

2021-01-22

**Attention –**

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**Heritage Crime –**

**Economic Freedom Fighters’ (EFF) statements on the Day of Reconciliation, 16 December 2020, relating to the Battle of Blood River (1838) and associated historical events.**

**Summary**

This Heritage Crime Report refers to statements made by the Economic Freedom Fighters (EFF) in a published statement (dated 16 December 2020 – see Plate 1) and by Vuyani Pambo (EFF) and Mbuyiseni Ndlozi (EFF) as referenced in 2) *Introduction – The Heritage Crime Report* respectively, on 16 December 2020, regarding the Battle of Blood River (1838) and associated historical events.

The case is reported to SAHRA and AMAFA, in terms of the National Heritage Resources Act, No 25 of 1999 [NHRA 1999], with the site in question being Provincial Heritage Site 9/2/447/0001 – Blood River Battlefield, KZN, and with concerns being summarized as the negative impact that the accused’s statements may have / had on the conservation and cultural heritage significance of the site, the living heritage associated therewith, and the principles of heritage management as stipulated in Sections 5(1) and 5(7) of the NHRA 1999.

It is consequently requested that the accused provides information (presentation), in terms of the NHRA 1999, Section 51(5)(a), to the reportee, ArchaeoMaps, of the relevant research, documentation, recordings etc. that have been obtained / used / referenced in said statements (16 December 2020), in terms of Section 5(7)(f) of the NHRA 1999, including the statement issued by the EFF (see Plate 1) and statements made by Vuyani Pambo (EFF) and Mbuyiseni Ndlozi (EFF) (see 2) *Introduction – The Heritage Crime Report*). It is further requested that the presentation pertinently address the accused’s statements made on 16 December 2020 with direct reference to the NHRA 1999, Section 5(1)(d) “Heritage resources management must guard against the use of heritage for sectarian purposes or political gain.”

The above information is requested with cognisance that no formal consent or authority from SAHRA or the relevant PHRA (AMAFA) was required for purposes of the accused’s heritage statements [NHRA 1999, Section 51(5)(b)], albeit therein not indemnifying any person / entity / organization from reasonable request for information to assert the truth or falsehood of such statements or representations.

It is requested that this inquiry for information be addressed within three (3) calendar months, being 23 April 2021, from the date of submission of this report (22 January 2021) on SAHRIS, being the date on which SAHRA / AMAFA is to formally indicate whether or not the case reported will be further pursued by them in accordance with their mandate.

This report is made to SAHRA and AMAFA, mandatory responsible for the implementation of the NHRA 1999, directly on SAHRIS, and without any contact with the accused’s office.

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## 1) The Accused

The Accused: Economic Freedom Fighters (EFF)  
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## 2) Introduction – The Heritage Crime Report

This Heritage Crime Report refers to statements made by the abovementioned accused with reference to historical accounts given regarding the Battle of Blood River (1838) during the Day of Reconciliation statements, 16 December 2020, with specific reference to:

- 1) On 16 December 2020 Pambo (2020) stated:

*“The EFF observes the 16<sup>th</sup> of December, which has incorrectly been deemed a ‘Day of Reconciliation’ in South Africa by a former liberation movement that is determined to erase and distort history, for the purposes of suppressing the spirit of rebellion that characterizes African people. This day is one upon which the racist Afrikaner Voortrekkers waged war against the Zulu nation, defeating the King of the native people of Africa, King Dingaan.*

*This was in order to entrench colonial domination and further a racist agenda of invaders in South Africa. It was at the Battle of Blood River in 1838, where Dingaan led a brave defiance against a people who believed in their feeble minds that they can conquer a nation on the basis of the color of their skin.*

*There is therefor nothing reconciliatory about a day on which the dispossession of land was furthered by an entitled people who arrived in Africa and established themselves as a superior race.*

*As the EFF, we reject the attempt by a former liberation movement that is determined to make our people servants of a history that perpetuates defeat. The project of reconciliation in South Africa has failed because of the insistence on building a society on lies and injustice. We urge the people of South Africa to reflect on this day as an occasion of crime by an invading white-minority, that stole land and coerced the former liberation movement to be co-conspirators of the suppressing of consciousness and the reality of history...”*

- 2) On 16 December 2020 Head (2020) reported:

*“We think it’s fair to say the EFF isn’t feeling particularly festive on Wednesday. For today’s public holiday – the Day of Reconciliation – South Africans are urged to acknowledge the work that has gone into settling the differences of our people, fuelled by our tumultuous history. However, the Red Berets feel the commemoration is a sham.*

*Day of Reconciliation? Not for the EFF...*

*EFF Commissar Mbuyiseni Ndlozi was first out of the blocks on Wednesday. He said that ‘justice, not reconciliation’ should be pursued in South Africa. He then went on to argue that the day cannot exist until land reform is properly implemented:*

*‘You cannot reconcile with someone you were never one with in the first place. We must seek justice, not reconciliation. There can be no reconciliation without the land. On the 16<sup>th</sup> December, the records show that over 10,000 Zulu warriors died resisting colonial dispossession of land during the Battle of eNcome.’*

*‘Today, in memory of this we must repeat the mantra: No Reconciliation without Land!’*

*- Mbuyiseni Ndlozi.*

*Red Berets Reject Public Holiday*

*An official party statement soon followed. The EFF also rallied against the Day of Reconciliation as a collective. They maintain that 16 December was a bruising day for the Zulu people, and celebrating this event is tantamount to ‘racism’. The party also went on to push their political ideals:*

*‘There is nothing reconciliatory about a day on which the dispossession of land was furthered by an entitled people who arrived in Africa and established themselves as a superior race. The day celebrates racist Afrikaaners waging a war against the Zulu nation, who tried to conquer a nation using on the basis of skin colour.’*

*‘The project of reconciliation has failed in South Africa, as it is built on a society fuelled by injustice and lies. The EFF will continue to lead a true agenda of reconciliation, which will focus on land expropriation without compensation. Mines, banks and strategic economic sectors must also be nationalised.’*

- EFF statement.”



Plate 1: Published EFF statement on Reconciliation Day, 16 December 2020 (after Head 2020)

### 3) The Heritage Site: Provincial Heritage Site 9/2/447/0001 – Blood River Battlefield, KZN

The site in question, the Blood River Battlefield site, is recorded in the SAHRA database as a Provincial Heritage Site, with SAHRA Identifier 9/2/447/0001:


9/2/447/0001	Blood River Battlefield, Farm Vechtkop 168, Utrecht District	At a point 19 kilometres from Dundee on the road to Vryheid, a secondary road turns off sharply to the right and leads one over the hills for 18 kilometres to the Battlefield of Blood River. Here the Blood River skirts the foot of Vegkop on its eastern si Type of site: Battlefield Previous use: other: battlefield. Current use: museum/monument. A portion of the well-known historical battlefield of Blood River where a group of Voortrekkers unde	Utrecht	Provincial Heritage Site	27°39'36"S 30°19'48"E	 <p>Media related to Blood River Memorial at Wikimedia Commons</p>
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Figure 1: Blood River Provincial Heritage Site – SAHRA database (en.wikipedia.org/wiki/List\_of\_heritage\_sites\_in\_KwaZulu-Natal)

#### 4) Legislative Aspects – The NHRA 1999

Aside from the general provisions of the National Heritage Resources Act, No 25 of 1999 [NHRA 1999] the following sections in particular refer:

##### General principles for heritage resources management

- 5(1) All authorities, bodies and persons performing functions and exercising powers in terms of this Act for the management of heritage resources must recognize the following principles:
- (a) Heritage resources have lasting value in their own right and provide evidence of the origins of South African society and as they are valuable, finite, non-renewable and irreplaceable they must be carefully managed to ensure their survival;
  - (b) Every generation has a moral responsibility to act as trustee of the national heritage for succeeding generations and the State has an obligation to manage heritage resources in the interest of all South Africans;
  - (c) Heritage resources have the capacity to promote reconciliation, understanding and respect, and contribute to the development of a unifying South African identity; and
  - (d) Heritage resources management must guard against the use of heritage for sectarian purposes and political gain.
- 5(7) The identification, assessment and management of the heritage resources of South Africa must –
- (a) Take account of all relevant cultural values and indigenous knowledge systems;
  - (b) Take account of material or cultural heritage value and involve the least possible alteration or loss of it;
  - (c) Promote the use and enjoyment of and access to heritage resources, in a way consistent with their cultural significance and conservation needs;
  - (d) Contribute to social and economic development;
  - (e) Safeguard the options of present and future generations; and
  - (f) Be fully researched, documented and recorded.

##### Offences and penalties

- 51(5) Any person who –
- (a) Fails to provide any information that is required to be given, whether or not on the request of a heritage resources authority, in terms of this Act;
  - (b) For the purpose of obtaining, whether for himself or herself or for any other person, any permit, consent or authority in terms of this Act, makes any statement or representation knowing it to be false or not knowing it to be true;
  - (g) Within the terms of this Act, commits or attempts to commit any other unlawful act, violates any prohibition or fails to perform any obligation imposed upon him or her by its terms, or who counsels, procures, solicits or employs any other person to do so,
- Shall be guilty of an offence and upon conviction shall be liable to such maximum penalties, in the form of a fine or imprisonment or both such fine and such imprisonment, as shall be specified in the regulations under subsection (3).

#### 5) Background Literature

The history of the Battle of Blood River (1838), events leading up to, and the aftermath of the battle is fairly well recorded. Historical records do differ though, with various aspects of the history focussed on by the various historians and recorders. However, the basic sequence of events, the primary facts comprising the history related to the Battle of Blood River, is seldom disputed. For purposes of this report, the history surrounding the Battle of Blood River, as originally recorded by Theal (1886) is relayed:

*“Early in October 1837 Piet Retief and company with a few of the leading Emigrants set out from the neighbourhood of Thaba Nchu for the purpose of examining the capabilities of Natal and obtaining Dingan’s consent to its occupation. On the 19<sup>th</sup> the party arrived at the Port, without having met a single individual after they crossed the Drakensberg. The residents of Durban were greatly pleased on hearing that it was the desire of the Emigrants to settle in the neighbourhood. They presented Mr. Retief with a warm address of welcome, and did all that was in their power to assist him. A messenger was immediately sent forward to announce his intended visit to Dingan, and some days were spent in examining the harbour and the country around it.*

On the 27<sup>th</sup> the party left the Port for Umkungunhlovu, accompanied by John Cane and Thomas Holstead, two of the oldest inhabitants of Natal, in the capacity of guides and interpreters. Their reception by Dingan was outwardly as friendly as it was possible to be. He seemed to agree with what Mr. Retief said concerning the advantages to his people of a European settlement in their neighbourhood, and he promised to take the request for land south of the Tugela into consideration and give a decisive reply in a few days. In the mean time he entertained the farmers with exhibitions of dances, in one of which nearly two hundred oxen, all of the same colour, were mixed with men of a regiment and went through certain manoeuvres with the most perfect accuracy. Among the stock recently captured from Moselekatse were some of the sheep taken by the Matabele from the Emigrants on the Vaal. Dingan informed Mr. Retief that most of these were dead, but he restored one hundred and ten as a present, and offered the skins of the others.

On the 8<sup>th</sup> of November, Mr. Retief arranged to return to his friends. On leaving Dingan gave him a document written by the Rev. Mr. Owen, in which the Zulu chief stated that he was willing to grant the land asked for, but the farmers must first recover and restore certain cattle that had recently been stolen from one of his outposts by a party of horsemen clothed as Europeans and armed with guns. He asserted that some of his people suspected the robbers were farmers, and he wished them to prove their innocence. It was, however, certain that the Zulus knew the plundering band to be some of Sikonyela's Batlokua.

The conditions seemed to Mr. Retief very easy of fulfilment. The stolen cattle were only about seven hundred in number, and the Batlokua, by driving them through an Emigrant encampment and thereby bringing the trail upon the farmers, had made themselves liable to be called to a reckoning. Mr. Retief therefor returned to the Caledon, sent for Sikonyela, and when that chief appeared informed him that he would be detained as a prisoner until the stolen cattle from the Zulus were given up. They were at once surrendered, and the great body of the Emigrants thereupon moved off to Natal. In the course of a few weeks nearly a thousand waggons crossed the Drakensberg.

The Emigrants spread themselves out along the Blue Krans and Bushman rivers, and Mr. Retief then prepared to visit Dingan again to deliver the cattle recovered from Sikonyela. But by this time many of the farmers had acquired such a feeling of uneasiness as induced them to urge their leader not to venture again into the Zulu despot's power. A man whose life was of less value to the community should be sent, and there were not wanting many who nobly volunteered to fulfil the dangerous task. Mr. Maritz offered to go with only three or four others. But Mr. Retief objected to anything that might lead Dingan to suspect that they distrusted him, and he therefor determined to go himself and take a suitable escort of volunteers. Some sixty of the best men among the Emigrants offered to accompany him, and several of these imprudently allowed their sons – boys from eleven to fifteen years of age – to go also. Before they left, Thomas Holstead and George Biggar arrived at the Bushman's River. The last named was a young man who had been residing in Natal since 1834, and who came up from the Port as his father's agent to ascertain the requirements of the Emigrants in the way of trade. He remained for this purpose after Mr. Retief's party had left. Thomas Holstead, who had been thirteen years in Natal, and who spoke the Zulu language as readily as the English, went again with Mr. Retief as interpreter. There were also about thirty Hottentot servants leading spare horses with the party.

On their arrival at Umkungunhlovu, 3<sup>rd</sup> of February 1838, Dingan expressed himself highly satisfied with their conduct, regretting only that they had not brought Sikonyela bound to him to be put to death for having dared to plunder a Zulu cattle post. He asked for some firearms and horses which the Balokua chief had been required to give up, but appeared satisfied when he was informed that these had been restored to their legitimate owners. As on the former occasion, the farmers were entertained with exhibitions of dances and sham fights. The day following their arrival Dingan requested the Rev. Mr. Owen to draw up a document to show that he had given the farmers a country to live in. Mr. Owen thereupon drafted a paper in the English language, which met with Dingan's approval after it had been thoroughly explained to him. The document was then signed, and the chief handed it to Mr. Retief. It was as follows: -

'Umkunginglove, 4<sup>th</sup> February, 1838

Know all men by this,

That whereas Pieter Retief, Governor of the Dutch Emigrant Farmers, has retaken my cattle which Sinkonyella had stolen from me which cattle he said Retief now deliver unto me: - I, Dinga, King of the Zoolas, do hereby certify and declare, that I thought fit to resign unto him, Retief, and his countrymen, the place called Port Natal, together with all the land annexed; that is to say, from the Tugela to the Omsovoobo Rivers westward, and from the sea to the north, as far as the land may be useful and in my possession.

Which I did by this, and gives unto them for their everlasting property.

Mark X of King Dingaan.

Witnesses,  
M. Oosthuizen,  
A. C. Greyling,  
B. J. Liebenberg,  
Maoro X Great Councillor,  
Juliavius X Do,  
Manondo X Do.'

Grants similar to this, and covering the same ground or portions of it, had been previously made by Tshaka and Dingan himself successively to Messrs. Farewell, Fynn, King, Isaacs, and Gardiner; and under no circumstances would such a session, in native estimation, mean more than permission to occupy the ground during the lifetime of the reigning chief, whose supremacy as feudal lord would be assumed. But Dingan from the first was only seeking to lure the farmers to destruction, and never intended his cession to mean anything.

The farmers were entirely thrown off their guard by the trouble that was taken apparently to entertain them. On the morning of Tuesday the 6<sup>th</sup> Mr. Retief and his party prepared to return to their friends, and went to take leave of Dingan, whom they found, as usual, surrounded by warriors. Great care had been taken to show them that according to Zulu custom no one could approach the chief armed, and consequently when they were requested to leave their guns outside the kraal, they did so without suspicion of danger. They were received in the ordinary manner, and were pressed to seat themselves and partake of some beer, which was being handed round freely. While in this defenceless position, into which they had been so carefully entrapped, Dingan suddenly called out 'seize them', when instantly the Zulu soldiers rushed upon them. Thomas Holstead, the interpreter, cried out 'we're done for', and added in the Zulu language 'let me speak to the King'. Dingan heard him, but waved his hand in token of dissent, and called out repeatedly 'kill the wizards'. Holstead then drew his knife, and mortally wounded two of his assailants before he was secured. One of the farmers also succeeded in killing a Zulu, but the others were seized before they could spring to their feet. They were all dragged away to a hill where executions were commonly performed, and were then murdered by having their skulls broken with knobkerries. Mr. Retief was held and forced to witness the death of his companions before he was murdered. His heart and liver were then taken out and buried in the path leading from Natal to Umkungunhlovu, but no other mutilations of the bodies took place, nor was their clothing removed.

Some of the servants had been sent for the horses when the farmers went to take their leave. These were surrounded by a party of soldiers, and were also put to death. One of them nearly made good his escape by the fleetness of his feet, but eventually he was run down and killed like the rest. In all there perished on this memorable morning sixty-seven Europeans and about thirty Hottentots.

While the massacre was taking place, Mr. Owen sat in his hut, not knowing but that any moment he might hear the footsteps of the messengers of death. Dingan sent word to him that the farmers were being killed because they were wizards, but that he need not fear for himself. Notwithstanding this message, he felt that his life was in imminent danger, as the chief appeared to delight in nothing so much as in treachery. His interpreter, Mr. Hulley, was absent at this time, but his wife and his sister were with him. Another European who was present was a youth named William Wood, who had been living for several months at Umkungunhlovu in the capacity of interpreter to Dingan. Both Mr. Owen and Wood have published accounts of the massacre. They remained at Umkungunhlovu a few days in order that Dingan might not suspect them of having lost confidence in him, and then they retired to Natal. Before they left, Dingan asked Mr. Owen for his best waggon and most of his household effects, which the missionary did not think prudent to refuse.

A few hours after the massacre two other Europeans arrived at Dingan's kraal. They were the Rev. Mr. Venable and his interpreter, Mr. James Brownlee. The indunas at the different stations had shortly before this issued orders that no person whatever was to attend the mission services or schools, and Mr. Venable was deputed by his colleagues to visit the chief and endeavour to get these orders countermanded. But when he learned what had happened, he thought it best to say nothing of the object of his journey. As soon as he could prudently leave he did so, and gave notice to his colleagues at the different stations, all of whom retired immediately to the Bay.

At noon of the same day some ten thousand Zulu warriors marched towards Natal, with the intention of falling upon the Europeans before they could hear of what had happened and prepare for defence. Having divided themselves into several bands, at early dawn on the morning of the 17<sup>th</sup> they burst upon the foremost parties near the present village of Weenen, which has obtained its name, meaning wailing or weeping, from the events of that day. Men, women and children were barbarously murdered, and every European in that part of Natal must have met with this fate had not, fortunately, two or three young men escaped, who hastened to inform those further on of the imminent danger in which they were. These at once made the best possible preparations in their circumstances, by forming laagers or camps drawing their waggons in circles about them. Hardly had they time to effect this simple arrangement when they were assailed, but in no instance were the Zulus able to penetrate these camps, though great numbers perished in the attempt. At one place on the Bushman's River they persevered for a whole day in the endeavour to reach the farmers, whose ammunition was nearly exhausted when a shot from a three-pounder, in ploughing through a mass of assailants, struck down several of their leading men, which caused the remainder to retreat precipitately. In the defence of the laagers the women were nearly as serviceable as the men, by loading spare muskets for their husbands and brothers.

As soon as the Zulus retired, the farmers hastened to learn the fate of their friends in front, when they found that all who had not had time to take shelter in laagers had been murdered. All their cattle had been swept off, and their household goods had been destroyed. The waggons had been broken to pieces and burnt for the sake of the iron in them, and beside the ruins lay the corpses of men and women, boys and girls, in some cases horribly mutilated. In one place two girls, named Johanna van der Merwe and Catherina Prinsloo, about ten or twelve years of age, were found still living, though one had received nineteen and the other twenty-one stabs of the assegai. They were tended with care, and recovered, though they ever after remained cripples. In another place, on a heap of corpses lay the mangled remains of George Biggar, the young Englishman from the Bay. Altogether forty-one men, fifty-six women, one hundred and eighty-five children, and about two hundred and fifty coloured servants were thus cut off without warning.

The survivors of this fearful massacre, after ascertaining the full extent of their loss, held a consultation to decide upon what was to be done. One or two proposed to withdraw from the country, but they were put to shame by the women, who declared that they would never leave Natal till the blood of their relatives was avenged. Their earnest, deep seated religion supported them in this hour of distress, and gave a tone to all their proceedings. What had happened said one, was in punishment of their sins, but let them call upon God and he would certainly help them. And then from that sorrow-stricken camp went up their cry to the God of heaven, that He would not forsake His people nor let the heathen triumph over them. The discussion was not so much what was expedient for them to do, as what was their duty to do. The resolution they arrived at was that it was clearly their duty to punish the murderers of their friends. For this they were then too weak, but they were not left long without assistance.

Commandants Potgieter and Uys, upon hearing of these events, hastened across the Drakensberg to the support of their countrymen. The Englishmen at the Bay, having ample proof from the fate of Thomas Holstead and George Biggar that they were in the same danger, offered to raise a native commando to attack Dingan from one direction while the farmers should do the same from another. This was decided upon, but even in this juncture the jealousies which were the bane of the Emigrants prevented that action in obedience to a single will which alone could command success. After Mr. Retief's murder, Mr. Maritz became the head of the whole of the parties in Natal, and they desired that the expedition against Dingan should be under his command. But neither Hendrik Potgieter nor Pieter Uys would serve under him, nor would one of these serve under the other. At last it was arranged that Mr. Maritz should remain in command of the laagers in Natal, while Messrs. Potgieter and Uys should proceed against Dingan, acting in concert, but each having independent control over his followers.

Early in April the two expeditions set out. The one from the Port consisted of about twenty English traders and hunters, the same number of Hottentots, and from a thousand to fifteen hundred natives. These last were nearly all fugitives from Zululand, so that their fidelity could be depended upon. The whole expedition was nominally under the command of Mr. Robert Biggar, a brother of the young man who had been murdered; but in reality each white chief, such as John Cane and Henry Ogle, had absolute authority over his own people and obeyed only such orders as pleased him. Four days after leaving the Port this commando reached a Zulu kraal, from which most of the men were absent. They secured here the whole of the cattle, variously estimated from three to seven thousand head, and a considerable number of women and girls. The bonds of discipline were too weak to stand the strain of this success. Cane's people raised a quarrel with Ogle's as to the division of the spoil, and a combat with sticks took place in which the latter were badly beaten. The English leaders saw that they could not advance further until the plunder was disposed of, and they therefor returned to Natal.



In the meantime Commandants Potgieter and Uys were advancing towards the Zulu capital. Between them they had three hundred and forty-seven men. Take the fact of their being mounted and armed with muskets into consideration, and this expedition must still remain one of the most daring events on record, considering that Dingan could bring into the field at least a hundred times their number of warriors, trained to despise death in battle, disciplined to move in concert, and armed with the deadly stabbing assegai. The loss of their horses at any moment must have been fatal to the commando. For five days their march was unopposed, the country which they passed through appearing to have been abandoned.

On the 11<sup>th</sup> of April they came in sight of a division of the Zulu army, which they attacked impetuously, and were drawn into a skilfully planned ambush. Before them were two parallel ranges of hills, between which was a long defile, and into this the farmers were led by the Zulus apparently retreating before them. Uys's division was in advance. When in the narrowest part of the gorge they found themselves surrounded by an immense force which had been lying in ambush, and by which they were so hemmed in that they could not fall back rapidly after firing and again load and charge, as was their mode of fighting with Moselekatse. The horses of Potgieter's division became almost unmanageable through the din created by the Zulu striking their shields. There was but one course open. The farmers directed all their fire upon one mass of the enemy, when, having cleared a path by shooting down hundreds at once, they rushed through and escaped. They left their led horses, baggage, and spare ammunition behind.

The loss of the farmers in this engagement was ten men, among them the Commandant Pieter Lavras Uys. He was assisting a wounded comrade when he received an assegai stab. As he fell he called out to his followers to leave him and fight their way out, for he must die. His son, Dirk Cornelius Uys, a boy of fifteen years of age, was some distance off, but looking about he saw his father on the ground, and a Zulu in the act of stabbing him. The gallant youth turned his horse and rode to help his parent, but could only die at his side. Englishmen will remember how bravely another son of the same Commandant Uys conducted himself forty-one years later in our war with Cetywayo, and the manner of his death at Hlobane on the 28<sup>th</sup> of March 1879.

While this event was taking place, the Englishmen at the Port were about to leave for a second time. The quarrel concerning the division of the spoil taken on the first occasion was, however, not altogether made up, so that neither Ogle, nor his people, nor his partizans, would go again. The second expedition consisted of seventeen Englishmen, about twenty Hottentots, and fifteen hundred natives, of whom between three and four hundred were armed with muskets. It was nominally under command of Mr. Robert Biggar, as before. A few miles south of the Tugela the commando came in sight of a Zulu regiment, which pretended to take to flight, left food cooking on fires, and even threw away a number of shields and assegais. The Natal army pursued with all haste, crossed the Tugela, took possession of a kraal on the northern bank, and then found it had been drawn between the horns of a Zulu army fully seven thousand strong.

The battle that was fought, on the 17<sup>th</sup> of April, was one of the most desperate contests that ever took place on that blood-stained soil. Three times in succession the Natal army beat back the regiments that charged furiously upon it. Then a strong Zulu reinforcement came in sight, and renewed the enemy's courage. Another rush was made, which cut the Natal army in two, and then all hope of successful resistance was over. One of the divisions tried to escape, but the only open path was down a steep bank of the Tugela and across that river. A Zulu regiment hastened to cut off the retreat of the fugitives, and many were killed in the water, but four Englishmen, two or three Hottentots and about five hundred Natal natives managed to get through. The other division was entirely surrounded. But no lion at bay ever created such havoc among hounds that worried him as this little band caused among the warriors of Dingan before it perished. The young regiments were selected to charge upon it, while the veterans looked on from a neighbouring hill. Whole masses went down before the withering fire, the survivors recoiled, but again they were directed to charge. At last a rush of a regiment, with another in reserve close behind, carried everything before it, and the stubborn fight was over. A thousand Natal natives had perished, and probably three times that number of Zulus. Thirteen Englishmen lay dead on the field of battle, Robert Biggar, Henry Batts, C. Blanckenberg, William Bottomley, John Cane, Thomas Carden, John Campbell, Thomas Campbell, Richard Lovedale, Robert Russell, John Stubbs, Richard Wood, and William Wood.

After this victory Dingan's army marched leisurely to Durban; but fortunately the Comet, a small vessel bound to Delagoa Bay, had called at Natal and was then lying in anchor there. The American missionaries, except Mr. Lindley who had volunteered to remain behind and report occurrences, had already left in a vessel bound to Port Elizabeth. Mr. Owen and his family, with Mr. Lindley, and the surviving residents of Durban, took refuge on board of the Comet at night and on one of the islands in the lagoon during the day. The natives retired to the thickets. The Zulus remained nine days at the Bay, during which time they destroyed all the property they could find, leaving not even a dog or a fowl alive. They then returned to Umkungunhlovu to report themselves.

Some eight or nine Englishmen, - among them Alexander Biggar, Henry Ogle, Daniel Toohey, Charles Adams, and Richard King, - now resolved to try their fortune once more in Natal, and accordingly they left the island and sought out the natives in the thickets. The missionaries sailed in the Comet to Delagoa Bay and thence to the Cape Colony. They and most of their colleagues intended to return as soon as prospects should be favourable; but of them all only Mr. Lindley, Dr. Adams and Mr. Aldin Grout saw Natal again.

Commandant Hendrik Potgieter with his adherents also left Natal at the same time. Party feeling was running so high that there were not wanting those who attributed the disaster in which Pieter Uys lost his life to mismanagement on Mr. Potgieter's part. He had the country purchased from Makwana, and that abandoned by Moselekatse, to fall back upon; and he did not therefor care to remain in Natal, where the opposition faction was much stronger than his own. A large party recrossed the Drakensberg with him. On the 16<sup>th</sup> of May an offer sent to make inquiry by the Civil Commissioner of Colesberg met them two days march on the inland side of the mountains, moving towards Sand River. There they remained until the month of November following, when they proceeded onward toward Mooi River and formed on its banks the first permanent settlement of Europeans in the present South African Republic. To the town which they built there they gave the name Potchefstroom in honour of their chief. Henceforth until September 1840 his party had a government of its own, separate from and independent of that of the other Emigrants. Its Volksraad claimed jurisdiction over the whole territory north of the Vaal and also over the northern half of the present Orange Free State.

The secession of Mr. Potgieter's adherents was, however, more than compensated by the arrival at Natal of fresh parties from the Colony. The largest of these consisted of thirty-nine families who came from Oliphants Hoek and were under the leadership of Mr. Carel Pieter Landman. In May Mr. Maritz's camp was visited by Field Cornet Gideon Joubert, of the division of Colesberg, and Mr. J.N. Boshof. Mr. Joubert's object was to endeavour to induce the Emigrants to return to the Colony. Mr. Boshof was Civil Commissioner's clerk at Graaff-Reinet, and visited Natal from sympathy with his countrymen, whom he joined shortly afterwards. Both of these men drew up reports upon the condition of the people and the country. That of Mr. Boshof has been published, and that of Mr. Joubert is still in manuscript in the Colonial Office. The Emigrants were found to be fully resolved to remain in Natal and to punish Dingan as speedily as possible. Mr. Landman had been appointed Commissioner, and was absent on a visit to the Port, near which in compliance with a request of the English settlers a camp was about to be stationed. At this time there were in Natal about six hundred and forty male Europeans capable of bearing arms and three thousand two hundred women and children.

On the 16<sup>th</sup> of May Mr. Landman, with the concurrence of a few remaining Englishmen at Durban, issued a proclamation taking possession of the Port in the name of the Association of South African Emigrants. He appointed Mr. Alexander Biggar Landdrost and Mr. William Cowie Field Cornet. Mr. Biggar, who was suffering under great depression of spirits consequent upon the loss of his sons, did not care to perform the duties, and therefor a few weeks later Mr. L. Badenhorst was appointed Landdrost in his stead. He, in turn, after a very short tenure of office was succeeded by Mr. F. Roos.

In July Sir George Napier issued a proclamation inviting the Emigrants to return to the Colony, promising them redress of well founded grievances, stating that they could not be absolved from their allegiance as British subjects, and announcing that whenever he considered it advisable he would take military possession of Port Natal. It had previously been announced that 'the determination of Her Majesty's Government was to permit no further colonization of this part of Africa, nor the creation of any pretended independent State by any of Her Majesty's subjects, which the Emigrant farmers continued to be'. But proclamation and announcement alike fell upon deaf ears, for those to whom they were addressed were resolved not to return.

In August Dingan's army attacked the camp on the Bushman's River again, but was beaten off with very heavy loss, though only one farmer, Vlodman by name, was killed.

Most of the Emigrants were at this time in great distress from want of proper food and other needs of life, so much property having been destroyed and so many cattle swept off. Disease, in the form of low fever, broke out among them, probably induced by insufficient nourishment and clothing; and many must have perished if supplies of medicine and other necessaries had not been forwarded by their countrymen at the Cape. This winter was indeed one of such suffering and hardship that it was long remembered as the time of the great distress. Mr. Landman was now the nominal head of the Emigrants in Natal, for the health of Mr. Maritz had completely broken down, though he lingered in life until early October.

In November a Commission sent by Governor Sir George Napier visited Natal. Its object was to ascertain exactly the condition and number of coloured apprentices with the Emigrants, - these being entitled to full freedom on the 1<sup>st</sup> of

December, - and to demand that they be permitted to return to the Colony. Mr. Gideon Joubert, the Commissioner, found no difficulty in carrying out his instructions. In most instances the farmers had already freed their apprentices, and where this was not the case they were without exception offered the choice of returning with Mr. Joubert or of remaining as servants with wages. Nearly all of them preferred to remain, so that Mr. Joubert brought back with him only eight men, eleven women, and twenty-one children.

In November Mr. Andries W. J. Pretorius, a man whose name was often to be heard during the next fifteen years, arrived in Natal, and was immediately elected Commandant General. Mr. Pretorius had visited the country on a tour of inspection just before the massacre of Mr. Retief's party, and had been so well satisfied with its appearance that upon his return to Graaff-Reinet he and his friends resolved to remove to it. The new Commandant General was a man of considerable wealth and high character. His family traced its descent through many generations to Johannes Pretorius, son of a clergyman at Goeree in South Holland, who arrived at Cape Town in the early days of the settlement; and they prided themselves upon having preserved an unstained reputation for integrity during that long period. Mr. Pretorius, like most of the farmers of that day, had received so little education from books that he had no knowledge of modern history or the condition and relative strength of European nations, but in bible history he was as well versed as his remote ancestors could have been. His knowledge and his opinions indeed, as well as his virtues and failings, were those of the seventeenth, not of the nineteenth century. At this time he was in the noontide of life, being thirty-nine years of age, and was in full vigour of mind and body.

Early in December a strong commando was ready to take the field against Dingan. It was under direction of Mr. Pretorius as Commandant General, M. Landman being the officer next in rank. Guided by experience, the farmers determined to take a considerable number of waggons and some artillery with them for defensive purposes. Mr. Alexander Biggar, whose grief for the loss of his sons was inconsolable, joined the burgher army with a small party of natives to act as scouts. Altogether four hundred and sixty-four men mustered, exclusive of the Commandants.

The march towards Umkungunhlovu was conducted with the greatest caution, so as to prevent a surprise. Scouts were continually out in all directions, and every night a laager was formed by drawing the waggons up in a circle and lashing them together. The commando resembled an itinerant prayer meeting rather than a modern army on the march, for the men were imbued with the same spirit as the Ironsides of Cromwell, and spoke and acted in pretty much the same manner. There was no song, no jest heard in that camp, but prayers were poured forth and psalms were sung at every halting place. The army made a vow that if God would give them victory over the cruel heathen, they would build a church and set apart a festival day every year to commemorate it. The church in Pietermaritzburg stands as a sign that they kept their vow. They did not wish to fight merely for the sake of revenge. On three occasions the scouts brought in some Zulus whom they had captured, and Mr. Pretorius immediately sent these to Dingan to inform him that if he would restore the property taken from the Emigrants they were prepared to enter into negotiations for peace.

Dingan's reply came in the shape of an army of ten or twelve thousand strong, which attacked the camp at early dawn on Sunday the 16<sup>th</sup> of December 1838. The camp was on the bank of a river, which here formed a long and deep reach, giving complete protection on that side. Another side was so well protected by a water drain, then dry, with steep banks about fourteen feet deep, which opened into the stream. The Zulus attempted to effect an entrance into the camp by sheer pressure of numbers on the two open sides, and they persevered in their efforts for two full hours, notwithstanding the terrible havoc created among them by the fire of the artillery and of the farmers' guns, which carried slugs three ounces in weight. At last they concentrated their strength on one point, when Mr. Pretorius led a body of horsemen out and attacked them in the rear, while they were being mown down in front. This movement decided the action, for the Zulus, finding themselves between two fires and utterly unable to reach either, broke and fled. There were four or five hundred in the water drain along the bank of the river, and these were all shot down. The farmers had three men slightly wounded, Mr. Pretorius himself being one of them. They estimated the number of Zulus lying dead around the camp at over three thousand. The ground was covered with corpses and gore, and even the water was discoloured. From this circumstance the stream on the bank of which the carnage took place received the name of the Blood River.

On the 17<sup>th</sup> the commando moved forward, and on the 21<sup>st</sup> reached Umkungunhlovu, when it was found that Dingan had set fire to his capital and had fled with his army to the thickets and ravines skirting the Umvolosi River. The first man to enter the still burning town was Mr. Jacobus Uys, brother of the late Commandant, and next to him was young Jacobus Uys, the late Commandant's son. Mr. Carel Cilliers, the most earnest preacher and at the same time one of the very best warriors in the camp, was not far behind. But they found nothing living in that awful place which had been the scene of so many murders and so much woe. On the hill outside the town they discovered the skeletons of Mr. Retief and his companions, who ten months before had fallen victims to Dingan's treachery, and whose murder they were then

avenging. The bodies appeared never to have been disturbed since the day of the massacre. The riems with which the victims had been dragged to the place were still attached to their skeletons. All the skulls were broken, showing how thoroughly the murderers had done their work. The skeleton of Mr. Retief was recognized by some fragments of clothing and a leather despatch bag which he had suspended from his shoulder. In this bag was found the deed of cession of Natal, written by Mr. Owen, in a perfect state of preservation.

After the internment of the remains, a camp was formed some miles further on, and then Mr. Pretorius sent a patrol of two hundred and eighty horsemen in pursuit of Dingan. A Zulu army was found in an extensive and broken valley having rocky and precipitous sides, and here for nearly a whole day the farmers were skirmishing. Towards evening they found that another body of Zulus was closing them in from behind, when they resolved to turn at once and cut their way out. In doing so they were obliged to cross a swollen rivulet, and here the enemy got among them and killed Mr. Alexander Biggar, five Emigrants named Gerrit van Stander, Barend Bester, Nicolas le Roux, Marthinus Goosen, and Johannes Oosthuizen, and five of the Natal natives. The others got away in safety.

The commando then commenced its return march. When it reached the Buffalo River a patrol was sent out, which was fortunate enough to fall in with a herd of four or five thousand cattle guarded by only a hundred men. The guards were shot and the cattle seized.

During the absence of this commando, a military detachment arrived from Port Elizabeth and took possession of Natal. It consisted of a company of the 72<sup>nd</sup> Highlanders and a few gunners, altogether about a hundred men, and was under command of major Samuel Charters of the Royal Artillery. Mr. (now Sir) Theophilus Shepstone accompanied it in the capacity of kaffir interpreter. After landing the troops, on the 4<sup>th</sup> of December Major Charters proclaimed that he had taken military possession of all the ground surrounding the Bay within two miles of the high water mark, and declared martial law in force within these bounds... The objects of this military occupation are stated by Sir George Napier in a despatch to Earl Glenelg, dated 16<sup>th</sup> of October 1838, to have been:

- 1) To prevent all supplies and warlike stores from entering the Port, by which means alone he could prevent aggression against the native tribes by the Emigrant farmers, and thus put a stop to further bloodshed.
- 2) To prevent the Emigrants establishing an independent Government, by being in possession of the only seaport through which gunpowder and other necessary supplies could be conveyed to them; and by which means he was sanguine enough to hope that emigration would cease...

... Major Charters returned overland to Cape Town as soon as the troops were settled, leaving Captain Henry Jervis of the 72<sup>nd</sup> in command... Early in 1839 an attempt was made by Captain Jervis to bring about an agreement of peace between the Emigrants and Dingan. He obtained a messenger from Henry Ogle, whom he sent to Dingan to ask that he would appoint delegates and direct them to proceed to Natal to talk matters over. As afterwards seen, Dingan had no intention of concluding peace. He had lost about ten thousand men in all engagements, but his army was still so large that he was by no means humbled. He was, however, quite ready to enter into an arrangement which would enable him to keep a constant watch upon the Emigrants' proceedings. He therefor sent delegates to Natal with three hundred and sixteen horses and a message indicating a wish for peace.

On the 26<sup>th</sup> of March Dingan's delegates had a meeting close to the fort with Mr. Pretorius and some other leading Emigrants, in the presence of Captain Jervis, when they were informed that peace would be made on the following terms: -

- 1) That the cession of land by Dingan to the late Mr. Retief for the farmers should be confirmed and ratified by him.
- 2) That Dingan should restore all the cattle, horses, arms, ammunition, and other property which his army had stolen from the camps of the farmers, and make good on demand all the damage sustained by the Emigrants from his people.
- 3) That any Zulu passing the boundary of the land ceded by Dingan, and thus coming within the territory of the farmers, should be shot, and vice versa.

The Zulu delegates professed to consider these conditions fair and reasonable, but said they would require it to be approved by Dingan. They accordingly returned home, and shortly afterward came back to the Bay with a message to Captain Jervis to the effect that the farmers' property had been collected and would be delivered to them if they would send for it. Captain Jervis hereupon communicated with the Emigrants at the nearest camps, and they with the Volksraad at Maritzburg. Upon this Mr. Pretorius assembled a commando of three hundred and thirty-four burghers near the junction of the Mooi and Tugela rivers, where he formed a camp, and then sent a Commission consisting of Messrs. William Cowie, J. A. van Niekerk, and J. P. Roscher, to Dingan for the property.

Dingan was found by the Commission at a new town built about four hundred yards from the site of the one that had been burnt six months before. He stated that much of the farmers' stock had died, and that many of the guns had been lost, but he sent back with the Commission thirteen hundred head of horned cattle, about four hundred sheep, fifty-two guns, and forty-three saddles, which were delivered at the camp on the 7<sup>th</sup> of June. To the Commission Dingan expressed himself as very anxious for peace, but circumstances that indicate the still unbroken spirit of the people were noted in the report of the interview which Mr. Cowie furnished to Captain Jervis. The great indunas were not sent to the Emigrant camp, on the alleged ground of fear, but two petty captains were deputed to arrange matters. These informed the Emigrant leaders that Dingan was quite willing to agree to the terms delivered to the Zulu delegates in the presence of Captain Jervis at the Bay, to which Mr. Pretorius replied that there was then no obstacle to peace, that they estimated the losses and damages still due at nineteen thousand three hundred head of cattle, but part of that might be paid in ivory if more convenient. The captains then affixed their marks to the conditions of peace, and promised on behalf of their master that delegates of rank should ratify their acts and that a quantity of ivory which had already been collected should immediately on their return home be sent to Mr. Pretorius...

... On the 30<sup>th</sup> of June two messengers arrived at Maritzburg from Dingan. They brought no ivory, but said they had come to ratify the terms of peace and to enquire when the cattle would be taken over. But the Volksraad ascertaining that they were persons of no rank, declined to confer with them further than to direct them to inform Dingan that he must send some of his chief captains within twelve days, otherwise they would treat with him no longer, but settle matters with a commando. On several occasions after that messengers arrived, but they did nothing else than deliver compliments, make promises, and apologize for mistakes, until it became evident that Dingan's only object was to ascertain whether the farmers kept a laager or were dispersing over the country.

At this time the Emigrants were agitated by a rumour that a large body of English colonists would shortly be landed at Port Natal with the object of overturning their Government. Great as was the danger from Dingan, they regarded this as greater... But their fears were groundless... On the 24<sup>th</sup> of December 1839 the troops embarked in a vessel that had been sent for them. The ammunition of the farmers was at last restored without any guarantee as to its use, and they saw all the symbols of English sovereignty disappear, though in a friendly farewell letter of Captain Jervis he stated that they were still considered British subjects. Under such circumstances, however, they might reasonably conclude that the Imperial Government had practically abandoned its claim to their allegiance.

About four months before the departure of the troops a very important event took place in the Zulu country. Umpande, or Panda as he is usually termed by Europeans, one of the younger sons of Senzangakona, entered into a conspiracy against Dingan. In ability he was far inferior to either of his brothers, and almost immeasurably lower than his son Cetywayo in later years. But he possessed a large amount of low cunning, and he was clever enough to seize the opportunity that then occurred to improve his position. A great number of the incorporated Zulus, the remnants of tribes that had come under Tshaka as the only means of saving themselves, - were ready to rally around any leader who would give them reasonable hope of deliverance from incessant bloodshed and tyranny. The induna Nongalaza declared Panda, and they joined him. The rebel chief with a very large following then crossed the Tugela, and sent three messengers to Landdrost Roos at the Bay to ask protection from the Europeans. These messengers arrived on the 14<sup>th</sup> of September and stated that Panda was accompanied by Nongalaza, Sotobe, and six other great indunas.

The Emigrants first regarded Panda with suspicion, as it was by no means certain that his flight was not merely a pretence to draw them into destruction. But in an interview which he had with the Volksraad on the 15<sup>th</sup> of October, he convinced the members of his sincerity, and permission was given to him to occupy the track of land between the Tugela and Umvoti rivers. On the 26<sup>th</sup> of the same month he was installed 'Reigning Prince of the Emigrant Zulus' by a Commission from the Volksraad, of which Mr. F. Roos, Landdrost of the camps around the Bay, was President. An arrangement was soon afterwards entered into that the Volksraad should demand from Dingan immediate payment of their losses, and that in the event of Dingan's non-compliance the Emigrants should assist Panda to depose his brother, in which case he undertook to pay the debt. It was understood on both sides that the first clause was a mere matter of form, and Panda therefor paid about two thousand head of cattle at once.

In accordance with this arrangement, on the 4<sup>th</sup> of January 1840 the Volksraad directed Commandant General Pretorius to march against Dingan, to demand from him forty thousand head of horned cattle, and if they were not given, to take them by force. Ten days later a burgher commando of four hundred men, supported by five or six thousand of Panda's adherents under Nongalaza, set out for Zululand. Their approach was made known to Dingan by his spies, and recognizing the gravity of the position in which he was placed, he attempted - possibly in earnest - to come to terms with the Emigrants. There were two officers immediately under him whose advice he frequently sought, and through

whom he carried on his government. Their names were Tambusa and Umthlela. The first named of these he now sent to the Emigrant camp to renew negotiations for peace.

Upon Tambusa's arrival he and his servant Kombazana were made prisoners, and contrary to all law and justice were brought to trial before a court martial. Panda and some of his officers were kept by Mr. Pretorius in his own camp as security against treachery, the column under Nongalaza being at some distance and marching in parallel line. These persons, who would assuredly do all in their power to cause the death of one of Dingan's magnates, were allowed to take part in the mock trial. Panda acted indeed in the capacity of prosecutor and judge. He attributed the massacres of the Emigrants to the advice given to Dingan by Tambusa, and accused the chief prisoner of many enormities. Tambusa, finding himself in the hands of those who were determined on his death, acted with the utmost calmness and dignity. He admitted the truth of what Panda had asserted against him, and without asking mercy for himself, demanded the release of his servant on the ground that he was bound to obey any orders given to him. But Kombazana, on his part, displayed equal pride by refusing to be separated from his master even in death. They were both condemned to be executed, and the sentence was carried out a few hours later on the same day, 31<sup>st</sup> of January 1840.

This act of Mr. Pretorius, - for the chief blame must rest upon him, - was a grave mistake as well as a great crime. It gave those who were jealous of his influence an opportunity to attack him, which they at once availed themselves of. In the Volksraad he was accused of having exceeded the authority entrusted to him by creating a tribunal with power of life and death. His partizans, however, were so strong that after a time the charges against him were allowed to drop.

Immediately after this event a messenger from Nongalaza brought word to the burgher column that on the day preceding, 30<sup>th</sup> of January, he had fought a great battle with Dingan's army, and had won a complete victory.

This battle proved to be a decisive one. At its commencement Dingan's army was superior in number, but a body of his troops went over to Panda's side and turned the scale. Those who were faithful stood their ground, and fell as became Zulu warriors. The slaughter on each side was enormous. The two best regiments of Dingan perished. The veterans who had won their plumes under Tshaka preferred to die rather than show their backs to the traitors who had deserted their cause, and the issue of the day was still doubtful when the cry echoed along Nongalaza's ranks 'the Boers are coming'. It was not so, but the belief that it was answered Nongalaza's purpose. The remnant of Dingan's army, the men who could not flee from a foe armed with spear and shield, gave way in their fear of those dreaded horsemen who had power to deal out death without meeting it themselves. A bushy country spread out before them, and favoured their escape. The battle was over, and the terror which the Zulu name had inspired for twenty years a thing of the past.

Dingan fled northward to the border of the Swazi country, where he built a kraal in a secluded and tolerably secure position. There he was soon afterward assassinated by a Swazi who stole upon him unawares. Those who had adhered to him in his misfortunes then tendered their submission to Panda, by whom they were received with every mark of favour.

After the decisive battle, an enormous booty in cattle fell into the hands of the conquerors. About forty thousand head were delivered to Mr. Pretorius, and were subsequently distributed among the Emigrants in proportion to their losses.

On the 10<sup>th</sup> of February Mr. Pretorius formally installed Panda as King of the Zulus, but in vassalage to the Emigrant Volksraad, to which he promised fidelity. It was arranged that he should remove his followers to the north side of the Tugela, but that the ground on which he was to reside should be an appendage of the Republic of Natal. To this end the following proclamation was issued by Mr. Pretorius on the 14<sup>th</sup> of February 1840: -

'In the name of the Volksraad, I take possession of all the land from the Tugela to the Black Umfolozi; and our boundary shall in future be from the sea along the Black Umfolozi River to where it runs through the double mountains near its source, and so along the Randberg in the same direction to the Drakensberg, including St. Lucia Bay, as also all sea coasts and harbours already discovered or that may yet be discovered between the mouths of the Umzimvubu and the Black Umfolozi Rivers.'

[Spelling of all names as per Theal 1886].





**Plate 2:** Battle of Blood River Provincial Heritage Site [1]  
([upload.wikimedia.org/wikipedia/commons/1/1d/Bloedrivier\\_monument.jpg](https://upload.wikimedia.org/wikipedia/commons/1/1d/Bloedrivier_monument.jpg))



**Plate 3:** Battle of Blood River Provincial Heritage Site [2]  
([commons.wikimedia.org/wiki/Category:Blood\\_River\\_Memorial#/media/File:Blood\\_River\\_Battlefield\\_oxwagons.jpg](https://commons.wikimedia.org/wiki/Category:Blood_River_Memorial#/media/File:Blood_River_Battlefield_oxwagons.jpg))

Workuingsloover  
 The 4<sup>th</sup> February  
 1838.

I know all men by this that Whereas  
 Pieter Potijf Governor of the Dutch Emigrant  
 South Africans has retaken my cattle which  
 Sintogella had, stolen which cattle he  
 the said Potijf now delivers unto me. —  
 I Dingaan, King of the Zulus as here  
 by Certify and declare that I thought  
 fit to Design, unto him the said Potijf  
 and his Countryman (on reward of the  
 Cows hereabove mentioned, the Place  
 called Port Natal together with all the  
 Land enclosed, that is to say from Dorela  
 to the Onsoeboe River westward and  
 from the Sea to the North as far as the  
 Land may be Usefull and in my possession  
 which I did by this and Give unto them  
 for their Everlasting property. —

Je metk ~~and~~ vande  
 Koning Dingaan

A. G. G. G.  
 M. C. S. Thuyse.  
 A. G. G. G.  
 B. G. G. G.

H. G. G. G.  
 K. G. G. G.  
 J. G. G. G.  
 M. G. G. G.

Plate 4: Photocopy of the treaty between King Dingaan of the Zulus and the Boers / Emigrant farmers



## 6) Conclusion and Request for Presentation of Information

Based on the above it is alleged that the Day of Reconciliation statements by the accused; in the statement issued by the Economic Freedom Fighters (EFF), as well as those made by Vuyani Pambo (EFF) and Mbuyiseni Ndlozi (EFF), 16 December 2020, may have a future negative impact on the “conservation” [NHRA 1999 – 2(iii) – “Conservation” in relation to heritage resources, includes protection, maintenance, preservation and sustainable use of places or objects so as to safeguard their cultural significance], and had a negative impact on the “cultural significance” [NHRA 1999 – 2(vi) – “Cultural significance” means aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance] of the said “heritage site” [NHRA 1999 – 2(xviii) – “Heritage site” means a place declared to be a national heritage site by SAHRA or a place declared to be a provincial heritage site by a provincial heritage resources authority], being Provincial Heritage Site 9/2/447/0001 – Blood River Battlefield, KZN, and the “living heritage” [NHRA 1999 – 2(xxi) – “Living heritage” means the intangible aspects of inherited culture, and may include – (a) cultural tradition; (b) oral history; (c) performance; (d) ritual; (e) popular memory; (f) skills and techniques; (g) indigenous knowledge systems; and (h) the holistic approach to nature, society and social relationships] associated with the site.

With reference to the presented documentary evidence statements by the accused, issued and made on 16 December 2020, failed to meet requirements of the NHRA 1999, with reference to protected heritage sites and related histories, and pertaining specifically to Section 5(7)(a) in that it did not take account of all relevant cultural values and 5(7)(b) resultantly led to the alteration or loss of heritage value, therefor 5(7)(c) failing to promote use and enjoyment of the site consistent with its complex dual Zulu-Boer / Emigrant farmer cultural significance and conservation needs and 5(7)(d) rather than contributing to the social and economic development of the site, may well have served to have counteracted it. In terms of Section 5(7)(e) options of present and future generations, in terms of this report specifically referring to the Boer / Emigrant farmer community, but not excluding the Zulu or other affected communities (with recognition that differing concerns may be raised) have been jeopardized, and not safeguarded.

It is consequently requested that the accused provides information (presentation), in terms of the NHRA 1999, Section 51(5)(a), to the reportee, ArchaeoMaps, of the relevant research, documentation, recordings etc. that have been obtained / used / referenced in said statements (16 December 2020), in terms of Section 5(7)(f) of the NHRA 1999, including the statement issued by the EFF (see Plate 1) and statements made by Vuyani Pambo (EFF) and Mbuyiseni Ndlozi (EFF) (see 2) *Introduction – The Heritage Crime Report*). It is further requested that the presentation pertinently address the accused’s statements made on 16 December 2020 with direct reference to the NHRA 1999, Section 5(1)(d) “Heritage resources management must guard against the use of heritage for sectarian purposes or political gain.”

The above information is requested with cognisance that no formal consent or authority from SAHRA or the relevant PHRA (AMAFA) was required for purposes of the accused’s heritage statements [NHRA 1999, Section 51(5)(b)], albeit therein not indemnifying any person / entity / organization from reasonable request for information to assert the truth or falsehood of such statements or representations.

It is requested that this inquiry for information be addressed within three (3) calendar months, being 23 April 2021, from the date of submission of this report (22 January 2021) on SAHRIS, being the date on which SAHRA / AMAFA is to formally indicate whether or not the case reported will be further pursued by them in accordance with their mandate.

This report is made to SAHRA and AMAFA, mandatory responsible for the implementation of the NHRA 1999, directly on SAHRIS, and without any contact with the accused’s office.

## 7) References

1. commons.wikimedia.org/wiki/Category:Blood\_River\_Memorial#/media/File:Blood\_River\_Battlefield\_oxwagons.jpg [Accessed: January 2021].
2. en.wikipedia.org/wiki/List\_of\_heritage\_sites\_in\_KwaZulu-Natal [Accessed: January 2021].
3. Head, T. 2020a. 'Day of Reconciliation celebrates racism' – EFF fully reject public holiday. Harsh, harsh words from the EFF here. The party are flat-out denouncing the Day of Reconciliation on Wednesday, branding it a 'racist sham' (thesouthafrican.com/news/what-is-day-of-reconciliation-why-celebrate-eff-rejected/).
4. Pambo, V. 2020. Project of reconciliation in SA has Failed – EFF. Fighters say this day was an occasion of a crime by an invading white-minority (politicsweb.co.za/politics/project-of-reconciliation-in-sa-has-failed-eff).
5. Theal, G. M. 1886. Boers and Bantu. A History of the Wanderings and Wars of the Emigrant Farmers from their Leaving the Cape Colony to the Overthrow of Dingaan. Cape Town: Saul Solomon & Co. Printers.
6. upload.wikimedia.org/wikipedia/commons/1/1d/Bloedrivier\_monument.jpg [Accessed: January 2021].

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## Annexure A:

### EFF Statement on Reconciliation Day

Published: Wednesday, 16 December 2020  
([twitter.com/EFFSouthAfrica/status/1339145352172204036](https://twitter.com/EFFSouthAfrica/status/1339145352172204036))

The EFF observes the 16<sup>th</sup> of December, which has incorrectly been deemed a 'Day of Reconciliation' in South Africa by a former liberation movement that is determined to erase and distort history, for the purposes of suppressing the spirit of rebellion that characterizes African people. This day is one upon which the racist Afrikaner Voortrekkers waged a war against the Zulu nation, defeating the King of the native people of Africa, King Dingaan. This was in order to entrench colonial domination and further a racist agenda of invaders in South Africa. It was at the Battle of Blood River in 1838, where Dingaan led a brave defiance against a people who believed in their feeble minds that they can conquer a nation on the basis of the color of their skin.

There is therefore nothing reconciliatory about a day on which the dispossession of land was furthered by an entitled people who arrived in Africa and established themselves as a superior race.

As the EFF, we reject the attempt by a former liberation movement that is determined to make our people servants of a history that perpetuates defeat. The project of reconciliation in South Africa has failed because of the insistence on building a society on lies and injustice. We urge the people of South Africa to reflect on this day as an occasion of crime by an invading white-minority, that stole land and coerced the former liberation movement to be co-conspirators of the suppressing of consciousness and the reality of history.

We urge our people to remember that there can be no genuine reconciliation and social cohesion while they are landless and subjected to inferior living conditions in the land of their birth. Genuine reconciliation must be based on equality and justice. A country whose wealth remains in the hands of a racial minority, whose land remains in the hands of the few and in which black people are engineered to be gardeners and maids can never reconcile with itself. Crime, which in this instance is land theft, breeds conflict and the tensions of this country will never be resolved through lies and the erasure of history.

The EFF will continue to lead an agenda of true reconciliation, which in the immediate will be centered on land expropriation without compensation. Furthermore, we will continue to champion the agenda of nationalizing the mines, banks and all strategic sectors of the economy, in pursuit of the justice sought by those who came before us who stood against the conquering of our people.

We encourage everyone to abide by the necessary safety precautions during this festive season to avoid untimely death before we get our land. COVID-19 remains a real threat to the lives of the poorest of the poor in our country, and we urge our people to remain vigilant and defy death in order to usher in socialism in our lifetime and achieve a reconciliation based on justice and land.

**Economic Freedom Fighters** @EFFSouthAfrica

### EFF Statement On Reconciliation Day

**EFF STATEMENT ON RECONCILIATION DAY**

Wednesday, 16 December 2020

The EFF observes the 16<sup>th</sup> of December, which has incorrectly been deemed a "Day of Reconciliation" in South Africa by a former liberation movement that is determined to erase and distort history, for the purposes of suppressing the spirit of rebellion that characterizes African people. This day is one upon which the racist Afrikaner Voortrekkers waged a war against the Zulu nation, defeating the King of the native people of Africa, King Dingaan. This was in order to entrench colonial domination and further a racist agenda of invaders in South Africa. It was at the Battle of Blood River in 1838, where Dingaan led a brave defiance against a people who believed in their feeble minds that they can conquer a nation on the basis of the color of their skin.

There is therefore nothing reconciliatory about a day on which the dispossession of land was furthered by an entitled people who arrived in Africa and established themselves as a superior race.

As the EFF, we reject the attempt by a former liberation movement that is determined to make our people servants of a history that perpetuates defeat. The project of reconciliation in South Africa has failed because of the insistence on building a society on lies and injustice. We urge the people of South Africa to reflect on this day as an occasion of crime by an invading white-minority, that stole land and coerced the former liberation movement to be co-conspirators of the suppressing of consciousness and the reality of history.

ISSUED BY THE ECONOMIC FREEDOM FIGHTERS

11:48 AM · Dec 16, 2020