

# 1 Tensions in the Colonial Restructuring of Local Environmental Authority, 1880–c. 1915

AS THE COLONIAL GOVERNMENT appropriated Transkeian resources through annexation and the establishment of new administrative institutions, intense disputes emerged over the nature and scope of environmental authority. Paramount chiefs were demoted, commoner headmen were elevated to new ranks, magistrates took over the helm of newly demarcated districts, and the Forest Department increasingly exerted its influence on the lives of African communities. From the 1880s to the mid-1910s, as colonial personnel, chiefs, headmen, and commoners negotiated control over natural resources across the Transkei, they simultaneously contested the meaning of these collective transformations in local political and environmental relations.

In KwaMatiwane negotiations over environmental authority were embedded within the region's unique histories of political and environmental restructuring. Following the final major Transkeian rebellion of the nineteenth century, officials expanded the colonial domination of both local populations and resources, viewing them as mutually supportive agendas. From the early 1880s onward, controlling forests became a key ingredient in official strategies to stabilize the social order, consolidate colonial rule, and resettle local populations. The settlement of diverse populations into newly created subdistrict locations and the appointment of government-salaried headmen to oversee them served the twin causes of political stability and expanded resource regulation. As colonial conservation was formally established and expanded from the late 1880s onward, officials more systematically empowered and obliged headmen to help enforce governmental forest schemes in their locations. Over the course of the 1890s, the government also expanded the activities of European forest officers and African forest guards in local areas, who worked alongside headmen in

controlling location forest access until the late 1900s, as a new management policy emerged for location forests. From this point forward, foresters' patrols were confined to only demarcated government reserves, and headmen took over the daily supervision of newly defined "headmen's forests" in their wards.

Differently situated chiefs, headmen, and commoners brought their wider personal experiences of social, economic, and ecological transformation to bear on their responses to these changes in environmental authority. The complex relocation policies of the postwar 1880s, including the resettlement of economically and culturally differentiated groups into common locations, exacerbated ongoing tensions and magnified such lines of difference. As such groups competed over land and forest resources, intralocation factions settled their scores in heated disputes over headmen's political and environmental authority. African authorities' ambiguous participation in colonial forest policies particularly generated uneasy and unpredictable relations with both location residents and officials, as newly subordinated chiefs and newly appointed headmen often exploited their hand in forest control to derive various political and economic benefits. With the expansion of forest patrols and personnel in the region in the 1890s and early 1900s the politics of resource negotiations became even more complex and intense, as headmen jockeyed to maintain their influence over popular resource access and location residents felt and expressed their deeper frustrations with the colonial state, particularly in a period of acute rural stress, through struggles with forest officers and guards. At the same time, headmen, residents, and forest guards each brought deeper personal histories and vendettas to their negotiation of these shifting power relations.

Over the course of the late 1900s and early 1910s, as location forests were placed under headmen's exclusive control, negotiations over forest access continued to involve a combination of various social, economic, and environmental stakes for differently situated actors. Officials still faced ambiguously positioned headmen who often exploited their limited sphere of authority for the benefit and protection of themselves and the people of their wards. Simultaneously, many men and women contended with headmen who extracted demands and constrained local forest access according to personal interpretations of their environmental prerogatives.

#### REBELLION AND ITS AFTERMATH:

##### STABILIZING COLONIAL RESOURCE AND POPULATION CONTROL

By the late 1870s colonialism had already begun reshaping the political landscape of KwaMatiwane and adjacent areas. From the early 1860s onward the

Thembu paramount Ngangelizwe developed increasingly closer ties with Cape authorities, strategically weathering multiple frontier wars in the wider region, and by 1876 Thembuland was divided into four new magistracies.<sup>1</sup> Across the Umtata river, the Mpondomise chiefdom under Mditshwa began negotiating for colonial “protection” in the early 1870s, particularly as a means to defend against raids from neighboring Mpondo groups. By 1877, the chiefdom came under complete colonial control when the Cape formally annexed the entire area of East Griqualand, with a magistrate based at Tsolo overseeing Mditshwa’s territory.<sup>2</sup> Just as Cape rule began to unfold, however, the rebellion of 1880–81 redefined the terms of colonial engagement with local peoples and environments. Restoring order and resettling populations in the war’s aftermath forced colonial authorities to refine their political and environmental strategies. More intensive schemes to restructure boundaries of local political authority and assume control over essential natural resources worked hand in hand.

Besides its anticolonial dimensions, the rebellion in the early 1880s brought to a head escalating tensions between African groups with various political motives, cultural affiliations, and economic positions.<sup>3</sup> In Thembuland, Kwamatiwane populations in the two magistracies of Umtata and Engcobo were predominately comprised of Thembu clans, Hala and Jumba, as well as amaQwathi under Chief Dalasile, all of whom had formally recognized Ngangelizwe’s authority as paramount.<sup>4</sup> Yet the paramount’s courting of Cape ties in the prerebellion period exacerbated strained relations with Dalasile, who resented both Ngangelizwe’s use of authority and the expansion of colonial power in the Qwathi chiefdom.<sup>5</sup> Another source of tension in both Thembuland and Mditshwa’s territory was the accelerating influx of Mfengu and other immigrant populations from the Eastern Cape and other parts of the Transkei.<sup>6</sup> Many of these newcomers, with much longer and closer interaction with colonial society than the majority of their new African neighbors, had already incorporated “progressive” economic ideals and Christian beliefs and practices into their culture and thus were viewed much more favorably by the colonial government. Various missionary groups—Free Church of Scotland, Anglican, Wesleyan Methodist, and Moravian—also expanded their local activities in the late nineteenth century, deepening lines of cultural and economic differentiation within and between many African communities.<sup>7</sup>

The combination of such competing interests and allegiances exploded into open conflict in 1880. Those Mpondomise, Qwathi, and Thembu groups who rebelled, led by such prominent chiefs as Mhlontlo, Mditshwa and Dalasile, directly opposed the colonial government’s imposition of taxation, threats of disarmament, and broader exercise of power over their chiefdoms.<sup>8</sup> The war

itself was relatively short-lived, however. By April 1881, colonial forces had broken the backbone of the resistance, and officials began the difficult task of stabilizing colonial control among the region's now incredibly fractured and war-torn populations.

In restructuring the social landscape of KwaMatiwane in the rebellion's aftermath, colonial officials combined three immediate and interrelated goals: the establishment of social control and political stability in the Territories, the interspersing of officially designated "rebel" and "loyalist" African communities across the region as a means to prevent future outbreaks, and the opening up of particular lands for the expansion of white settlement from the Cape Colony. In defensively redesigning the region, government leaders resuscitated a well-worn tradition in colonial expansion on the Eastern Cape frontier: the creation of human "buffer zones."<sup>9</sup> Following the war, colonial authorities strategically located African groups that had allied themselves with the Cape government as "buffers" between former rebel groups or independent African polities, on the one hand, and European settlements along the widening Cape Colony border. European and African populations in much of the Engcobo, Umtata, and Tsolo districts, as well as populations in the adjoining Qumbu and Maclear districts, were reassigned specific territorial boundaries. Nodes of European settlement and colonial administration at Tsolo, Umtata, and Engcobo, as well as the expanding European farming populations in the Elliot and Maclear districts, would be "protected" by corridors of loyalist Mfengu, Thembu, and Mpondomise groups; former rebels would be relocated on the other side of these "buffer zones."<sup>10</sup>

An essential component of this resettlement mosaic was the partitioning of forest access. Throughout the rebellion, as in previous wars, many local people had exploited nearby forests as strategic sites of refuge, hiding themselves and their livestock from enemy forces, relying on wild foods for daily subsistence, and utilizing plants and trees for the manufacture of weapons and ammunition.<sup>11</sup> Even after the fighting ended in 1881, many fugitives from either side of the Umtata-Tsolo district border and in the Engcobo District continued to hold out in local mountain forests.<sup>12</sup> Over the next few months, thousands of individuals, driven by hunger and desperation, eventually moved down into the nearby valleys to seek refuge with loyalist Thembu and Mfengu communities and peace with the colonial government.<sup>13</sup> Yet the threat of rebellion still seemed very real to many African and colonial authorities, each of which sensed serious risks in resettling in their midst former rebels who might at any moment take up arms or flee to military strongholds in the forested mountains.<sup>14</sup> In order to preempt any such unpredictable maneuvers, officials ensured that the relocation of rebel communities involved distancing them from advantageous natural areas.<sup>15</sup>

First, colonial authorities sent troops to root out any rebels still hiding in the mountains, capture any livestock secreted there, and regain military control over the forest areas.<sup>16</sup> Then the complex relocation game began, balancing the need to separate European settlements from former rebel groups with the desire to obstruct the latter's direct access to less easily controlled forest and mountain areas. Officials devised a creative solution to the problem: loyalist "buffer zones" would be used for both purposes.<sup>17</sup> In the Engcobo District, Walter Stanford made it a policy to "cautiously" locate only those headmen and people "of tried Loyalty" in close proximity to any natural strongholds in the nearby forested mountains: the rebel amaQwathi were settled between an artificial line below the Gulandoda Range and a circle of loyalist Mfengu and Thembu communities surrounding the Engcobo magistracy; lands "vacated" by rebels between the Gulandoda Range and the more distant Drakensberg foothills were likewise reserved for settlement by loyalist "natives of good character and inclined to adopt civilized habits," a move favored by Stanford "from a military point of view."<sup>18</sup> In the Umtata District, R. M. A. H. Stanford established locations under loyalist Mfengu and Thembu headmen along the Tsolo District border; loyalist Mfengu and Mpondomise headmen were similarly put in charge of locations on the Tsolo side of the line. Together, these moves created buffers between Mpondomise rebels settled in the interior of the Tsolo District and the European center at Umtata, as well as between former rebel communities and the bulk of the mountain forests in the adjoining districts. Likewise, toward the northern boundary of the Tsolo District, a mixed location of loyalist Mfengu communities was established, hemming in Mpondomise rebels in the district from the nearby Drakensberg Mountains.<sup>19</sup>

Initiating this strategic mapping of local populations and resource areas at the close of the war was one thing; making it run smoothly would be another matter altogether. As colonial authorities attempted to restore stability and regularize social and ecological control in African communities, local tensions exacerbated by war and resettlement would complicate official plans. Management of people and resources was soon mired in Africans' multiple, conflicting experiences of change under expanding colonial rule in the post-war period.

#### POSTWAR STRUGGLES OVER RESETTLEMENT, AUTHORITY, AND RESOURCE CONTROL

Alongside postwar resettlement schemes, settling the parameters of political and environmental authority in different magisterial districts and subdistrict

wards was an essential ingredient in official strategies to stabilize colonial control. In the early 1880s, responding primarily to mounting conflicts over natural resources among and between African communities and European settlers, colonial authorities instituted several commissions to determine political and natural boundaries within Thembuland and East Griqualand, and between these territories and the expanding settler communities in what would become the Elliot and Maclear districts.<sup>20</sup> More persistent resource disputes accompanied the restructuring of authority within and between subdistrict locations. Conflicts immediately developed in many locations in the Umtata, Tsolo, and Engcobo districts over access to productive resources, interwoven with deeper contests over power and authority in newly constituted locations. As different groups competed for soils, grasses, and forests, they brought their disparate economic situations and cultural affiliations to bear on the local politics of resource control.<sup>21</sup> Officially appointed headmen were often at the center of these contests, exacerbating ongoing tensions in their designated wards by exploiting their unique influence over resource access.<sup>22</sup>

Some of the immediate sources of tension were the economic disparities between former rebels and loyalists. The displacement of war and the losses in livestock, land, and crops incurred by colonial forces left former rebel communities destitute. An extreme drought in 1881 only compounded their woes. While these communities often struggled to stave off famine in the war's aftermath, magistrates in all three districts concerned noted the relative prosperity of farmers who had allied with the government and had been able to maintain their crops and livestock during the disturbances.<sup>23</sup> In many areas, such disparities generated conflicts over critical agricultural and grazing resources. In mid-1881, for instance, RM Walter Stanford described the intense "enmity" existing between Mfengu residents and rebels being relocated among them in the Engcobo District, warning that land disputes between the groups had the potential "to start the war afresh." A local headman reported that "the surrendered rebels, are burning all the grass . . . & consequently depriving the Fingoes of grazing ground for their cattle. . . . [I]t appears that the destruction of the grass, is an act of spite on the part of the rebels, they, having no cattle of their own to feed."<sup>24</sup> While this type of economic retaliation died down in the months after the rebellion, economic disparities intensified by the war continued to cause tensions in many communities in subsequent years.<sup>25</sup>

Such disputes were exacerbated by the government's installation of appointed headmen to oversee newly aggregated populations of differing cultural, political, and economic situations. In KwaMatiwane and beyond, colonial incorporation significantly reconfigured local political landscapes.<sup>26</sup> Prior to

annexation, the headmanship was essentially a political appointment under local chiefly control: while the position was often inherited within prominent families, chiefs held the power to dismiss and replace any disloyal or unsatisfactory appointees. Upon annexation, the government instituted a policy of direct rule in each magistracy, subdividing districts into multiple locations and independently appointing salaried headmen to supervise them. In practice, the creation of such headmanships became a bit more complicated. Paramounts and lesser chiefs, for instance, stripped of much of their earlier status, were given special salaries and became “headmen” of locations in their own right. In many areas in the early years of colonial rule, chiefs were also able to maintain the right to nominate individuals, invariably their allies, for other headmanships.<sup>27</sup> Moreover, the position of headman often became an informal form of hereditary office, passed from father to son in many instances. In all cases, however, the magistrate of a district assumed ultimate authority to appoint or dismiss any headman for uncooperative behavior or poor performance of his duties, regardless of chiefs’ opinions on the matter. Magistrates often selected men from commoner lineages as headmen precisely because they were less tied to royal lineages and thus were more likely to serve colonial interests. By becoming headmen, then, many commoner men were now able to pursue new sources of authority, wealth, and privilege independent of, and even in competition with, chiefs’ drastically diminished sphere of influence.<sup>28</sup> In their locations, variously situated African leaders and residents jockeyed for position in these rapidly changing configurations of power.

For areas directly affected by the rebellion, the combination of changes to local economic and political landscapes in the postwar years produced perpetual conflicts over authority and control over productive resources. As William Beinart has described for the Qumbu District, loyalist headmen, officially bestowed with great powers in their locations in the postrebellion period, often used their advantageous positions to favor their followers and marginalize their enemies. At a time of population increase and intensified competition over resources, headmen could and did exercise environmental control as a political weapon, aiding allies and fomenting chronic resource disputes.<sup>29</sup> In KwaMatiwane perpetual accusations of favoritism and corruption similarly surrounded headmen’s activities, revealing sharp lines of social and economic difference in local communities.<sup>30</sup>

In the Umtata District, in the locations along the Umtata River, relations were particularly hostile between Mfengu headmen and Thembu residents. From the early 1880s on, disputes over lands and political allegiances arose between the Mfengu headman Fodo at the Ncise location and abaThembu of the Jumba clan placed under his authority.<sup>31</sup> In one particularly vivid example

in 1899, one elderly Thembu resident threw sand in Fodo's face and threatened him. As Fodo explained in court: "[H]e abused me said you are a wizard you brought charms from Pondoland. Although you are killing us don't you know that you are only a Fingo & a dog & that I am an old Tembu of Gangelizwe [the former paramount] & you will eventually come under my feet."<sup>32</sup> In the nearby Kambi area, the Mfengu headman and active Wesleyan Methodist Paul Nkala was regularly accused by former Thembu rebels placed under his authority of favoring his Christian and Mfengu allies and punishing non-Christian abaThembu when allocating land. Adding his own partisan views on the matter, Nkala explained to the magistrate: "I am the Head-man of the School through the word of the missionaries, & the rebels were handed to me by the magistrate. . . . These people I understand them as I lived with them a long time. They do not like the Christians or the Professors Fingoes & White people."<sup>33</sup> In other KwaMatiwane locations, the divisive realignment of groups of varying economic status and social affiliation in the postwar period also nurtured hostile struggles over land access and political authority, even well into the 1890s, 1900s, and beyond.<sup>34</sup>

Local tensions surrounding headmen's authority and resource control were further complicated by the expansion of colonial forest conservation efforts in the region, in which appointed headmen played an integral role. Prior to the establishment of the Forest Department's Transkeian Conservancy in the late 1880s, magistrates were solely responsible for regulating popular forest access in their districts, and they heavily relied upon African political appointees in the process. As with land allocation, struggles quickly surrounded headmen's exercise of forest control in their locations, as they often exploited their hand in forest access for their own personal benefit, favoring political allies while imposing fees on and settling political scores with others.<sup>35</sup> One particularly well-documented case of such local politics and the problems they generated is the tumultuous history of headman Thomas Ngudle. Ngudle was part of a migration of Mfengu peasants from Fingoland to the Tsolo area in the initial period of colonial expansion in the region. His father served as headman in the Mjika area in the early colonial administration of Tsolo District in the 1870s, and Thomas succeeded him prior to the 1880 rebellion. During the war Ngudle and his followers fled his rebelling neighbors to find refuge with nearby loyalist communities across the Umtata river, returning home after the fighting had ceased.<sup>36</sup> Finding Ngudle a tried and true colonial ally, officials retained him as headman of a large location in the newly engineered postwar Tsolo District, comprising a mix of former loyal Mfengu and rebel Mpondomise populations. In addition, Ngudle resumed a position he had held since 1879, when he was appointed as the first forest ranger in the area.<sup>37</sup> This

unique combination of Ngudle's formal positions was at the center of heated conflicts throughout the 1880s.

Even before the war Ngudle was a particularly unpopular figure. His dominance over local political and natural resources brought to a head some of the strains between different social and economic groups in the area, often expressed in ethnic terms, that influenced the rebellion itself. As he himself later recounted to the local magistrate: “[A]s a Fingoe Headman and Forest Ranger in this District, I was especially marked out, hemmed in, and I and my people were plundered of almost everything we had, by the Pandomise upon the outbreak of the late War.”

In the years following the rebellion, as in other locations under Mfengu headmen in the region, the mutual animosity between Ngudle and his rivals continued to erupt in struggles over political and economic power.<sup>38</sup> As impoverished Mpondomise rebels surrendered and were placed under Ngudle's authority, Mfengu and non-Mfengu factions perpetually clashed over how political authority was exercised and how local resources were allocated. Political rivals regularly obstructed his commands, while Ngudle himself routinely used his power to marginalize and punish Mpondomise and other non-Mfengu factions, relegating them to inferior residential and farming sites while granting Mfengu allies privileged access to choice lands. In one memorable instance, Ngudle even assaulted an influential Hlubi rival with sticks after he failed to follow the headman's orders concerning which lands to plow.<sup>39</sup> Ngudle's position as forest ranger further entangled him in perpetual disputes. Conflicts surrounding the contravention of forest regulations were often opportunities for Ngudle and suspected forest offenders to fight deeper political battles and settle personal scores.<sup>40</sup> By the late 1880s, as magistrates and foresters caught on to Ngudle's abuses of power and as local resource politics became increasingly divisive, colonial officials decided to take action. Officials reorganized the location, reassigning one of the chief sources of animosity—Ngudle's Mpondomise rivals—to a new location under their own headman, and limiting Ngudle's authority to local Mfengu communities, before finally dismissing him.<sup>41</sup>

Although Ngudle's relations with location residents was complicated by his dual role as headman and forest ranger, the types of conflicts that beleaguered his career were by no means unique. Across the region, disputes over headmen's control over resource access continued to be embedded in deeper political, cultural, and economic cleavages in local communities, ones which were aggravated by the colonial restructuring of locations in the postwar years.<sup>42</sup> Headmen's environmental control was at the epicenter of fractious jockeying for political and economic power as differently situated groups negotiated

the wider realignment of authority in this emerging colonial order. For officials aiming to exert greater governmental control over local political ecologies, African authorities' involvement in resource management would thus pose serious challenges.

#### COLONIAL RESOURCE CONTROL AND THE UNCERTAIN ROLE OF AFRICAN AUTHORITY

While headmen's influence in resource access inspired political struggles within newly designated wards, African authorities' ambiguous participation in the emerging institutions of colonial resource control also proved problematic for government officials. In KwaMatiwane and across the newly annexed Territories, developing a colonial system of resource management became intertwined with the wider challenges of incorporating African political authority and environmental "custom" into an evolving framework of colonial law and administration. In complex dialogues with officials, chiefs and headmen sometimes found sufficient space to insert themselves and their own ways of imagining their environmental "traditions" and prerogatives into colonial practice.<sup>43</sup> More direct official efforts to involve African authorities in regulating popular forest access often stumbled against chiefs and headmen actively protecting their power to interpret and exercise forest control as they saw fit, whether for personal gain or to shield local residents' environmental practices from colonial intrusion. Although their capacity to derive benefits from colonial resource control was uneven and partial in this era of political transition, their ability to negotiate the terms of their own colonial engagement significantly shaped the local meaning of official resource policies.

Following annexation, many chiefs in the Transkei sorely felt and contested the cumulative effect of political reorganization under direct colonial rule—the chopping up of their jurisdictions, their personal demotion, and the elevation of individuals of lesser rank and status. The atomizing of chiefdoms into magisterial districts and headmen's locations particularly undermined chiefs' environmental control and their ability to legitimate their political authority through symbolic ownership of their territories' lands.<sup>44</sup> After Thembuland's annexation in 1885, for instance, Paramount Chief Dalindybo immediately contested the new magisterial boundaries undermining the territorial integrity of his authority in the chiefdom. Dalindybo was particularly alarmed by magisterial interference in chiefly decisions over forest use throughout Thembuland: "We also want to know for what reason our forests are no longer under our control. Thus if we want to cut wattles or wood for any other purpose we

have first to obtain the permission from Magistrates. . . . Formerly the forests were under the control of the headman appointed by [Paramount Chief] Ngangelizwe to whom the people had to apply for permission to cut but now this is taken out of the hands of the headman & all alike have to apply to the Magistrate.”<sup>45</sup>

Colonial domination of chiefly power also brought significant changes to the operation of legal institutions. Upon annexation, magistrates assumed authority over civil and criminal cases, intentionally undermining the pre-existing chiefly court system. In practice, however, chiefs continued to preside over a range of civil and even minor criminal cases in their local areas, although now without the formal power to enforce their decisions and with magistrates presiding as superior appellate judges in all such cases. As officials grappled with new and unexpected African realities in the Transkei, they also often relied upon African chiefs in articulating those “native laws and customs” which could be selectively incorporated into the colonial legal system.<sup>46</sup> Thus, even though chiefs operated from increasingly subordinate positions, they were able to help shape the fluid legal boundaries of their authority, particularly concerning resources.

A useful example of the nature and ambiguous outcome of chiefs’ negotiation strategies in the postannexation period is Thembuland. Paramount Dalindyebo repeatedly inserted himself into various resource conflicts in the chiefdom in the late 1880s, and his success in deriving political mileage from new colonial institutions was decidedly mixed. In 1889 Dalindyebo tried to claim unlimited royal access to certain forest resources in the Thembuland district of Mqanduli, a move which both upset local political rivals and went against magistrates’ fledgling attempts to restrict forest access. When the paramount sent subordinates to cut wood for him in the district, a man living in the vicinity, Ngxishe, seized the wood, rebuffed the paramount’s demands to explain himself, and asserted that only a rival chief in the district, Sipendu, had legitimate authority over resources in the area. The Mqanduli magistrate hearing the case decided in Ngxishe’s favor, finding that Dalindyebo’s position as Thembu paramount no longer brought him any privileged authority over resources in this magisterial district.<sup>47</sup> Exploiting this opportunity, Sipendu continued to ignore the paramount’s authority over local forests: when the latter sent men to hunt or cut wood in the area, Sipendu drove them out of the forest, seized their wagons and implements, and even threatened to kill them.<sup>48</sup> This situation infuriated Dalindyebo to no end, and he and his councillors repeatedly, and unsuccessfully, brought their concerns to the chief magistrate in Umtata, complaining that the demarcation of new colonial boundaries in Thembu territory had emboldened the “desire on some of his chiefs not to