

THE BATTLE OF NAMOHA, QWA-QWA (1950): AN ORAL HISTORY PERSPECTIVE

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1. INTRODUCTION

Between 1940 and 1960 there was a succession of bitter territorial conflicts between peasants and the authorities in the African reserves of South Africa. During this period the state played an increasingly interventionist role in the countryside. The reserves were needed for new economic and political functions, and a series of attempts were made to restructure them accordingly. In the process, established social relationships were disrupted whilst conflict between these communities and the government became increasingly more commonplace. Popular reactions to the reshaping of rural societies were heated and, in some cases, violent. Against this backdrop certain communities were becoming increasingly more inherently suspicious of any actions and involvement of the authorities - irrespective whether these were politically motivated or part of apolitical considerations. Within this context, the article will examine the causes, course and consequences of the so-called Namoha Battle of 1950 with an oral history focus.

2. CONTEXTUAL BACKDROP

After the Basotho War of 1866, Paulus Mopeli, a half brother of Moshoeshoe, negotiated with the President of the Orange Free State, President Brand, for an independent peace treaty for his people. Witsieshoek was allocated to him where the former residents, the Makholokoe, under Chief Oetsi (Witzie) had been removed. An agreement, popularly known as the *Traktaat*,¹ dated 1 June 1867, was entered

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¹ An agreement entered into between Chief Paulus Mopeli, on behalf of his people and President Brand, representing the Orange Free State government. The agreement allowed the Basotho to settle in Witsieshoek under certain conditions. The general understanding and interpretation of the *Traktaat* by many of the Basotho was that if Chief Paulus Mopeli could respect the payment of tax and prevent theft and spilling of blood for the next one hundred years, then this area would belong to him, his children and his offspring forever. During Chief Paulus Mopeli's reign, these peace initiatives were enforced. To them Witsieshoek belonged to the Basotho and should be ruled according to their tradition. However, the legal validity of the *Traktaat* had ended in 1907, according to the Orange Free State Patent of 1907, which, inter alia, provided that: "no lands set aside for occupation by the Natives shall be diverted from the purpose for which they were set

into with Paulus Mopeli and the Basotho moved into the area. Apart from being subject to the laws of the country, criminal as well as civil, the Witsieshoek residents lived to a great extent in their tribal setting and according to tribal customs and laws with the Paramount Chief² serving as a leader, legislator, judge and administrator. He exercised his duties through his councillors and headmen, who assisted him in an advisory capacity.³

From 1907 the Additional Native Commissioner was stationed in Witsieshoek, and the Reserve⁴ as such fell within the magisterial district of Harrismith. In terms of Ordinance 6 of 1907, a Reserve Board was constituted in that year. It consisted of six blacks and a white chairperson and vice chairperson.⁵ The functions of the Board were laid down in section 9 of Ordinance No. 6 of 1907. These included: the construction and maintenance of roads, the erection of fences, the making of furrows, the provision of water supplies, the provision of sanitary services and the improvement of livestock and agriculture.⁶

In 1936 the Union government (hereafter referred to as the government) passed the Native Trust and Land Act⁷ (hereafter referred to as the 'Trust'). The 1936 Act made provision for the establishment of the Native Trust to buy up land in the so called released areas to be occupied and farmed by Africans under stringent supervision by the Trust officials. As the population and livestock increased, more and more land was needed for cultivation. Overstocking and overgrazing became acute in the reserves and drastic steps were needed to halt the rapid deterioration of the land. The government, in response to the need for more land and to make the Reserves economically viable, introduced measures which were aimed at im-

apart, otherwise than by the Law passed by the Legislature". Furthermore, in terms of Section 147 of the South Africa Act of 1910, the state was the owner of the land and held it in trust for the Natives. The state, therefore, had the absolute right to effect any change in respect of the land and its administration. Many of the Basotho who did not understand the legal status of the Reserve and the fact that the *Traktaat* was no longer valid, believed that Trust regulations were forced upon them deliberately to provoke them so that they would retaliate and lose the land.

² The Paramount Chief is the chief occupying the highest authority in a given African community. He is the leader of the nation which is made up of different groups in different areas. Because of the large nation he leads, he would appoint subchiefs for different villages to assist him in ruling the nation. These chiefs would become the eyes and ears of the Paramount Chief. Apart from these chiefs, the Paramount Chief would also have his own council which advises him. The position of the Paramount Chief is hereditary, so is that of the subchief.

³ National Archives Repository,(NAB) Vol.1, File 346/08, Regarding the powers of the chief of Witsieshoek, 1908.

⁴ A Reserve was an area set aside exclusively for Africans' residential purposes by the former South African Government.

⁵ National Archives Repository,(NAB) Vol.1, File 346/08, Regarding the powers of the chief of Witsieshoek, 1908.

⁶ Naturellek, Central Archives Depot, Pretoria (NTS), TS, Vol. 8150, File 15/341, Secretary of Native Affairs to M Senooane.

⁷ T Lodge, **Black politics in South Africa since 1945**, (London, 1990) p. 261.

proving conditions in the reserves. On 13 October 1939, in terms of Proclamation No. 31 of 1939, Witsieshoek Native Reserve was declared a betterment territory.⁸ Thus measures popularly known as a betterment scheme were introduced. The betterment measures were embodied in the Native Trust and Land Act of 1936.⁹

The objectives of these measures were to enforce stock reduction, curtail over-grazing, consolidate arable land and provide soil conservation measures. They were also aimed at drawing scattered populations into closer settlements and to provide normal facilities to improve soil conservation.¹⁰ The implementation of these measures, however, resulted in a sense of deprivation and powerlessness among the people who were affected by them. The measures inaugurated by the Trust were seen by the Basotho as amounting to the curbing of their freedom with respect to their cattle and other stock.¹¹ According to the informants, these measures placed the Basotho under the direct jurisdiction of the Native Commissioner in terms of their stock, land, grazing rights and the felling of the trees planted by them or their ancestors. Several appeals and representations were made to the government to immediately suspend its activities in the Reserve, but all proved futile.¹²

3. THE CAUSES OF THE NAMOHA BATTLE

The first step the government took was the demarcation of areas into camps. In the camped areas only certain types of livestock could graze in specified camps. These were the newly acquired Afrikander and Swiss bulls. The Basotho cows were not allowed to graze in those camps unless they were 'given' to the bulls for mating. This arrangement angered the Basotho who wanted more land for their increasing livestock.¹³ Chief Setsoto Mopeli, a sub-chief at Poelong village, recalled that: "(i)f one's cow crossed in one of those camps, you were fined. We started objecting to these camps. As a protest we cut the fences, but the Paramount Chief became furious and instructed us to repair the damaged fences. Those who failed to heed his call were fined cows and others were forced out of Witsieshoek."¹⁴

⁸ Government Notice (G.N.) No. 1573 of 13 October 1939. It declared the Witsieshoek Native Reserve a betterment area under Proclamation No. 31 of 1939.

⁹ Lodge, p.179.

¹⁰ *Ibid.*

¹¹ Personal collection, tape-recording of interviews with: Chief Setsoto Mopeli, a subchief at Poelong village, 25 September 2001; Mr Leuta Twala, an ordinary Mosotho from Bolata village, 27 March 2002; Chief Disala Mopeli, a subchief at Thaba Bosiu village, 23 September 2001; Mr Dibe Mohale, an ordinary Mosotho from Makeneng village, 19 September 2001.

¹² Personal collection, interviews with Mr Leuta Twala, 27 March 2002; Chief Disala Mopeli, 23 September 2001; Mr Dibe Mohale, 19 September 2001.

¹³ Personal collection, interviews with Mr Dibe Mohale, 19 September 2001; Chief Setsoto Mopeli, 25 September 2001; Mr Pusetso Mofokeng, an ordinary Mosotho from Monontsha village, 26 March 2002; Mr Harry Mothibi, an ordinary Mosotho from Mabilela village, 21 March 2002.

¹⁴ Personal collection, interview with Mr Tshepo Piet Mokoena, an ordinary Mosotho from Thaba Tshoana village, 10 April 2002.

In terms of section 7 of Proclamation 186 of 1941 approved by the Native Chief Commissioner, people who resided in the newly camped areas were ordered to move out.¹⁵ A subchief, Moreneng Howell Mopeli, assisted by his son, Kamohelo Paulus Mopeli (Mopelinyane¹⁶), refused to be removed from Boiketlo, their village. According to informants, this was the third time they were to move from their dwellings and they reluctantly agreed to move.¹⁷ It is thus not surprising that when the culling of livestock was proposed, Mopelinyane played a major role in mobilising people against cattle culling.¹⁸

According to informants Mopelinyane questioned the validity of the Trust and claimed that it violated the *Traktaat*. He led a group of people known as *Lingangele*.¹⁹ Mopelinyane, because of his association with the *Lingangele* and his stance with regard to the cattle culling, was regarded by the authorities as a dangerous person who should be removed from the Reserve. In his dealings with the authorities he distinguished himself as a shrewd leader.²⁰

Notwithstanding the authorities' attitude towards Mopelinyane, his selfless attitude appealed to the masses. He gradually came to be regarded as a hero who had successfully flouted the authorities. Because of Mopelinyane's aggressive lobbying and relentless activism against the authorities he was idolised. Consequently, the number of his adherents grew overnight and his followers moved through the Reserve with pride. Mopelinyane's stance against the cattle culling earned him the nickname *Morena wa diphoofolo*.²¹

¹⁵ NTS, 7459, File No. 506/327: Order to Remove, 1939.

¹⁶ Kamohelo Paulus Howell Mopeli, the eldest son (of five children) of a subchief, Moreneng Howell Mopeli, was born in Witsieshoek in 1896, and studied at the University of Fort Hare in 1924. He was popularly known as Mopelinyane amongst the Basotho. That was to differentiate him from the great Chief Paulus Howell Mopeli, whom he was named after. The suffix *-nyane*, denotes small or 'little'. Some people used this name to undermine him, labelling him *little thing*. He was actively involved in the campaign to resist cattle culling and was the leader of the resistant movement *Lingangele*. Mopelinyane was the cousin of the Paramount Chief, Charles Mopeli.

¹⁷ Personal collection, interviews with Chief Setsoto Mopeli, 25 September 2001; Rev. Ntjee Lecheko, a minister of religion at Maboletla village, 20 September 2001; Mr Dibe Mohale, 19 September 2001; Chief Disala Mopeli, 23 September 2001.

¹⁸ Personal collection, interviews with Chief Setsoto Mopeli, 25 September 2001; Mr Leuta Twala, 27 March 2002; Chief Disala Mopeli, 23 September 2001; Mr Dibe Mohale, 19 September 2001; Mrs Mafako Mohale, an ordinary Mosotho from Thaba Tshoana village, 5 April 2002.

¹⁹ Agitators/Those who stand firm.

²⁰ Personal collection, interviews with Chief Disala Mopeli, 23 September 2001; Rev. Ntjee Lecheko, 20 September 2001; Mrs Mamokhele Mahanke, 27 March 2002.

²¹ Personal collection, interviews with Rev. Ntjee Lecheko, 20 September 2001; Chief Setsoto Mopeli, 25 September 2001; Mrs Mamokhele Mahanke, 27 March 2002. "King of the animals", freely translated.

Another source of discord was the preferential treatment that was given to the white people in the Witsieshoek area. The white traders and the Dutch Reformed Church received larger farms and their land was not subjected to the Trust regulations. This angered the Basotho who complained to the government about the size of their plots as well as the exemption of white traders and church land from the Trust. Leuta Twala, an ordinary Mosotho from Bolata village, claimed: "We, the Basotho, owners of the land, received small plots. This was not fair. We were impoverished and had no arable land. The few miserable cattle we possessed were all that we had. We wanted the government to treat us equally and provide us with more land rather than reduce our livestock and make us share infertile land."²²

The government, instead of providing more land to the Basotho to accommodate the increasing population as well as land for grazing, decreed that livestock should be reduced because the cattle were far too many for the area. The carrying capacity of the Reserve was limited to 12 500 stock in 1940, thus culling of livestock was to be carried out as part of the betterment measures.²³ This issue caused so much friction between the government and the Basotho that it culminated in bloodshed.

In 1939 a general community meeting was convened by the Paramount Chief whereby the issue of stock improvement was discussed. The Native Commissioner, Mr Morgan, was quoted as having said at the meeting: "The Proclamation is in fact intended for the protection of your stock from deterioration and of your commonage from overstocking."²⁴ At this meeting the people consented to the process of the improvement of the stock.²⁵ Holomo Khoarai, an ordinary Mosotho from Monontsha village, said: "We consented to the culling because we had in mind the improvement of the stock and not its reduction. The way the Native Commissioner put the issue of the improvement of the stock to us, at the meeting, and the process that was to be followed convinced us that our number of livestock was going to increase."²⁶

Accordingly, all stock owners had to produce all stock belonging to them at times and places fixed by the Native Commissioner. The owner who failed to comply with the requirements of such a notice was guilty of an offence.²⁷ As for the marked or branded animals, the Basotho were ordered to sell or slaughter them. If they

²² Personal collection, Mr Leuta Twala, 27 March 2002.

²³ NTS, Vol. 7335, File 127/327, Government Notice No. 178 of 1940.

²⁴ U.G. 6/422, 26/1951. Report of the Commission of Enquiry into the disturbances in the Witsieshoek Native Reserve.

²⁵ Personal collection, interviews with Chief Disala Mopeli, 23 September /2001; Mr Leuta Twala, 27 March 2002; Chief Setsoto Mopeli, 25 March 2001.

²⁶ Personal collection, interview with Mr Holomo Khoarai, an ordinary Mosotho from Monontsha village, 04 April 2002.

²⁷ NTS, Vol. 7335, File 127/137, Proclamation No. 2721 of 17 December 1948.

failed to do so, the government officials would summarily remove or confiscate their animals.²⁸ Mmabatho Kwahela, a retired school teacher from Phuthaditjhaba, complained: "It was worse, if one opted to sell one's animals. One could not put the price yourself on your cows, but white farmers who were called to check for themselves were the ones who would put a price on each of these unfit animals they wanted to buy."²⁹

The marked animals were sold at an auction. What troubled the Basotho was that they could not set prices for their cattle.³⁰ Dibe Mohale, an ordinary Mosotho from Makeneng village, in voicing their frustrations with regard to the culling and disposing off of the culled stock said: "What worried us most was why the white people bought those cows if they were not good enough. And why we were forced to either slaughter or sell them if they were going to die any way. What was more funny was that we were not allowed to buy cattle from the white farmers or any person outside Qwa-Qwa, but we had to sell ours to them. We could not understand that and nobody could give a satisfactory answer to our questions."³¹

Furthermore, what complicated matters further was the fact that some of the Basotho who worked for white farmers were compensated with cows. But now they had to discard some of those cows because of the Trust. To them this was not fair and they felt hard done by the Trust. The Paramount Chief, Charles Mopeli, could not provide his people with a satisfactory explanation as he was expected to convince his people to accept the Trust regulations. To his people he seemed to be merely taking orders from the government, which were aimed at undermining their way of life.³² Harry Mothibi, an ordinary Mosotho of Maboletla village, described the mood among the people as follows: "We could not understand this Trust, as Chief Charles Mopeli, our Paramount Chief, did not understand it either. So how could we obey the law that we did not understand and did not come from our king? We felt that our monarchy had been undermined and, as a nation, we were obliged to do something to protect the institution and ourselves."³³

During the first cull in 1941 the Basotho consented with the understanding that this was a singular event and would not affect their livestock negatively. The

²⁸ **Ibid.**

²⁹ Personal collection, interview with Mrs Mabatho Kwahela, a retired school teacher from Phuthaditjhaba, 27 March 2002.

³⁰ Personal collection, interviews with Chief Disala Mopeli, 23 September 2001; Chief Setsoto Mopeli, 25 September 2001.

³¹ Personal collection, interviews with Mr Dibe Mohale, 19 September 2001; Chief Setsoto Mopeli, 25 September 2001.

³² Personal collection, interviews with Chief Setsoto Mopeli, 25 September 2001; Mr Harry Mothibi, 21 March 2002; Chief Disala Mopeli, 23 September 2001.

³³ Personal collection, interview with Mr Harry Mothibi, 21 March 2002.

understanding was that only the weak and sick animals were to be culled. The only person who refused to bring her livestock to the culling camp was the Queen regent of the Batlokwa, Mamotunisi Eva Mota. She was subsequently prosecuted and fined.³⁴ Her decision not to respect the order was indicative of the fact that the culling process was disputed. Regent Eva Mota's action and subsequent punishment, instead of making people adhere to the law, prompted them to defy it.

When the second cull was ordered, the Basotho began to doubt the intention of the government. Some started pondering why the Batlokoa regent, Eva Mota, refused to let her cattle be culled in 1939 and began to follow her example.³⁵ Chief Setsoto Mopeli, a subchief of Poelong village, recounted the situation as follows: "We began showing signs of dissatisfaction but the authorities never bothered to address our concerns. Even our request for a Commission of Enquiry was rejected. We wanted the Commission of Enquiry because we believed that the officials were not representing the government well and were also not reporting correctly of the happenings in the Reserve."³⁶

During the 1946 cull Mopelinyane and three other men, namely Libe Mopeli, Michael Molingoa and Khoelinyane Masoeu, deliberately ignored the order and refused to produce their cattle for culling.³⁷ "They fought for their own livestock,"³⁸ remarked Chief Setsoto Mopeli. Just as regent Eva Mota, Mopelinyane and these other men were arrested, charged with contravention of Proclamation 31 of 1939 and convicted for refusing to produce their livestock for culling.³⁹ However, they won the case after appealing.⁴⁰ The final outcome of the case set the precedence for people to disobey culling orders. The Basotho began questioning the validity of the culling law after this case. Reverend Ntjee Lecheko, a minister of religion at Maboela village, said: "We began asking one another if this was a real law; how come Mopelinyane and others had won the case against them. We enquired from Mopelinyane how they managed to win the case and kept their livestock as we were forced to sell or slaughter our branded cattle."⁴¹

³⁴ Personal collection, interviews with Chief Setsoto Mopeli, 25 September 2001; Chief Disala Mopeli, 23 September 2001; Mr Dibe Mohale, 19 September 2001.

³⁵ **Ibid.**

³⁶ Personal collection, interview with Chief Setsoto Mopeli, 25 September 2001.

³⁷ U.G. 6/422, 26/1951. Report of the Commission of Enquiry into the disturbances in Witsieshoek Native Reserve; Personal collection, interview with Chief Setsoto Mopeli, 25 September 2001.

³⁸ Personal collection, interview with Chief Setsoto Mopeli, 25 September 2001.

³⁹ All South Africa Law Reports, Vol. 1, 6 May 1947, Mopeli and others v. Rex.

⁴⁰ LW1, 1/1/1, Magistrate Criminal Cases: Case number 171 of 1946, In the matter between Paulus Mopeli and three others versus Rex. Judgement on Appeal.

⁴¹ Personal collection, interview with Rev. Ntjee Lecheko, 20 September 2001.

The stance taken by the four men and their subsequent victory encouraged more Basotho to defy the culling orders. This was the start of a series of confrontations between them and the government. Apparently the Basotho did not really understand the Trust and demanded full explanation, which was not forthcoming. The only response that they received was that the Trust was the law and they had to obey it.⁴² The Commission of Enquiry that was appointed later in October 1950 reported that it was this kind of response that fuelled resistance to the Trust.⁴³

The intransigency of the government in not taking the Basotho's concerns seriously led them to take the law into their own hands.⁴⁴ They wanted to force the government to accede to their demands, and were ready to defy the authorities.⁴⁵ Mamokhele Mahanke, an ordinary Mosotho from Mahankeng village, summarised the situation thus: "We presumed, as a nation, that the whole culling process was just a ploy by the government to weaken us as our cattle were being conquered and we were not prepared to let this happen. If we were going to benefit from this cattle culling, as it was claimed, why was it forced on us? Even when we showed that we needed more clarity and a full explanation, our plea was ignored. In actual fact, we were only informed about stock improvement, not reduction. So what was happening did not make any sense to us. The general impression we had was that only the inferior stock would be culled and that would be once. But now good quality stock was also being subjected to culling. Thus we decided to intensify our resistance to the culling."⁴⁶

The Department's reaction to the situation in Witsieshoek did not help to calm down the violence that was brewing. On 8 March 1950 a meeting was held in Bethlehem and was attended by the Deputy Commissioner of Police in Bloemfontein, the District Commandant of Police, the Chief Native Commissioner, the Assistant Native Commissioner of Witsieshoek, the Magistrate of Harrismith and the officer in charge of the police post in Witsieshoek.⁴⁷ The purpose of the meeting was to discuss the situation in the Reserve. The result was that certain recommendations were made with a view to further cull the stock in the Reserve. Mopelinyane was also singled out as a trouble-maker and it was suggested that he should be removed from the Reserve.⁴⁸ In the light of the situation that was

⁴² Personal collection, interviews with Chief Disala Mopeli, 23 September 2001; Rev. Ntjee Lecheko, 20 September 2001.

⁴³ U.G. 6/422, 26/1951. Report of the Commission of Enquiry into the disturbances in Witsieshoek Native Reserve; Personal collection, interview with Rev. Ntjee Lecheko, 20 September 2001.

⁴⁴ **Ibid.**

⁴⁵ Personal collection, interviews with Chief Setsoto Mopeli, 25 September 2001; Rev. Ntjee Lecheko, 20 September 2001; Mr Harry Mothibi, 21 March 2002.

⁴⁶ Personal collection, interview with Mrs Mamokhele Mahanke, 27 March 2002.

⁴⁷ **Ibid.**

⁴⁸ NTS, Vol. 7459, File 506/327, A letter from Charles Mopeli to Native Commissioner, Review my

prevailing in the Reserve, the outcome of the meeting was an unfortunate one. With the tension rising high, another cull would be catastrophic. A detailed and frank investigation by independent investigators into whether culling was justified or not at that stage was necessary to calm and satisfy the community. That would have prevented the situation from developing in the direction and assuming the proportions which it subsequently did.

Although the culling process was explained to the Basotho they had problems with its implementation. The Basotho treasure their cattle and would do everything to protect them. For this reason, it was very difficult for them to accept the reduction of their livestock.⁴⁹ The importance of cattle to the Basotho is expressed in this Sesotho proverb: "Sethelo sa tlala ke kgomo."⁵⁰ Moria Tsebela, a retired school principal from Monontsha village, described why the Basotho stood firm against cattle culling: "You know what, you can do all things to Mosotho and got away with it, but not on his or her cattle. You touch his or her cattle, I am telling you, you are courting trouble."⁵¹

As the resistance of the Basotho was escalating, in October 1950, the government finally appointed the Commission of Enquiry to investigate the Basotho's grievances and the upheavals in the Reserve.⁵² However, it was too late for the Commission and leaders of the *Lingangele* refused to cooperate because they had lost patience. Furthermore, the fact that the Commission was composed of white people only further fuelled suspicion and frustration. Moreover, the Basotho had unresolved differences with some members of the Commission.⁵³ Chief Setsoto Mopeli recalled their attitude towards the Commission: "We felt that we should have been consulted with regard to the composition of the Commission. Some members of the Commission did not have good relations with the Basotho. Therefore, we did not trust them. We were now clamouring for the total removal of the Trust from our area. We refused to cooperate as the government had refused to listen to our concerns before and continues to do so by appointing some of the people who were not favourably exposed to us to be members of the Commission."⁵⁴

⁴⁹ position, 18 March 1950.
Personal collection, interviews with Chief Disala Mopeli, 23 September 2001; Mr Moria Tsebela, a retired school principal from Monontsha village, 11 September 2001.

⁵⁰ "The container of hunger is the cow; or security against hunger is a head of a cow." Freely translated.

⁵¹ Personal collection, interview with Mr Moria Tsebela, 11 September 2001.

⁵² NTS, URU 2797, File 2666, Appointment of the Commission of Enquiry into disturbances in the Witsieshoek Native Reserve, October 1950.

⁵³ Personal collection, interviews with Mrs Mafako Mohale, 5 April 2002; Mr Moria Tsebela, 11 September 2001.

⁵⁴ Personal collection, interview with Chief Setsoto Mopeli, 25 September 2001.

The Commission, despite the opposition to it by the *Lingangele* sat at Witsieshoek from 1 November 1950 to 5 December 1950, and from 15 January 1951 up to 26 January 1951.⁵⁵ However, at its first meeting only Chief Charles Mopeli and about 70 of his followers attended despite the fact that it was well advertised all over the area in a notice dated 6 October 1950.⁵⁶ This was a clear indication that the Basotho were not satisfied with the composition of the Commission.

After much persuasion, the *Lingangele* agreed to give evidence before the Commission. Due to volatility of the situation in the Reserve, the government issued a proclamation, Proclamation 35 of 1950. According to the provisions of the proclamation, no gathering of more than five people was allowed. Any person who convened, presided or attended such a meeting, or permitted others to hold it at his kraal without the government's permission, would be liable to a fine not exceeding a hundred pounds, or one year imprisonment.⁵⁷ This measure further fuelled the defiance campaign that the Basotho had embarked upon.

4. THE NAMOHA MEETING

On 27 November 1950, contrary to the Proclamation which prohibited gatherings of more than five people and the carrying of weapons, the *Lingangele* called a meeting at Namoha village.⁵⁸ On the same day the four *Lingangele* leaders, Mopelinyane, Scotland Koloi, Paulus Mpheteng and Letsie Mopeli, were to give evidence before the Commission of Enquiry. Many people were in attendance and according to the informants, the gathering was very peaceful and although they carried traditional weapons, there were no arms of a type the Basotho did not usually carry at such meetings.⁵⁹

When the four *Lingangele* leaders that had already been sworn in, did not show up at the Commission as scheduled, it was decided to serve them with subpoenas. The subpoenas were given to a Major Terblanche's contingent that went to serve them.⁶⁰ On arrival at the gathering the police wanted to see the four men and ordered the crowd to disperse but the Basotho refused. Koti Molingana, an ordinary Mosotho

⁵⁵ Report of the Commission of Enquiry into the disturbances in the Witsieshoek Native Reserve, October 1950.

⁵⁶ NTS, Vol. 9779, File 961/400, Government Notice No. 2454, 6 October 1950.

⁵⁷ Unisa, Acc. 219, Proclamation No. 280 of 1950, 23 November 1950.

⁵⁸ **Rand Daily Mail**, 28 November 1950.

⁵⁹ Personal collection, interview with Chief Setsoto Mopeli, 25 September 2001; Mr Koti Molingana, an ordinary Mosotho from Poelong village, 26 March 2002; Mrs Mafokoletsa Moteka, an ordinary Mosotho from Thaba Tshoeu village, 19 September 2001; Mr Harry Mothibi, 21 March 2002.

⁶⁰ Unisa, Acc. 219, Interview with Mr AJ de Villiers, Sergeant on Police patrol, Witsieshoek, 27 November 1950.

from Poelong village, recalled some of the words they used against the police: "Why do you want us to disperse, we are not doing anything wrong, you can see as you are amongst us. In response to us, the Major said: 'You have done nothing wrong, but you have not respected this day'. We said we knew nothing about this day as our Chief did not tell us anything about it. Some people reacted by saying that the police gathering was also illegal as it exceeded the stipulated number of five people. The police response was they were there to maintain the law and order."⁶¹

One informant, Harry Mothibi, an ordinary Mosotho from Maboela village, recalled that Major *Dublanche*⁶² gave them ten minutes to disperse.⁶³ Chief Setsoto Mopeli alleged that after a few minutes, *Dublanche's* second in command, Lieutenant Jonker, took over and dramatically said to them through an interpreter, that they had five minutes to disperse,⁶⁴ and if they did not: "Ke tla tsholla madi a lona a tla phalla jwalo ka diphororo tsa pula, ke mathe mabaleng a lona ke thunye katse, ntja, kgoho le ntho enngwe le enngwe e phelang."⁶⁵

According to Chief Setsoto Mopeli, this statement seemed to have spurred the Basotho to be more rebellious. It provoked them to respond in a similar manner. He went further and stated that a certain man among the crowd, Abia Molaba, replied to the Lieutenant: "Ha e ba ho tla ba jwalo, re tla be re se re ena le lona lehodimong, re tsamayang kaofela."⁶⁶

Constable Ntsane Mopeli, who acted as an interpreter, entered the crowd on instruction from Major Terblanche to look for the four men whom the Commission had subpoenaed. This action caused a stir among the Basotho who at that time had become aggressive. When Ntsane was inside the crowd, there suddenly was a great movement, his horse was intentionally struck with a stick, it got frightened, jumped and he fell off.⁶⁷ Immediately thereafter, in the middle of it all, as the women set up a wailing scream of the *modidietsane*,⁶⁸ the Major shouted "fire" and the attack was on.⁶⁹ It was alleged that the police fired no warning shot.⁷⁰ After the first shot had

⁶¹ Personal collection, interview with Mr Koti Molingana, 26 March 2002.

⁶² This was how the Basotho pronounced the surname Terblanche.

⁶³ Personal collection, tape-recording of interview with Mr Harry Mothibi, 21 March 2002.

⁶⁴ Personal collection, interview with Chief Setsoto Mopeli, 25 September 2001.

⁶⁵ **Ibid.** "I will mercilessly kill you and your blood will run like water after rain, run through your premises shooting cat, dog and everything that moves." Freely translated.

⁶⁶ **Ibid.**, "If there will be bloodshed, we will all meet in heaven." Freely translated.

⁶⁷ Personal collection, interviews with Mr Koti Molingana, 26 March 2002; Mr Harry Mothibi, 21 March 2002.

⁶⁸ Wailing scream or ululating.

⁶⁹ **Chronicle**, 16 June 1951; Personal collection, interviews with Mr Harry Mothibi, 21 March 2002; Chief Setsoto Mopeli, 25 September 2001; Chief Disala Mopeli, 23 September 2002.

⁷⁰ Personal collection, interviews with Mr Harry Mothibi, 21 March 2002; Mr Koti Molingana,

been fired, the police horses galloped into the gathering and police began shooting with an assortment of guns (Sten and machine guns) at the Basotho who were throwing stones, sticks, knobkerries, and sickles at the police.⁷¹ The first person to be hit and killed by the police was Sejeso Dhlamini.⁷²

Harry Mothibi, who was in the front when the police began shooting was among the people who were shot first. He described how he was shot during the fight: "I was among the first to be hit by the bullet. It hit me on the thigh and as I fell down I thought that was the end of my life. To my surprise, as I was lying down I did not feel much pain but I could not move and laid there until the shooting had stopped. After the fighting my friend Buthelezi came and carried me on horseback to my house. At home I felt terrible pain, but was not prepared to risk and go to the hospital. It was for the first time I saw and felt the brutality of the white people toward black people. We were not expecting such a brutal reaction from the police, considering that we were not armed nor provocative and we posed no threat to anybody."⁷³

After forty five minutes of fighting, the police withdrew with their dead and wounded. Sixteen policemen were wounded, including Major Terblanche, who had been hit in the face by a knobkerrie, and two were killed: lieutenant Jonker, who had ordered the shooting - his body was found under a heap of rocks by the Major - and constable Erasmus who died later in Harrismith Hospital.⁷⁴ Fourteen Basotho died on the scene of the clash.⁷⁵

Following the Namoha confrontation many people were arrested. The police used helicopters and armoured vehicles to search for the suspects.⁷⁶ Koti Molingoaana, an ordinary Mosotho from Poelong village, described how the police used helicopters to trace the suspects: "The following day the police helicopters came and were flying very low. They were flying so low that they looked like they can even hit our huts. They would fly over the mountains and then come back to fly over our

⁷¹ 26 March 2002; Mrs Mafokoletsa Moteka, 19 September 2001. Personal collection, interview with Chief Disala Mopeli, 23 September 2002; Mr Dibe Mohale, 19 September 2001; Chief Setsoto Mopeli, 25 September 2001; Mr Pusetso Mofokeng, 26 March 2002; Mr Harry Mothibi, 21 March 2002.

⁷² **The Star**, 16 May 1951; **Chronicle**, 15 June 1951; Personal collection, interviews with Mr Harry Mothibi, 21 March 2002; Mr Koti Molingoaana, 26 March 2002; Mrs Mafokoletsa Moteka, 19 September 2001.

⁷³ Personal collection, interview with Mr Harry Mothibi, 21 March 2002.

⁷⁴ **Rand Daily Mail**, 28 November 1950.

⁷⁵ Personal collection, interviews with informants, 9 August 2001 to 19 April 2002. Names of the deceased: Gesu Dlamini, Palamente Motolo, Setlhareng Mabote, Sejeso Dlamini, Thabang Mopeli, Davida Milingoana, Padson Tshabalala, Totoma Maholeho, Molato Tshabangu, Sediane Motshweneng, Mocheku Dinala, Tente Mmoko, Moditsoane Mothibi and Mohlolo Buthelezi.

⁷⁶ Personal collection, interviews with Mrs Mafokoletsa Moteka, 19 September 2001; Mr Koti Molingoaana, 26 March 2002.

houses. We were very scared and decided to run away. Helicopters were not so successful in identifying where the fugitives were hiding. Many people hid themselves in the caves and the clefts where it was not easy for police to see as the helicopters were flying over. The caves used by fugitives were Oetsi's and Tshakgolo's caves. I think the police knew Oetsi's cave and it was accessible by foot, but did not want to risk their lives to search the Basotho on foot. They suspected that they might be ambushed by the fugitives."⁷⁷

It took the police three weeks to arrest the suspects. Because of their large number and the seriousness of the case, the suspects were taken to Harrismith cells where they waited for the trial to begin. The trial of the accused Basotho began on 1 May 1951, six months after the battle had taken place. Only ninety-seven⁷⁸ of the one hundred and nine accused, stood trial and the rest were released. The accused faced three charges. Firstly, the contravention of the provisions of the Proclamation that there should be no assembly of more than five people; secondly, their violent clash with the police which resulted in people losing their lives; and thirdly, their refusal to obey the Paramount Chief.⁷⁹ A separate charge was laid against Mopelinyane for having allowed an illegal meeting at his kraal. All the accused pleaded not guilty to all the charges.⁸⁰

At the end of the trial seventy-five Basotho were found guilty of public violence and attending an unlawful meeting. The sentences were passed on 7 November 1951 and the accused received prison sentences varying from six months to four years.⁸¹ The sentencing caused a huge dissatisfaction among the accused. Some of the accused could not understand why others, especially the leaders of the *Lingangele*, received shorter sentences.⁸²

Kalibe Kele, who claimed that he had been wrongfully arrested and convicted, complained: "What surprised and infuriated me was the fact that some of *die voorbokke*⁸³ got very light sentences. They argued that they were not at the meeting but in Lesotho when the gathering and the fighting took place. Their testimony was accepted, especially that of Mopelinyane who faced just one charge, that of allowing a meeting to take place at his kraal. Most of the leaders received sentences ranging from six months and one year together with those whose evidence against

⁷⁷ Personal collection, interview with Mr Koti Mologoana, 26 March 2002.

⁷⁸ **Chronicle**, 10 May 1951.

⁷⁹ Unisa, Acc. 219, The charge laid by the public prosecutor, 1 May 1951.

⁸⁰ Unisa, Acc. 219, The charge laid by the public prosecutor, 1 May 1951; Personal collection, interview with Mr Harry Mothibi, 21 March 2002.

⁸¹ Unisa, Acc. 219. The Witsieshoek trial, judge's remarks in passing sentence, pp.8-9.

⁸² Personal collection, interviews with Mr Harry Mothibi, 1 September 2001; Mr Kalibe Kele, 21 March 2002

⁸³ The ringleaders. Freely translated.

them was not that strong. Those who were spotted and identified of being present at the assembly were given three years and those who acted as 'messengers' between the Basotho and the police before the violent confrontation were handed four years imprisonment with hard labour."⁸⁴

After serving his sentence, Mopelinyane together with thirteen other persons⁸⁵ who had been declared dangerous to public safety, were banished. Mopelinyane was sent to Nebo which was far away from Witsieshoek. He was never allowed to come back home or visit his family.⁸⁶ Other *Lingangele* leaders were allowed to return. Back home they were seen as outcasts and troublemakers, especially by the 'loyalists'. In fact, some people did not want to be associated with them. The main reason for this was that people feared that if they would be seen in the company of ex-prisoners they might be labelled as such.⁸⁷ Nonetheless, according to Kalibe Kele, the people still held the *Lingangele* leaders in high esteem. However, people were afraid to openly express their support for the *Lingangele*.⁸⁸ Harry Mothibi described his experience after he had been released from prison as follows: "After we were released from jail, life became difficult. We were despised, insulted, mocked and labelled. People were trying to dishearten us and keep us down, but we did not allow this. We managed to make something of ourselves and some of us even lived better than our detractors, despite the fact that we could not be employed anywhere. As people continued taunting us, Paramount Chief Charles Mopeli intervened and rebuked them and said that we had fought for everyone. We should, therefore, be respected. This helped a great deal as even our children could now attend schools without being ridiculed."⁸⁹

5. CONCLUSION

From the above discussion, it is possible to conclude that the major causes of the Namoha Battle were intrinsic misunderstandings between the government and the Basotho over the Trust and the different interpretations of the Trust. In the midst of this mutual distrust, whatever the government did was viewed with suspicion, irrespective of its merits. The government suspected that the Basotho wanted to

⁸⁴ Personal collection, interviews with Mr Kalibe Kele, an ordinary Mosotho from Mangaung village, 1 September 2001; Chief Setsoto Mopeli, 25 September 2001.

⁸⁵ Paulus Mpheteng, Scotland Koloji, Nehemiah Moteleng, Phillip Moteka, Letsie Mopeli, Makabate Mopeli, Albert Mopeli, Matela Mantsoe, William Mantsoe, John Mabaso, Atwell Mopeli, Pereko Setai and Josiah Mokhomomo.

⁸⁶ Personal collection, interviews with Chief Disala Mopeli, 23 September 2001; Chief Setsoto Mopeli, 25 September 2001.

⁸⁷ Personal collection, interviews with Mr Kalibe Kele, 1 September 2001; Mr Harry Mothibi, 21 March 2002; Rev. Ntjee Lecheko, 20 September 2001; Chief Disala Mopeli, 23 September 2001; Chief Setsoto Mopeli, 25 September 2001.

⁸⁸ Personal collection, interview with Mr Kalibe Keele, 1 September 2001.

⁸⁹ Personal collection, interview with Mr Harry Mothibi, 21 March 2002.

dictate terms to their unpopular leaders and thus were not prepared to accede to the demands by troublemakers.

The long-standing conflict between Mopelinyane and the authorities also had an impact on the developments in Witsieshoek. Mopelinyane used the Basotho's dissatisfactions to fight what he believed was rightly his, the paramount chieftaincy. The removal of Mopelinyane's family from different areas until they finally settled at Namoha added tension to the conflict that had existed between his family and Chief Charles Mopeli's family. Mopelinyane wanted to exploit the grievances of the Basotho to prove that he was the real Paramount Chief because he cared for the people.

The deciding cause of the battle was the limitation of livestock. Witsieshoek was a mountainous reserve. In this way stockholding was a vital condition of most people's subsistence. The land was ill suited for cultivation and, in any case, there was too little land of arable quality to produce a significant portion of many people's food requirements. Furthermore, cattle were, for the migrants, the crucial means of retaining a stake in Reserve society. Thus they invested in stock purchases, farming their cattle out with relatives and friends. The implementation of the Trust upset the balance of survival, which for many people was at best delicate. The allocation of arable land was taken out of the hands of the chieftainship and was now decided by the officials on whom the community could exert no pressure whatsoever.

Apart from the fact that Witsieshoek was mountainous and suited for stockholding, the Basotho held the possession of cattle in high esteem. They were opposed to stock limitation in general and the culling of poor quality cattle because of the sentimental value they attached to cattle. The Basotho value their cattle so much that, in some cases, they would rather die defending their cattle than just letting them go. Cattle ownership gives meaning, purpose and substance to the existence of people steeped in an agrarian tradition. Cattle also have a religious significance for the African community because when a person dies, a cow is slaughtered. A cow is also slaughtered for the purposes of cleansing after one has lost a partner or has experienced misfortunes. African Traditional Religion devotees offer cattle in ancestral worship as a sacrifice to appease the spirits of the dead.

Furthermore, in traditional courts, those who were found guilty were fined heads of cattle. The great Paulus Howell Mopeli, the Paramount Chief who had brought the Basotho to Witsieshoek, once described how important cattle are to the Basotho nation: "Cattle are my bank, and money is useless to me for it does not give birth as cows do, every year; it cannot confirm marriage; it cannot serve at any ceremony.

From cattle I get meat, hides to make blankets and I would rather have my beast on its own than to slaughter it."⁹⁰

Therefore, any attempts to reduce the number of cattle an individual possesses, is tantamount to asking someone to surrender his or her wallet or bank account. That the Trust simply overlooked such highly held values of the Basotho proved how far the government was ignorant of the culture of the Basotho. What was needed in Witsieshoek was the provision of more land and an encouragement of people to own more cattle.

⁹⁰ Wits, Acc. A947, Mopeli-Paulus, 'The cattle and the land', as quoted by MS Rakometsi in **The Witsieshoek rebellion**, unpublished MA Dissertation, University of Natal, 1992.