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UNIVERSITY OF THE WITWATERSRAND

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Title: Orthodoxy and Counter-Orthodoxy in the Bethanie Anti-Levy Riot of 1940.

by: Howard Venable

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Orthodoxy and Counter-orthodoxy in the Bethanie anti-Levy Riot of 1940

I. Introduction

One of the central events in the history of the Bakwena-ba-Magopa community,[1] according to its members, is the civil strife of 1940, and especially the riot on Sunday night, the 21st of July 1940 in the village of Bethanie. People living in that village today frequently refer to the period as Bethanie's "civil war," a term which emphasizes that the dispute was profoundly inward-looking, local and devisive, as well as violent. Even today, when most of the leading actors in the drama are dead, the people of Bethanie are quite reluctant to talk openly about those events.

That the riot took place in Bethanie, rather than in the outlying Bakwena-ba-Magopa village of Hebron, was probably puzzling to the local Native Affairs Department officials and the German Hermansburg Lutheran missionary, Rev. A.H.W. Behrens, most deeply engaged in the affairs of the Bakwena-ba-Magopa. Officials of the Native Affairs Department, missionary Behrens and J.O.M. Mamogale (See Plate 1), the paramount chief of the Bakwena-ba-Magopa until just a few months before the riot, had been concerned about a "rebellious faction" at Hebron throughout the 1930s. There had been several incidents of violence at Hebron, for example in November 1931. The discontented faction at Hebron, moreover, expressed their opposition to the chief in a way that posited a "counter-orthodoxy"[2] to the structure of political

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[1] I have avoided using the term "Tribe" which the Native Affairs Department used to describe the Bakwena-ba-Magopa, and thus have used the terms "tribal levy" and "tribal land" in quotation marks. Instead, I have used the term community. The entire issue of what a "tribe" is, and whether the Bakwena-ba-Magopa were a "tribe" begs many questions beyond the scope of this essay. For one argument about the "retribalization" of the Bakwena-ba-Magopa, see Graeme Neil Simpson, "Peasants and Politics in the Western Transvaal, 1920-1940 (M.A. Thesis, University of the Witwatersrand, 1986).

[2] Here, I would like use the term "orthodoxy" and "counter-orthodoxy" (or "heterodoxy") in the way that it has been used in recent literature on the nature of rebellion in late imperial China. See, Kuhn, Philip, Rebellion and Its Enemies in Late Imperial China: Militarization and Social Structure, 1796-1864 (Cambridge: Harvard University Press, 1970); Susan Naquin, Millenarian Rebellion in China: The Eight Trigrams Uprising of 1813 (New Haven: Yale University Press, 1976); and Elizabeth Perry, Rebels and Revolutionaries in North China, 1845-1945 (Stanford: Stanford University Press, 1980). These writers have been looking at the contradictory ways that social networks whose beliefs threaten the existing order (eight trigram sects, bandits, etc.) may be completely unthreatening to that order most of the time, when not in rebellion, while those professing support for the order (local militias, local officials) may inadvertently overthrow it.

Plate 1: Chief J.O.M. Mamogale



Courtesy Mr. Rravlage Mmatau

The photograph was probably taken around the time of Chief Mamogale's installation as Paramount Chief, 1906

and religious life. They called themselves variously MaRebele (the Rebels) or "anti-royalists," as well as the BaMorula, because their leader, Levi Ntuane, established a kgotla or chief's court under a Morula tree in opposition to the kgotla of the "sub-chief" of Hebron, Abram Mamogale, the paramount chief's twin brother.[3] Yet Levi Ntuane frankly admitted he was not of royal blood.[4] He also founded a church in opposition to the Hermansburg Lutheran Mission Church, which had assisted the Bakwena-ba-Magopa in the purchase of its land in the 19th century, and to which almost every Mokwena in Bethanie, Hebron and Jericho belonged in the early 1930s.[5] Although he had been a powerful elder[6] and evangelist in the Hermansburg Mission Church before he defected, he admitted he had little education or theological training.[7] To the Native Affairs Department and Rev. Behrens, the most troubling aspect of the opposition of the BaMorula was that they refused to pay a "tribal Levy," adopted by the chieftainship for the purpose of paying off debts incurred in the purchase of "tribal land."[8]

Bethanie, by contrast had been relatively peaceful, and people in Bethanie had expressed relatively little opposition to the chief. The people of Bethanie and their kinsmen working on the Rand had provided the bulk of Levy revenues in the late 1930s.[9] Unable to comprehend the reasons for the violence of Sunday night, July 21st and the sudden upsurge in opposition to the chieftaincy after the deposition of J.O.M. Mamogale -- whom local Native Affairs Department officials had assumed was the source of confict within the villages -- Rev. Behrens concluded

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[3] The loyal faction called themselves the BaTsiela (locusts). Interview notes, Mr. L.S. Phalatse, Hebron, 21 January 1989.

[4] He said this in testimony in a court case. See Rathibe v. Mamogale, TPD 5/235, case 2/1926 at 66.

[5] Interview notes, Mr. L.S. Phalatse, Hebron

[6] Interview Notes, Mr. L.S. More, Kgabalatsane, 21 January 1989.

[7] Application for church site. GNLB 206, file 1697/14/317.

[8] The BaMorula faction had also unsuccessfully sued Chief Mamogale to prevent the purchase of the farm Elandsfontein, or to gain a declaration that Mamogale purchased Elandsfontein for the Jericho section only. Rathibe v. Reid and Mamogale, TPD 5/235, case 21/1926. The Native Affairs Department officials believed that the case had been very expensive and had added to the Bakwena-ba-Magopa "tribal" debt. For a summary of the case, see Simpson, p. 293 et. seq.

[9] See monthly reports, A.H.W. Behrens to Secretary for Native Affairs, on the Bakwena-ba-Magopa Tribal Levy, 1938-1940. NTS 1384, file 44/213 parts 4-5. Hereinafter, Rev. Behrens's reports on the "tribal levy" will be cited as "Levy Report."

that a section of the Bethanie congregation of the mission church "have gone mad and out of control".[10]

Two writers who have treated the riot of 1940 in Bethanie have stressed its continuity with the opposition to the chief by the people of Hebron, and have stressed the central role of the paramount chief, J.O.M. Mamogale, even though he had been deposed by the Native Affairs Department a few months before the riot. An ethnology written by P.-L. Breutz briefly summarizes the events leading up to the riot and places the blame squarely on Chief Mamogale, whose "weakness," and financial "mismanagement" -- along with disruptive influences brought to the village by those who had lived in the towns -- had caused divisions within the community, first at Hebron and then at Bethanie.[11] A recent master's thesis by Graeme Simpson,[12] similarly sees Mamogale's role as central, and the strife at Bethanie as the culmination of (or at least parallel to) the strife at Hebron during the 1930s: The strife at both Bethanie and Hebron was a form of ideological struggle against Chief Mamogale's attempts to extend his power, as well as against the retribalization policies of the Native Affairs Department, in which Mamogale, as a chief, and an accumulator of wealth, power and ideological hegenomy, played a willing and active role.[13]

A close look at the events leading up to the "civil war" in Bethanie reveals a immensely complex conflict. Although the people who rebelled during July of 1940 were indeed resisting something, they can hardly be characterised as having attempted to overthrow an oppressive ideological hegenomy. Unlike the BaMorula secessionists at Hebron, they were profoundly "orthodox." They were responding to what appeared to be an attack on several deeply held norms: Christian piety, loyalty to the British Crown, and the legitimacy of Chief Mamogale's lineage. The counter-orthodox opposition of the BaMorula failed to spread beyond certain social networks and boundaries (until after the "orthodox" Bethanie riot), and neither forced an end to the Levy nor challenged the church. The "orthodox" riot at Bethanie, however, permanently ended the Levy and permanently split the Christian community.

The riot in Bethanie is therefore a cautionary tale: In searching the historical records for people and phenomena which conform too closely to static notions of "class actors" (or even "proto" "class actors"), "resistance" and "chiefly power," we run the risk of draining historical explanations of contradiction and

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[10] Levy Report for July 1940, 12 August 1940, NTS 1384, file 44/213, part 5.

[11] P.-L. Breutz, The Tribes of Rustenburg and Pilansberg Districts (Pretoria: Department of Native Affairs, Ethnological Pulbication No. 28, 1953), p. 93-94.

[12] Graem Neil Simpson, Peasants and Politics in the Western Transvaal, 1920-1940 (M.A. Thesis, University of the Witwatersrand, 1986), p. 334-335.

[13] Ibid.

ambiguity -- a mistake quite analogous to that of the Indonesian folk character "Stupid Boy," who, on being told by his mother to go and seek a quite wife, went out and returned with a corpse.[14]

II. Freehold Areas, Debt and Conflicts over Land

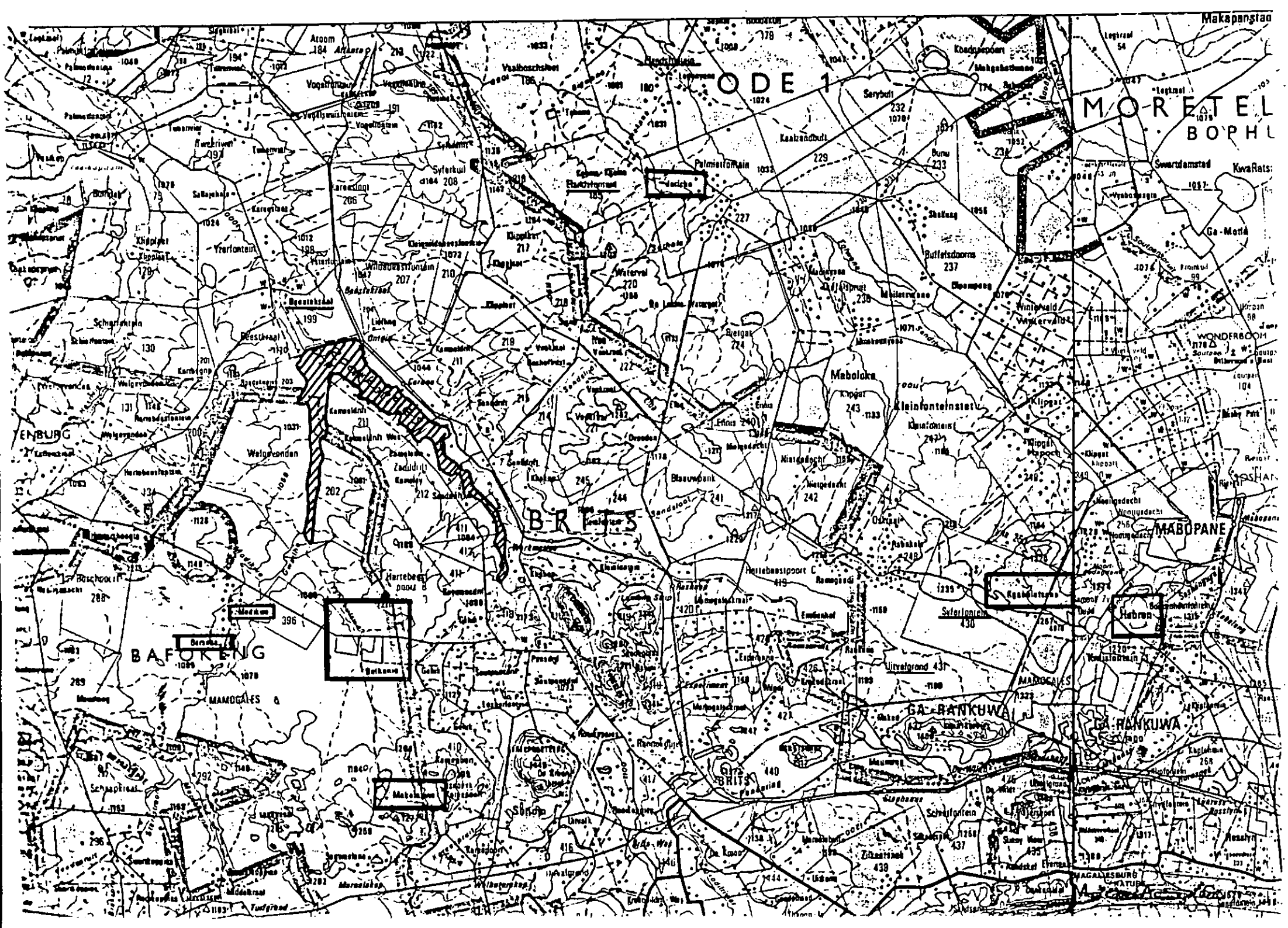
At the time of the riot, the Bakwena-ba-Magopa were settled around five villages in the Western Transvaal: Bethanie, the seat of the paramount chief, is about 20 km. northwest of Brits; Jericho is about 33 km. due north of Brits; Hebron, currently being squeezed between the sprawls of Mabopane and Garankua, is about 25 km. east north east of Brits, and is the closest to Pretoria; Olievenpoort, removed in the 1940s, was in the Waterberg; and Zwartrand, also known as Ga-Magopa, removed in 1984, was near Ventersdorp. Both Bethanie and Hebron have satellite villages. About 9 km. south of Bethanie lies Mokolokoe and a similar distance to the west lies Berseba. Kgabalatsane village, on the farm Cyferfontein, lies about 5 km east of Hebron (See map 1).

These Bakwena-ba-Magopa villages lie in an unusual section of the Transvaal. In the 1930s, in the area embracing the Rustenburg District, the western part of the Pretoria District and southern part of the Hamanskraal District, there were more African communities living on freehold farms and locations than in all of the rest of the districts of the Transvaal combined. Most of these communities had purchased farms during the last quarter of the 19th century, with the assistance of missionaries. Under the laws of the South African Republic, Africans could not acquire title to land, but chiefs were able to acquire the beneficial ownership of farms registered in the names of missionaries and missions societies. The Hermansburg Mission Society had been particularly active in the Rustenburg District, and was the formal title holder of Bakwena-owned farms at Bethanie, Hebron and Jericho.

The Bakwena villages evolved internal structures and conflicts that were unique to freehold areas. At the same time, there was also immense variation between the experiences of various freehold villages within the Bakwena-ba-Magopa community. For example, by the 1930s, relationships with respect to land between chiefs and family heads had diverged somewhat from Tswana communities living on non-freehold reserves and in the Bechuanaland Protectorate. Chiefs' allocations with respect to land became more fixed, as the community was tied to farms, and the chiefs became somewhat less important within the overall pattern of land use and land tenure. Mr. L.S. Phalatse of Hebron and Mr. M. Mogotsi of Bethanie recall that chiefs allocated between 3 and 5 morgen of land to a man when he married, and that once the allocation was made, the land belonged to the individual forever and would be passed to his heirs on his death. A person could not acquire more than one allotment or a larger allotment

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[14] See Clifford Gertz, Interpretations of Culture, for both the story and its analogy to over-determined social analysis.


ODE 1
MORETEL
BOPHU
Makapanstad
KwaRats
Ga-Motla
Swartdamstad
Mabaloka
Kleinfontein
WONDERBOOM
MABOPANE
Habron
BRITS
BAFOKENG
MAMOGALES
GA-RANKUWA
ENBURG
Welgevonden
Buffelsdoorns
Winterveld
Palmietfontein
Vaalboschstad
Vogelstruisfontein
Syferkuil
Waterval
Klipgat
Blauwbank
Hartebeespoort
Ramogadi
Sandelaar
Uitvalgrond
Zilkaatsnek
Schapenrust
Schurveberg
Rooikoppies
Kameeldrift
Sandrift
Vaalkop
Elandskop
Leeuwfontein
Middelkraal
Tuinplaas
Boschkop
Bethanie
Mokgalong
Ga-Rankuwa
Magaliesburg Nature Reserve

if, for example, he had a large number of children.[15] Although analogous allocations of land were quite permanent in Bechuanaland at the time, chiefs there had stronger custodial rights over land, and in more circumstances land might revert to the chief.[16]

This increasingly fixed form of tenure was rooted in the fixed and limited amount of land communities were able to acquire through purchase and had its parallels in the farming system. In Hebron, by the 1930s, people rarely practised fallowing. Mr. Phalatse recalls that it was common for a farmer to intercrop a field crop (e.g., maize or sorghum) with a ground crop (e.g., watermelons, pumpkins or beans), and if the yield of a field was acceptable in one year, the farmer would plant the same crop in the same field the next year. If the yield declined, he would switch the crop mix.[17] Mr. Mogotsi, on the other hand, recalls that intercropping was not practised at Mokolokoe.[18]

Similarly, cattle-keeping had become very localized. Hebron had no "cattle posts" in the traditional sense by the 1930s; the cattle were kept in home kraals and pastured within the boundaries of the farm, near the village. Although the pasture areas sometimes became overgrazed, cattle owners could rely to some extent on grazing their cattle in the harvested fields during the winter.[19]

Both the agricultural system and the land tenure system suggest that these communities experienced land shortage. Indeed, when the Bakwena community that would become the Ga-Magopa, or Ventersdorp, section of the Bakwena-ba-Magopa were living in the Free State, and approached Chief J.O.M. Mamogale for assistance in moving to the Transvaal, he promised to help them buy a farm, but one elderly informant recalled that he informed them that "Bethanie is too small even for us."[20]

The conditions of land shortage and an internal freehold system made conflicts over land potentially especially devisive.

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[15] Interview notes, Mr. L. Phalatse, Hebron, 21 January 1989; Mr. Mogotsi, Mokolokoe. In Mathopestad, the process of individuation of tenure went even further. According to Mr. Abie Rankoko, only the heirs of the original purchasors of their farm could get arable land. Others could hire land from the families of the purchasors. Interview, Mr. Abie Rankoko, Mathopestad, 28 May 1988.

[16] See I. Schapera, Native Land Tenure in the Bechuanaland Protectorate (Cape Town: Lovedale Press, 1943), p. 117-137, 143-154.

[17] Interview notes, Mr. Phalatse, Hebron, 21 January 1989.

[18] Interview, Mr. Mogotsi, Mokolokoe.

[19] Interview notes, Mr. Phalatse, Hebron, 21 January 1989.

[20] Theti Matsetela, Rural Change among Africans in the Ventersdorp District of 1910-1935 - A Case Study of Bakwena-ba-Mokgopa (M.A. Thesis, University of London, 1981), p. 10.

From the late 1910s, moreover, these communities experienced pressure on the land both from within -- from their own missionaries -- and from without, especially after passage of the Natives Land Act.

Many Hermansburg missionaries had themselves experienced land pressure before arriving in South Africa, and were eager not to be pushed off of farms again. In the mid 1880s, about 70% of Hermansburg missionaries had farming backgrounds in Germany, but only about half of these had actually been "real farmer's sons."[21] The remainder had been recruited from amongst the rural poor, who had been marginalized during mechanization, in the last decades of the 19th century, of parts of the German countryside. Of the half of Hermansburg missionaries who were "real farmer's sons," most would not have been able to inherit land from their fathers because of inheritance practices in their home districts of rural Germany. Once in South Africa, these missionaries seized on secure rights to farm land as the central "basis for a decent social position."[22] Hence, for example, in Hebron in 1895, Rev. Kaiser, acquired a number of servitudes securing his access to land and labour, with respect to farms he had helped the Bakwena-ba-Magopa purchase, or which he jointly purchased with the Bakwena-ba-Magopa, in 1873.[23]

The Hermansburg missionaries valued farming not for mere retrospective or nostalgic reasons, however. Hermansburg missionaries were quite severely underpaid compared to missionaries of other societies and local teachers. They had to practice farming or some other occupation to support themselves. Income from farming had become "indispensable" for Hermansburg missionaries by the 1890s. After the Boer War, some missionaries became quite prosperous farmers: large fruit orchards were said to be "characteristic" of their missions,[24] and Mr. Phalatse recalls that Rev. Kaiser was an excellent farmer, was a member of a (white) agricultural cooperative, and had large fields and huge herds of pigs.[25]

In order to operate their farms, the missionaries relied both on the labour of members of mission station community, and on the labour of communities with more tenuous or ambiguous ties to the station. "Confirmation regiments" had replaced the chief's circumcision regiments in the Bakwena villages when the chief had

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[21] Fritz Hasselhorn, "Mission, Land Ownership and Settlers' Ideology, Exemplified by the German Hermannsburg Mission in South Africa," unpublished mimeograph paper, p. 20. The paper has since been published in pamphlet form by the South African Council of Churches.

[22] Ibid., p. 20.

[23] See contract dated 19 June 1907, between Heinrech Kaiser and J.O.M. Mamogale, LD 1742, file AG1351/09.

[24] Hasselhorn, p. 22-24.

[25] Interview notes, Mr. Phalatse, Hebron, 21 January 1989.

abolished circumcision, and confirmation candidates sometimes worked as unpaid farm workers for the missionaries. In Jericho, the mission had purchased land for the Bakwena-ba-Magopa on the condition that the community provide labour to the missionary.[26] In Hebron, however, Rev. Kaiser relied on the labour of relative outsiders to the Bakwena-ba-Magopa community: Rev. Kaiser employed several Bakgatla families as swineherds and farm workers or tenants, and Rev. Behrens on at least one occasion in correspondence to the Department refered to these Bakgatla as "indentured" to Rev. Kaiser.[27]

The conflict at Hebron -- the BaMorula's oppostion to Chief J.O.M. Mamogale -- probably did not have its origin solely in the BaMorula's concerns about being liable for debts incurred to buy "tribal land" for Bethanie and Jericho, nor in the onerousness of the tribal levy, as the Native Affairs Department believed and one subsequent writer have suggested. The Levy had barely been collected from the date it was adopted in 1927 until the early 1930s, after the BaMorula opposition had become quite intense. It is unlikely that the BaMorula protested solely over a Levy that the Chief rarely attempted to collect and which the BaMorula publicly refused to pay effectively without of sanction. The conflict at Hebron probably had its origins in the dispossession of certain members of the BaMorula in the 1910s. While a full treatment of the nature of the conflict at Hebron is beyond the scope of this paper, it is necessary to sketch its basic outline.[28]

Mr. Phalatse of Hebron recalls that the source of the BaMorula's dissatisfaction was a land transaction in which Chief Mamogale "sold" land belonging to several prominent men without their consent.[29] His recollection contrasts sharply with the explanation of the Native Affairs Department[30] and which was stated formally in the BaMorula lawsuit against Chief Mamogale, Rathebe v. Reid and Mamogale[31] -- that is, that the BaMorula were refusing to pay debts incurred in the purchase of farms for Jericho and Bethanie, and refused to recognize sub-chief Abram Mamogale. Mr. Phalatse is quite certain of his interpretation because the BaMorula eventually bought back the land they had lost, and he clubbed together with them.[32] There are also

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[26] Breutz, p. 95. Hasselhorn, p. 22.

[27] Levy Report for November 1933. NTS 1383, file 44/213 part 2.

[28] For an extended discussion, based on the assumption that the oppostion was about prospective liability for "tribal" debts, see Simpson, Peasants and Politics, chapter 5.

[29] Interview notes, Mr. Phalatse, 21 January 1989.

[30] See generally NTS 331, file 56/55.

[31] Rathebe v. Reid and Mamogale, TPD 5/235, case 21/1926.

[32] Mr. Phalatse, interview notes, 21 January 1989.

scattered references in the Native Affairs Department files to opposition by members of the BaMorula on the basis of losses, rather than on the basis of the Levy or prospective indebtedness.

The original conflict in Hebron was many-sided, and appears to have had its roots in events long before the 1920s and 1930s, when the conflict became visible to the Native Affairs Department as the BaMorula's opposition to subchief Abram and to "tribal" land purchases. Court records suggest that the BaMorula dissension of the 1920s and 1930s was rooted in conflicts over lands near the Hebron mission as early as 1910. Several important families of the Hebron settlement, including the Ntuane family, probably lost access to tracts of land on the farms Sjambokzynkraal and Kameelfontein because of legal transactions that took place between 1910 and 1924, and apparently, in the 1920s and 1930s, some members of these families blamed the Hermansburg Mission or Chief Mamogale or both for their losses.

A four-way legal conflict in Hebron in the first decade of the 1900s over the farms Kameelfontein and Sjambokzynkraal -- involving mission, paramount chief, several leading families of Hebron and the Bakgatla -- was probably a source, if not the main source of the BaMorula dissatisfaction of the 1930s. The claims of a Bakgatla community, who had lived on the farm before it was purchased by Rev. Kaiser and the Bakwena-ba-Magopa from Barend Engelbrecht in 1873, were the first to be eroded. Rev. Kaiser sued their chief, Sjambok, for ejectment in 1905. In the trial for the lawsuit, Rev. Kaiser denied that the Bakgatla had contributed any cattle towards the farm's purchase price. He recalled that he had not even known that there were Bakgatla kraals on the farms Sjamboksynkraal and Kameelfontein when he helped purchase them. He recalled that he had contributed £150, and that 26 leading men of the Bakwena-ba-Magopa -- including Levi Ntuane's father -- had contributed another £150, to the down payment.[33] Chief Mamogale shortly thereafter contributed £50, collected from the larger Bakwena-ba-Magopa community.[34] Once Rev. Kaiser discovered these carried-over Bakgatla tenants of the Engelbrechts, he required that they pay rent in cattle. After the Boer War, however, they refused to continue paying rent. Now, Rev. Kaiser sought damages in the form of back rent, or ejectment. Sjambok's attorneys, on the other hand, argued that their "rent" payments had been part of the purchase price, just as the cattle payments of the Bakwena-ba-Magopa familes had been.[35] Rev. Kaiser won the lawsuit. Some of the Bakgatla families surrendered their

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[33] See Hermansburg Mission Society v. Sjambok and Others, ZTPD 5/593, case 179/1905.

[34] Hermansburg Mission Society v. Sjambok, evidence. See also, Petition, In Re Hermansburg Mission Society v. Minister of Native Affairs and J.O.M. Mamogale and Others. LD 1742, file AG 1351/09.

[35] Their attorney argued in the alternative, that the Bakgatla had acquired freehold rights by prescription against the Hermansburg Mission Society and the Bakwena-ba-Magopa. Defendant's Plea, Hermansburg Mission Society v. Sjambok and Others.

freehold claims to the land for some form of tenancy in order to obtain land for ploughing and grazing, and became Rev. Kaiser's servants.[36]

In 1910, the Rev. Kaiser and the Hermansburg Mission sued chief J.O.M. Mamogale, whose predecessor, Daniel More (I)[37] had, ironically, been formally joined with the Mission as co-plaintiff against Sjaambok.[38] Rev. Kaiser now sought to enforce, against the Bakwena-ba-Magopa, his servitudes over the farms.

Rev. Kaiser relied on a contract dated October 1907 that provided that J.O.M. Mamogale confirmed and amplified certain servitudes granted by his late father Jacobus in October 1895 to Rev. Kaiser over Kameelfontein and Sjambokzynkraal. Inasmuch as the contract of 1907 was redundant with respect to the agreements of 1895, Rev. Kaiser probably asked the newly-installed, young paramount chief to enter into it in order to secure his legal commitment to understandings that he, the missionary, had had with Mamogale's father; the date of the contract of 1907 was just eight months after Mamogale's installation. With respect to Kameelfontein, a farm of 1100 morgen, Mamogale granted to Rev. Kaiser and his successors about 11 morgen of land and 1/3 of all the water on the farm. With respect to both Kameelfontein and Sjambozynkraal (a farm of some 3100 morgen), Mamogale granted free grazing for Rev. Kaiser's stock across the whole of both farms; woodcutting across both farms; and sufficient ground for five families (presumably the Bakgatla) on each of the farms. Chief Mamogale was also to acknowledge that by virtue of Rev. Kaiser's contributions to the purchase prices of Kameelfontein, Sjambokzynkraal and Cyferfontein, the missionary possessed small undivided interests in these farms.[39] Finally, the parties agreed not to divide the properties. Within a few years, Chief Mamogale

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[36] The evidence is not completely clear as to whether these Bakgatla were Rev. Kaiser's servants or whether they were evicted, and some other Bakgatla group were Rev. Kaiser's servants. Mr. Phalatse recalls that the Bakgatla people who worked for Rev. Kaiser in the 1920s and 1930s had been on Hebron lands before the Bakwena-ba-Magopa and Hermansburg Society bought the farms. This suggests that Rev. Kaiser's Bakgatla servants were, indeed, members of the community Rev. Kaiser had sued in 1905.

[37] There were two Daniel More's active in local affairs in the 1930s. Daniel More (I) had been regent (1903-1906). Daniel More (II) was younger. Breutz, p. 93.

[38] Daniel More seems to have taken no active part in the litigation. See Evidence, Hermansburg Mission Society v. Sjambok.

[39] The documents states that Rev. Kaiser contributed £6 towards the £1000 purchase price of portions of Kameelfontein and Sjambokzynkraal, and £4.10 towards the £100 purchase price of Cyferfontein, and hence had a 6/1000 and 4/100 undivided interest in these properties. I suspect that the Bakwena-ba-Magopa eventually reimbursed Rev. Kaiser for his contribution of £150, roughly half, of the down payment on the two farms Kameelfontein and Sjambokzynkraal.

ceased observing the servitudes, and Rev. Kaiser initiated his lawsuit.

Although Chief Mamogale's lawyers won a legal skirmish in the Transvaal Provincial Division of the Supreme Court in September 1910 (the court refused to recognise the validity of the contract of 1907 on fairly technical grounds[40]), it appears that both parties recognised that the Mission would able to enforce the earlier underlying servitudes of 1895.[41] Although the actual acreage conveyed by the servitudes (11 morgen) was small, the rights over the undivided farms appear to have been so onerous that in December 1910, shortly after loosing the skirmish, the Society offered Mamogale a settlement of one half of the farms Kameelfontein and Sjambokzynkraal, divided; and it seems that Mamogale accepted, or was forced to accept, this settlement or one substantially like it.[42] In other words, to Chief Mamogale, extinguishing Rev. Kaiser's rights to grazing, wood and water over the whole farms may have been worth surrendering half or more of the divided farms to the Mission.

Whatever settlement was worked out, however, does not seem to have taken account of the claims of the twenty-six leading families whose members had paid a dispropotionate share -- £150 -- of the down payment on Kameelfontein and Sjambokzynkral. They filed a petition to intervene, seeking transfer of half of Kameelfontein and Sjambokzynkraal to themselves as twenty-six individuals or their heirs and successors.[43] Chief Mamogale chose

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[40] The Court found that the contract had not been approved by the Executive Council, as required by sec. 3, Law 3 of 1898. Hermansburg Mission v. The Minister for Native Affairs and Others, 1910 TPD 832. (The case was fully captioned, Hermansburg Mission Society v. Minister for Native Affairs, J.O.M. Mamogale and Others.) See also LD 1742, file AG 1351.

[41] Letter, Messrs. Stegman and Roos (counsel for the Hermansburg Mission Society, to Messrs. Pienaar & Marais (counsel for the Native Affairs Department), stating that their clients are prepared to "fall back upon the Agreements of the 2nd and 4th October 1895" despite the Court's decision that the contract of 1907 was invalid. See also letter, Messrs. Stegman & Roos to Messrs. Pienaar & Marais, 6 December 1910 (conveying an offer of settlement). LD 1742, file AG 1351/09.

[42] I have come to this conclusion by reading the settlement offer, Messrs. Stegman & Roos to Messr. Pienaar & Marais, 6 December 1910, LD 1742, file AG 1351/09, with a memorandum, Godley to the office of the Secretary for Native Affairs, Cape Town, 29 February 1924, p.2, NTS 325, file 37/55. The memo of 1924 discusses, inter alia, the proposed transfer after "fifteen years" of litigation, of half of Kameelfontein, three quarters of Sjambokzynkraal and all of both Cyferfontein and Oskraal from the Hermansburg Mission Society to the Bakwena-ba-Magopa.

[43] The Petition states that the entire purchase price was £300 -- £150 provided by them and £150 provided by Rev. Kaiser. Hence it contradicts the Contract of 1907.

not to try to prevent the twenty-six from gaining title to the land by opposing their application,[44] but the twenty-six did not win their suit.[45] Under a settlement or during the course of litigation, the Society retained title to most of the farms until 1924, when the Native Affairs Department proposed to transfer the farms back to the Bakwena-ba-Magopa, rather than to the twenty-six who had paid half of the down payment; they appear to have lost their access to these tracts of land in the interim. Levi Ntuane, the leader of the Hebron BaMorula rebels in the late 1920s and 1930s, was the legal heir of one of the twenty-six purchasors in 1905. Although he did not to participate in the petition, at some point he appears to have become very angry at Mamogale for his losses. In opposing the Levy and "tribal" land purchases in the 1920s and 1930s, therefore, Ntuane and the BaMorula appeared to disputing their obligation to pay for land that would be used by other settlements; but the driving force beneath that conflict was an older one, in which Ntuane was protesting the other tribal sections' failure -- and the Chief's failure -- to assist him in protecting his interests during a conflict with the missionary in an earlier period. Hence Ntuane's conflict had very strong anti-Hermansburg overtones, and he founded a "Bakwena Church" at the same time that he protested Chief Mamogale's governance.

Pressures from outside the mission and Bakwena community forced Chief Mamogale to disposses, or acquiesce in the dispossession of, families in his home village, Bethanie, from some of the area's best farm lands. Yet these dispossessions seem not to have created the sort of counter-orthodox opposition that were generated in Hebron. The Western Transvaal Natives Land Committee of 1918 -- charged with continuing, on a local level, the investigations into "native" and European land tenure of the Beaumont Commission -- refused to recommend several sections of the Bethanie farms, bordering on the Crocodile River, for inclusion in the scheduled native areas. After hearing a string of local farmers state that the "natives" should not be given land capable of irrigation, the Committee concluded that the Bethanie area -- recently dispossessed (probably around the time between the hearings or the writing of the report) of its land on the Crocodile River by the Hartebeestpoort Irrigation Scheme -- was "very suitable for native occupation ... The exchange ... [of river front land for other land] has given every satisfaction to the natives here, and further comment as to the suitability is,

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[44] Handwritten memorandum, probably from a legal staff member to the Acting Secretary for Justice, 6 October 1910, LD1742, file AG 1351/09.

[45] It is not clear from the record whether it was Rev. Kaiser or the Minister for Native Affairs who successfully opposed them.

therefore, unnecessary."[46] Hence, in an area where scarcity of surface water was the major drawback to peasant agriculture and cattle keeping, the Government's policy of segregation and its discriminatory provision of access to irrigation, forced the Bakwena-ba-Magopa westward, from the borders of their old properties, away from the Crocodile River. The only other source of surface water in Bethanie was a small spruit running through the center of the village; but Rev. Behrens had claimed that portion of land as early as 1905, probably on the basis of his having been the first person to settle in the area.

These dispossessions in the years just before 1920 radicalized Chief Mamogale at least on the issue of land, and he appears to have embarked on a land buying regimen, albeit, now within the confines of the scheduled native areas.[47]

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[46] Union of South Africa, Natives Land Committee, Western Transvaal, Report (Pretoria: 1918), p. 9, 15-22. The land expropriated was used for the Rooikoppies Dam irrigated lands.

[47] See Simpson, p. 177-183. The Native Lands Act remained a target of chiefly and commoner discontent. For example, around 1917, the local press, white farmers and police informers were all contributing to a "scare" concerning a native uprising. Police informants alleged that Chief Mamogale and most of the other chiefs of the Rustenburg District were participating in meetings of the Transvaal Native Congress in the area, and that chiefs, "educated" "town" natives and Transvaal Congress office bearers were inflaming African opinion toward rebellion; their main grievance was the Natives Land Act of 1913. Ibid., p. 180-182. Simpson concludes that the "evidence strongly suggests" that the link between the chiefs and the Congress were short and tenuous and that the chiefs were simply "land-hungry" and "concerned at the threat to their power to purchase and distribute land." Ibid., p. 183. Mamogale's experiences between 1905 and 1920 suggest, on the contrary, that if he was participating in the agitation, he was responding to quite serious losses of access to resources already experienced by members of his community, and not that he was seeking land to bolster his political "power" through patronage. The agitation culminated with, inter alia, an interview between General Both and Chief Mamogale. A partial transcript, consisting of barely legible notes, was made of the meeting. Although much of the meeting is lost, it does seem to indicate that the press reports of the following day were a "white-wash" of a fairly serious debate. General Botha accused Mamogale of being involved in a passive resistance campaign, and of refusing to see a certain committee (probably either the Western Transvaal Natives Land Committee, before which Mamogale did not testify). Mamogale protested against the passage of the Natives Land Act during the war, and moreover insisted that General Botha identify police informers within the Bakwena-ba-Magopa community. Rough notes, possible dated 16 August 1918 for filing purposes, NTS 323, file 26/55. See, on the other hand, Simpson, p. 182, suggesting that during the interview, Mamogale laughed with Botha about the idea of the natives planning a rebellion.

These land purchases ultimately caused as much contention as the land dispossessions. First, when Chief Mamogale embarked on these land purchases, the market of sellers was severely restricted by the Natives Land Act, and land prices (to Africans) soared. Secondly, he did not anticipate the problems of transacting business with the wily Engelbrecht clan, who defrauded the chief out of some £2000 down payment on the farm Elandsfontein.[48] Finally, Chief Mamogale never effectively collected the Levy, which was adopted in 1922 and revised in 1927 to pay for the land; indeed he did not pay his Levy arrears until 1937.[49] The debt grew with interest out of reach of "tribal" finances, and by the mid 1920s, but the chieftainship's annual mortgage commitments far outstripped the funds being collected from levy receipts, the rent on trading sites and the sale of prospecting rights. A detailed accounting of the chieftainship's finances between 1926 and 1932 shows that the funds were being administered by and large properly.[50] Yet the seeming endless pit of debt for which levy was being collected began causing dissension within the community. Many of the more humble members of the tribe seem to have had little understanding of what the levy was for;[51] while more prominent members were beginning to suspect that the chief was embezzling funds. In 1929, the Native Affairs Department took the Levy completely out of Mamogale's hands after he admitted misappropriating £168.[52] In June 1931, the Department assumed the private mortgages totalling some £13,674 through a loan from the Native Development Account, leaving only one private loan mortgage of £2500, but this did not improve the Bakwena-ba-Magopa's financial position.[53]

By the early 1930s, therefore, the Native Affairs Department Development Account held huge bonds over the Bakwena-ba-Magopa's farms, and it seemed quite unlikely that they would be able to pay them off. The Department was thus in a delimma: If officials foreclosed on the farms, they would undoubtedly cause civil strife, perhaps law suits that would establish unfavourable precedents, and would detribalize one of the "largest" and most

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[48] Godley to office of the Secretary for Native Affairs, 29 February 1924, NTS 325 37/55. The Engelbrecht family, which was active in selling land to Africans, may also ave defrauded the Bapo, just south of the Bakwena-ba-Magopa at Bethanie. See Mogale v. Engelbrecht, 1907 TS 236, case 152/1907.

[49] Levy Report for March 1937. NTS 1383, file 44/213 part 3.

[50] Lands Branch memorandum, Native Affairs Department, 1 July 1932. NTS 1383, file 44/213, part 2.

[51] Interview, Mr. Mogotse, Mokolokoe

[52] See Additional Native Commissioner to Secretary for Native Affairs, 22 May 1929, NTS 1392, file 44/213, part 1.

[53] Native Commissioner, Rustenburg to A.L. Barret, Secretary for Native Affairs, 26 June 1931, NTS 1383, file 44/213 part 2.

important" tribes of the Transvaal.[54] If they did not foreclose and sell the farms, the development account would be out of pocket several thousand pounds and the Department would establish the undesirable principle that it would bail out and ultimately provide grants to tribes overcommitted with debts. Given the Department's dilemma, a stalemate -- the Bakwena-ba-Magopa paying just enough to keep up with interests, while not retiring any capital -- could have dragged on for decades.

Rev. Behrens, however, stepped into this refractory situation. He offered to use his "expertise and influence, derived from forty years among the Bakwena," to help them collect the levy and pay off their land debt.[55] And much of the hope, conflict and ultimate strife that surrounded the Bakwena-ba-Magopa's debts, from 1932 to the riot of 1940, would revolve around the "reverend gentleman" of Brits.

III. The Levy

During his years as Collector of the Levy, Rev. Behrens worked with three different kinds of social networks. First, he organised what he called "commissions" in the three home villages, their outlying hamlets, and Pretoria and the Rand. The commissions were committees organised to collect the levy both in the rural villages and in the labour centres of Johannesburg, Pretoria, Brits and the East Rand. Next, Rev. Behrens tried to organise the headmen of the rural villages to assist in collecting the Levy. The headmen were mostly male elders of the lineages or clans in each village. As some of the commissions began splitting along kinship lines -- like the Bakwena-ba-Magopa community in general and Hebron in particular -- Rev. Behrens concluded that he needed the assistance of the now most effective figures in the villages, the heads of the clans. The lineages, however, were at least partly responsive to popular pressures, and their members in both town and country became increasingly disturbed by Rev. Behrens's tactics between 1934 and 1940 in collecting the Levy: That is, he frequently relied upon police raids to pursuade people to pay Levy. Hence after a short period of cooperation, the headmen began refusing to assist Rev. Behrens.

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[54] The Department would have had difficulty selling the farms in execution of the mortgage bonds because of the Natives Land Act, No. 27 of 1913. No "European" would have been able to purchase the farms at auction because the farms were scheduled under the Act as within the Native area. And, if the Bakwena-ba-Magopa had been unable to collect a levy to pay the debt, few other chieftainships in the area were capable either. The Department's only option would have been selling the farms to individual Africans, which, again, would have run counter to the policy of checking the detribalisation of the rural areas.

[55] Behrens to Secretary for Native Affairs, 26 June 1931, NTS 1383, file 44/213 part 2.

Finally, Rev. Behrens turned to a counter-orthodox network headed by himself and Daniel More (II). Within Bethanie, Daniel was an ambiguous figure. He represented "heathen" claims to leadership of the chieftainship which some prominent people of Bethanie found offensive. He also had friends in Johannesburg who helped him collect the Levy there, and this network of tax-farmers[54] was very effective on the Rand. But when Daniel moved to Bethanie in early 1940, as the Rev. Behrens's and Native Affairs Department's clear choice to succeed J.O.M. Mamogale, whom the Department had deposed, several "orthodox" networks, which had been divided or dormant, became active, in opposition to what was perceived to be a "counter-orthodox" assault on the community. The counter-orthodox associations of Daniel's network included heathenism, violence and the police. Ultimately, "German-ness," and by association, the Hermansburg Lutheran Church, became symbolically attached to this counter-orthodoxy, and, the world turned upside-down, the Bakwena-ba-Magopa rioted in the old Lutheran Church in the center of Bethanie.

Rev. Behrens[57] became especially interested in the progress of the Bakwena-ba-Magopa Levy late in 1931, and especially about their indebtedness, and in February 1932, he offered to the Department his services as the "Collector of the Tribal Levy." He believed that neither the Chief, nor the local Native Commissioners were particularly interested in collecting the levy more rigorously so that the Bakwena-ba-Magopa could begin retiring their capital debt and escape what threatened to become endless interest payments. He reasoned that with stronger enforcement and better-informed, more willing levy-payors, the Bakwena-ba-Magopa could retire their mortgage bonds in a few

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[54] Tax-farming is the practice whereby a government collects a tax by allowing a number of non-officials or semi-officials to collect it on its behalf, in exchange for a commission, that is, a percentage of the tax revenues.

[57] Rev. Behrens had been involved in the issues of land purchases and Levy collections throughout the 1920s, as an unofficial adivsor to the Native Affairs Department and as a sometime intermediary between the Department and the Bakwena-ba-Magopa community. I do not understand why Rev. Behrens became so interested in the Levy at this point. One possibility is that as an retired missionary living in Brits, he sought some position that would help him become active once again in the community within which he had lived almost his entire life. Another possibility is that he needed a job; Hermansburg missionaries had not been well-paid, and as a retiree, he may have had little income during a period of economic depression. A third possibility is that he had, or sought, some interest in land near Bethanie; in his monthly reports he sometimes suggested that he was not just interested in the Bakwena-ba-Magopa paying off their debts but in helping them purchase neighboring farms that had been released under the Natives Land Act.

years.[58] As between force and enlightenment, Rev. Behrens tended to focus on the former, especially on schemes for getting direct garnishment of levy defaulters' income or property; but he never lost faith that any Mokwena who understood the tribal debt would want to pay it, and that those who did not were purposely not assuming their rightful share of the burden. Thus much of his work during the next eight years involved trying pursuading the Bakwena to organise to pay the levy, on the one hand, and compiling lists of people to report to Native Commissioners for nonpayment, on the other. Even as he offered his services he had decided on these two tactics:

> I know that when any person in a village gets an inkling of the approach of the police [collecting taxes or levy], he spreads the news, and all those in default hide or quickly leave the village on the other side, and connot thus be apprehended... If the Bakuena are expected to bring the £2 levy to the [Native Commissioner] I believe not half of them will do so unless some force is brought to bear on them and even then in intervals of one and two years.
> ...
> I am prepared to hold mass meetings, make up all necessary lists, appoint competent and reliable assistants at various places with the approval of the local tribal sections, and begin to collect small and large contributions under continual personal supervision... My chief object is firstly to create a willing community, fully understanding the position, and very ready for cowork, wherever they may be.[59]

Exceptionally uneven collection of the Levy had, indeed, been a major obstacle to retiring the debt. As soon as he was appointed, and had obtained information on Levy payments for the last several years, Rev. Behrens began drawing up lists of past payors and non-payors, and caculating the theoretical potiential of the Levy for revenue. He found that of nearly 4,000 potential levy-payors, some 2700 had never paid the levy. About 1100 had paid something, but very few had paid their levy liability consistently. He believed that the Levy could bring in as much as £6000 per year if urban workers had no choice but to pay -- preferably, if their wages were legally attached.[60]

He was also convinced that the young people -- a majority of whom went in search of work in the towns after finishing school in the locations -- were the most able to pay the Levy and the most blameworthy for not having done so. At any rate, the debt could not be retired without them, he concluded: "It can impossibly be

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[58] Behrens to Secretary for Native Affairs, 26 June 1931, NTS 1383, file 44/213 part 2.

[59] Letter, Rev. Behrens to Secretary for Native Affairs, 10 February 1932, p. 2, 5-6. NTS 1383, file 44/213, part 2.

[60] Levy Report for July 1932, NTS 1383, file 44/213, part 2. See also Behrens, "Three Year Plan," 24 February 1933. Ibid.

expected to collect the £1500 and interest from the old people at home!!"[41]

The Native Affairs Department accepted Rev. Behrens's offer, and appointed him Collector in April 1932, at first providing him with a monthly salary of £25. When the amount of collections disappointed the Department, however, they pursuaded him to work on a commission basis -- that is, 10% of levy receipts[42] -- an arrangement that added considerably more acrimony to Rev. Behrens's relationship to the Levy defaulters and other potential Levy payors, as the years passed.

By July 1932, Rev. Behrens had begun publicizing the land debt in Bethanie, Hebron and Jericho, as well as amongst workers in Johannesburg and Pretoria from the Bakwena villages. He stressed the threat of foreclosure on the farms as well as his earlier role, as the Hermansburg missionary in the late 19th century, in helping organize the Bethanie Bakwena-ba-Magopa to purchase their farms. He found that once most Bakwena understood the debt, they were "eager listeners" who were "willing to act," none of whom refused to pay.[43]

He began to organise his Levy-collecting "commissions." Each consisted of twelve to fifteen men, elected by the larger community in which the Levy was to be collected. No "chiefs or subchiefs" were members;[44] most of the commission members were "workers."[45] Each commission, in turn, elected a chairman, secretary and vice-chairman. Most of the secretaries, who were expected to keep books, issue receipts and correspond with Rev. Behrens were teachers.[46] By August, Rev. Behrens had organised twelve commissions, and therefore had 132 men working to collect the Levy on a voluntary basis in the villages, as well as on the Rand, in Pretoria and in Brits.[47]

When Rev. Behrens needed assistants for this plan, he naturally turned to teachers to take a leading role as secretaries. First, they had basic skills -- literacy and numeracy -- that were obviously crucial to the success of such a small bureaucratic project. Second, they were people Rev. Behrens "trusted" and had "known for years" because almost all teachers in Bethanie, Hebron and Jericho would have had close relationships

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[41] Ibid., p. 3.

[42] Secretary for Native Affairs to Behrens 11 May 1933, NTS 1383, file 44/213 part 2.

[43] Levy Report for July 1932. NTS 1383, file 44/213 part 2.

[44] Levy Report for July 1932. NTS 1383, file 44/213, part 2.

[45] Levy Report for August 1932. NTS 1383, file 44/213, part 2.

[46] Levy Report for July 1932.

[47] Levy Report for August 1932.

with the Hermansburg Mission Church and the schools with which they were closely associated. Third, teachers were well respected in rural communities for being "learned." Finally, teachers would have known most of the young recent pupils who left their schools each year in search of work in the towns, and who were an important target of Rev. Behrens's plans.

The relationship between teachers and mission also, however, contained tensions. Missionaries taught in their schools and acted as superintendents. In Hebron, for example, after the mission schools were taken over by the Transvaal provincial education system in 1930, Rev. Denke, the Hermansburg missionary at Hebron, remained chairman of the local schools committee, and "chose" some of the "elected" local schools committee members like Peter Pekane, Joseph Musi and Solomon Phalatse. Hence, even though technically the schools were no longer under direct mission control, Rev. Denke had tremendous authority over the schools and their teachers. According to Mr. Phalatse, who became a teacher in 1936, Rev. Denke insisted, that "if you wanted a post in this [former] mission school, you should be prepared to run Sunday school ... If not you are expelled from your post!" The tension was greater for some teachers than for others because not all teachers were Hermansburg Lutherans. A local lad who gained an education, Mr. Phalatse was expected by his father and Rev. Denke to become a teacher in Hebron, and he had little choice in the matter. As a Hermansburg Lutheran and son of Hebron, however, Mr. Phalatse liked teaching under the local missionary, and had "all facilities, all support [and] all recognition."[68] Other teachers, were less happy. Because of a lack of qualified teachers in Hebron and other Hermansburg mission stations,[69] the school employed teachers from other denominations, including Anglicans and Berlin Mission members. These non-Hermansburg Lutheran Christian teachers left their posts "time and again ... because they did not want to be converted into [the] Lutheran church."[70] As the Levy collection scheme got off the ground, Rev. Behrens also put special pressure on village teachers to pay the Levy, because unlike the other country people, they earned steady wages.[71] Hence, teachers in the rural Bakwena villages had close relationships with the Geman Lutheran missionaries, but they

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[68] Interview notes, Mr. Phalatse, Hebron, 24 January 1989.

[69] Ironically, Bethanie had compulsory education from 1870, and people from Hebron and Jericho had access to Hermansburg mission education from shortly thereafer. See Levy Report for September 1932, NTS 1383, file 44/213, part 2. The Hermansburg Mission schools intitially did not teach English or Afrikaans, however, so few of their pupils were qualified to teach after the Transvaal provincial takeover. See N. Mokgatle, Authobiography of an Unknown South African (Berkeley: University of California Press, 1975, p. 78.

[70] Interview, Mr. Phalatse.

[71] Levy Report for February 1933. NTS 1383, file 44/213 part 2.

experienced pressure from the missionaries with which other villagers did not have to contend.

With the commissions beginning to work, Rev. Behrens called a meeting of commission members for 3 October 1932, a holiday, in Brits. The turnout was impressive. In the morning, commission volunteers began arriving by foot. More arrived by donkey carts and bicycles, and some, coming from further away, arrived by train. The Johannesburg commission members arrived most smartly in three motor cars. The Hebron delegates arrived already divided amongst themselves into BaMorula and BaTsiela factions. The fact that the BaMorula came at all, however, indicates that, although not enthusiastic, they were not opposed in principle to helping the larger Bakwena-ba-Magopa community out of their collective troubles. The forty-six delegates (about three from each commission) met for six hours. Despite everyone's concern about the economic depression, the meeting resolved that each commission should try to collect a minimum of £10 each, which would guarantee at least £120 per month revenue. Before adjourning the meeting the participants also organised the Hebronites into two commissions -- one for the BaMorula and one for the BaTsiela. People with ties to Bethanie took the leading role in organising a Johannesburg commission.[72]

As the meeting ended, a rain storm broke over Brits, and several commission members were forced to seek shelter in town for the night. Rev. Behrens believed that the season would be "blessed with good rains" and some commission members mentioned that rain on the day of the conference was a good omen both for the Levy and crops.[73] It was an ironic omen for both: The worst drought in fifty years was begining, and the Levy would harvest a large crop of bitterness for the Bakwena-ba-Magopa community.

As ploughing season approached, people in the rural villages were already buying grain to eat, as the last two harvests had been meagre. Cattle were already "everywhere in very poor condition, because of the long severe drought." Unemployment was high because of the depression and many Bakwena looked in vain for work, especially as Batswana from the Protectorate were also scouring the Transvaal for work. White farmers in the Brits area, forced to cut back production as the Hartebeestpoort Dam dried up, cut wages and reduced their labour forces; when the Brits wheat crop was reaped, "men, women and girls flock together from all surrounding Locations from far and near, and soon finish the little work there is ..."[74] By November, the Hartebeestpoort Dam was empty and its canals had dried up. The Crocodile River, from which the Bakwena-ba-Magopa had been moved in the late 1910s, came "to dead standstill below Beestekraal." None of the residents of

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[72] Levy Report for October 1932. NTS 1383, file 44/213 part 2.

[73] Levy Report for February 1933. NTS 1383, file 44/213 part 2.

[74] Levy Report for October 1932. NTS 1383, file 44/213, part 2.

the Bakwena-ba-Magopa locations were ploughing because of the lack of rain. Cattle and game began dying in the veld of starvation and thirst in November, but by December they were dropping dead "by hundreds." Rev. Behrens had not seen a drought of this magnitude in his 52 years in South Africa, and had not heard of a drought like this occuring since 1863.[75] By the beginning of 1933, some Bakwena began ploughing on the merest hope of rain, but the sun simply burned the shoots that came up. By February, Rev. Behrens concluded that there would be no harvest whatsoever in 1933 -- "Nothing at all will be harvested and no green mealies, pumpkins, sugarcane[,] beans or herbs can be collected from the fields" -- and for the next several months, as winter approached, he begged the Native Affairs Department to provide famine relief in the Bakwena villages. On the chance that the Department might provide it, he began collecting statistics on food, and found that many families had nothing to eat, and of the few who still had cattle, some had traded a beast for one "bag of mealies, and a goat for a parrafin tin of meal or Kaffircorn!"[76]

By April, according to the statistics Rev. Behrens had collected, there were full-fledged famine conditions:

> From the Bethanie and Jericho returns it is evident that these two Sections of the Tribe are literally without any foodstuffs, and also in most cases without the means to buy any, as the men can find no work, and have no money or cattle to buy food with, the cattle either being too poor for want of sufficient grazing and water, or cannot be missed, but are wanted for future work in the gardens, if they survive the drought. Although the famine position at Hebron cannot be satisfactorily gauged from the returns mentioned, I understand after general enquiries that Natives of that Section are very much in the same plight as the other two, and that thus the whole Bakuena ba Mogopa Tribe can be considered as living and suffering under famine conditions this year, and that something should soon be done, chiefly for the old and sick, the widows and their children.
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> I trust that ... some [famine] relief [from the Department] will soon be forthcoming in some form or other.[77]

Rev. Behrens, who was meticulous about recording the day-to-day events relevant to the levy in the Bakwena-ba-Magopa locations never recorded that any famine relief was provided to the African

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[75] Levy Report for November 1932, p. 1; Levy Report for December 1932, p. 6. NTS 1383, file 44/213, part 2.

[76] Levy Report for March 1933, p. 1-2. NTS 1383, file 44/213, part 2. Unfortunately, I have not been able to locate Rev. Behrens statistics, which would provide a fascinating and detailed account of family budgets.

[77] Levy Report for April 1933, p. 1-2. NTS 1383, file 44/213, part 2.

population. In July 1933, however, the Rustenburg Platinum mines were restarted and the local famine stricken were given preference over foreign workers.[78] The Native Affairs Department also quietly decided not to press tax-payors on the year's hut tax, and agreed with Rev. Behrens that he needn't try to collect the Levy from the rural population. Only teachers and urban workers amongst the Bakwena-ba-Magopa seemed to have money for food, let alone for taxes and Levy.[79]

The rains came only in October 1933. By the time of the rains for the 1933-34 crop season, oxen were so scarce and the few alive in such poor condition that many women reverted to pre-plough agriculture, using picks to plant in unploughed land.[80] During the growing season, however, the area was invaded by swarms of locusts and birds. After two meagre seasons and one season of famine, when "meal for porridge [was] still ... a rare article and dear," the Bakwena were forced to fight locusts, birds and weeds, which threatened the crops in what otherwise would have been an environmentally benign year.[81]

Even as the drought rendered more and more Bakwena of the villages became peniless, they remained prey to sharpsters. Rev. Behrens found that local merchants frightened several people into selling their savings in British silver coins for less than they were worth, in the confusing withdrawal of British money from South Africa, which coincided with the drought. And several white farmers cheated local villagers into working by entering contracts and refusing to pay the wages.[82]

Even before the drought, members of the Bakwena-ba-Magopa community in the rural areas relied upon the wages of their town kinsmen and kinswomen, and their dependece was radically deepened during the famine. Urban workers had already been pressed by demands by their kinsmen on their wages before the famine. Now the demands increased in size as rural relatives became destitute, in breadth as destitution spread among more and more kinsmen, and in importance as the demands were for survival by

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[78] Levy Report for July 1933, p. 2. NTS 1383, file 44/213, part 2.

[79] Levy Report for April 1933. NTS 1383, file 44/213 part 2.

[80] Levy Report for October 1933. NTS 1383, file 44/213, part 2. Rev. Behrens's description conforms to a description by Mr. L.S. More of Kgabalatsane. He informed me that he had heard that about the time the Bakwena first settled in the Brits area after the difaqane, women used sharp metal picks to make holes in the soil for seed. Interview, Mr. L.S. More, Kgabalatsane, 21 January 1989.

[81] Levy Report for February 1934. NTS 1383, file 44/213 part 2.

[82] Levy Report for January 1933. NTS 1383, file 44/213 part 2.

kinsmen during a famine -- all at the same time when because of the depression, wages were being cut and work was becoming more difficult to find and less secure, in the towns.

Yet Rev. Behrens seems never to have grasped how many demands there were on wage-earners incomes. He believed that the town Bakwena -- "the storeboys, officeboys, kitchenboys, parcelriders, cabdrivers, motorcardrivers, servants houseboys, gardenboys, laundryboys, and similarly employed Natives ... who earn from £2.10 to £5 ... and more per month" -- "can easily miss 5/ to 10/- from their wages" in installment payments on their back Levy liabilities. Yet he readily admitted that after these workers paid their support to their country kinfolk, "they have not much over."[83] It was the regularity of wages -- compared to the hazards of relying on farming -- that made him see a chimera of financial stability for the Levy fund if only he could control young workers' wages. Morever, rooted in the countryside, he did not seem to understand the expenses faced by Africans living in town. Writing and rewriting lists of Levy "nonpayors" and "neverpayors" until late into the night, personally suffering lost income on his 10% Levy commissions because of Levy defaulters, he began to develop a stereotype of the urban worker, which, it seems, caused him to resent them. For example, in early 1934, an elderly rural man in tattered clothing offered to pay 10sh. toward his Levy debt. Behrens exclaimed (in writing):

> I should rather have gone with him to a store and bought him a pair of trousers for the 10sh, instead of having to accept this for Levy. But what could I do? I took the 10sh and gave him his receipt, admiring his zeal and personal disinterestedness. This Native puts to shame the many finely clad, cigarett smoking Native "Town Gentlemen", who do not pay their Levy, and I intend to bring this home to them at the next Meeting in Johannesburg.[84]

Consequently, throughout the drought, Rev. Behrens never ceased trying to collect the Levy from his urban Levy commissions, although the collections were quite meagre, amounting to only £377 for all of 1933. During the crop season of 1933-1934, wage earners were under pressure to assist their rural kinsfolk with "food and clothing" and with "hiring and paying Eurpean and Native owners of spans of oxen and donkeys" for ploughing. Rev. Behrens concluded that for this short period, "wage earning Natives had many genuine excuses for avoiding to pay" the Levy. Nevertheless, he began drawing up "accounts" of the amounts owed by each potential levy-payor. He assumed that, despite the fact that the Levy had not been collected regularly, every Mokwena was

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[83] Levy Report for May 1933. NTS 1383, file 44/213 part 2.

[84] Levy Report for December 1933, p. 3. NTS 1383, file 44/213, part 2.

liable for all years that he had not paid since the Levy had been instituted. In August, he sent out 300 such accounts.[85]

As the pressure on wage earners instensified, the competition between factions in the commissions also intensified. The Johannesburg commission began disintegrating because of "jealousy" among officers and the members ceased trusting their officers. Meanwhile, the Hebron commission became completely split between the BaMorula and BaTsiela factions. The Pretoria commission became inactive after the death of its chairman, and no other members seemed to be able to revive it.[86]

Rev. Behrens began to treat his Levy commissions with increasingly high-handed behavior. He dismissed eight members of the "elected" Rand-Bethanie commission for obstructing the work. Two of the eight refused to cease collecting the Levy, however, and kept careful records of their collections which they dutifully handed over to the Director of Native Labour in Johannesburg for safekeeping.[87] By early 1934, the commissions were less and less under Rev. Behrens's control. Levi Ntuane, leader of the BaMorula, began openly speaking out at Hebron against the Levy, and the BaMorula Levy commission on the Rand wrote to Rev. Behrens explaining that they could not collect the Levy without instructions from "their Fathers" in Hebron.[88] His relationship with the Hebron BaMorula broke down, and claiming to have obtained the consent of what remained of his commissions, Rev. Behrens began reporting urban workers who had never paid the Levy: He reported 180 young men from Hebron working in Johannesburg and Pretoria to the Native Commissioner of Pretoria for prosecution for nonpayment of Levy. In April, he reported the entire Hebron rand commission to the Additional Native Commissioner, Johannesburg for prosecution, and the following month did the same for the entire Jericho commission. By August, therefore, he had actually reported two of three Rand-village Levy commissions for defaulting in their own Levy payments, and had called on the Bethanie Rand commission to disband itself.[89]

While his urban commissions began falling apart, Rev. Behrens turned his attention on the countryside, where he tried to hold meetings to gain the support of village elders. As he

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[85] Levy Report for August 1933. NTS 1383, file 44/213 part 2.

[86] Levy Report for October 1933. NTS 1383, file 44/213 part 2.

[87] J. Tandy, Director of Native Labour, to Secretary for Native Affairs, 14 December 1933. NTS 1383, file 44/213 part 2.

[88] Levy Report for February 1934. NTS 1383, file 44/213 part 2.

[89] Levy Report for March, April and May 1934. NTS 1383, file 44/213 part 2. They refused and retained Hyman Basner to represent them. Letter, Hyman Basner to Mr. Cordwell, Native Affairs Department, 25 September 1935, GNLB 411, file 80/4.

presented the issue, the elders became frustrated with the inability of the Bakwena-ba-Magopa to pay off the debts. Two headmen, Josia More of Oskraal and Willem Mogotsi of Bultfontein volunteered to collect the levy in their villages.[90] This prompted Rev. Behrens to formulate a plan to have the headmen collect the levy both in the villages and in the urban areas. At a meeting convened by Chief Mamogale to discuss the Levy, moreover, he presented the assembled headmen, councillors and subchiefs with a long "law" of the Bakwena-ba-Magopa and pursuaded the meeting to adopt it. The main features of the law were that headmen would extend their courts from their traditional capacity -- that is, as judges in intra-linneage cases -- to fine Levy defaulters.[91] Rev. Behrens seems to have been able to rely for a few months on latent tensions between elders and wage workers, to gain support for the Levy in the villages amongst the lineage heads. But soon, the headmen began asking Rev. Behrens about his heavy handed reliance on the police. At a meeting in Jericho

> Many questions were put to me ... with regard to the Levy, but what troubled them most, was that the [Native] Commissioner of [Hamanskraal] had sent police twice to arrest Natives of Jericho in batches to appear before him, charged with not paying Taxes of Levy. They wanted to know whether this had been done <u>at my request</u>. I could assure them, that I knew nothing about this ...[92]

The headmen clearly objected to taking an active role in reporting their kinsmen to the police for prosecution and would not enforce the "melao" that Rev. Behrens had drafted. In what looks like an attempt to mediate between Rev. Behrens and the hundreds of Levy defaulters living in towns, Chief Mamogale, the subchiefs and headmen asked Behrens to attend a meeting at Bethanie on 31 May 1935 to meet with a delegation of workers from Johannesburg. Instead of suggesting a compromise with either the workers or the headmen, Rev. Behrens suggested to the meeting "a radical change" in collecting the Levy in the towns. He proposed that one full time "sub-collector" be sent to collect on the Rand. Before the meeting, he had mentioned this plan to Chief Mamogale, and he now asked the chief to propose the name of his subcollector to the group; nevertheless, there was strong opposition. Despite the opposition, Rev. Behrens pushed through with his plans and hired Daniel More of Mokolokoe as his full time Levy collector.[93]

The appointment of Daniel More appears to have sparked intense opposition, first from "prominent" Bakwena in Bethanie,

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[90] Levy Report for August 1934. NTS 1383, file 44/213 part 2.

[91] Molao oa Bakwena ba Mogopa oa Levy (and Eng. tr.). NTS 1384, file 44/213 part 3.

[92] Levy Report for May 1935. NTS 1383, file 44/213 part 3.

[93] Levy Report for May 1935. NTS 1383, file 44/213 part 2.

but thereafter from former commission members, headmen, teachers and Chief Mamogale's closest relatives and possible Mamogale, himself. The initial opposition to Daniel was based on his ambiguous relationship to the ruling lineage. Rev. Behrens explained in a Levy Report,

> But who is Daniel More, that so much fuss is made about his appointment, and that he meets with opposition from certain quarters? Old Chief Mamogale appointed his son Raikane as his [successor] in [1874], when I was present. Chief Raikane was secretly poisoned in 1880. His son Jakobus More, a Christian, was proclaimed Chief in 1880. The Heathens of the Tribe, still being strong at that time, wanted Jakobus to take over the young wives or concubines of his late father, according to heathen custom, as his wives. Jakobus, as a Christian, refused, whereupon the heathen party found a prominent heathen (Ramekoe) to accept them as his wives.- Daniel More is the son of one of these wives by Ramekoe, and is not considered to be of royal blood, but still [has] some connection with the Chief's relatives.[94]

Daniel's relationship to the chief's family was, however, more ambiguous than Rev. Behrens characterised them. He clearly thought of himself as having "royal blood," and indeed of being fourth in succession after Chief Mamogale, Abram Mamogale and Daniel (I) More. In testimony in the Rathebe case, he declared:

> I am brother of the late chief [Jacobus] Mamogalie and uncle of the present chief. I am a headman. I live at [Mokolokoe] ... I am second headman. The first headman is Abraham Mamogalie... There are two Daniel Mori's. The other is a counsellor. Abraham is twin brother of the chief. I come fourth in the kingdom of Mamogalie... There is the chief, then Abraham, then Daniel No. 1, then myself.[95]

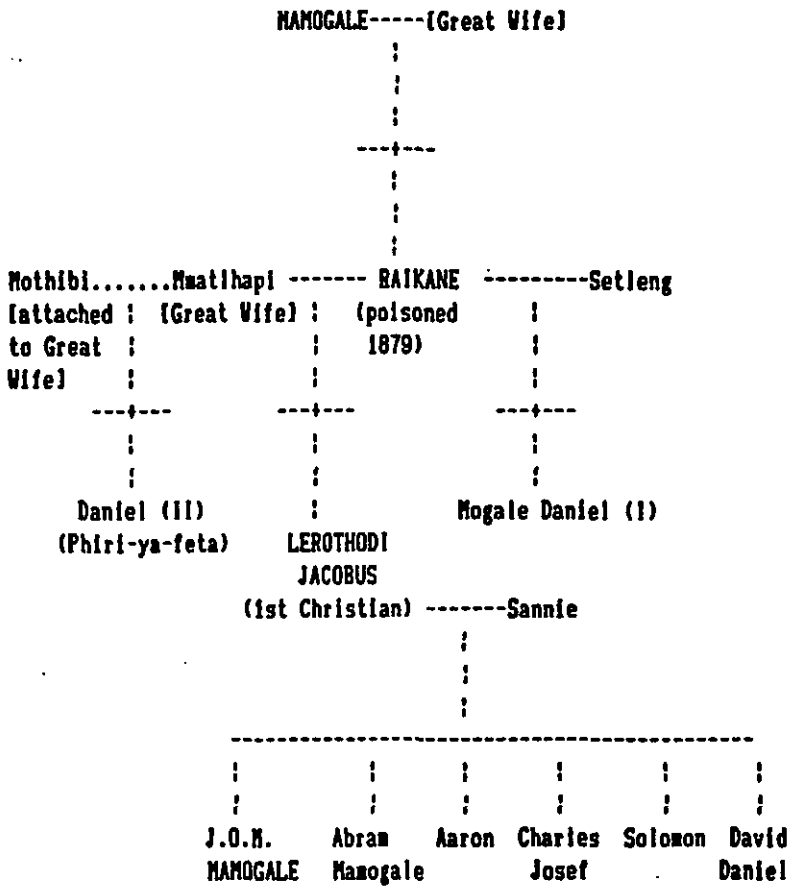
Daniel was not only "fourth" in Mamogale's kingdom by his own reckoning, but by "heathen" reckoning, his claims to the chieftainship could challenge those of Mamogale. Daniel's mother, Mothibe, was "attached" to the Great House of Raikane. Although she was not herself the "Great Wife", her children should have been considered the children of the "Great Wife". If Lerothodi had followed the prescriptions of the "heathens", then he would have fathered children not by the "Great Wife" (his biological mother), but any of the other wives. Mothibi arguably could have borne Lerothodi's successor. (See Figures 1-3) Even though Jacobus Lerothodi refused to father children by Mothibe, another close relative of Raikane -- Ramekoe, for example -- could have

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[94] Levy Report for June 1935. NTS 1384, file 44/213 part 3.

[95] Evidence, p. 197, Rathebe v. Reid and Mamogale, TPD 5/235, case 21/1906.

Figure 1: Geneology of Bakwena Paramount Chiefs



Paramount Chiefs' names shown in capital letters

Source: P.-L. Breutz, The Native Tribes of Rustenburg and Pilansberg Districts

Finally, Daniel seemed to carry associations of criminality or unfair dealings. In some prior transactions, Behrens wrote, Daniel had been accused of "acts which are not quite above board." For example, at some point when Mamogale was still in charge of the Levy, he had appointed Daniel to collect it. At the time, Daniel was said to have commandeered cattle.[101]

To Daniel's credit, he had been Chief Mamogale's main representative in negotiations with the Ventersdorp section of the Bakwena-ba-Magopa, and had collected the purchase price for Zwartkop successfully.[102] Whatever else may have been his faults, it could not be said that he was an inefficient collector of money.

Daniel became a phenomenally successful Levy collector in Johannesburg. In 1936, collections rose to £1713 and in 1937 £1832. Moreover, wherever he went, Levy collections rose. When he was in Bethanie or Mokolokoe for Christman vacation, Levy collections rose in those villages to unprecedented levels, and dropped off to zero in Johannesburg. When he returned to Johannesburg, collections rose there and fell back to zero or near zero in the villages (See Fig 4). He worked with a group of men in Johannesburg, about whom little was recorded but some is hinted, in the Levy records; it seems that they were all working for part of Rev. Behrens's 10% commission on collections. When Rev. Behrens tried to hire additional sub-collectors, they had disasterous experiences compared to Daniel's. For example, Rev. Behrens obtained the permission of Mamogale's kgotla to employ Johannes Komane, a former teacher and storeowner in Pretoria. On his first day, the first worker he tried to collect from "threatened that if he dared to come again he would break his neck."[103] He collected meagre amounts but suffered frequent insults.[104] After many tribulations, including a mysterious collision with a motor car while he was on bicycle, in October 1939, Komane wrote Rev. Behrens a letter containing "all sorts of excuses, saying twice: 'look for somebody else.'"[105]

Although Daniel managed to collect sufficient Levy receipts for the Bakwena-ba-Magopa to begin making payments on its capital, he also continued to prompt considerable opposition. In February 1936, a group of urban workers met in Sophiatown as a Committee of Vision, to organise an assault by 70 men on the church bell in Hebron. Their attack turned into a fight and several people had to be taken to Hospital. Rev. Behrens had used the bell to summon

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[101] Levy Report for November 1935. NTS 1384, file 44/213 part 3.

[102] Matsetele, p. 10.

[103] Levy Report for October 1936. NTS 1384, file 44/213 part 3.

[104] Levy Report for June 1937.

[105] Levy Report for October 1939. NTS 1383, file 44/213 part 2.

people whenever he was collecting Levy in the rural villages. It was, moreover a symbol of the Hermansburg Lutheran Church, and Daniel lived next to the Hermansburg Mission's Church in Johannesburg.[106]

In the rural villages, during the late 1930s, Rev. Behrens was consistently "stood up" by headmen, sub-chiefs Charley and Aaron More and Mamogale, when he wished to discuss the Levy with them. Chief Mamogale, who was gravely ill with heart disease by 1938, seems to have become during the period a passive resistor of Rev. Behrens when possible. Charley, the sub-chief, went further, protesting to Rev. Behrens that he collected "from the 'poor' who have left for the Towns to work for money, and leaving the 'wealthy' to sit at home." He later sent Rev. Behrens a list of 38 "wealthy" villagers.[107] Bethanie's teachers were reported in August 1939 to be holding meetings in Johannesburg about resisting the Levy. And a group in Bethanie, calling themselves the Vigilance Committee, led by two Bethanie teachers, offered to Chief Mamogale to try to instil discipline in the community, but began to challenge the chief's authority. The town became divided between the adherents of the Vigilance Committee, also called the Voortrekkers or MaVoor, and the chief's defenders, called the MaAgter.[108]

Several events finally kindled this disparate oppostion of teachers and urban workers into a period of violence. First, the Native Affairs Department pursuaded Chief Mamogale, who was very ill, to resign in favour of Daniel More as regent in October 1939.[109] Daniel arrived in Bethanie to take over the affairs of the chieftaincy in November 1939. By early 1940, Daniel was collecting Levy while trying to get local administration under his control. In April, the crops were totally ruined by untimely rain.

Then events in Europe seem to have a decisive if very indirect impact on the opposition to the Levy, Daniel More, Rev. Behrens and the Hermansburg Mission Society in the village of Bethanie. The Allies were suffering through their lowest point of the war: The Nazis were striking west, seemingly invincibly, and

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[106] Interview notes, Mr. Phalatse, 21 January 1989. Levy Report for February 1936. NTS 1383, file 44/213 part 2. I am combining two versions of what appears to be one incident. More interviews are needed in order to confirm that the Committee of Vision was indeed the same group that Rev. Behrens wrote about in his report.

[107] Levy Report for October 1937. NTS 1383, file 44/213 part 2. By using the term wealthy, Charley was probably referring to members of the Hermansburg congregation, who were considered to be wealthier than average. Interview notes, Mr. Phalatse, 21 January 1989.

[108] Levy Report for August 1939. Breutz, p. 94.

[109] Resignation, J.O.M. Mamogale, 6 October 1939. NTS 323, file 26/55.

by June 21, the news of France's fall was published in the Rand Dail Mail. The Mail and the Star were almost completely dominated during June and July of news of the war, and anti-German propoganda. The newspapers likened the Germans to barbarians and mad oppressors. As both German nationals and Afrikaner were detained, the papers made a link between Fascism and the policies of the Ossewabrandwag. Each day brought more news of German attrocities, pro-Nazi Afrikaner fanaticism and the insidious "Fifth Column" in South Africa. On June 15, the Mail printed an ominous piece on the necessity of German internment:

> Another matter that is occupying the attention of the authorities is the activity of German Missionaries among the native population. There are still 500 people engaged in German mission work in the Union and many of these are suspected of pro-Nazi propoganda. Many have already been interned, and it is expected that quite a number of additional internments among this section will shortly be made.[110]

The normative reversal[111] of the world was now complete, and counter-orthodoxy ruled the world in Bethanie. A "heathen" chief, who had long worked with the German missionary to collect funds, for which no one really understood the purpose, was governing Bethanie. Mr. Masongwa, the Bakwena Lutheran Church minister in Bethanie today recalls that the church split because people were tired of the white man sending their money overseas to Germany.[112] The home of Joseph Mogotsi, one of the first black ministers of the Hermansburg Church, was surrounded, and his family threatened with death.[113] Benches in the Lutheran church were axed and set alight inside the church building, and the doors and windows were smashed.[114]

Two years later, the Bakwena Lutheran Church had 50 members in Johannesburg, 103 members in Hebron, and 1002 in Cyferfontein, where most of the headmen of Hebron lived. It had not penetrated Bethanie, where the fight over the church took place.[115] There is a large flourishing congregation in Bethanie today.

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[110] Rand Daily Mail, 16 June 1940.

[111] I would be reluctant on the basis on my interviews thus far to ascribe too much significane to anti-German sentiment. I offer it here as a hypothesis, while I am in the midst of field research.

[112] Mr. Masongwa, pastor, Bakwena Lutheran Church, Bethanie. personal communication.

[113] Interview notes, Mr. Marks Mogotsi, 12 December 1988. Mr. Mogotsi has thus far declined to tell me any details of that night

[114] Breutz, p. 94. "Faction Fight over Church: 48 Arrested, Rand Daily Mail, 24 July 1940.

[115] Application for church site, Bakwena Lutheran Church. GNLB 206, file 1697/14/317.