cornets in the Transvaal to demarcate locations for African communities to live on.\(^{26}\) In the process the Bafokeng became vulnerable to attempts by the Transvaal government to make their labor more readily available to the white settlers, even at the expense of their survival as a community. In the 1858 guidelines to field-cornets it was stipulated, for example, that those Africans who did not fall under a kgosi were compelled to report to a field-cornet to make their labor available.\(^{27}\) It was also the explicit aim of the Native Law of 1870 to promote African subservience and the availability of African labor to white farmers by introducing taxes. Article 15 of this Law states:

\(^{22}\) Trapido, “Reflections,” 355-58.
\(^{23}\) TA, RAK 3015-3023, Farm register books for the District of Rustenburg.
\(^{24}\) Bergh, “To Make Them Serve,” 47.
\(^{25}\) See, for example, Article 159 of the Volksraad Minutes of 18 June 1855 and the so-called Thirty-Three Articles of 1844 in Jeppe/Kotzé, Locale Wetten, 1-6, 31.
\(^{26}\) Ibid., 97: Instructie voor Veldcornetten, 17 September 1858.
\(^{27}\) Ibid.
For the privileges and protection the natives enjoy from this Government and for the purpose of in this way making them liable to service to the white residents, it is resolved and determined by these presents that the natives and other coloured people shall annually pay a tax for the benefit of the Government of this Republic.\textsuperscript{28}

Those Africans who lived on the farms of white farmers were taxed at a rate of 2s 6d, those not living on farms but in the employment of farmers, five shillings, and those “who are not serving” ten shillings.\textsuperscript{29} Similar provisions were previously included in Ordinance No. 2 of 1864\textsuperscript{30} and in the Native Law of 1866.\textsuperscript{31}

How did the Bafokeng respond to these challenges in the early stages? It would seem that, as an initial countermeasure, they decided to enter as a community into various labor and rent-paying agreements with individual white farmers in their vicinity to gain some financial independence. In the testimonies before the 1871 Commission on African Labour, some information on three of these agreements emerged. Mokgatle testified, for example, that he had rented a farm from Willem Pretorius for one year. This could have referred to the farm Morgenzon No. 261, which was adjacent to Mokgatle’s kraal on the farm Beerfontein No. 263. Willem Francois Pretorius was the owner of this farm for a few years.\textsuperscript{32} The Bafokeng also rented the farm Rietspruit No. 83 on the Elands River from Gert Botha, and after he sold it to Paul Kruger and his son Jan, they rented Paul Kruger’s half of the farm.\textsuperscript{33} In addition Mokgatle had an agreement with the co-owners of the farm Kookfontein No. 265, Paul Kruger and Nicolaas Theunissen, to cultivate the lands and to deliver the crop to them.\textsuperscript{34} Although this appears to have been a labor tenancy agreement, it

\textsuperscript{28} Bergh/Morton, “To Make Them Serve…”, 174: Wet no. 9 (1870), Native Taxes and Vagrancy Law, Article 15.
\textsuperscript{29} Ibid, Articles 16 and 17.
\textsuperscript{31} J.H. Breytenbach and D.C. Joubert, eds., *South African Archival Records, Transvaal No. 5*, Minutes of the Volksraad...with Annexures, 425: Wet ter voorkoming van landloopery, dievery ..., Articles 15-18.
\textsuperscript{34} Ibid., Testimonies of Christof Penzhorn, 29 September 1871, and Mokgatle Thethe, 27 September 1871.
is also possible that some kind of sharecropping arrangement were included.\textsuperscript{35}

\textbf{IV}

Two events at the end of the 1860s created new opportunities for the Bafokeng to improve their position—the arrival of Hermannsburg missionaries among them in 1867\textsuperscript{36} and the discovery of diamonds in the vicinity of where Kimberley was later established.\textsuperscript{37} Historians differ as to the significance of missionary influence on African communities and the extent to which missionaries can be regarded as agents of imperialism.\textsuperscript{38} More research is required on the German missionaries in southern Africa. In the case of the Hermannsburg missionaries it is clear, however, that they played an important role in at least one central aspect of the lives of the Bafokeng—their attempts to buy land. Christoph Penzhorn established the Saron Mission Station on the farm Beerfontein No. 263 in 1867, and Christoph Backeberg apparently also worked among the Bafokeng for a few months in 1866.\textsuperscript{39} The significance of Penzhorn’s presence among the Bafokeng was that it gave them a means of circumventing the restrictions on African land ownership. They were now able to use him to buy land for them and to have it transferred into his name, but on the understanding that he would keep the land in trust for them.

Mokgatle and Penzhorn apparently approached Paul Kruger with a request to buy his farms Beerfontein No. 263 (portion one) and Turffontein No. 262 soon after Penzhorn had settled among the Bafokeng. The deed of sale for Beerfontein No. 263 was signed on 4 November 1868. In this deed the right of Mokgatle and his people to live on the farm from generation to generation was guaranteed. If they were to decide to leave the farm, however, the servitude was to lapse.\textsuperscript{40} In the deed of transfer for the farm Turffontein No. 262 of 18 July 1871 it was

\textsuperscript{35}Bergh, “‘To Make Them Serve’,” 52-53.
\textsuperscript{36}H. Pape, \textit{Hermannburger Missionare in Südafrika} (Pretoria, 1986), 139.
\textsuperscript{39}G. Haccius, \textit{Hannoversche Missionsgeschichte III} (Hermannsburg, 1914), 237-38; Pape, \textit{Hermannburger Missionare}, 139.
\textsuperscript{40}TA, SS 1144, R6352/85, Deed of Sale between SJP Kruger and C Penzhorn, 4 November 1868, 79-80.
stated that the same stipulation as in the deed of sale for Beerfontein No. 263 would apply to Turffontein No. 262 as well. In both cases it was mentioned that Penzhorn was acting on behalf of the Hermannsburg Mission Society. The purchase price of Beerfontein No. 263 and Turffontein No. 262 together was £900.\footnote{Ibid, Deed of Transfer No 8133, Turffontein, and Deed of Transfer No 8134, Beerfontein, 18 July 1871, 77-78.} Penzhorn contributed £150 to this amount, thereby obtaining a small portion of Beerfontein for the Mission Society, as well as grazing rights and the right to gather timber and stones for building purposes on the entire farm.\footnote{TA, C 27, vol. 13, Evidence of Chief Mokhatle and Indunas, 17 December 1906.}

This purchase was apparently preceded by an attempt by Kruger to persuade the Transvaal Government to institute some kind of trusteeship system to accommodate African communities that wanted to buy land. The Executive Council was favorably inclined towards such a possibility, but the Volksraad was more cautious and referred the matter back to the Executive Council.\footnote{TA, Archives of the Executive Council (hereafter UR) 2, URB, 21 January 1868, art. 14, 583-84; J.H. Breytenbach, ed., \textit{South African Archival Records, Transvaal No 3}, 28-29: Minutes of The Volksraad, 6 October 1868, art. 111.} Kruger did, however, succeed in getting the Executive Council’s to acknowledge the right of Mokgatle and his people to live permanently on the farms Beerfontein No. 263 and Turffontein No. 262.\footnote{TA, UR 3, URB, 19 July 1869, art. 1, 124-25.}

Apart from Beerfontein No. 263 and Turffontein No. 262, Penzhorn was instrumental in obtaining the following farms for the Bafokeng during the 1870s: Goedgedacht No. 267, Boschfontein No. 268, Styldrift No. 90, Goedgedacht No. 114, Goedgedacht No. 110, Turffontein No. 302, Klipfontein No. 300, and Kleindoornspruit No. 108. Apart from this, in 1875 he and a few other Hermannsburg missionaries succeeded in buying the farm Morgenzon No. 261, where they established a school for the children of missionaries.\footnote{TA, RAK 3015-3023, Farm Register Books for the District of Rustenburg; Pape, \textit{Hermannsburger Missionare}, 139-40.}

Almost simultaneously with the establishment of the Saron Mission station, another Hermannsburg missionary, Hermann Wenhold, established a second mission station among the Bafokeng in 1867, namely, Kana, initially on the farm Tweedepoort No. 283, but after December 1869 on the farm Reinkoyalskraal No. 278 on the banks of the Hex River.\footnote{Coertze, \textit{Bafokeng Family Law}, 43; Unisa Archives, ADA 366595 (266.4168 WEN), Chronik der Missionstation Kana von Missionar Hermann Wenhold, 1-2.} Like Penzhorn, Wenhold assisted the Bafokeng to buy farms. He
succeeded in obtaining Tweedepoort No. 283, Reinkoyalskraal No. 278, Elandsheuwel No. 282, and Vlakfontein No. 276 for the Bafokeng in the period up to the end of the 1870s.\textsuperscript{47}

The discovery of diamonds at the end of the 1860s was the other major contributory factor to the success of the Bafokeng in obtaining land on a relatively large scale. From evidence on the remuneration of African laborers on white farms at the beginning of the 1870s, it is clear that the Bafokeng would not have been able to buy farms solely from the income they earned as laborers. In some instances African laborers complained that they had not been remunerated regularly.\textsuperscript{48} In other cases African laborers on farms received a mere two to eight sheepskins per month.\textsuperscript{49}

It should be remembered, however, that most African communities did not possess any land in the Transvaal in the 1860s and 1870s and might have concluded labor tenancy or rent tenancy agreements with white farmers and that this would have influenced their remuneration.\textsuperscript{50} In contrast, even in times when labor was oversupplied, African laborers on the diamond fields in Kimberley and the vicinity could have earned £1 per month at the beginning of the 1870s.\textsuperscript{51} Several officials testified before the 1871 African Labour Commission that they were aware of many Africans from the Pretoria and Rustenburg districts who had gone to the diamond fields.\textsuperscript{52} Commandant Solomon Prinsloo of the District of Pretoria even testified that “the natives have left in their hundreds for the diamond fields, a fact which I have seen with my own eyes.”\textsuperscript{53}

According to Bafokeng tradition recorded in the 1960s, Mokgatle deliberately sent Bafokeng men to work on the diamond fields, but on the understanding that a portion of their income should be paid to him for the purpose of buying farms.\textsuperscript{54} In his chronicle of the mission station at Kana, Hermann Wenhold related, for example, how Mokgatle sent 220 of his men to the diamond fields in 1877 to earn money with this aim in mind. After their return each man had to hand over £5 of the money they

\textsuperscript{47} TA, RAK 3015-3023, Farm Register Books for the District of Rustenburg.
\textsuperscript{50} Bergh, “To Make Them Serve’,” 48-52.
\textsuperscript{51} De Volksstem, 17 October 1873 (“Arbeiders op de Diamandvelden”).
\textsuperscript{53} Ibid., p. 74: Testimony of S.T. Prinsloo, 11 September 1871.
\textsuperscript{54} Coertze, Bafokeng Family Law, 40.
obtained to Mokgatle.\textsuperscript{55} This enabled him successfully to embark on a project to buy back some of the land utilized by the Bafokeng before the arrival of white settlers. From the evidence of \textit{kgosi} August Mokgatle and some of his councillors before the Native Location Commission in December 1906, it would appear that some of the farms had originally been bought by Mokgatle Thethe and other farms by the “tribe.”\textsuperscript{56}

It would seem that the money brought back by Bafokeng men from the diamond fields (and later the gold fields of the Witwatersrand) also enabled other individuals in the Bafokeng community to participate in buying back land. For example, in December 1906 Petrus Mokgatle testified before the Native Location Commission that the farm Zanddrift No. 82 “belongs to me personally and alone. I paid £600 for the farm.”\textsuperscript{57} In the case of Haakbosch No. 79 \textit{kgosi} August Mokgatle testified that his grandfather, Mokgatle Thethe, had bought it for his sons Abraham and Dick—presumably with money they provided. The farm Bierkraal No. 120 was bought by four Bafokeng kraals, Tweedeport No. 283 by the “petty chief” Charlie Molisaking and two others, and Turffontein No. 302 by the “petty chief” Hlage and his following.\textsuperscript{58}

Mokgatle Thethe undeniably played an important part in persuading the Bafokeng community to use the opportunities presented by the settlement of missionaries among them and the discovery of diamonds. By then he was already well established as \textit{kgosi} of the Bafokeng, a position he had held for more than thirty years.\textsuperscript{59} He was also instrumental in reuniting the Bafokeng after a period of uncertainty and division in the 1820s and 1830s. In the end he ensured stability for more than five decades during the important period when white immigrants were settling north of the Vaal River and a working relationship with them had to be estab-

\textsuperscript{55}Unisa Archives, ADA 366595 (266.4168 WEN), Chronik der Mission station Kana von Missionar Hermann Wenhold, 6.
\textsuperscript{56}See, for example, the testimony with regard to the Honingfontein No. 122, Vlakfontein No. 276, Elandsheuwel No. 282, Kleindoornspruit No. 108, and Goedgedacht No. 114, where it was specifically mentioned that they had been bought by the kgosi and Beerfontein No. 263, Turffontein No. 262, Boschfontein No. 268, Klipfontein No. 300, Klipgat No. 281, and Reinkoyalaskraal No. 278 by “the tribe.” The testimony regarding Doornspruit No. 106, Stylrift No. 90, and Hartebeestspruit No. 88 indicates that these farms had been bought by “the chief and the tribe.” (TA, C27, vol. 13, Evidence of Chief August Mokhatle and Indunas, 17 December 1906).
\textsuperscript{57}TA, C27, vol. 13, Evidence of Chief August Mokhatle and Indunas, 17 December 1906.
\textsuperscript{58}Ibid.
\textsuperscript{59}Coertze, \textit{Bafokeng Family Law}, 38.
lished.\textsuperscript{60} Mogatle Thethe gives the impression of being an intelligent and clear-headed person. In the early 1860s he visited Moshweshwe, who probably informed him about issues such as the reaction to white settlement in the interior. During this visit he also interacted with the French missionaries.\textsuperscript{61}

The stability of Mogatle Thethe’s long tenure as kgosi, his strong and resourceful leadership and the Bafokeng’s determination to succeed as a relatively small community, must all have contributed to their making the most of the favorable circumstances that prevailed in the last half of the nineteenth century to buy back land. It would also seem that as a community the Bafokeng were relatively isolated in the area in which they lived and that this could also have fired their determination. Other Bafokeng communities had apparently settled in stages in the vicinity of present-day Lesotho and had been absorbed into the Southern Sotho.\textsuperscript{62} There is also the possibility that the Bafokeng did not split off from the Bakwena-Hurutshe unit in the western Transvaal/Botswana area at an early stage, as is generally assumed, but that they originally migrated to southern Africa as a separate unit.\textsuperscript{63}

In the course of the interviews she conducted in the early 1980s, Belinda Bozzoli encountered another possible contributing factor for Mogatle and the Bafokeng’s success in buying back some of their traditional land, namely “the patronage of Kruger.”\textsuperscript{64} The relationship between Paul Kruger and Mogatle and his Bafokeng subjects was, however, complex and ambivalent and needs some clarification.

On the one hand Kruger came across as stern and even harsh in his interactions with Africans. Against the background of the vulnerable position of the Transvaal government and the white settlement at the beginning of the 1870s, Kruger expressed himself very negatively on matters like black-white cooperation when he was asked by the 1871 Commission about the desirability of easier access for Africans to firearms and ammunition:

\textsuperscript{60}Ibid., 30-41.
\textsuperscript{62}Coertze, \textit{Bafokeng Family Law}, 17-23.
\textsuperscript{63}Ibid., 24-25.
\textsuperscript{64}Bozzoli, \textit{Women of Phokeng}, 35.
For me there is no vision of the future of our state if the [prohibition on the] sale of ammunition be repealed as in our state there are easily 1,000 coloured persons [kleurlingen] against one white. We cannot but regard them as the archenemies of the whites. If we ourselves help to prepare our enemies to get the opportunity to beat us, it would be better to hand our country over to them and go away ... for their entire nature is such that as soon as they get that opportunity, they will not allow the whites to stay a day longer in the country.65

Kruger's interpretation of Law No. 9 of 1870, which regulated labor relations in the Transvaal, was also inflexible and to the detriment of those Africans who were not serving as laborers. He was of opinion that, despite the fact that they were already penalized in the form of a much higher taxation, they were still liable to render service as laborers.66

Some African communities and individual African leaders were apparently afraid of Kruger. Kgamanyane, kgosi of the Kgafela Bakgatla of Pilanesberg, told Field-Cornet J.C. Jansen van Rensburg: “I see that the word of the Government is no longer true except that of the [Commandant] General. I have been beaten badly by the [Commandant] General.”67 Field-Cornet D.J. van der Merwe testified before the 1871 Commission: “Gamajan [Kgamanyane Pilane] personally told me before he left, that he was the only kapitein who got a beating on the orders of Mr [S.J.P.] Kruger.”68 Mokgatle also admitted to the 1871 Commission that he was afraid of Kruger.69 Both Mokgatle and Penzhorn, the missionary, in evidence given to the 1871 Commission, also described Kruger’s apparently harsh and unreasonable treatment of Mokgatle, citing the incident of the switch canes on Kruger’s former farm.70

On the other hand, this intransigent and exacting attitude of Kruger’s is in sharp contrast to his concern for Mokgatle and the Bafokeng. To name just one example, a visitor to this area in 1866 was impressed by

66Bergh, “To Make Them Serve”, 54-56.
68Ibid., 126: Testimony of D.J. van der Merwe, 4 October 1871.
69Ibid., 136: Testimony of Mokgatle Thethe, 27 September 1871.
the cordial relationship between Kruger and Mokgatle.\textsuperscript{71} When Kruger sold the farms Beerfontein No. 263 and Turffontein No. 262 to Christoph Penzhorn a few years later, the way he insisted on the entrenchment of the rights of Mokgatle and the Bafokeng was also quite remarkable. He initially tried to persuade the authorities to allow African communities to buy land officially by introducing elements of a trusteeship system. When this failed, he went to great lengths to ensure the rights of the Bafokeng to remain on the farms.

This seems to corroborate Kruger’s insistence during the Volksraad discussion of the report of the 1871 Commission that he had not violated Mokgatle and the Bafokeng’s land rights himself, but that “he had bought the land of Magata [Mokgatle Thethe] nearly seventh hand so as not to have the natives oppressed.”\textsuperscript{72} Although Kruger’s consideration for the Bafokeng was apparently mainly and cautiously exercised in the confidential setting of the Executive Council, as well as during the proceedings of the Location Commission, 1881-1899 (see below), he was clearly ahead of most of his contemporaries in his approach, as was evidenced by the Volksraad’s reluctance to accept the Executive Council’s recommendation on the matter. The fieldwork of R.D. Coertze in the 1960s confirmed that, according to the oral traditions of the Bafokeng, Mokgatle had high regard for Kruger.\textsuperscript{73}

This apparent contradiction can perhaps best be explained as a manifestation of paternalism. The well-known article by Charles van Onselen contains some very useful insights in this regard. Although van Onselen focuses on the first half of the twentieth century and on the southwestern Transvaal, he argues that many of the inherent elements of paternalism seem to be quite similar in different contexts of time and place. He illustrates that in paternalistic relationships the landlord used various devices to maintain his position as a strong patriarch.\textsuperscript{74} Van Onselen also maintains that:

When all else failed highveld landlords like Southern slave-owners before them, did not hesitate to resort to violence to ensure that their wishes prevailed over those of the tenants. “Whipping of recalcitrant workers by

\textsuperscript{71}Anonymous traveler’s account in the \textit{Natal Mercury} (11 December 1866), quoted by Morton, “Captive Labor”, 176. I am grateful to Fred Morton for bringing this to my attention.

\textsuperscript{72}Bergh/Morton, \textit{“To Make Them Serve...”}, 158-59: Minutes of the Volksraad, 13 November 1871, art. 344.

\textsuperscript{73}Coertze, \textit{Bafokeng Family Law}, 40.

\textsuperscript{74}Van Onselen, “Social and Economic Underpinning,” 133, 137, 140-45.
their masters”, Keegan observes, “was widespread and often caused conflict between landlords and heads of tenant households”. Nor did such practices necessarily negate the spirit of the relationships that we have been documenting. As Genovese has noted “Paternalism and patriarchal ethos did not demand kindness, although they may have encouraged it; much less did they demand indulgence. A strong patriarch is not less so for being severe, as long as he accepts the responsibility for the welfare of his children, as he and his society define such responsibility.”

This explanation seems applicable to Kruger’s relationship with Mokgatle and the Bafokeng, and helps to reconcile seemingly contradictory evidence. Furthermore, in his memoirs, written down at the end of his life, Kruger referred to another incident during the Anglo-Transvaal War of 1880/81, involving himself and Mokgatle, that corroborates the existence of a paternalistic relationship. Kruger apparently reprimanded Mokgatle and the Bafokeng because they had supplied provisions to the English soldiers in Rustenburg and had not remained strictly neutral. The Bafokeng apparently assumed a threatening attitude at times, but Kruger’s firm action brought about a change and he even discreetly obtained Mokgatle’s cooperation in providing him with fresh horses. Although Kruger was careful not to portray himself as being too sympathetic towards Mokgatle, the ability to come to an amicable agreement in such a delicate situation indicates an understanding between them. This relationship apparently continued between Kruger’s son Pieter and Mokgatle Thethe’s grandson August Mokgatle at the turn of the twentieth century. During the Anglo-Boer War, for example, Pieter Kruger gave the family bible that he obtained from his father to August Mokgatle for safekeeping.

V

Mokgatle and the Bafokeng acquired another nine farms during the last two decades of the nineteenth century, over and above the 14 farms they

75Ibid., 142.
76Memoirs of Paul Kruger, 175-78; Informers of the British forces in the vicinity of Rustenburg relate this incident differently, but their versions also differ substantially from each other (Rhodes House, Oxford, Lagden Papers, Diaries, Notebooks, 1877-1883, Mss. Afr. S 142-152: See, for example, the information supplied by “Lucas and Moses,” 28 February 1881, “Josiah and Cobus,” 3 March 1881, “Saul and Gert,” 7 March 1881, and “Fritz,” 7 March 1881).
had obtained in the 1860s and 1870s. These were Zanddrift No. 82, Bierkraal No. 120, Doornspruit No. 106, Kookfontein No. 265, Honingfontein No. 122, Haakbosch No. 79, Vaalkop No. 275, Hartebeestspruit No. 88 and Klipgat No. 281. This period also saw the purchase by the Bafokeng of the second portion of Beerfontein No. 263. These farms were acquired under different circumstances when the challenges were different from those encountered in the previous two decades.

The Pretoria Convention, which was concluded at the end of the Anglo-Transvaal War, instituted a Native Location Commission and article 13 of the Convention stipulated that “[n]atives will be allowed to acquire land, but the grant or transfer of such land will in every case be made to, and registered in the name of, the Native Location Commission.” After 1884 this land was registered in the name of the Superintendent of Native Affairs.

It was important for Mokgatle and the Bafokeng to be aware of the guidelines of the Location Commission and to plan their land policy accordingly. The Commission’s standards for determining the extent of the various locations, as well as their requirement that locations should constitute consolidated units, were among the most important limiting factors that Mokgatle and his subjects had to deal with. It is noteworthy that Mokgatle did not reveal the full number of farms he had bought to the Commission when they visited him for the first time on 22 August 1883. Paul Kruger, who was the Chairman of the Commission on this occasion and must have been well informed about Mokgatle’s land holdings, apparently closed his eyes to this. Mokgatle merely revealed to the Commission a list of eight farms that formed a consolidated unit, namely Beerfontein No. 263, Turffontein No. 262, Uitvalgrond No. 105, Klein Doornspruit No. 108, Goedgedacht No. 110, Styldrift No. 90, Hartebeestspruit No. 88, and Goedgedacht No. 114.

Fortunately for Mokgatle, the Executive Council of the ZAR made a liberal revision to the guideline to the Commission regarding the extent of land permitted per household only a few days prior to the visit to the

78 Report by the Commissioner for Native Affairs relative to The Acquisition and Tenure of Land by Natives in the Transvaal, Pretoria, July 1904, 96-105.
79 Ibid., 96; TA, RAK 3015-3023, Farm Register Books for District of Rustenburg.
81 Jeppe/Kotzé, Locale Wetten, 1250-59: Conventie, 27 February 1884.
82 Bergh, “Grondrege in Suid-Afrika,” 43.
83 TA, Archives of the Superintendent of Natives (hereafter SN) 177, Minutes Native Location Commission, 22 August 1883, 15-16.
Bafokeng (Kruger’s influence?). The Commission was now empowered to take into account previous arrangements with African communities and land purchases by them. In such cases the guideline of allowing each household to own up to 12 acres (5 hectares) may have been relaxed. The Bafokeng apparently became aware of this concession only during the Commission’s visit.\(^8^4\)

The Commission probably only were informed of the full extent of the farms Mokgatle had bought during their second visit to the Bafokeng in December 1887.\(^8^5\) At that stage Mokgatle must have perceived the provisions of the Squatter Act of 1887 as a real threat—especially the stipulation that only five African households were permitted per farm outside the locations.\(^8^6\) In view of this, the Hermannsburg missionaries applied for permission for the mission station at Kana on the farm Reinkoyal-skraal No. 278 not to fall under the provisions of the Squatter Act. Mokgatle also complained to the Commission that his location of eight farms was too small for all his subjects to live on and told the Commission that ten of his farms fell outside this official location. The Commission decided to bring this to the attention of the Government, but it is not certain what the outcome was.\(^8^7\) In the late 1880s and early 1890s the missionary Wenhold complained about the potentially disruptive effects of the Squatter Act both on his mission station at Kana and on the Bafokeng community in general. It would seem that there was some pressure on the Bafokeng to comply with the provisions of the Squatter Act.\(^8^8\) Despite this, other evidence suggests that the Squatter Act was never systematically enforced in the Transvaal in the nineteenth century.\(^8^9\)

VI

After the late 1860s the Bafokeng succeeded in buying back substantial portions of what they regarded as their traditional land. At the beginning

\(^8^4\)Ibid., 15; J.S. Bergh, “Grondregete,” 43.
\(^8^5\)TA, SN 177, Minutes of the Native Location Commission, 24 and 26 December 1887, Articles 70 and 71, 42-45.
\(^8^7\)TA, SN 177, Minutes of the Native Location Commission, 26 December 1887, 43-45.
\(^8^8\)Unisa Archives, ADA 366595 (266.4168 WEN), Chronik der Missionstation Kana von Missionar Hermann Wenhold, 16-17, 18.
of the twentieth century they owned at least 23 farms under the formal and informal trusteeship systems. This achievement is even more remarkable when one compares it with the land purchases of other African communities in the Transvaal. Collectively these communities only managed to buy 95 farms during the same period. Although the Bafokeng community comprised only a very small portion of the African population in the Transvaal, they were responsible for almost 20% of the land purchases by all African communities.\(^90\)

It is clear that a number of factors contributed to the success of the Bafokeng. The roles played by the Hermannsburg missionaries, and especially Paul Kruger, as well as the opportunity to improve their financial position on the diamond fields, were of decisive importance. But the Bafokeng’s “group pride” and “history of resilience and self-assertion,” encouraged and guided by the capable kgosi Mokgatle who furthered their interests during his long reign of more than 55 years, must have been even more crucial.\(^91\) These achievements give meaning to the words of Leruo Moletlegi in the days preceding his coronation as kgosi of the Bafokeng in 2003: “we must never forget where we come from.”\(^92\)

\(^{90}\)Report of the Commissioner for Native Affairs relative to the Acquisition and Tenure of Land by Natives in the Transvaal (Pretoria, 1904), 96-105.

\(^{91}\)Bozzoli, Women of Phokeng, 28.

\(^{92}\)Sunday Times Business Times, 10 August 2003 (“The Bafokeng Hail a New King”).