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THE REASONS FOR THE ANNEXATION OF LESOTHO 1868

A NEW PERSPECTIVE

by

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The writing of history is no simple process, and no more so than in the case of this particular thesis. The present thesis, in a different form, was begun 20 years ago. In the meantime, much thought and reflection have gone into the life of Moshoeshoe and Lesotho's fateful annexation in March of 1868. To write a thesis on this theme has been a long-cherished ideal, and I have incurred many obligations along the way.

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INTRODUCTION

The aim of this dissertation is in the first instance not to work from primary sources, but to give an overview from secondary sources of what will be called a new perspective on the reasons for the annexation of Basutoland (Lesotho) in 1868. However primary sources have been consulted in the form of George McCall Theal's irreplaceable *Basutoland Records*, three volumes of which have been published. This collection is called "Copies of official Documents of various kinds, Accounts of Travellers", and covers the period from 1833 to 1868. These documents have been indispensable in reconstructing a new perspective (or black perspective if you will) of the annexation of Basutoland on the 12th March 1868 by Great Britain.

Previously, what has been written specifically on the annexation is, for the most part, from a white perspective and here works like the following readily come into mind: Jean Van der Poel, *Basutoland as a Factor in South African Politics (1858 - 1870)*, and E.V. Axelson, *Natal and The Annexation of Basutoland, 1865 - 1870*. Yet these two writers do sometimes show appreciation for the "black side" of the story of annexation by Sir Philip Wodehouse in 1868, who was the Governor of the Cape Colony.

Other important secondary sources¹ are the works by W.P. Morrell, Leonard Thompson, G. Tylden, C.M. De Kiewiet, J.M. Orpen, T.B. Barlow, R.C. Germond, P. Sanders, M.W. Macmillan, G. Lagden, C.J. Uys, C.C. Eloff, D.A. Van Otten, J. Benyon, E.W. Smith, K.N. Bell & W.P. Morrell, Z.D. Mangoaela, and M. Damane.

As I am not conversant in Afrikaans, I could not consult directly works like J.J. Grobbelaar, H.P.N. Muller, S.P.R. Oosthuizen and others. But indirectly I have taken notice of these publications. Various Lesotho Bibliographies were of special importance, namely that of S.M. Willet and D.P. Ambrose, and *Lesothoana*, an Annotated Bibliography of new and newly

¹The full titles of these works are given in the Bibliography

located Lesotho materials from the Documentation Centre, Institute of Southern African Studies, National University of Lesotho.

It is taken for granted that the reader knows the background of the Free State and Lesotho history of this period as it is not dealt with in any comprehensive way.

This analysis of the annexation of Basutoland is taken back to the beginning of the treaties between black and white in the interior of Southern Africa. The whole framework of this dissertation is built on what is considered a very historic and important pronouncement made by Moshoeshe in the form of an intriguing metaphor. This metaphor needs to be explained fully for the sake of clarification.

During the period, 11 February to 21 February 1862, an important gathering took place between Moshoeshe, Lesotho chieftains and sub-chiefs, his sons and councillors, Generalissimo (Joshua) Makoanyane, Job brother of Moshoeshe and a chief counsellor, other counsellors namely Abraham Ramatšetsana and Paulus Matete, and Mila, nephew of Moshoeshe. Other dignitaries present at this important occasion were ambassadors from Mpande, King of the Zulu, about 150 of Moshoeshe's chief subjects, also a messenger from Chief Faku of the Mpondo as well as two commissioners, J. Burnet and J.M Orpen as representatives of Sir Philip Wodehouse.² The purpose of this meeting was to discuss Moshoeshe's request made to Wodehouse the previous year to take him and his people as British subjects. In a speech Moshoeshe gave an interpretation of negotiations between blacks and whites in a very novel and original way. The minutes record his speech as follows:

"Moshesh answers by placing a desk upon the table, a letter on top of the desk and a hat on the letter and says, 'The table itself is the foundation of all, my

²"Minutes of the Conference held at Thaba-Bosiu, from the 11th February 1862 to the 21st between the Chief Moshesh on the one part and messieurs Burnet and Orpen, Commissioners appointed by His Excellency, for the purpose of ascertaining the chief's views and wishes in respect to his present and future relations with government." GM Theal, *Basutoland Records*, vol. III, 138-149.

original Napier treaty. The table cloth is the minute of Sir Peregrine Maitland. The bottom of the desk is the minute of Smith, the upper part of the desk is what Sir George Clerk told me. The letter lying on the desk is that of Sir George Grey, in which he promises that my relations with government will be recommended for consideration, and the hat upon the top is the arrangement I have now been proposing for the consideration of the Queen. I cannot acknowledge that the old foundations are removed, otherwise there would be nothing to build upon."³

The images Moshoeshoe uses can be explained in the following way. By the table is meant the Napier Treaty of December 1843 in which Moshoeshoe was formally acknowledged as the ally of Great Britain. This treaty also drew a boundary line⁴ between Lesotho and the white settlers.⁵ The image of the table cloth is Sir Peregrine Maitland's minute of 30th June 1845 in which boundaries between Moshoeshoe, Moroka, G. Taaibosch, Carolus Baatjes and the whites are laid down.⁶

The bottom of the desk is an image of Sir Harry Smith's promise to annex what was to become the Orange River Sovereignty on 3rd February 1848, to give the protection of the Queen to Moshoeshoe and the black and white inhabitants of the area. Here it should be mentioned that Sir Harry Smith first met Moshoeshoe on 27th January, 1848 at Winburg where the governor outlined his plans and proposals to Moshoeshoe for his approval and blessing before he embarked on his scheme of annexation.⁷

The upper part of the desk is Sir George Clerk's letter dated 24 Feb. 1854 in which Clerk promised Moshoeshoe that on withdrawing from the Orange River Sovereignty the British

³Theal, Vol.III, 146.

⁴C.C. Eloff, *The so-called Conquered Territory*, 8.

⁵The Napier Treaty is discussed in chapter 1.

⁶The Maitland's minute is also dealt with in chapter 1.

⁷Smith's minute is dealt with in chapter 1.

Government would not leave Moshoeshoe to his own devices, but rather, the British Government would see to it that an agent was appointed and established between Moshoeshoe and the emigrant Boers. One of the principal duties of this agent was to endeavour to promote good understanding and kindly sentiments between the emigrant Boers and the Basotho residing along the frontier between the two parties.⁸ The letter lying on the desk refers to Sir George Grey's promise in 1858 that Moshoeshoe's relations with the British government would be reconsidered. The hat upon the top refers to the arrangement Moshoeshoe was then trying to make to become the subject of the Queen, the request made on 6th December 1861.

By studying the above pronouncements of Moshoeshoe, it is clear that he considered his connections with the British government through letters and treaties as extremely important. He further considered the promises and the arrangements made through the treaties as binding.

It is rather surprising that Moshoeshoe omits an important communication between himself and Sir George Cathcart written on 13th March 1854 regarding the fact that he was still considered an ally by Sir George Cathcart after the Battle of Berea of 1852. Why he omitted this correspondence is not clear, but a discussion of this is considered of importance and will be fully analysed. More so because Cathcart refers to Moshoeshoe in this letter as enlightened. Cathcart's exact words are:

"I now take leave of you, great and enlightened chief, and subscribe myself, your sincere friend. (Signed) Geo Cathcart, Governor."⁹

This new perspective on the annexation of Lesotho will focus on Moshoeshoe's perceptions of and reactions to the above letters, minutes and treaties. Throughout the focus will be on what Moshoeshoe and his people did and felt and thought.

⁸Letter from the Special Commissioner to the Chief Moshesh, Bloemfontein 24th February 1854, Theal, Vol. II, 100.

⁹Letter of farewell, from Sir George Cathcart to Moshesh, written on 13th March 1854. Theal, Vol II, 105.

A new interpretation is necessitated by the fact that no Mosotho has written on the theme so far, though the Basotho suffered most by the annexation that robbed them of their country especially a large portion of their arable land. The following notorious expression is still used in Lesotho to refer to the boundary line imposed by Sir Philip Wodehouse and the Orange Free State in 1869:

“‘Moo ka hare!’ [Just there, in the middle of the country!, or, in other words, the boundary line is surprising and totally unacceptable.]’¹⁰

The Basotho perspective is necessary because of what the Basotho have always regarded as their true relationship with the British since their annexation in 1868. This annexation in the opinion of the Basotho in general, should only have amounted to what might be called or referred to as a kind of indirect rule. The Basotho would be ruled according to their own customs and traditions while the British government would protect them from external enemies such as the Voortrekker Boers and other white colonists.

Moshoeshoe's cautious but crucial steps towards an alliance with the British explains why even today the Basotho are of the opinion that as nation they have never been conquered. The Lifaqane¹¹ had taught Moshoeshoe the need for pragmatism and compromise during difficult times. Moshoeshoe therefore wanted the general frame work of a alliance with the British which he once had with Chaka. This alliance would help him to safeguard the nation he had built and in the process would give him time to nurture the nascent state and ensure its survival by keeping in check the white race encroaching on the land of his people. This is another way of saying

¹⁰ The Caledon River, which forms much of Lesotho's western boundary, is called *Mohokare* in Sesotho. Thus, “*moo ka hare*” is also a play on the syllables of the river's name *Mohokare*! This according to Dr. M. Damane, one of the most prominent Basotho historians, is a clear manifestation of how the Basotho objected to the boundary line and continue to do so today.

¹¹The *Lifaqane* or wars of destruction was a major factor in the formation of the Basotho state under Moshoeshoe which took place from 1820 onwards. For more information on the Lifaqane, its origins and extent, and its historiography, see Philip Bonner, *Kings, Commoners and Concessionaires: The Evolution and Dissolution of the Nineteenth-Century Swazi State* (1983); Elizabeth Eldredge, “Sources of Conflict in Southern Africa c. 1800-30: The ‘Mfecane’ Reconsidered,” in *Journal of African History* (UK), Vol.33 (1992), p.1-35.

Moshoeshoe viewed with alarm the Voortrekkers and the migrant Boers' avarice for land belonging to the Basotho. He therefore wanted a chance to avail himself of the opportunity to exploit the divisions between the British and Boers.

New reasons will be provided in this thesis concerning the factors which led to the annexation of Lesotho. Why, for example, when Moshoeshoe was the ally of Britain as early as 1843, was it only in 1868 that Britain accepted responsibility for Lesotho's sovereignty. This thesis tries firstly to explore in depth the reasons which actually led to the prevarications, double standards, hypocrisy and dishonesty on the part of the British in honouring Moshoeshoe's request for protection as a staunch ally. To explain this delay, the importance of Port. St. John's will be highlighted. Secondly, the conduct of the British and the contradictions of the times will be looked at, which in turn will make it clear why Britain saved Moshoeshoe only on the edge of a precipice, namely the possible extinction of Lesotho by the Orange Free State military forces which had been strengthened by the Bloemfontein Convention of 1854. Thirdly, the thesis tries to establish that when Moshoeshoe refused to accept and acknowledge the fact that his treaties with the British were no longer binding, black as he was, he was in fact correct. According to him he had compelling evidence in the form of official correspondence suggesting that the treaties were still in force. Evidence will be provided to substantiate the viewpoint of Moshoeshoe.

Fourthly, the thesis tries to explain that Moshoeshoe was mainly responsible for the peace which reigned in the Lower Caledon in 1848 according to Sir Harry Smith. "The governor, holding the Basuto Chief by the hand, introduced him to the farmers assembled at Winburg as the man to whom they were indebted for the peace they had hitherto enjoyed."¹² The Colonial Office was kept in the dark about this feat.

Fifthly a new perspective hopes to show that even though Moshoeshoe was technically and legally a British ally from 1842 to 1868, all this time the British were using Moshoeshoe as a moderating factor in the Lower Caledon. The alliance was merely for convenience sake. The

¹²Theal, Vol. II, xxxi.

British were exploiting the influence and status of Moshoeshoe for their own Imperial interests. The Battle of Berea in 1852 will be used as a classical example to show this thinking on the part of Britain.

Finally, the new perspective looks at the factors which precipitated a clash between Moshoeshoe and the British: (a) the clash in 1851 at the Battle of Viervoet; (b) the clash at the Battle of Berea in 1852. On both occasions justice was on the side of Moshoeshoe as evidenced in his letter to Governor George Cathcart.¹³ The thesis will also try to show that after the Battle of Berea in 1852, Sir George Cathcart felt compelled by self guilt to apologise to Moshoeshoe. The thesis looks at the reasons why the British after their setbacks at Viervoet 1851, and later at Berea in 1852, felt so humiliated as the paramount power in Southern Africa, that they categorically refused to honour the terms of the treaties they had signed with Moshoeshoe, until finally in 1868, Lesotho was annexed at the point when the Basotho were a spent force.

By the new perspective is meant the new interpretation of what Moshoeshoe wanted. This will be looked at and explored from the African viewpoint as opposed to the Eurocentric viewpoint. What also makes a new perspective necessary is the criticism on the shortcomings of G.M. Theal, who was the first historian of note in South Africa to write about the relationship of Moshoeshoe and the British. Highlighting the shortcomings of Theal, Christopher Saunders says:

“So far as his South African audience was concerned Theal aimed to use his writing to help reconcile Boer and Briton Theal had, in adopting a pro-Dutch position, shown himself antiblack.”¹⁴

The new perspective wishes strongly to assert the fact that Lesotho was annexed on 12th March 1868 not necessarily because Moshoeshoe had been a British ally and had for years been asking for the protection of Great Britain. The whole annexation scheme when it was finally implemented was meant to curtail the power of the Boers and control them. In other words, the

¹³ Theal, Vol. II, 606. See also Vol.I, 627.

¹⁴ C. Saunders, *The making of the South African Past*, 24-25.

Boers were about to break the encirclement policy of Great Britain which denied them access to the sea. The key issue forcing the hand of Sir Philip Wodehouse to annex Lesotho at this time was the refusal of Chief Faku of the Mpondo to sell Port St. John's to Wodehouse.¹⁵

Van der Poel submitted her thesis on the theme of Basutoland's annexation in 1925 whereas E.V. Axelson submitted his thesis in 1934. These historians were doing research at a time when the prevalent opinion amongst whites was that sources for the African past were scanty and perhaps non-existent. At the time they wrote, race played a very important role which often clouded objective thinking. None of these researchers bothered to find out why Moshoeshoe, throughout three decades of struggle, maintained that he was a British subject. Nor did the researchers quoted above explain why Sir George Clerk made a volte-face and repudiated previous treaties with Moshoeshoe which were still effective while the Boers were given independence along neo-colonial lines. No professional historian was seriously interested in the African viewpoint prior to 1960, if the view of Christopher Saunders can be taken seriously. Saunders says that around the 1930s historians focussed on a white perspective and nobody analysed the nature of African societies as such till the 1960s:

"No professional historian did so before the 1960s. In the 1930s as we have seen, the major focus of attention was, instead, white racism. De Kiewiet..... went as far as any towards considering the history of Africans Neither the separate histories of African societies, nor the economic and social processes which bound South Africans together, were explored in depth in the academic history writing of the 1940s and 1950s."¹⁶

If we thus remember that the main works on the annexation of Lesotho were written in the 1920s and 1930s, a new examination in a new perspective seems timeous.

¹⁵CJ. Uys. *In the Era of Shepstone*, 40-41.

¹⁶Saunders, 120.

CHAPTER ONE

MOSHOESHOE'S EARLIEST ALLIANCE WITH GREAT BRITAIN & WARDEN'S ATTEMPT TO UNDERMINE IT

By 1842 when Moshoeshoe asked for an alliance with Great Britain the humanitarian movement in South Africa was at its peak. For example in 1811 the Governor of the Cape told the Circuit Court to look into any complaints of abuse of Hottentots servants by white settlers. Later in 1828 the 50th Ordinance was passed by which Act all Hottentots and free coloured persons were put on a legal equality with white people.¹ In 1833 the Emancipation Act was passed. All these liberal acts which also had far-reaching economic consequences, angered the Dutch farmers. With the changing master-servant relations and new land tenure regulations which revolutionised the rural economy of the Eastern Cape, many farmers rebelled and left the Cape Colony during 1834-36 in disgust.² The Great Trek eventually brought the Dutch farmers face to face with Moshoeshoe and other African Chiefs.³ However, the British government under the

¹M.S. Geen, *The Making of South Africa*, 59.

²J.B. Peires, "The British and the Cape, 1814-1834", in Richard Elphick and Hermann Giliomee eds *The Shaping of South African Society, 1652-1840*. 2nd ed 1990.

³It should be noted that Dutch hunters followed by cattle farmers from the Eastern Cape had begun crossing the Orange River during the early 19th century. Grazing north of the Orange became quite regular from 1830 onwards, and some trek boers penetrated as far as modern day Smithfield by 1834 - that is, before the Great Trek started. These cattle farmers, however, were scattered and lacked any political claim to the land as the Cape colonial boundary stopped at the Orange River and they had no other political structure to rely upon. C.C. Eloff has perceptively placed these pre-Trek Dutch cattle farmers in the context of the time:

"The Basuto were in a better position than the Whites to argue their land dispute despite the fact that Whites had been the first to settle in this area between the Caledon and Orange Rivers and had thereby complied with the requirements of *occupation* stipulated by international law. Occupation from the north and east by Moshweshwe's subjects was far more purposeful and organised than the White's sporadic occupation from the south and west.

The Basuto had already advanced a long way towards becoming a nation and the authority of occupation of land was vested in Moshweshwe, the generally recognised paramount chief of this tribe. In contrast, the earliest Whites to live in the Transgariep lacked any political allegiance. Moreover, there was no generally accepted leader or central authority to act on their behalf in any future land disputes. Indeed, conflicting national and political convictions within their own ranks further divided these first White settlers.

In consequence, individuals turned to the only existing authority between the Orange and the

influence of humanitarians was not unduly concerned with the well being of these Boers, but in preserving the rights of blacks and improving their lot as they believed that free labourers paid for their labour - as opposed to those subjected to slavery and other forms of coercion - would eventually help to build a stronger economy.

The Cape Government looked for an indirect method of curbing what they regarded as abuses of the Boers where Africans were concerned, and passed the Cape Punishment Act of 1836.⁴ Finding the implementation of this Act impossible, ineffective and costly the British government decided to use African chiefs to help them keep law and order in Transorangia. Moshoeshoe was one of the first African leaders who was identified as a valuable ally who could be of help to the British. This was probably on account of Moshoeshoe being agreeable, more humane, and reigning over a group of people that seemed more organised. In fact Moshoeshoe was lucky in this respect as according to Sanders:

“In 1834 he had been visited by Dr. Smith, an official emissary from the Cape, who had been given cloaks, medals, and mirrors to distribute to such persons as appeared to him most entitled to his Government's confidence. Moshoeshoe was one of those who satisfied Smith that he was worthy of these marks of favour,

Vaal Rivers and obtained residential rights in the disputed territory from Moshweshwe. They did not realize the far-reaching consequences that these 'land transactions' with Moshweshwe would have: in fact, in concluding them, they were recognizing the judicial claims of the Basuto to the entire disputed territory. Moreover, the fact that they received from Moshweshwe no documentary evidence of their ownership rights to this ground gave the Paramount Chief a firm hold over the land situation. Another factor favouring the Basuto at this stage was their large numerical superiority. This in due course made it easier for them than for the Whites to occupy the areas they claimed.” (C.C. Eloff, *The so-called Conquered Territory*, 6-7.)

Moshoeshoe would probably have added that his allies and subjects had previously occupied this belt of land between the Orange and Caledon Rivers but because of the upheavals of the Lifaqane after 1820 followed by the incursions of the Koranna and other armed raiders from the west, his people were only able to reoccupy these grounds after a few trekboers had entered the area. See for example the arguments set forth in pages 1-8 in J.M. Orpen, *History of the Basutos of South Africa*, 1857 which surely also reflect Moshoeshoe's ideas.

⁴Peter Sanders, *Moshoeshoe: Chief of the Sotho*, 84.

and, although no formal agreement was concluded, he regarded himself thereafter as the Government's ally."⁵

Here it should be mentioned that in 1833 Moshoeshoe invited missionaries to Lesotho. The presence of missionaries in Moshoeshoe's domain enhanced his status in the eyes of Cape officials. At this particular time, when the humanitarian spirit was at its peak, there was a close, warm working relationship between the missionaries and the Cape Government. As a result of this harmonious relationship the missionaries who were the chief agents behind the humanitarian movement, were also the foreign arm helping to shape colonial policy in Africa and in Lesotho. The British Government and the missionaries worked hand-in-glove because they had the same basic interest. Both wanted peace in the interior, the growth of commerce and the restriction of white settlement, which goals they thought could be sustained by strong buffer states supported by a paramount power like Great Britain. These buffer states would then be used as watchdogs over the Boers' abuses of African rights which abuses were contrary to the humanitarian spirit.⁶

As a result of the sentiments prevailing which highly favoured Moshoeshoe, the British for their part extended a hand of friendship to Moshoeshoe, before he even made a formal request. On the other hand, missionaries, chasing a different objective of winning converts, did their best to win favour with Moshoeshoe, so that he could allow missionaries to win converts under his protection. This idea of buffer states gave missionaries considerable power to shape the policy of the British Government in the interior of Africa. In this noble idea the British were ably helped by their zealous representative Dr. J. Philip, Superintendent of the London Missionary Society in Cape Town, a close confidant of the governor, Sir George Napier. G. Tylden says on this crucial point:

⁵Sanders, 83. See also William F. Lye ed *Andrew Smith's Journal of his expedition into the interior of South Africa 1834-1836* (1975), 52-77.

⁶G. Tylden, *The Rise of the Basuto*, 22-23.

"The representative was the Reverend Doctor Philip, who had the ear of the Governor of the Cape, Sir George Napier, and was, in fact, a power in the land... He was of the opinion that his scheme of buffer states could be extended by the inclusion of Moshesh. This fitted in well with the ideas of the French Protestants who, during 1842, were already writing for Moshesh to the Governor complaining of the difficulty of dealing with the Boer settlers."⁷

At the height of this philanthropic movement the Boer emigrant farmers were viewed with considerable suspicion and distrust by missionaries. The Boer emigrants were sometimes the target of unfair propaganda emanating from the missionaries who did not want these Voortrekkers even close to them as neighbours. G. Tylden says on this issue:

"The last thing any missionary desired was to have any of the Trekkers as neighbours, and at least one of the Wesleyans was already anxious for the British Government to interfere To the west were other clans and they were all under the protection of the London Missionary Society, whose representative thought that they could be civilised and used by the Government of the Cape as buffer states round the northern and western marches of the Cape frontier."⁸

Moshoeshoe skilfully exploited the sentiments prevailing by befriending the missionaries and thereafter asking for British protection. Moshoeshoe as the first step of getting approval from the British, displayed the medals which Smith had given him in 1834. Thereafter he asked the French missionaries resident with him to tell the Cape Governor Sir George Napier that Britain should extend its authority over the entire area as far north as 25 degrees south.⁹ Fortunately for Moshoeshoe events played into his hands. The Boers in 1841 started trouble which convinced the British governor that Moshoeshoe should be protected. Hailey says on this issue:

⁷Tylden, 23.

⁸*Ibid.*, 22-23.

⁹L. Thompson, *Survival in Two-Worlds, Moshoeshoe of Lesotho 1786 - 1870*, 122.

"In 1841 there was an even more disturbing incident. A group of Dutch farmers sought to move into the country which was held by the Rolong in virtue of the agreements made between their Chief Moroka, and Moshoeshoe Largely at the instance of members of the London Missionary Society, the Cape Government now decided to promote the establishment of a number of buffer states of which Philippolis was the first while Moshoeshoe was to be helped to maintain the second state."¹⁰

Reacting to this report, in February 1842, Philip visited Thaba-Bosiu in person and convinced himself of the correctness of the policy of buffer states especially where Moshoeshoe was concerned. Thereafter Dr. Philip wrote a report to Governor George Napier, alleging among others that the Boers intended to attack Moshoeshoe. Dr. Philip greatly exaggerated matters in his report of July 1842 which was summarised by Tylden as follows:

"The Trekkers intended to attack Moshesh, that he had met the chief and considered he was a suitable ally of the Government..... Philip had the ear of the Governor and, to the great satisfaction of Moshesh, there appeared in September, 1842, a proclamation warning the emigrant farmers not to interfere with Adam Kok, Moroko, Moshesh....."¹¹

Yet another factor that needs to be mentioned is the fact that Moshoeshoe himself, in May 1842, acting upon the advice of the French missionaries, made proposals to the Colonial Government asking that he be taken into treaty relationship with the British. After some correspondence between the heads of the government and Dr. Philip a document was signed at Thaba-Bosiu in December 1843 by which the Basotho Chief entered into a formal alliance with the Cape Colony.¹²

¹⁰O.M. Hailey, *Native Administration in the British African Territories* V, 31-32.

¹¹Tylden, 23 -24.

¹²Theal, *Basutoland Records*, Vol. II, xxi.

The important question to ask is why Moshoeshoe asked for this alliance apart from what the missionaries had told him about the justice of the laws of the English? Moshoeshoe did not want to incur the wrath of the Boer settlers. Moshoeshoe knew that he as a black man could only punish a European at the imminent risk of war.¹³ Moshoeshoe was also aware of the fate which befell the Zulus in the Battle of Blood River 1838 and he did not want the same fate befalling him and his kingdom. About the fear of Moshoeshoe where the firepower of the Boers was concerned, Sanders says that "After their striking victories over the Zulu and Ndebele, his profound respect for their military power was to be a major factor in all his dealings with them."¹⁴

Here it should be borne in mind that Moshoeshoe at one stage in the late 1820s was a vassal of Chaka in order to survive. With the defeat of the Zulus by the Boers the balance of power completely changed. Suddenly the white man was now master of the interior after destroying the might of the Zulu, and the feat clearly proved the power of guns over the assagai. Naturally Moshoeshoe was a worried man. Yet the third dimension of Moshoeshoe's fear which led to him asking for the Queen's protection was the awe-inspiring resources of Great Britain as a imperial power. E. V. Axelson says on this issue:

"The Vanguards of Boer and British expansion, however, sorely troubled Moshesh. He realised the might and resources of Britain, and he comprehended that opposition would in the long [run] be futile. Of the Boers he was positively contemptuous; but he brilliantly perceived that his safest means of safeguarding his country from exploitation was to play off the two white races against each other; and this he did with immense success."¹⁵

The strategy of Moshoeshoe clearly emerged after the formalities of the first treaty, known as the Napier Treaty, had been signed in December 1843 giving Moshoeshoe a salary as a servant

¹³Theal, Vol. II, xx.

¹⁴Sanders, 77.

¹⁵E. V. Axelson, *Natal and the Annexation of Basutoland 1865-1870*, 4.

of the Queen. Here it should be clarified that on the British side treaties were signed to encircle the Boers "by a belt of independent Native or Treaty States"¹⁶ to ensure peace. However, once Moshoeshoe had secured the protection of the Queen he so eagerly sought, he turned around to deal purposefully with the Boers encroaching on his land, and entrenched his position as the hereditary ruler of Basotho.

In order to preserve his position and the institutions of the Basotho culture such as "*peho*",¹⁷ which made him seek an alliance in the first place, he now made it abundantly clear to the British on 16th October 1844, that from the beginning he had explained to the Boers that he had given them permission to settle in his country temporarily. This was why he carefully avoided receiving from them any remuneration. He further explained in a letter that as ruler of the Basotho he was of the opinion that they were passing to Natal.¹⁸

Moshoeshoe personally instructed Eugene Casalis to write to the governor outlining the terms under which he had welcomed the Vanguard Boers. The letter briefly stated that:

"Moshesh has never ceased to tell them [Boers] that he viewed them as travellers. He has carefully avoided receiving from them any remuneration lest it should be taken advantage of. Notwithstanding so much caution on his part, he is grieved to find that they exchange and sell among themselves farming places and fountains, and that some begin to build substantial houses."¹⁹

The conduct of the Boers, Moshoeshoe explained in the same letter, was causing a lot of concern. To solve this problem Moshoeshoe requested the appointment of an agent to reside with him, provided the choice fall on a person friendly to missions and capable of sympathising with

¹⁶C.J. Uys, *In the Era of Shepstone*, 27.

¹⁷That is, chiefs who had been placed by Moshoeshoe over certain areas between the Orange and the Caledon Rivers could not freely carry out their responsibilities given the transformation of attitudes among the Dutch settlers after 1840.

¹⁸Letter from the Rev. E. Casalis to the Lieutenant Governor, 16 October 1844 in Theal, Vol.I, 80.

¹⁹Theal, Vol.I, 81. See also, Sanders, 77-78.

the tribe, so that he could mediate in any confusion that might arise and avert trouble between the Basotho and the Boers. The viewpoint he was putting across suggested that the chief appreciated that the Boers' notions of the land tenure system differed from the concept the Basotho knew and were used to. The general idea being that according to Native custom land was never to be sold or bought. Land as such was communally held. The chief according to Native custom is merely entrusted with being the custodian of the land. The Boers had no claim of any kind to Moshoeshoe's territory nor for that matter did the latter's vassals - land could not be bought or sold. This stand of Moshoeshoe is shown in the following quotation:

"Moshoeshoe is more explicit on the impossibility of his leasing or selling any of his territory without the consent of the whole tribe. He is not the owner of the land, but the custodian: 'The selling or renting of land', says he [Moshoeshoe], 'has been hitherto a practice wholly unknown to us [the Basotho] and I believe to all Bechuana nations. The subject has never yet been made a question for discussion or enquiry.'"²⁰

The reaction of the British on the matter came on 30th June 1845 at meeting held at Touw Fontein between Governor Sir Peregrine Maitland and Chiefs Moshoeshoe, Moroka, Gert Taaibosch, Carolus Baatjes and Peter Davids. Sir Peregrine Maitland was now the new governor of the Cape after Sir George Napier had left the Cape. On this occasion Sir P. Maitland explained to Moshoeshoe as follows:

- "1. The Boundaries of the Territories of the Chief Moshesh to be declared, exclusive of the Territory disputed by the other Chiefs already mentioned.
2. An explicit declaration to be introduced that the Boundaries, as thus stated, are so stated by the Chief merely for the objects of this particular Treaty, and because His Excellency has peremptorily declined to decide at present upon the validity of

²⁰R.C. Germond, *Chronicles of Basutoland*, 155-156.

his title to the excluded Territory....”²¹

This constituted what later came to be known as the Maitland Treaty of 1845. A special magistrate F. Rawstorne was chosen by Maitland on the same date 30th June 1845 to see to it that farmers or emigrants stayed in the areas allocated to them.²² This special magistrate was to reside at Philippolis, supported by troops of the Cape Corps. This Treaty on the face of it seemed to have satisfied Moshoeshoe who acceded to its terms.²³

Moshoeshoe continued to be in the good books of the British up to 1848. Evidence of this was shown when Harry Smith met Moshoeshoe on 27th January 1848 in Winburg.

“At this conference Sir Harry Smith professed the warmest regard for Moshesh, and used the most complimentary and flattering language in addressing him. In the afternoon of the same day the Governor, holding the Basuto Chief by the hand, introduced him to the farmers assembled at Winburg as the man to whom they were indebted for the peace they had hitherto enjoyed. Moshesh readily affixed his mark to a document in agreement with the Governor's proposals.”²⁴

The question to clarify at this stage is what were the proposals the governor put to Moshoeshoe, namely the Proclamation of the Sovereignty of the Queen of England throughout all territories over which Her Majesty's subjects had spread themselves. The governor gave the impression that he was in fact about to uphold the hereditary rights of Paramount Chiefs. C.C. Eloff substantiates this view thus:

²¹Minutes of Meeting at Touw Fontein. Terms of Treaty proposed by Governor Sir Peregrine Maitland to the Chief Moshesh 30 June 1845, in Theal, Vol. I, 89.

²²Letter from the Private Secretary to Governor Sir Peregrine Maitland to the Chief Moshesh 30 June 1845, in Theal, Vol.I, 101.

²³*Ibid.*

²⁴Theal, Vol.II, xxxi.

"When Sir Harry Smith proclaimed the Orange River Sovereignty (O.R.S.) on 3rd February 1848, it meant that the region between the Orange and Vaal Rivers would henceforth be subject to British authority. The Territory of Black paramount chiefs such as Moshoeshoe, Moroka and Sekonyela would be incorporated in the O.R.S. According to the proclamation this annexation did not intend to deprive the paramount chiefs of their authority or territory. On the contrary, the step was taken with a view of upholding them in their hereditary rights."²⁵

With all these fine sounding words, it appeared that Sir Harry Smith was serious in his intention of upholding the hereditary Chiefs in their rights. Though Sir Harry Smith said he wanted to put everything on a solid foundation between the black paramount chiefs, he actually refused to solve the problem which Moshoeshoe had been bitter about from as early as 1843 after the first treaties were signed with the British Government. Moshoeshoe had then pointed out that Moroka was his vassal and evidence was on the side of Moshoeshoe that he had received Moroka in 1833 as a vassal.

Let us proceed then to examine this evidence more carefully and to see how Major Warden, newly appointed by Sir Harry Smith to be the British Resident responsible for the Orange River Sovereignty and resident in Bloemfontein, betrayed the fine words of Sir Harry Smith, sought to undermine Moshoeshoe, and seriously jeopardised the previous treaties.

In retrospect, the first treaty of December 1843, known as the Napier Treaty, opened the floodgates to what can best be described as the systematic robbery of Lesotho²⁶ and Moshoeshoe.

²⁵C.C. Eloff, 8.

²⁶It may appear strange that the term "Lesotho" is used for this early period, instead of Basutoland. However, "Lesotho" [Lessouto in French] was used as the term to designate Moshoeshoe's territory, probably from the late 1820s. The first documented use of the term is found in *Journal des Missions Évangéliques* (1835) p.102 being a report from T. Arbousset to the Directors in Paris dated 19 September 1834. The term more commonly used in French reports is of course "Pays des Bassoutos", Lessouto or "Lesuto" only becoming

Moshoeshoe went through a traumatic period of transition brought about by his realisation of serious flaws in the treaty system. Already in 1843 Moshoeshoe had tried to alert George Napier about the fault of the Treaties. To quote Tylden:

“With the signed copy of the treaty Moshesh sent a letter stating that he signed in good faith that Napier would make alterations in the boundary of Basutoland as laid down in the document and would include the whole of the Wesleyan sphere [Thaba-Nchu of Moroka] in his, Moshesh’s, territory [Moroka was a vassal of Moshoeshoe in 1833]. The Wesleyans, fishing in troubled waters, wrote at once to Cape Town asking for separate treaties to be concluded with Moroko and each of the three Hottentots septs.”²⁷

What Moshoeshoe said was that the original Napier Treaty had problems from the beginning. Nor was this all. The so called foundation, namely the Napier Treaty, was greatly affected by the manner Major Warden handled the problem and way he actually sided with minor chiefs against Moshoeshoe from 1849. Thompson says, quoting Hogge:

“The two Missionaries [sic] societies, who reign over the natives of the Sovereignty - the French residing with Moshesh, Molitsane & co, and the Wesleyans on the side of Moroka - viewed each other with no feeling akin to Christian charity. Mr. Cameron led the latter with distinguished acrimony, Messrs. Casalis and Daumas the former with more politeness but less success. Major Warden's clerk was Mr. Cameron's brother-in-law, and these two working in couples gained complete influence over him [Warden] and turned the scale against the French church militant. In all disputes Moroka & co. were ever right

more common from 1840 onwards. In English, “Bashootoo country” (Lye, p.68) and “Basuto country” (James Backhouse, *A Narrative of a Visit to the Mauritius and South Africa*, 1844, p.378) are common. Backhouse uses the reference “Basutu land” once (p.380) but the term only comes into wider use much later. I am indebted to the Curator of Morija Museum, Mr. Stephen Gill, for this information.

27 Tylden, 24.

& Moshoeshoe & co in the wrong till at last Major Warden took up arms in defence of Moroka's injured innocence, & called out the Boers to assist him."²⁸

The table and foundation which Moshoeshoe referred to, also suffered a serious setback due to the religious factor. Warden went against Moshoeshoe mainly because of religious reasons. This direction of Major Warden compounded the already complex situation. W.P. Morrell highlights this problem as follows:

"Perhaps he [Warden] was helped in this direction by the fact that his clerk was a brother-in-law of one of the Wesleyan missionaries, who took up the cause of the minor tribes with none the less zeal because Moshesh's missionaries were French."²⁹

Here it should be pointed out that before Warden assumed his post as Resident Commissioner situated at Bloemfontein in 1846, Moroka was a vassal of Moshoeshoe. Moroka when he arrived at Thaba-Nchu in 1833 found a headman there named Moseme who had previously been placed there by Moshoeshoe. Moseme directed Moroka to Thaba-Bosiu who was then allotted the area of Thaba-Nchu, under the understanding that he would be a vassal of Moshoeshoe.

"Dr. Philip in 1842 had advised that Government should discriminate between the chiefs and strengthen the hands of Adam Kok and Moshesh. Major Warden took the opposite course..... he did more harm than good by his constant attempts to 'define the aggressor' and to seek a phantom balance of power. It may have been impossible to fix boundaries that would please everyone: it may have been difficult to stand by and watch Moshesh and his neighbours quarrel about cattle and land: but it was fatal to take a decided line leading to collision with Moshesh. Sir

²⁸ Thompson, 158.

²⁹ W.P. Morrell, *British Colonial Policy in the Age of Peel and Russell*, 300-301.

Harry Smith, who was Warden's superior, must bear a share of the blame."³⁰

These activities did a great deal of harm to the foundation which Moshoeshoe was to talk about in 1862, where his alliance with Great Britain was concerned. The "Table Cloth," namely the Maitland Treaty of 1845, could not be spread on a table which was non-existent. The desk on top of the table cloth, symbolising the promises of Smith and Clerk, showed a radical new departure in British thinking. By the late 1840s philanthropy and economy had come to a deadlock. British foreign policy was no longer propelled by philanthropic machinery. The commercial principle now ruled Great Britain. No longer was there a powerful figure to champion the rights of blacks. No longer was there a figure prepared to make the interests of the British tax-payer subservient to those of the South African aborigines. The influence of Dr. John Philip was on the wane, and moreover "Dr. Philip himself was rather suddenly stricken with the infirmities of old age."³¹

With nothing constructive to replace the philanthropic movement South Africa and Moshoeshoe suffered. The result was that the good work done by missionaries was left to decay. The British government, with nobody to counsel them, left the immigrants and the tribes to their own devices. Moshoeshoe was therefore forced to deal with Major Warden helped only by the French missionaries with literally no support from the English Cape government. This was a major set-back for Moshoeshoe because the policy Major Warden was following was totally against the spirit of the treaties and the strengthening of Moshoeshoe's hand. Moshoeshoe was a double casualty in this respect because the missionaries who supported him did not even come from England.

Yet as an ally of the British, Moshoeshoe's track record was impressive. In 1846 when the British forces were involved in war against the Amakhosa, Moshoeshoe offered his assistance

³⁰Morrell, 304.

³¹W.M. Macmillan, *The Cape Colour question: A historical survey*, 251.

to the British.³² However the British government considered it advisable not to encourage his active co-operation. Furthermore, in 1848, when Andries Pretorius organised resistance to the British, Moshoeshoe opposed him.³³ Later when Pretorius ejected Major Warden from Bloemfontein, Moshoeshoe again rushed to the aid of Major Warden because he was a British ally. Theal talking about the manner Moshoeshoe served Major Warden says:

“Upon the first notification of the approach of the farmers, the British Resident sent an express to Moshesh asking him to bring a large body of his men to the Modder River to his assistance. Moshesh complied immediately.”³⁴

Sir Harry Smith who defeated the Boers at Boomplaats in 1848 at this stage was so impressed by the prompt reaction of Moshoeshoe that he felt compelled to praise Moshoeshoe as a staunch ally. Sir Harry Smith said of Moshoeshoe: “This Chief Moshesh has been staunch in his allegiance and most peremptorily refused to see Pretorius, who used every effort to obtain an interview with him.”³⁵

Yet in 1849, it appeared that the honeymoon between Moshoeshoe and Major Warden was over. Warden did his level best to distance himself from Moshoeshoe as an ally. Warden took advantage of the vacillation of British foreign policy to destabilise Moshoeshoe. Leonard Thompson describes this new trend thus:

“Warden and his magistrates were men of limited experience and narrow vision, conditioned by the racially stratified Cape Colonial situation. They were disposed to side with the white farmers when their interests clashed with those of Africans, and with British missionaries when they differed from French.”³⁶

³²Theal, Vol. II, xxxvii.

³³Thompson, 142-43.

³⁴Theal, Vol. II, xxxiv.

³⁵Thompson, 143-44.

³⁶*Ibid.*, 144.

Major Warden exploited the prevailing situation to the full. He did his level best to undermine the power of Moshoeshoe. He was cognizant of the fact that Moshoeshoe no longer had allies in the Cape Colony, in the form of missionaries, despite the Napier Treaty of 1843 and the Maitland Treaty of 1845. Aware also that Moshoeshoe did not have absolute power over his sub-ordinates in 1849, Major Warden imposed an unfair boundary line on the Basotho. This infuriated Moshoeshoe's subordinates including his younger brother Posholi. So prejudiced and biased was Major Warden on this sensitive issue of land that E.V. Axelson says of his action:

“Warden unfortunately in 1849 was unreasonably harsh and short-sighted in his delimitation of the disputed Western frontier. The British reverses at Viervoet and Berea were almost inevitable consequences of Warden's bungling, and the withdrawal of the British sovereignty North of the Orange River could scarce help but follow.”³⁷

Warden, in doing all this to Moshoeshoe was quite aware that at this stage the British government was committed to a new and vigorous policy of undermining traditional chiefs in the Eastern Cape. Nonetheless, when Sir Harry Smith announced his policy of annexing the Orange River Sovereignty in January 1848, he said he was annexing the area between the Orange and the Vaal in order to protect Moshoeshoe from internal and external enemies. Moshoeshoe was treated harshly by Warden even though technically he was still a British ally. Major Warden was now practising the policy of divide and rule so as to weaken the stature and power of Moshoeshoe.

Sekonyela in this case was used by Warden to further his aim of divide and rule. Moshoeshoe on the other hand did not at first agree to the Warden line of 1849. However, when he tried to protest Warden simply threatened him by saying that he would unleash the forces of

³⁷ Axelson, 4.

Sekonyela and help him to defeat Moshoeshoe. This explains why Jean van der Poel, putting the whole situation in proper historical perspective, says:

“The nominal boundary at this time was the Warden line of 1849 and this the Free State duly claimed. Moshesh, however, said that he had only consented to Warden's Line under threat. This was true. Warden had, with doubtful zeal, threatened to let Sikonyella and the Korannas loose upon him if he did not consent.”³⁸

Major Warden wanted the power base of Moshoeshoe destabilised at all costs. He did not at all share the liberal values which favoured the rights of blacks. Nor did he share the tenets of the humanitarian policy emanating from Exeter Hall. This policy had in fact successfully pressed for an entirely new orientation towards all the backward races which had ultimately led to the Treaty States in the early 1840s. Warden himself saw Moshoeshoe and the Basotho as a proud race which needed punishing, not patronising by the British. The idea of the protection of Moshoeshoe and the Basotho was simply unacceptable to him. Substantiating this opinion, Warden said on September 1850 to the High Commissioner, Sir Harry Smith:

“The Basuto people are proud and insolent towards their neighbours The time is not distant, I imagine, when it will be necessary to place them under restraint.... The Basuto require humbling, and should such be found necessary it can easily be done and at little cost to Government. The Griquas, Baralong, Mantatis and Korannas with a small British support would in a few days overrun the whole of Basutoland.”³⁹

What is not clear is towards whom were the Basotho proud? For after all Moshoeshoe was technically a British ally and had helped Warden when called upon in 1846 and 1848. This

³⁸ J. Van der Poel, *Basutoland As a Factor in South African Politics 1858 -1870.*, 178.

³⁹ G. Lagden, *The Basutos, the Mountaineers and their Country*, vol. 1, 112.

unfortunate statement of Warden can only be understood in the light of Warden's predisposition to side with the white settlers as well as Sekonyela and Moroka in their land disputes with Moshoeshoe. Thus, when Moshoeshoe expressed reservations about the proposed boundary, Warden became exasperated at what he perceived as Moshoeshoe's intransigence and unwillingness to accept any boundaries. Warden was so biased in approach that he even underestimated the power of Moshoeshoe. Major Warden so strongly hated Moshoeshoe that he did not even try to hide from Moshoeshoe what he thought of him. The message he wrote to Moshoeshoe towards the end of 1850 was very provocative and clearly demonstrated that Warden wanted a show-down with the Basotho. All this was happening to Moshoeshoe who was technically and morally the ally of Great Britain. Here is what Major Warden wrote to Moshoeshoe:

"Depend upon it that, however strong you may imagine yourself to be there is a stronger hand ready to punish the wicked doings of a people ten times more powerful than the Basuto."⁴⁰

The 'wicked doings' Major Warden's refers to here, is the fact that after the Warden Line was imposed, subordinates of Moshoeshoe got out of hand and started cattle stealing on a massive scale as a form of revenge for their country that had been lost under the treaty imposed by Major Warden and the Boers. Van der Poel says about the complex situation that arose which Moshoeshoe could not easily control:

"Moreover these chiefs were of independent spirit and far from Moshesh's reach. Letelle openly defied him as an upstart for he knew that he had a better right to the chieftainship than Moshesh....[but] Moshesh had more influence over them

⁴⁰ Lagden, 133.

[the Basotho] than he [Letelle] cared to admit..... It must be admitted that, bad as it was, the cattle stealing was exaggerated by the Boers. In those days there were no fenced farms and cattle running loose without herdsmen near the frontier were an almost excusable temptation to a people for whom cattle was wealth."⁴¹

The relationship between Moshoeshoe and other chiefs deteriorated as the result of the policy of divide and rule followed by Major Warden. The making of boundaries, instead of proving the solution of troubles actually landed the whole Lower Caledon in anarchy. What was worse, though in 1848 Sir Harry Smith assured Moshoeshoe that he believed in his land claims and was supporting him on the issue where Moroka and Sekonyela were concerned, by 1850-51 Moshoeshoe was no longer in the good books of Sir Harry Smith. In fact in May 1851 Smith made some very dangerous but unproven allegations against Moshoeshoe which he communicated to Warden and used as a pretext for attacking the Basotho *if necessary*.

"The conduct of the Chiefs Moshesh and Molitsane is most condemnable - especially Moshesh. For his aggressive conduct towards the neighbouring chiefs....[According to Smith, Moshesh] for many months [had been] coalescing with the restless Chief Kreli and the Rebel Sandile [in Kaffraria] and many of his tribe have been engaged against Her Majesty's forces in several of the recent conflicts and if you have sufficient force attack him at once *if necessary*.

[This order was given to Warden by Smith].⁴²

After the imposition of the unfair boundary line in 1848-1849 matters moved so fast that war was inevitable between Moshoeshoe and the British. For land was a very sensitive issue for the Basotho and Africans in general. The British never exactly demonstrated the firmness and

⁴¹Van der Poel, 179.

⁴²Lagden, 113 - 114.

commitment needed to protect an ally. This set in motion a chain reaction which was arrested only in 1868 when Lesotho was annexed. The whole chaotic situation during Warden's residency affected even the missionaries. For Molapo, the second son of Moshoeshoe, bitter at the Warden Line, abandoned Christianity and a landslide followed.⁴³ Moshoeshoe for his part, informed

"Arbousset that previously he had hoped that white people were different from Blacks but [after the Warden line] he now knew that they, too, only looked after their own interests and trampled the rights of others underfoot. Casalis he still trusted, but he told him he was disillusioned with the hopes he had build up....

'You do not steal cattle, it is true: but you steal entire counties. And if you could, you would send our cattle to pasture in the clouds.'"⁴⁴

Warden and Smith so demonised Moshoeshoe, that this chief went through a traumatic period of transition suggesting a serious flaw in the whole treaty-system that could only be saved by the annexation which came in 1868. Moshoeshoe went through a steep learning curve of being the ally of Britain. The alliance exposed all the absurdities and ironies of the British foreign policy in Southern Africa. This clearly explains why in 1862 Moshoeshoe said, referring to the agreement with Smith, that the "bottom of the desk is the minute of Smith."⁴⁵ For everything Smith told him was not above board. The bottom line was that Smith showed remarkable hatred towards Moshoeshoe. Both Warden and Smith had duped Moshoeshoe on the boundary question. Quoting Hogge again, Thompson says:

"When Sir Harry Smith imposed the permanent authority of the Queen and it was accepted by natives, not a word was said about the definition of limits. On the

⁴³Thompson, 149-150.

⁴⁴*Ibid.*, 150.

⁴⁵Minutes of Conference held at Thaba Bosigo, from the 11th February, 1862, to the 21st, in Theal, Vol. III A, 146.

contrary, they were told 'neither white nor black should be removed from their present habitations,' but that they should both drink out of the same fountain and live in peace."⁴⁶

What happened to Moshoeshoe under Smith and Warden can best be described by the saying that hypocrisy is the compliment that vice pays to virtue. Sir Harry Smith had actually said to Moshoeshoe that he had come to impose the authority of the Queen over the Orange River Sovereignty, in order to protect Moshoeshoe:

"In proclaiming the Sovereignty of the Queen, it is as much to protect Moshesh against his internal and external enemies. Trust to me, and no one will dare to raise his hand against the Great Chief of the Basutos."⁴⁷

Smith scoffed at evidence pointing out reality with alarming disdain of the facts for obvious reasons, namely fear of the domination of Moshoeshoe. Yet most nauseating about Smith is the fact that just prior to his annexation scheme in Winburg in 1848 he sought the blessings of Moshoeshoe, and holding his hand said that everybody should know that for all the peace reigning in the Lower Caledon they were indebted to Moshoeshoe. Smith further said, "Let no man presume to encroach upon Moshesh [If they do], he, the Governor, would follow them up, even though it were to the gates of infernal regions!"⁴⁸

After this assurance Major Warden went about wrecking the annexation scheme and policy under the very nose of Smith who kept quiet. Sir Harry Smith became a pitiful victim of Warden's scheme of the so-called balance of power, which in practice meant the setting up of minor chiefs against Moshoeshoe.

⁴⁶Thompson, 158. 4

⁴⁷Letter from the Rev. Mr. Casalis to the Rev. Mr. Rolland, 14th February 1848, in Theal, Vol. III, 101.

⁴⁸*Ibid.*

Warden added fuel to the flames of his policy of divide and rule by setting up Moroka, Taaibosch and Sekonyela against Moshoeshoe, the very chiefs which Moshoeshoe had complained about in 1848. Apparently the agreement of 27th January 1848 between Moshoeshoe and Smith was another patronising act by a well meaning white Cape Governor. This adds credence to the assertion that the History of Lesotho before annexation in 1868 was the endurance of the Basotho and Moshoeshoe against all odds. Morrell observed that:

“The management of the annexed territory, however was too much for Major Warden, the Resident at Bloemfontein. Everything hinged on Moshesh and on his relations with the European farmers on the one hand and the lesser tribes on the other..... ‘If the proposed boundary be confirmed’ wrote his French missionary.... ‘the Basutos will not have sufficient land’ Warden, however, denied this, and in December 1849 Sir Harry Smith confirmed the boundaries.”⁴⁹

The eventual outcome of Warden's duplicity was probably that Moshoeshoe became very unsure of the policies and aims of white rulers. Yet he needed protection and he never wavered in his belief that the Queen in the end would protect him if only she knew how staunch an ally he had always been and always would remain.

The period of buffer states, inaugurated by Napier in 1843 and which favoured Moshoeshoe, lasted for only a few years. In spite of promises to control white settlers and protect Moshoeshoe's territory, no viable mechanism was put in place to effect such promises. Harry Smith annexed the whole region between the Orange and Vaal in an effort to create such mechanisms. Soon, however, British officials were being pressed by white settlers and petty chiefs to expand their territory against Moshoeshoe. Ultimately, despite the historic claims of

⁴⁹Morrell, 300.

Moshoeshoe to much of this land and the presence of large numbers of his villages therein, Warden sought to please the others at Moshoeshoe's expense. Thus, Moshoeshoe, the great friend of Andrew Smith, George Napier and Harry Smith, became the villain who needed to be humbled. Moshoeshoe, the long-standing ally and friend of the British, was now seen as the destabilising force in the region.

CHAPTER TWO

THE BATTLE OF VIERVOET AND THE BRITISH NEED TO HUMBLE MOSHOESHOE

When war erupted between Moshoeshoe and Warden in June 1851 over the enforcement of the new boundary imposed by the latter, Harry Smith was firmly of the opinion that Moshoeshoe was so shrewd that he even had the uncanny ability of entering his adversaries' minds and manipulating them to do what he wanted them to do. Moreover, Moshoeshoe's alleged ever manipulative hand was therefore thought to be behind the uprising by the Xhosa in 1850 as well.

"So sharply did the position deteriorate that well-informed officials were writing of the probability of a general rising of all the Bantu tribes against the whites. It was fully recognized that much of this was due to Moshoeshoe, but for the moment, Smith could do nothing against him."¹

In the wake of the failure of the annexation policy of Smith, a scape goat had to be found to shoulder the bungling attempts of Warden and Smith. The planting of potentially defamatory stories was to be expected. However, the allegation that Moshoeshoe was inciting the general rising of all the Bantu against the whites is not supported by the facts. For after Moshoeshoe had defeated Warden at the Battle of Viervoet² in 1851, he never pressed home his success, knowing

¹G. Tylden, *The Rise of the Basuto*, 43.

²Major Warden went to resolve complaints concerning stock theft and enforce the new boundary line on Moshoeshoe. Tensions were high and Moshoeshoe's people were ready for a fight. Warden was assisted by Major Donovan of the Cape Mounted Rifles, about 160 British troops, 120 burghers, 180 Griquas and 800 Barolong. The Bataung, allies of Moshoeshoe, had numerous villages on and around Viervoet Mountain. As the Bataung fired on Donovan's advance guard, Warden ordered that the mountain be taken on 30th June 1851. Moshoeshoe had large numbers of horsemen ready to attack. As Warden's two 6-pound guns could not make it up the steep sides of the mountain, the troops advanced without their protective fire power. Nonetheless, they quickly took control of the mountain having superior weapons to those of the Bataung and Basotho. The Barolong, however, took themselves out of the fighting at this stage by raiding the beer of the Bataung. Celebrations were carried out prematurely as the Basotho forces attacked, taking Warden's soldiers by surprise. Over 150 of Warden's soldiers, mostly Barolong, were killed as they were forced off the steep cliffs overlooking Mekuatleng. Neither side was prepared to continue the fight the following day. It was a

no doubt that after all he was a British ally and wished to remain one. Moshoeshoe acted with his usual realism. He had no wish to give the British government a pretext for turning on him when it had overcome the Xhosa.

“Although Moshoeshoe sent friendly messages to Sandile and Sarili, the leaders of the Xhosa resistance, and possibly supplied them with gunpowder, he did not encourage his people to join them. He also refused to enter into any combination with the Afrikaners against Warden's demoralised regime in the sovereignty, but he did ask his missionaries to appeal for redress to Warden's superiors.”³

The repercussions of the Battle of Viervoet were far-reaching and decisive in shaping the new Colonial Policy towards the Orange River Sovereignty. This Battle of Viervoet which took place on 30th June 1851 ushered in a new era in South Africa. In England Earl Grey, Secretary of States for the Colonies, decided that Britain should withdraw from the Lower Caledon. In this decision he was supported by the Prime Minister, Lord John Russell, who drafted a message to the Colonial Office in 1851. Morrell quotes him as follows: "The ultimate abandonment of the Orange River Sovereignty should be a settled point in our policy" and goes on to comment that "Grey himself was soon in a mood to regard the policy of maintaining British authority in these remote regions as mere 'Quixotic philanthropy'".⁴

The policy of annexation which was implemented by Sir Harry Smith on 3rd February 1848 was now officially dropped. Yet ironically this policy had proved a failure because it took a fatal collision course with Moshoeshoe. As has already been shown, this policy of annexation as such

humiliating defeat for Warden and his allies, who lacked the unity and discipline required to overcome a superior number of enemies. (See P. Sanders, *Moshoeshoe: Chief of the Sotho*, pp.171-74 and G. Tylden, *The Rise of the Basuto*, pp.45-47.

³L. Thompson, *Survival in Two Worlds, Moshoeshoe of Lesotho 1786-1870*, 155.

⁴W.P. Morrell, *British Colonial Policy in the Age of Peel and Russell*, 302.

failed because it radically departed from its original objective. For Smith had clear instructions that he should uphold the authority of the traditional rulers. Yet the governor did something quite the opposite. According to Morrell, "The understanding at the time of annexation had been that the authority of the chiefs should be upheld; that the colonists should be given a large measure of self government; but that it should cost Great Britain nothing in money or troops."⁵

The bias of Warden, coupled with his rash moves towards Moshoeshoe, and the inability of both Major Warden and Sir Harry Smith to perceive the larger picture destroyed their own policy. Central to the collapse of this policy was the imposition of the unfair boundary line which Moshoeshoe rightly refused to acknowledge. Earl Grey appointed Assistant Commissioners Hogge and Owen on 31st May 1851 on a fact finding mission to investigate what went wrong with Smith's policy in the Eastern Cape which had fallen apart. The two gentlemen arrived in East London in July 1851 and moved on to Bloemfontein on 27th November 1851 when it became clear that the whole Orange River Sovereignty was in danger of collapsing as well. They immediately set to work. Hogge and Owen, after a thorough investigation, pointed an accusing figure at Sir Harry Smith and Warden.

"“In our opinion,” they said, ‘the misfortunes which have befallen the Sovereignty are clearly attributable to our uncalled for interference in the quarrels of the numerous and powerful native tribes which surround us.’”⁶

Major Hogge and Owen found that British policy towards Moshoeshoe was characterized by blatant opportunism and lack of honesty due to religious reasons. Hogge and Owen decided to address the situation and to act in a manner which enhanced rather than diminished the status of Moshoeshoe. They would draw a new and fairer boundary line between the white settlers and

⁵Morrell., 301.

⁶G.E. Cory, *The Rise of South Africa*, Vol.IV, 416.

the Basotho in the south, and they would no longer interfere regarding quarrels between Moshoeshoe and his African neighbours. The gentlemen decided to reverse the policy of Warden and Smith towards Moshoeshoe and lay the proper foundations for peaceful co-existence. Having carefully inquired into the role of the Wesleyan Church in the dispute between Moshoeshoe and Moroka, Hogge and Owen also found out that the blame lay with Rev. Cameron.

The Assistant Commissioners were so annoyed with Reverend Cameron of Thaba-Nchu, who took up the case of the minor chiefs against Moshoeshoe and caused trouble, that they felt he merited a strong letter of rebuke to remind him to confine himself to missionary work. In a harsh judgement which defined the limits of Cameron, they reminded him that he should confine himself to his pastoral duties. Sir Godfrey Lagden says on the matter:

“The assistant Commissioners Hogge and Owen then took up a decided stand against political missionaries writing to the Rev. Mr. Cameron of Thaba-Nchu whose active interference annoyed them as follows:- ‘The Assistant Commissioners were under an impression, perhaps a mistaken one, that the Wesleyan Missionaries confined themselves as a rule to the sphere of their pastoral exertions.’ They recommended Mr Cameron to adopt this course for the future.”⁷

The Assistant Commissioners in their fact finding mission found that Major Warden in precipitating a conflict with Moshoeshoe was in the wrong. On the 22nd of February 1852, Major Hogge convened a final conference between himself and Moshoeshoe at Bolokoane, in the presence of a thousand Basotho and Tembu. The purpose of the conference was to convince Moshoeshoe as an ally that the British policy towards him was not a sustained and orchestrated cover-up comprising of lies, evasions and perjury. What transpired there is described by Thomas Arbousset as follows:

⁷G. Lagden, *The Basutos: The Mountaineers and Their Country*, 130.

"The Major [Hogge] frankly acknowledges that after hearing all the parties to the dispute having fully considered and carefully weighed the whole evidence they [Hogge & Owen] find that the government [British] has committed grave errors against the Basuto and the Bataung. He affirms that on this account the English will cease all hostilities, that the British Resident in Bloemfontein Major Warden has just been dismissed from his functions;... That there will no longer be limits between various tribes. That the government will cease to intervene in their disputes."⁸

After this meeting, the tide turned against Major Warden and Cameron vindicating the point made earlier that Moshoeshoe, because of his leadership and towering moral stature, was a target of dirty tricks. At this meeting Moshoeshoe demonstrated, in a very personal way, that he was committed to the cause of peace. Seeing things unfolding in dignity, mutual respect and peaceful co-existence between himself and the British, he did not gloat. He himself admitted that his people had stolen cattle from Moroka and the Boers. However he pointed out that the real source of trouble was the question of the boundaries, something foreign to his subjects. His viewpoint was:

"He was not the origin of the war. It was the English Government who caused it by making boundaries; and the division of land by beacons was a matter beyond his comprehension, and a thing he would never have thought possible. He then admitted that his son was in fault, as he and Moroka had always been on friendly terms, until the English Government excited enmity between them."⁹

⁸R.C. Germond, *Chronicles of Basutoland*, 194.

⁹Blue Book, *Cape of Good Hope Correspondence, Papers presented to Parliament March 20, May 2 June 1851 and February 3, 1852*, 188.

After the meeting with Major Hogge, Moshoeshoe was re-assured as an ally of Great Britain. Moshoeshoe could have thought that Britain's foreign policy towards him was something like a tangerine. It came in many parts, some bitter, some sour, at times somewhat fruity and colourful. Or perhaps Moshoeshoe thought that as an African he was on trial to test his sincerity. The apology of Hogge and Owen made a lasting impression on the chief. For when he was approaching old age, and wanted permanent security by being taken as a British subject together with his people in 1862, he addressed Wodehouse by referring to this incident in the following manner:

"It is long we have been crying to our mother (the Queen), now we must tell everyone that our prayer has received an answer. Now it is the second time the Queen has sent to speak to us. First messieurs Hogge and Owen were sent to investigate disturbances. Now these gentlemen are sent to speak to us the words of peace [Burnet and Orpen in 1862 at Thaba-Bosiu]."¹⁰

Hogge had given Moshoeshoe the impression that there were signs that the period of uncertain and ambivalent British policy towards him might be ending, ushering in an era of greater engagement. This was more so because Hogge had frankly admitted that the British Government after annexation had committed grave errors against the Basotho and the Bataung, and that after the meeting at Bolokoane, the English would cease all hostilities towards Moshoeshoe and the Basotho.

It should be pointed out that the Assistant Commissioners did not stop there. In 1852 they went further in their recommendations to say that the withdrawal of the British from the interior in the long run would not be a wise move, and that the whole withdrawal may be lamentable in

¹⁰Minutes of the Conference, in Theal, *Basutoland Records*, Vol. IIIA, 138.

its consequences to the inhabitants of every colour and denomination.¹¹ In this respect the Assistant Commissioners were clearly of the impression that Britain as a paramount power should continue to exercise moral restraint upon the inhabitants of the Orange River Sovereignty, so that peace could prevail. They clearly stated that the proposed withdrawal needed to be looked at seriously so that later Britain would not regret the withdrawal. Hogge and Owen administered a veiled rebuke to the Secretary of State Earl Grey for a hasty retreat:

“The Assistant Commissioners are fully aware that however rapid may have been its advance, a great nation cannot retreat from a territory over which it has assumed sovereign rights without great caution and a due consideration of the interests involved.”¹²

Whereas the investigations of Hogge and Owen could be said to have been fair, accurate and balanced, their warning against withdrawal fell on deaf ears. The tragic events of the 8th Frontier War between the Xhosa and white settlers which began on Christmas Day 1850 in the Eastern Cape and the Viervoet Battle of 30th June 1851 marked a turning point in British policy in South Africa. This was so because the annexation of the Orange River Sovereignty in 1848 had been received as a bolt from the blue in Downing Street, since it had not been sanctioned by the Colonial Office. What was worse, the immediate predecessor of Smith, Sir Henry Pottinger said on hearing of the annexation in England:

“Such an acquisition would be not only worthless, but pernicious, the source not of increased strength but of weakness, enlarging the range of our responsibilities while yielding no additional resources for properly sustaining them.”¹³

¹¹Lagden, 131.

¹²*Ibid.*

¹³C.J. Uys, *In the Era of Shepstone*, 28-29.

What was tragic for Moshoeshoe in the failure of the policy of Smith and the warning of Hogge and Owen was that instead of gaining stature in the eyes of his long time allies, the British, he now became a scapegoat for the perceived reversal of British fortunes. As the failure of Smith's policies in the Eastern Cape and the Lower Caledon reverberated in South Africa and the corridors of power in England, the Governor became very bitter against Moshoeshoe. The Governor Sir Harry Smith created in his imagination a vast conspiracy comprising Afrikaner rebels and African chieftains with Moshoeshoe in the centre.¹⁴ Thus was born a myth in white circles that Moshoeshoe was a political master-schemer par excellence, forever plotting the downfall of the white race in South Africa. Another myth was born that Moshoeshoe was supposed to be so shrewd that he even had the uncanny ability of entering his adversaries minds and manipulating them to what he wanted them to do.

What fuelled this thinking and made it worse was that the sane and balanced voice of Major Hogge was lost when he died on the 9th June 1852. Major Hogge had known Moshoeshoe well, especially Moshoeshoe's track record after his victory at Viervoet in 1851.¹⁵ This happened when the Basotho had not fully paid back the cattle demanded of them by the terms of the agreement between Moshoeshoe and the Assistant Commissioner. Owen, who was left alone, was soon reverted to the previous policies and attitudes of Major Warden, believing that "Moshoeshoe should be taught a lesson to properly respect the power of the white man and his superiority in battle and arms,"¹⁶ that the success of Moshoeshoe at Viervoet could have gone to his head, and that as a result, without a strong force of troops to back up any demands made by the whites, the Basotho would not carry out any agreements arrived at between the Assistant Commissioner and Moshoeshoe. As Tylden has remarked:

¹⁴Thompson, 156.

¹⁵*Ibid.*, 158 -159.

¹⁶Tylden, 50 - 51.

"The Basuto chief had travelled a long way since he had had his first sight of the British at Touwfontein, his power and prestige and increased Among the other tribes he was known as a man who befriended any who came asking for help, a chief whose strong occult powers enabled him to make headway against the whites, and who could even spare munitions of war for his allies [the Xhosa]."¹⁷

With these types of sentiments prevalent among the whites in power, when withdrawal was effected in England, the precondition was that Moshoeshoe should be humbled and taught to show proper respect for the superiority of the white man. Further, he was henceforth to be denied the right to have guns. The point the new perspective wishes to make by this first portion of the chapter is that, given the racist attitude of the times, Moshoeshoe could never get a fair deal from the white establishment, especially after the untimely death of Major Hogge, a rare voice of sanity and moderation.

The implications of the events of 1850 and 1851 in England were vast in the corridors of power, and in many respects, far-reaching. The anger that was aroused in Britain was exceedingly great, especially because the 8th Frontier War in the Eastern Cape began with a surprise attack by the Xhosa on Christmas Day and took over two years to stop, with much loss of life and at great expense. The Battle of Viervoet, though of much less significance, added fuel to the fire. The Colonial Secretary Earl Grey, echoing the views of Owen that Moshoeshoe should be taught a lesson, said:

"The Kafirs are altogether unable to understand a policy of justice, and attribute all our measures founded upon this principle to weakness - That it is idle to expect them to be restrained by any such motives as respect for treaties and a sense of justice, and that nothing but a display of force can keep them in order. This after

¹⁷Tylden, 51.

all is the nature of savage tribes...."¹⁸

The British Colonial Office, assessing the situation, put the blame on Moshoeshoe and pulled no punches. W.M. Macmillan says concerning the general feeling in the Colonial Office:

"The real source of all the trouble was Bantu original sin. The news from Basutoland in June [1851] was the last straw. Earl Grey in Downing Street was now at the mercy of his critics in the British Parliament, and their impatience determined the issue, and closed this decisive chapter in South African history."¹⁹

Isolated in the Colonial Office, embittered by the recollection of the many hardships that these conflicts had caused, mindful of the financial ruin these wars had forced the British tax-payer to incur, historically referred to as the Kaffir [sic] Wars, the British Government looked ready to forget the philanthropic spirit which emanated from Exeter Hall. As a classic example, "Mr. Gladstone joined in the attack on a policy which 'for no benefit to South Africa.... ensures the recurrence of wars with a regularity which is perfectly astounding.'"²⁰

To fully understand the predicament in the Colonial Office, it is important to note that at this time 1850 - 1853, there were three main groups which were busy seeking to shape Colonial Office policy. These groups were fighting for political supremacy as to who would have a final say in how colonies had to be governed. According to C.J. Uys²¹ the first group known as the Separatists held that colonies should be abandoned because they were expensive to maintain and as such of no practical value to Great Britain. The second group known as Colonial Reformers of the School of Manchester were of the opinion that colonies in themselves were a good asset provided they could pay for their own defence. The core of the argument of the colonial

¹⁸K.N. Bell and W.P. Morrell, *Select Documents on British Colonial Policy 1830 - 1860*, 522.

¹⁹M.W. Macmillan, *Bantu, Boer, and Briton, The making of the South African Native Problem*, 283.

²⁰*Ibid.*, 283-84.

²¹C.J. Uys, 30 - 31.

reformers was in short parsimony. They felt they could attain their objective by actually telling the colonies that they should pay for their own defence, something that could easily be done by giving colonies self-government.

The third group, the Middle-Roaders, claimed to be representing the interests of the Taxpayer, arguing that England could ill-afford to pay for the defence of colonies. They represented the view that colonies had to be given political liberty to run their own affairs. These liberals believed in Free Trade. They believed in the natural law of supply and demand. They held that anything which restricted the operation of the law of supply and demand such as tariffs to protect home industries from foreign competition was wrong. Summarising the period in question 1851-53 after Moshoeshoe defeated the British forces, C.J. Uys says especially about the philanthropic spirit which had originally ushered in the era of treaties with Moshoeshoe:

“The flickering embers of Philanthropy were at last extinguished and returns were expected on all expenditure. The Colonial Office was unceasingly kept under a heavy cross fire from the front benches of both Separatists, Free Traders and Colonial Reformers. The Separatists held that colonies were not worth maintaining The Colonial Reformers on the other hand argued that the colonies were worth keeping, but they should be made responsible for their own government and wars. On one point there was universal agreement, England could no longer be expected to bear.... the expenses of local defence.”²²

The failure of Smith's annexation policy came at a particularly sensitive time for humanitarianism in Britain, which was to have unfortunate effects on Moshoeshoe and Lesotho as regards to its treaties. William Wilberforce, Thomas Foxwell Buxton and Dr. John Philip who

²²Uys, 30-31.

represented the oppressed Africans were no longer influential in the Colonial Office. Worse still, in 1851 Dr. John Philip, the driving force behind British policy towards South Africa during the first half of the nineteenth century, died.²³ The man who shaped public opinion became Sir William Molesworth representing the Colonial Reformers, who strongly denounced humanitarianism. De Kiewiet says of him and his views as regards Africa:

“Molesworth, who more than anybody else was the spokesman of the new tendencies in British Colonial Policy could not forbear to sneer at those who imagined that ‘the fierce savages of South Africa, who delight in exterminating wars, who revel in human slaughter, and whose only notion of a deity is a blood stained demon, were true Arcadian shepherds.’ Twenty years of missionary enterprise, Molesworth protested, had seen the natives gaining skill in the use of firearms and more adept at countering white attack.”²⁴

Whereas Molesworth's rhetorical utterances were unfortunate, and did alienate potential white sympathisers from the African cause, there was a ring of truth about what he said. Proof of what he said was the fact that the Xhosa war which broke out on 25th December 1850 was only brought to an end in 1852 after much bloodshed on the side of the blacks and whites. In Lesotho Moshoeshe twice defeated the British at Viervoet in 1851 and Berea in 1852. Sir William Molesworth who as the driving force for reform in colonial matters and policy felt that missionary activity had only produced a negative effect with regard to the Africans.

“Humanitarianism, so it seemed to Sir William Molesworth, had made ...Kafirs [sic] better fighters but worse savages.... [He] denounced the attempt to civilise

²³Dr. Philip had actually played a more subdued role after 1846 when one of his most beloved disciples, Jan Tshatshu joined in the War of the Axe against the Cape Colony. This incident was crushing to Dr. Philip. See G.M. Theal, *History of South Africa since 1795*, Vol.IV, 59-60.

²⁴C.W. De Kiewiet, *The British Colonial policy and the South African Republics, 1848-1872*, 79.

such 'barbarous and sanguinary wretches.'"²⁵

What gave Molesworth grounds for his assertions and the ear of the public was the fact that Smith's failure to secure peace in Southern Africa proved costly to Britain in financial terms. C.J. Uys says on the issue that "The Orange River Sovereignty in short proved to be a troublesome and costly heritage, and Sir Harry's annexation failed in its object and brought in its wake neither tranquillity nor contentment."²⁶

In this respect matters in the Colonial Office were made worse by the fact that, as has already been mentioned, nobody sanctioned the annexation of the Orange River Sovereignty in the first place. The English Press made the situation unbearable by joining the monotonous chorus of denouncing Africans and the philanthropic spirit in general, because of the financial implications of the conflict. Public opinion in Great Britain was disgusted by the outbreak of the Frontier Wars of 1850-53.

"When the Eighth Kaffir War was sprung on the Cape Colony, the opponents of Lord John Russell's Ministry revelled in anathemas against Earl Grey whom they never forgave for endorsing Sir Harry Smith's annexations."²⁷

The British press seriously questioned the wisdom of the policy that only led to chaos and ruin with financial implications for the tax-payer. A leading Article in *The Times* of London stated on 7 March 1851:

"We regret to announce to our readers the commencement of another Caffre War.... But the question which interests the people of this country is, 'Who is to

²⁵ Macmillan, 283.

²⁶ Uys, 30.

²⁷ *Ibid.*, 31.

pay for the triumphs we are to achieve?' The last Caffre War cost this country about two millions of money.... We repeat it, we cannot afford to encourage this extravagant taste. War is an expensive luxury at all times, but never so costly as when it is carried on by one party [the Cape Colony] and paid for by another [the British tax-payer]."²⁸

As the English Press turned its critical eye to the Cape Colony it went to the heart of political accountability to drive its message home. So angry was *The Times* as it aroused public opinion to the burdensome aspect of the Cape Colony that could not pay for its defences, that it reminded the people of England that as a democratic country, the British respected the rights of others to do as they please. *The Times* article continued that "The Cape was unwilling to receive our convicts, and we yielded to her resistance, with a bad grace certainly, but with enough of compliance to show that we recognised, though tardily, her right to dispose of her own affairs."²⁹

The fury of the war of 1850-53 in the Eastern Cape, and the Battle of Viervoet of 1851 led to Britain engaging in a serious process of soul searching regarding its foreign policy in South Africa. For it was one thing for Britain to carry the torch of civilising mission in South Africa, yet another to pay the cost of that high ideal. Two contentious questions levelled at the Colonial Office during 1850-53 pointed to the fact that the country could no longer follow a dangerous and costly policy of national self-delusion in the face of mounting opposition. Specifically these questions were:

"How far was it consistent with self-government that colonies should rely on Imperial troops for their internal security and external defence? And how far was

²⁸ Bell and Morrell, 519-521.

²⁹ *Ibid.*, 520.

it consistent with the humanitarian principles of the Abolition of Slavery Act and the Aborigines Committee's report to allow British Colonists in the name of 'self-government' to govern Native Tribes within their borders...?"³⁰

These issues were to be decided and settled by the Xhosa in the Eastern Cape and Moshoeshoe in the Lower Caledon. Britain could no longer tolerate or turn a blind eye about the manner the British coffers were being drained by these wars. With the issue of finance heating up in the British Parliament, no philanthropic argument or commitment could hold water anymore. As a result nobody took a move to quell the mounting criticism of the Colonial Office. On the contrary, there appeared a high powered discussion sparked off by Wakefield's Memorandum submitted in March 1851.³¹ Wakefield in the British Parliament, citing prohibitive financial figures, attacked the evil effects of the colonial garrison. W.P. Morrell says about the arguments of Wakefield:

"It was the outbreak of a new 'Kaffir War' in South Africa that provoked Wakefield's memorandum, and the exasperation caused by this burdensome war contributed to the declining popularity and eventual fall of the Russell Ministry.... British military expenditure in the colonies in 1851-52 was £3, 000, 000; civil expenditure accounts for another £500, 000, and the Navy £55, 000. When Aberdeen came into Office, Gladstone pressed for a reduction of British forces in the Pacific."³²

These prohibitive financial figures gave much needed ammunition to Colonial Reformers, especially men like Sir William Molesworth who wanted Britain to withdraw from the interior of

³⁰W.P. Morrell, *British Colonial Policy in the Mid-Victorian Age*, 2.

³¹Morrell, 3.

³²*Ibid.*

South Africa. Wakefield's Memorandum sent a clear message to Britain to act, regardless of the moral and practical problems that might arise.

After these wars therefore, Britain decided in despair to abandon the interior after they had subdued the irrepressible Moshoeshoe, and relegated the coloured people to the status of mere proletarians.³³ Talking about the way this withdrawal was forced on Britain by events beyond its control, Macmillan says :

"Both Kafirland, and in 1852, Basutoland were involved; and Downing Street, in impatience, or despair, so far as the Interior was concerned, abandoned the attempt to control the situation as a whole, and recognised the separate existence of the Transvaal (1852) and of the Orange Free State (1854) in the war of 1851 discontented 'Hottentots' at Theopolis, and on the Kat river, threw in their lot with the Kafirs and entered into rebellion."³⁴

What was worse for Moshoeshoe was that the British would move against him as a precondition for withdrawal. Furthermore in 1851 when the Hottentots at Theopolis and on the Kat River rebelled, it was alleged that Moshoeshoe's ever manipulative hand was behind this evil design. Citing the report on the activities of 1851 dealing with the rebellion of Hottentots J.M. Orpen says that the report on the Basotho chief "Represented that Moshesh had, during the last two wars of the Cape Frontier, rendered assistance to the Gaikas, Tamboukies and rebel Hottentots."³⁵

Rather than coming with a comprehensive policy to address a complex situation, the British at this decisive and crucial hour showed a high level of self-centredness. They concen-

³³W.M. Macmillan, *The Cape Colour Question, a Historical Survey*, 279.

³⁴Macmillan, 279.

³⁵J.M. Orpen, *Reminiscences of Life in South Africa from 1846 to the present Day with Historical Researches*, (Struik reprint) 209.

trated on curbing Moshoeshoe's alleged ever-manipulative hand, conveniently forgetting in the process that Moshoeshoe was a British ally. Further they decided to withdraw regardless of what would happen to the black people in general. Everybody in the Colonial Office forgot the policy of recognising Native Treaty States designed to put a stop to the hitherto almost automatic extension of the frontier of the colony. The withdrawal, coming under the facade of Conventions, was a clever strategy to abandon the Boers to their own devices and relegate the native question from one of civilization into one merely of defence. De Kiewiet supporting this assertion says:

“By the Conventions the British government finally abandoned the attempt to secure the natives in the possession of their lands and to protect them against aggression. It set up as the chief end of its policy the lessening of responsibilities and the avoidance of war, and disturbance. In 1854 the native question had been degraded from one of civilisation into one merely of defence In the days of Lord Charles Somerset and Sir Lowry Cole, the Boers had been the backbone of Colonial defence. Left to their own devices they would once again form a part of the system of defence against the unsubdued enemies of the white man against what now began seriously to be called the menace of the black.”³⁶

Under these circumstances, the alliance which Moshoeshoe had with the British exposed all the absurdities and ironies of the times. The contradictions were compounded by the fact that Moshoeshoe still regarded himself as a British ally, unaware of the fact that the philanthropic spirit which had originally led to treaty states in the Cape Colony and Britain was dead. As a result, regardless of what Moshoeshoe thought, the fact remained that the Boers were now the allies of Britain after 1854, and the natives were now seen as the enemy. Only one man was far-sighted

³⁶Orpen, 84.

enough in England to see that the whole scheme which left Moshoeshoe in the cold was flawed.

"In England one man alone Sir Charles Adderley felt and knew that the abandonment was a grievous error. His speech before the House of Commons was wise and farsighted. Few colonial statesmen in this period could rival Adderley in the qualities of wisdom and penetration. He declared that it was folly that England, for the sake of shaking off present difficulties, should introduce into South Africa political barriers which could only lead in the end to misunderstanding and further difficulties. But his was a voice crying in the wilderness."³⁷

The question to answer is finally: when the British moved against Moshoeshoe as they prepared for withdrawal, did the Colonial Office know of the track record of Moshoeshoe in the events leading to the Battle of Viervoet? Did the Colonial Office know of the findings of Hogge and Owen that Moshoeshoe was provoked by the unwarranted intervention of Smith and Warden? The answer to these crucial questions is yes. After all, Hogge and Owen were Assistant Commissioners specifically sent to investigate this problem.

In summery, the events of 1850-53, gave Sir Williams Molesworth the golden opportunity to attack the Colonial Office with ample proof that it was rotten to the core. The Manchester School of Thought, as the Colonial Reformers were called, arguing for parsimony as an appropriate approach to the retention of colonies, revolutionised the whole thinking of the Colonial Office. They won a notable success. The only trouble was that their success was to be the beginning of Moshoeshoe's headaches. Moshoeshoe as an ally was just dropped like a hot potato without any explanation. Moshoeshoe was the creation of the philanthropic movement.

³⁷Orpen, 84.

When it went up, it went up with him, putting him where he was. When the battlelines were drawn, when economy became the dominant factor from 1850-53 onwards, the fortunes of Moshoeshoe sank. The Eurocentric domination of history in the Lower Caledon had begun.

“A credit balance in the Exchequer was of greater moment than the salvation of the black man, and that materialism had triumphed over idealism, and economy over sentiment. Indeed, a new era in the annals of the world had been ushered in: the era of economic imperialism.”³⁸

This new era started with Earl Grey giving instructions in a Despatch of September 15th 1851 to Smith that Moshoeshoe should be attacked and taught to respect the superiority of the white man in arms.³⁹ The naked problem confronting the British authorities was the fact that two incongruous principles, philanthropy and economy had come to a deadlock. To solve the problem Moshoeshoe had to be attacked as an ideal Christian leader to make way for economic imperialism.

³⁸Uys, 7.

³⁹ Bell and Morrell, 523-526.

CHAPTER THREE

THE BRITISH WITHDRAW FROM THE ORANGE RIVER SOVEREIGNTY

As we come to look at events surrounding the Battle of Berea, it is important to note the following. The first phase of the withdrawal as per the agreed plan¹ in the Colonial Office necessitated that Moshoeshoe should be subdued or attacked as a precondition for withdrawal. In the words of Earl Grey, the Colonial Secretary, in his dispatch of September 15th 1851, problems would arise "if any course which were taken by these barbarous people might be regarded as showing a defiance of power in the British authorities..."¹

The move to attack Moshoeshoe was taken so as to stop or discourage the creation of a dangerous power vacuum after the British withdrawal. The role of previous treaties that forged links between Moshoeshoe and the British were totally disregarded in the framework of withdrawal. Further the attack on Moshoeshoe as a precondition for withdrawal was meant to strike fear in the hearts of those forces who were still aggrieved by Smith's and Warden's bungling. Where Moshoeshoe was concerned in particular, the British felt they had an axe to grind because the British troops had lost to the Basotho in the Battle of Viervoet during 1851. The point of departure of the Battle of Berea was a definition of the supremacy of the White race where the Black race was concerned. Central to the motive of the Battle of Berea of 1852 was a desire and an objective to stop the threat constituted by Moshoeshoe's forces regarding the survival of the white race. This explains why Earl Grey said on September 15th 1851 that "In order that such a step [withdrawal] may be taken with safety and with honour, it will be necessary in the first place that the superiority of the British arms over those by whom they have been resisted should be distinctly shown...."²

¹K.N. Bell and W.P. Morrell, *Select Documents on British Colonial Policy 1830-1860*, 525.

²*Ibid.*

That the British were aiming at a victory that would reverberate and have ramifications throughout all the corners of Southern Africa, leaving Moshoeshoe licking his wounds with battered pride, was shown by the fact that additional troops were brought from Britain for this special occasion. The reason for this firm stand against Moshoeshoe being that he was considered the most powerful and potentially the most dangerous African Ruler. In addition he was held responsible for conspiracy, sedition, and promotion of insubordination against the white man, and the British attitude was exposed graphically by the memorandum of Earl Grey in April 1851.

"It is idle to expect them [Africans] to be restrained by any such motives as respect for treaties and a sense of justice, and that nothing but a display of force can keep them in order Successive governors of the Cape for many years have been most anxious to treat the Kafirs with justice, and to restrain settlers from injuring them but that the predatory spirit of these tribes has defeated all endeavours of this kind that have been made."³

As a result of this official thinking, a coherent strategic plan was to withdraw and cancel Smith's annexation policy after Moshoeshoe had been taught a lesson. Treaties as such no longer mattered in the Colonial Office where Africans were concerned. Whichever way the matter is looked at, and from whatever vantage point, the writing was on the wall. As far as the British were concerned, Moshoeshoe, like other African rulers, was unable to understand a policy of justice founded upon the treaties.

A strong message in the form of an invasion of Thaba-Bosiu was warranted and needed to remind Moshoeshoe that the British forces could not be trifled with. The myopic racist attitude of the Colonial Reformers was now dictating terms in the Colonial Office, laying foundations for

³ Bell & Morrell, 522.

the new British policy in general from which Moshoeshoe was excluded as an ally of Great Britain. By implication, Thaba-Bosiu, which was beyond the reach of the white man was also beyond redemption, being a scene of violence and rapine.⁴

Sir George Cathcart who replaced Sir Harry Smith at the end of 1851, got the Dispatch of February 2nd 1852 from Lord Grey⁵ which instructed him to attack Moshoeshoe as the first stage of the withdrawal. The Dispatch also instructed Cathcart to work closely with Hogge and Owen in formulating for the information of Her Majesty's government and of Parliament, the policy to be thereafter adopted for the smooth withdrawal. The Dispatch ended by saying:

"In preparing such a Report, you (Cathcart) will exercise the fullest and most unlimited discretion in recommending for the consideration of Her Majesty's Government the course which may appear the best to your own judgement...."⁶

The British through Lord Grey had committed themselves in black and white to follow the course which Sir George Cathcart would recommend. It therefore remained to be seen what would happen once the Colonial Office's ill-informed Eurocentric viewpoint and perspective of viewing Africans in general as savages proved to be nothing but the distortions, misrepresentations and misinterpretations of the true picture of reality in Africa. More to the point it remained to be seen what would happen if Moshoeshoe turned out not to be the savage he was portrayed to be in the Colonial Office in England. Would the British, due to their fear of Colonial Reformers in Parliament, dispute the factual account of the findings of Sir George Cathcart? Would the Colonial Office follow the course which Cathcart would recommend? Or would they sweep everything under the carpet as they had done with the findings of Hogge and Owen?

⁴Bell & Morrell, 522..

⁵ *Ibid.*, 528-530.

⁶*Ibid.*, 528.

Would the British show a moral rectitude befitting a Great Nation or would they keep on pretending or even deluding themselves that Africans and Moshoeshoe in particular were altogether unable to understand a policy of justice emanating from such motives as respect for treaties?

The irony here was that on 22nd February 1852, the Assistant Commissioners Hogge and Owen, had clearly stated that the British government in their treatment of Moshoeshoe and the Bataung had made mistakes and that due to this finding all hostilities against Moshoeshoe and the Bataung should cease. Yet within a year after this promise was made, the British, despite their assurance, were about to attack Moshoeshoe, their staunch ally, for the second time.

The British rather than acknowledging the shortcomings of Smith and Warden, decided instead to concentrate their ill-informed policy on dealing with the supposed savagery of Africans, blown out of proportion by the Colonial Reformers and Sir William Molesworth in particular. It is important to bear in mind that Sir George Cathcart decided to attack Moshoeshoe because Owen, one of the Assistant Commissioners, was of the opinion that the Basotho should be disciplined and punished by the British forces. Talking about the stand point and opinion of Owen on this issue G. Tylden said:

“On the 9th of June Hogge died. By this time Owen had realised that it was not of the slightest use attempting to treat with Moshoeshoe without a strong force to troops ready to back up any demands made and that the Basotho would not carry out any agreements of which they disapproved without being forced to do so....”⁷

⁷G. Tylden, *The Rise of the Basuto*, 50-51

Due to this prevalent opinion, Sir George Cathcart felt the attack on Moshoeshoe was justified, more so because Lord Grey had said Cathcart should work in close collaboration with the Assistant Commissioners. Before moving against Moshoeshoe, Sir George Cathcart made the following proclamation before entering Lesotho on 2nd December 1852.

“I come to Lesotho to administer equal justice to all classes of Her majesty’s subjects, and command all to remain in their respective locations, and not to take part in any hostilities that might ensue, in order that I might restore peace without engendering new claims or animosities.”⁸

Then on 13th December 1852, Cathcart who was encamped at Platberg, sent Owen to Moshoeshoe with the following message dated December 14th 1852:

“My proclamation will have told you the righteous cause in which I am come, and what it is my duty to do. As I told you in my letter, I hope my visit to you may be in peace, but I must do justice whether it be by war or in peace I find, not only that you have not paid the fine of cattle imposed by.... Major Hogge and Mr. Owen, and which you promised to pay...”⁹

Here for the sake of clarity it should be pointed out that at Platberg, Cathcart was welcomed by the venerable missionary the Rev. Mr. Giddy at his mission, and that later Rev. Giddy was joined at his mission by Rev. Dyke and Rev. Maitin of the PEMS in Lesotho, who did their best to cool the temper of Cathcart. Of course these pious men did not know that Sir George Cathcart was following the instructions of the Colonial Office of 15th September 1851

⁸G. Cathcart, *Correspondence of General The Hon Sir George Cathcart, K.C.B.*, 19-20. The Proclamation was made on 2nd December at Commissee Drift on the Caledon River.

⁹*Ibid.*, 173-175.

and of February 2nd 1852, specifically instructing Cathcart to humble Moshoeshoe in War as a precondition for the British withdrawal. When the missionaries from Lesotho met the governor at Platberg, just across the Caledon River, they explained to the governor "that for many years the Basotho had been the most honest and the most inoffensive of peoples."¹⁰

The Governor's reply to the missionaries observations was that he actually had many people tell him about the good behaviour of the Basotho. In fact the governor remarked: "~~That~~ is what everyone tells me."¹¹

On the 15th December 1852, Moshoeshoe met the governor at Platberg. After formal greetings were over, the governor addressed Moshoeshoe demanding a fine of 10,000 head of cattle to be paid within three days. Sir George Cathcart's actual words were that "If you are not able to collect them I must go and do it, and if any resistance be made it will be war, and I shall not be satisfied with 10,000 head but I shall take all I can."¹²

Moshoeshoe, who found the demand of Cathcart difficult to satisfy within three days, replied thus to the Governor:

"Do not talk of war, for however anxious I may be to avoid it, you know that a dog when beaten will show his teeth.... I wish for peace, but have the same difficulty with my people that you have in the Colony. Your prisons are never empty, and I have thieves among my people."¹³

One would have thought that Cathcart would give Moshoeshoe more than three days to collect such a big amount of cattle. The reason being that Moshoeshoe pointed out to Cathcart

¹⁰ Germond, 204.

¹¹ *Ibid.*

¹² Cathcart, 177.

¹³ *Ibid.*

that he had already paid the cattle to the commissioners, a fact that Cathcart himself accepted though the Governor stated that according to papers in his possession these were not half of the number originally demanded.¹⁴

But if the Governor were to give a reasonable time, he would not have an excuse of attacking the Basotho as per instruction from the Colonial Office. He therefore stuck to three days so as to hide the real motive for the fine, an excuse to wage war on Moshoeshoe. The difficult situation in which Moshoeshoe found himself is commented upon thus by Jean van der Poel:

"It is true that he [Moshoeshoe] was seldom sincere in his efforts to pay, but even when he was as in 1852 to meet Cathcart's demand there were very real difficulties in his way. A Bantu parts very reluctantly with his cattle and Moshoeshoe could not coerce his chief men. He was no Chaka, and his claim to the paramount position was not unimpeachable."¹⁵

On this occasion Moshoeshoe, despite the difficulties, collected 3,500 herd of cattle and handed them over to Governor Cathcart. But the latter was chasing the objective of trying to prove the superiority of the British army over the Basotho forces, and thus he decided to attack Moshoeshoe. Rev. H.M. Dyke commenting on the surprise attack of the British forces over the unsuspecting Basotho, who were taken unawares, said:

"The Basutos therefore expected some final word before actual warfare commenced. On the morning of the 20th [December 1852] they were consequently quite unprepared to meet the body of troops which fell upon them at sunrise.... The official report will tell how quickly the Basutos flew to arms and how bravely they resisted. Their indignation was the more fully aroused by the idea that His

¹⁴Cathcart, 177.

¹⁵J. van der Poel *Basutoland as a Factor in South African Politics 1858-1870*, 179.

Excellency had deceived them by not having given a decided answer to the proposal of Moshesh to bring in more cattle."¹⁶

The odds were so heavily against the Basotho that Chief Patrick Lehloenya and Dr. Damane said Rev. Maitin, who was heading the Berea mission at the time, said when comparing the Basotho forces to the British forces: "Where have men seen the hen [Basotho forces] fighting the ox [British]."¹⁷

Cathcart, on the other hand, following instructions from the Colonial Office, wanted a clear show down between the British and "those by whom they have been resisted."¹⁸ He was so confident of victory due to additional troops sent by Earl Grey from Britain, that he saw no need to call upon Sekonyela and Moroka, Moshoeshoe's traditional enemies.

"Sekonyela and Moroka would probably have been willing to supply men if called upon, but Cathcart did not want to embroil them in further trouble, and anyhow he was fully confident in the force at his command.... Cathcart however expected no serious resistance. In spite of warnings from the missionaries and from Moshoeshoe he still thought it possible that his progress to the Chief's village would be unopposed."¹⁹

The Battle of Berea²⁰ of 1852, whose main objective was supposed to humble Moshoeshoe

¹⁶Letter from the Rev. Mr. Dyke on the Battle of Berea, 28th December, 1852, in Theal, *Basutoland Records*, Vol. II, 633.

¹⁷Martin Lelimo Collection, Interview conducted at Maseru, between Chief P. Lehloenya and Dr. Damane 20-12-1996.

¹⁸Bell & Morrell, 525.

¹⁹P. Sanders, *Moshoeshoe, Chief of the Sotho*, 188.

²⁰ Cathcart possessed a total of 2 000 men but only a portion were used in the actual battle, where he divided his forces into three groups. As at the Battle of Viervoet, his forces were considerably smaller than those of Moshoeshoe, but they were better trained and equipped, and very disciplined. In addition, they had all seen action during the 8th Frontier War and were thus well tested in battle. Cathcart's forces, however, suffered from two weaknesses: 1. They did not know the terrain well, and thus their initial plans to divide into three groups, take different routes, and meet up again, these plans failed. 2. They had the belief that

with his occult powers, and prepare for a smooth withdrawal of British rule in the Orange River Sovereignty failed in its objective. For instead of the Battle humbling Moshoeshoe, stamping the authority, superiority and power of the British forces in Southern Africa, it brought Moshoeshoe and Cathcart together. The battle in short became a watershed in building up the reputation, stature and military prowess of the Basotho which highly impressed General Cathcart. Van Otten in summarising both the Viervoet and Berea battles says:

“Finally after a British force was defeated by Basuto warriors at Viervoet, the great Power that called itself Paramount, after having lost its reputation for justice and for wisdom [referring to the British support of the unfair boundary line of 1849 which sparked off the Battle of Viervoet 1851], now lost also its reputation for strength [with the defeat of Berea in 1852]. Next came the British abandonment of the Orange River Sovereignty.”²¹

The Battle of Berea in many ways became a watershed in revealing the Basotho prowess, their resourcefulness and strength which ultimately led to the Bloemfontein Convention of 1854 denying the Basotho the right to buy arms and ammunition for protection. The battle in another perspective revealed and exposed the type of character and leader Moshoeshoe was. Moshoeshoe

Moshoeshoe would not fight given his character and their superior weapons, and thus they did not take along extra ammunition.

On the 20th December, their ultimatum not having been met, Cathcart's forces crossed the Caledon from Platberg and moved towards Berea. The first group under Napier passed around the north end of the Berea Plateau and crossed it. The second group under Eyre was to go straight up the plateau, while Cathcart was to proceed straight to Thaba-Bosiu around the south end of the plateau.

Napier's forces were outflanked on the plateau by Molapo's soldiers, and lost 20 men. Eyre's forces were also opposed with the loss of one officer. Both groups were preoccupied with cattle raiding as a means of collecting the fine which Moshoeshoe was supposed to have paid earlier. Cathcart, on the other hand, was opposed by about 5 000 mounted and armed Basotho. The troops of Cathcart put up a well-disciplined fight during the afternoon, but as they had not taken extra ammunition, they were forced to retire early the next morning, despite the fact that the Basotho had also withdrawn. The Basotho, unknown to Cathcart, had been extremely impressed by the discipline of his troops while under heavy fire and greatly outnumbered - so much so that the Basotho feared to attack again. Thus the battle ended with each side impressed by the valour of the other. See Tylden 53-63, Sanders, 185-94.

²¹D.A. van Otten *The Definition and Defence of British Imperial Interest in South Africa*, 67-68.

instead of gloating or boasting about his success showed that he considered his connections with the British government through letters and treaties as extremely important. The battle also showed that Moshoeshoe considered the promises and arrangements made through the treaties as binding. Moshoeshoe asked for peace from Cathcart.

“This approach was exactly what Cathcart needed. He was afraid that if he pressed home his attack the Sotho would then become disorganised, and that in desperation they would then retaliate against the other inhabitants of the Sovereignty...the way was open for him to claim the victory and to retire with honour. His decision to accept the chief's submission was strenuously opposed by his senior officers, but he remained unmoved by their protests and peace was granted.”²²

The senior officers of Sir George Cathcart felt that Moshoeshoe had emerged victorious in the battle of Berea. They naturally felt very bitter that a “savage” had out-manoeuvred and outwitted an elite British force. This is another reason that led to the Bloemfontein Convention of 1854, which gave the Orange River Sovereignty its independence. [This move of denying the Basotho arms led to the Boers being stronger than the Basotho in the final analysis. However, once the Boers gained this advantage over the Basotho as was shown in the Second Boer-Basotho War of 1865-67, Lesotho was annexed in 1868]. Moshoeshoe by his victory of Berea in 1852 actually incurred the wrath of racists including Assistant Commissioner Owen. “It was felt that Sir George Cathcart, a British general, had been outgeneralled and outwitted by a savage.”

“The Assistant Commissioner, Mr. Owen, sent to the Governor a strongly-worded protest. He recorded ‘his unqualified dissent from a course so greatly calculated,

²²Sanders, 193.

not only to throw discredit upon British authority throughout South Africa, but also to prolong the present contest between the Government and the native-tribes...²³

Cathcart, however, remained unmoved by the protest even from the Assistant Commissioner Owen. Cathcart clearly saw that if he were to listen to the protests of his senior officers and Owen, and follow the direction they were advocating, "there would be a real danger of yet another long and costly South African War."²⁴ Cathcart, after leaving Berea on his way to the Cape, strongly rebuked land speculators at a public meeting in the Caledon River District, coldly remarking that senior officers seemed to be more anxious of Moshoeshoe's springs and fertile fields than for peace which he had brought them. According to Peter Sanders, Cathcart in a private letter of 10th February 1853 described the senior officers as a "set of covetous, profligate, unscrupulous, land jobbers of colonists who had expected him to use the Queen's troops not in support of justice, but to aid and abet, and support them in injustice and rapacity at the expense of commencing another war."²⁵

A strong under current of resentment towards Moshoeshoe at the Cape Colony continued. There arose the possibility of a third war as senior officers sought to take matters into their own hands and undermine the peace in Transorangia by taking revenge on Moshoeshoe. This agitation went on to such an extent that Cathcart felt it necessary to publish a general order in the Cape Town *Commercial Advertiser* on 21st of March 1853.

"The Commander in Chief [Cathcart] has reason to believe that certain persons, followers of the army in British Kaffraria, resident within the military rayon of the

²³G.E. Cory, *The Rise of South Africa*, Vol.IV, 483.

²⁴Sanders, 193.

²⁵*Ibid.*

port of King William's Town, who have been so base as to attempt to obstruct the restoration of peace by their evil designs, false rumours, and other nefarious means, with a view to prolong their own profitable dealings which the restoration of peace may probably limit in extent. Be it known, therefore that such conduct amounts to high treason and will be dealt with accordingly."²⁶

Cathcart went further in the same general order to appeal to all officers, non-commissioned officers and soldiers and all magistrates to do their utmost to detect and tell him of anybody who still wanted to provoke Moshoeshoe and cause war.²⁷ The facts, a new perspective wishes to establish at this stage, are why did Cathcart feel reluctant to press his attack home where Moshoeshoe was concerned? Cathcart seemed plagued by a strong sense of debt and doubt where Moshoeshoe was concerned. Why? He also felt bitter at the instructions of the Colonial Office which in his opinion were out of touch with the real world where the mountainous terrain and might of the Basotho were concerned. Why?

The answer to these questions lay in the fact that the Battle of Berea in many respects was a practical self-discovery for Cathcart. After the Battle of Berea, Cathcart was expected to make recommendations²⁸ upon which the future course of withdrawal would solely depend. As a result Cathcart was worried about the might of the Basotho. Moshoeshoe was also worried but for different reasons:

"He [Moshoeshoe] at once saw that if another battle was fought the result must be that the natives would become desperate, and instead of attempting to retain the open plains as they had done, they would occupy the high and almost inaccessible mountains in which they could hope to maintain themselves for some

²⁶Cathcart, 348.

²⁷*Ibid.*, 635.

²⁸Bell & Morrell, 528-30.

months by a sort of guerilla warfare, but at the same time carry murder and incendiarism into the whole of the sovereignty thus bringing on a state of things similar to that in Kaffirland.”²⁹

After the Battle of Berea, Cathcart saw that there was a real possibility of a prolonged conflict with the Basotho. The chaotic situation that might result was something which the British tax-payer could ill afford. For if a situation came to pass then withdrawal as such could not be a smooth operation. In fact under such circumstances, there would be no possibility of a withdrawal with dignity and honour. Philanthropy might no longer have been fashionable but it was still morally defensible in the opinion of Cathcart. It was part of a progressive vision for a humane society, a society in which the baseness of race was not allowed free play.

It was on this foundation of principle, vision and concrete practice that Cathcart offered Moshoeshoe peace. Cathcart could have been biased towards Moshoeshoe before the battle of Berea. But after the war he stood for fairness, justice and the truth. The letter from Rev. H. Moore Dyke, written on 28th December 1852, at Thaba-Bosiu admits as much. Rev. H.M Dyke, stating that Cathcart was a noble soldier and commander on this epic battle, says:

“If any surprise is expressed at what may be thought the extreme moderation of the Governor, it will be by those who understand but little of the question and the difficulties he had before him [Cathcart]. I repeat, he has saved the Sovereignty and this land from immense evils. Another day’s fighting and a war of months would have ensued. Therefore correct false ideas on this point. Believe me.”³⁰

True enough Sir George Cathcart had a hidden agenda concerning the Berea campaign namely withdrawal, but he was sober enough to see that the isolation of Moshoeshoe was

²⁹Letter from the Rev. Mr. Dyke on the Battle of Berea, 28th December, 1852, in Theal, Vol. I, 634.

³⁰*Ibid.*, 635

unworkable, counter productive and potentially dangerous. What made Cathcart firm in his resolution to grant peace to Moshoeshoe, a "savage", was the fact that despite the feeling of senior officers and Owen on this issue, he himself was impressed by the prowess of the Basotho. Speaking about the bravery of the Basotho after the Battle of Berea he said to Rev. H. Moore Dyke: "They did as well as any Cossacks and I have had plenty to do with them."³¹

Cathcart's unequivocal, absolute and emphatic statement of facts about the true strength of the Basotho forces did not only stop at Rev. H. Moore Dyke. He went on later to make a report to the Colonial Office about the true picture of the reality in the Lower Caledon. However, before his report is quoted, it is worth mentioning why Cathcart in his own words granted Moshoeshoe peace. Rev H. Moore Dyke, who was recording everything on this campaign of Berea says Moshoeshoe's letter only reached the governor towards the afternoon of the 21st December 1852, as it was difficult to find a native to bear a flag of truce. Rev. H.M. Dyke goes further to say:

"The reply of His Excellency, judged by those who know the real position of things, shows him to be a merciful and a decided ruler, but also one who possesses the depth of penetration remarkable. He had at once seen the folly of those men who had treated with contempt the strength of the Basutos, and the inevitable miseries which must result from prolonged war. He also saw that if Moshesh's authority was destroyed, there was no other Chief who could, even in a measure, control these people. He therefore by his letter accepted the submission of Moshesh, and to an end to a war in which British honour has been upheld."³²

The Battle of Berea in this respect can be said to have also laid the firm foundation for the

³¹Letter from the Rev. Mr. Dyke on the Battle of Berea, 28th December, 1852, in Theal, Vol.I, 634.

³²*Ibid.*, 634.

annexation of Lesotho in 1868. For the above reasons advanced by Cathcart in respect of Moshoeshoe's power and authority, that there was no other chief who could control the Basotho in 1852, are the same reasons which Sir Philip Wodehouse used on 12th March 1868 when he annexed Lesotho. Just like Cathcart in 1852, Sir Phillip Wodehouse in 1868 took this decision against the wishes of everybody including the Colonial Office, which only sanctioned the annexation measures after Lesotho had already been annexed.³³ On this occasion Wodehouse threatened to resign unless his annexation measures were given a blessing by the Colonial Office.³⁴ Cathcart, on the other hand, in order to achieve peace and avoid a possible third prolonged war, had to issue a general order silencing any criticism of his move. The similarities of 1852 and 1868 are such that there is no escaping the fact that the lessons drawn from the Battle of Berea can truly be said to have laid the foundations for the annexation of Lesotho.

Assessing the situation that prevailed in 1852, it is really not far-fetched to say the battle became a pointer to the direction needed to effect withdrawal. The battle as a result played a central role in drafting the terms of the Bloemfontein Convention two years later. Here it should be remembered that Cathcart had specific instructions to recommend to the Colonial Office and the British Parliament as to the policy to be adopted and the course to be followed after the battle.

Moshoeshoe's diplomacy provided the opening that Cathcart needed. According to some commentators, Letsie, Moshoeshoe's eldest son, was chiefly instrumental in pressuring his father to make peace. Rev. Richard Giddy, writing about the role Letsie played in 1852 in forcing his father to sue for peace, said in a letter written at Platberg on 11th February 1853 to the governor:

"The late operations of the troops under Your Excellency's command have certainly made a very powerful impression on the Basutos. I am surprised at the

³³W.P. Morrell, *British Colonial Policy in the Mid-Victorian Age*, 167.

³⁴*Ibid.*

depth of that impression, considering that their loss has not been heavy.... Letsie, the eldest son of Moshesh, who during the engagement remained at a distance, was most anxious to induce his father to ask for peace. It appears that he was convinced that it was useless to continue to oppose the Government [the British government at the Cape]."³⁵

Moshoeshoe reacting from the pressure exerted by Letsie, also remembering the foundation, namely the Napier Treaty of 1843 (the table), the Maitland Treaty of 1845 (the tablecloth), and the Smith Treaty of 1848 (the bottom of the desk), seized the initiative. Becoming a diplomat, Moshoeshoe showed the historic resourcefulness that won him national acclaim, as a fighter and diplomat. Realising that his men were talking about sending their cattle into the Maloti Mountains and resorting to guerilla warfare, the very situation Cathcart had feared, Moshoeshoe decided to write a letter where he begged for forgiveness and stated to Cathcart unequivocally that he wished not to be considered the enemy of the Queen. The letter dated 20th December 1852 and written at Thaba-Bosiu reminded Cathcart:

"This day you have fought against my people, and taken much cattle.... I beg you will be satisfied with what you have taken. I entreat peace from you. You have shown your power, you have chastised. Let it be enough, I pray you; and let me be no longer considered an enemy of the Queen."³⁶

This acknowledgement from Moshoeshoe and the fact that he was seeking forgiveness greatly impressed Cathcart. To him this letter was a very important document. The letter was both a relief and vindication that Moshoeshoe had been humbled and that his mission was

³⁵Extract from a Letter of the Rev. Richard Giddy to Governor Sir George Cathcart, 11th February, 1853, in Theal, Vol. II, 31.

³⁶J.M. Orpen, *Reminiscences of Life in South Africa*, 143.

accomplished. The letter was a blessing in disguise for Cathcart who had a hidden agenda which Moshoeshoe did not know. The letter fitted in well with the strategy of Cathcart who, before he embarked on the Berea campaign, knew that withdrawal was a settled point of British policy. His specific instructions were to make the withdrawal a smooth operation. The tone of Cathcart's reply bore ample proof that he was more than satisfied with Moshoeshoe's submission. Cathcart's reply said on 21st December 1852:

“Chief Moshesh - I have received your letter. The words are those of a Great Chief, and of one who has the interests of his people at heart.... I consider your past obligations fulfilled, and hope that you will take measures for preventing such abuses in future. In the meantime, as the Queen's Representative, I subscribe myself

Your Friend,

Geo Cathcart, Governor.”³⁷

Why did Cathcart grant Moshoeshoe peace on the basis of a document which was false? Especially in view of the fact that the Basotho had held their own against the forces of Cathcart, the latter unable to demonstrate conclusively their superiority. Where did Moshoeshoe and the Basotho fit in, in the jigsaw of withdrawal? Cathcart frankly was still amazed at the shortsightedness and parochial nature of those in the Colonial Office. Cathcart, to cope with the enormity of the wrong the British had done in attacking Moshoeshoe, decided to write a despatch to the Right Honourable the Secretary of State for the Colonies, dated 13th January 1853, which defended his actions thus:

“On my receiving this document in my responsible position.... I recognised an

³⁷ L. Thompson, *Survival in Two Worlds; Moshoeshoe of Lesotho, 1786-1870*, 163.

important crisis, in which one false step might involve the nation in a Basuto war, and embarrass the Government by perhaps irretrievably compromising the free option which now exists as to their future policy, in respect to the retention or abandonment of the sovereign rights and obligations of this territory, and at the same time leaving a state of irritation and excitement which might aggravate and perpetuate the evils I came to allay, and requiring an army of occupation to counteract the consequences.”³⁸

Here Cathcart says indirectly that he accepted the letter of submission from Moshoeshoe in order to lure him into being a British ally once more. Cathcart further states that the alternative was going to be a deepening lawlessness and retributions from the Basotho that could only be stopped by an army of occupation. This alternative Cathcart knew the British would never agree to, given the anger and the impatience of the Colonial Reformers who were pretty clear that Britain should withdraw from the interior. There was no cogent reason why he felt he should not make peace with Moshoeshoe. Moshoeshoe for his part took the reply of Cathcart at face value. He regarded the answer of Cathcart as a normalisation of relations between him and the British, a landmark and a milestone of a true political breakthrough.

To Cathcart, however, the alliance epitomised the difficulty of the relationship between Moshoeshoe and the British. The two leaders were on different planets, for all the meeting of the minds they achieved. The Basotho according to Cathcart had the potential to make the Orange River Sovereignty ungovernable. To avoid this terrifying and terrible prospect from befalling the Orange River Sovereignty, Moshoeshoe had to be pacified, so that he could keep the Basotho under control. This course of action would leave Britain free to withdraw following whatever

³⁸Dispatch from Governor the Hon. G. Cathcart to the Right Hon. The Secretary of State for the Colonies, 13th January, 1853, in Theal, Vol II, 4.

option the country felt would be safe for whites. Cathcart in this respect said that "I trust he may be found, should occasion require it, a valuable and willing ally of no small power, instead of continuing to be a troublesome and a fretful neighbour."³⁹

This statement vividly illustrates the thinking and rationale of Cathcart. Once again the arguments of Cathcart were very close to the basis and arguments which Sir Philip Wodehouse was to use when he annexed the country in 1868 so that the Basotho could be controlled, more so because in 1868 Moshoeshoe was old.⁴⁰ The Basotho, according to Cathcart's calculations, were good in warfare. Judging from the impressive array of facts and figures he had at his disposal, Cathcart chose to make Moshoeshoe an ally of convenience to serve British imperial interests.

Talking about the strength of the Basotho in a despatch to the Right Honourable the Secretary of State for the Colonies from Grahamstown on 13th January 1853, Cathcart said:

"I deeply regret that this object has not been accomplished without the loss of so many gallant soldiers...but, considering the respectable nature of the Basuto force, consisting of from five to six thousand cavalry, and it is said, two thousand infantry, well armed, generally with fire arms as well as assagais, the cavalry almost all clothed in European costume, and with saddles, in short, evincing not only by their equipments, but their movements, a degree of military efficiency little inferior to irregular Cossacks or Circassians."⁴¹

In the opinion of Cathcart, what made matters worse was that Lesotho was a mountainous country, defended by a warlike and well armed race, acquainted with every pass. As a result of this he felt Moshoeshoe must be brought over to the British side, even if his superiors in London

³⁹Theal, Vol.II, 4.

⁴⁰T.B Barlow, *President Brand and His Times*, 86.

⁴¹Dispatch from Governor the Hon. G. Cathcart to the Right Hon. The Secretary of State for the Colonies, 13th January, 1853, in Theal, Vol. II, 3.

did not understand his strategy. This line of action was a necessary response to the imperatives of the demands of withdrawal from the Orange River Sovereignty. Moshoeshoe would be brought within the fold of the imperial Government again, and to Cathcart this strategy would be highly useful. Moshoeshoe would keep order and prevent anarchy. He would do the dirty work for the British Empire, rubber-stamping the designs of the Colonial Reformers through the Colonial Office, which would wield the real power behind the scenes.

As an ally, Moshoeshoe would stop being a troublesome and fretful neighbour. Cathcart said whatever wrong Moshoeshoe could have committed against the British, this he did because he was bitter that he had been declared the enemy of the Queen in 1851.⁴²

There was something hypocritical about the set-up Cathcart had arranged with Moshoeshoe. The grounds upon which Moshoeshoe was made an ally were immoral and duplicitous. It remained to be seen whether the grounds upon which Moshoeshoe had been declared an ally would necessarily produce results which would equally be immoral and duplicitous. The critical issue as such was withdrawal. The real and bigger issue overshadowing everything was the withdrawal and the best manner in which it could be effected for the British and the Boers.

The British for their part, masquerading as the ally of Moshoeshoe, merely wanted to be in the driver's seat to implement withdrawal while still in the process upholding their honour as an imperial power. The British merely wanted Moshoeshoe to be their ally at this crucial stage so that they could dictate the pace and terms of their withdrawal. They would now support Moshoeshoe and put the treaties back on track so that Moshoeshoe could not threaten their interests. The real motive concerned withdrawal.

Moshoeshoe after all in 1851 at Viervoet, and 1852 at Berea had sent a strong message

⁴²Theal, Vol.II, 3..

that he was no pushover. As a result of this resourcefulness on the part of Moshoeshoe, Cathcart made him an ally again. "Cathcart then returned with his troops to the Cape colony, reporting to London that the expedition had resulted in the entire submission of the enlightened and powerful chief Moshoeshoe who would now be a willing and valuable ally."⁴³

Moshoeshoe's diplomacy had gained for him his desired end: to be seen once again as a loyal ally of the Queen. But the deeper imperatives of British policy in the region made this alliance of little value. On the surface, Moshoeshoe had outsmarted the British by applying exactly the same tactics on the British, as they had applied on him. But as the geo-politics of the region were played out over the next few years, Moshoeshoe's alliance with the British proved to be empty.

The question to now clarify is why did Cathcart call Moshoeshoe "enlightened", when in those days others like Molesworth referred to Africans, with Moshoeshoe inclusive, as "savages"? To do justice to Cathcart, it is important to say he appeared to be an acute, keen and remarkable observer. In his despatch to the Secretary of State for the Colonies on 13th January 1853, he said that although Moshoeshoe waged war on the petty chiefs under Warden in 1851, care was taken not to do any damage to the house and property of the missionary. Even the gardens of Carolus Baatje's people at Platberg had not been destroyed.⁴⁴

The fact that Moshoeshoe respected the house and property of the missionary who for that matter was against the Basotho highly impressed Cathcart. This conduct of the Basotho, even in conflict, explains why he referred to Moshoeshoe as enlightened. Cathcart knew that Moshoeshoe was under the influence of the missionaries whom he greatly respected as was shown by his conduct.

⁴³ Thompson, 163.

⁴⁴Theal, Vol. II, 2.

Cathcart was apparently aware of the enormous influence missionaries wielded over the conduct and statecraft of Moshoeshoe. Cathcart knew this because on 14th November 1852, he had written a Despatch to Her Majesty's Secretary of State for the Colonies saying of Moshoeshoe:

"The French missionaries were not slow to recognise the power and comparative prospect of stability of this new sovereign power, and the superiority of the chief who had assumed it. They accordingly established their station at the foot of the mountain on which Moshoeshoe had placed his citadel. The same shrewd judgement which probably gained the success of the chief soon revealed to him also the policy of availing himself of the counsels of these pious and enlightened men so maintaining his position. He appears accordingly to have consulted and made use of them on all occasions in his relations with the British power...."⁴⁵

Once again the observation of Cathcart was to be highly prophetic. In fact Cathcart anticipated history by exactly sixteen years. To show just how far-sighted Cathcart was, it is important to note that the role played by missionaries in the last analysis was to be crucial in internationalising the conflict between Moshoeshoe, the Boers and the British in 1868. When the facts of the conflict erupted in Europe this embarrassed the British to such an extent that D.A. van Otten says that: "The Christian world was scandalised."⁴⁶

The last question to answer is, what did Cathcart do and say after failing to subdue Moshoeshoe? C.W. de Kiewiet says on this point:

"Although his expedition had been a failure, Cathcart felt that a precipitate act of

⁴⁵ *Blue Book, Cape of Good Hope Correspondence*, No. 43 Copy of despatch Graham's Town November 14th 1852, 183.

⁴⁶ van Otten, 220.

“scuttle” would be both undignified and unjust to those whom Warden’s mal-administration had caused loss.... He recommended that the Home Government should appoint a special commissioner to effect withdrawal.”⁴⁷

In summary, it must be said that despite Moshoeshoe’s very strong desire for peace, his upstanding behaviour and diplomatic skills, and his leadership capacity - these were actually cause for concern to many whites, both Boers and British. It is fair to say that Moshoeshoe was not trusted in white circles. Both in the Colonial Office and in South Africa, especially the Orange River Sovereignty, Moshoeshoe was probably the most unpopular, mistrusted African ruler.

A legacy of mistrust had developed, based on the very different perceptions of the various parties concerned. The competition for land between the Boers and the Basotho would cloud all their relations, particularly because the Boers were not prepared to peacefully co-exist with a strong African polity next door. Moshoeshoe, for his part, was not able to accept the increasing encroachment of his lands along the lower Caledon. Even if he was prepared at times to compromise in the interests of peace, his subordinates like Posholi were less inclined to do so. The bottom line appears to have been the retention of all lands demarcated by the original Napier Line. The British too had their reasons to distrust Moshoeshoe, not least of which was his preparedness to oppose their moves when he felt that serious national interests were at stake. Fuelled by a superiority complex, a significant number of British officers were determined to put Moshoeshoe in his place. Whether this sense of superiority was due ultimately to racial, cultural or nationalistic feelings is not clear.

Thus, the ambivalent feelings and actions of the British towards its ally Moshoeshoe are not difficult to understand, Sir Harry Smith and Major Warden being classic examples of this ambivalence. Small wonder then, that after his victory in Berea in 1852, there remained a strong

⁴⁷C.W. de Kiewiet, *The British Colonial policy and the South African Republics, 1848-1872*, 70.

undercurrent of resentment among senior officers in Kaffirland, helped and fuelled by the comments of Moshoeshoe's victory as a threat to British supremacy in Southern Africa in general. These chauvinists were so bitter due to the apparent influence of Moshoeshoe that Cathcart was compelled to threaten them with criminal action tantamount to high treason.⁴⁸

Cathcart as a result must be given due credit for the dexterous manner he handled a delicate situation that had the potential and prospect of a virus of gloom that could easily infect everybody and penetrate to poison the entire Orange River Sovereignty. Cathcart, up to the time he accepted Moshoeshoe back as an ally, showed the necessary sensibility and caution using appropriate measures to address a complex problem. Moshoeshoe, after the annexation of Smith but before Cathcart came, had been marginalised, understated and dismissed as an agitator rather than an ally on frivolous grounds. Though Hogge and Owen found that the British had committed great errors against the Basotho and Bataung on 22nd February 1852, their findings never fully restored the status of Moshoeshoe as a British ally. The Battle of Berea seemed to have reversed the wrong perceptions shaped by events that were not precipitated by Moshoeshoe in the first place.

As a result of what happened up to the Battle of Berea, it can be legitimately said that the alliance of Moshoeshoe with the British had been bouncing between enthusiasm and cynicism, hope and despair. The hope was that this time the alliance would not be built upon the shifting foundations of sand. There was a hope that the treaties this time would not prove to be the gigantic political farce of the British meant only to get them out of the corner of withdrawal. Cathcart had said that Moshoeshoe was an ally of no small power.

What was of interest was who would break the treaties and throw the entire Orange River Sovereignty into confusion anarchy and pandemonium? The special commissioner was therefore coming after the dust had settled to sort matters out.

⁴⁸Cathcart, 348.

What will never be clear is what the reaction of the general Basotho populace was about the victory at Berea in 1852. Research conducted along the lines of the new or black perspective drew a blank in this respect. For Mr. Z.D. Mangoaela who compiled an exhaustive and comprehensive collection of praise poems of famous battles and chiefs in Lesotho in 1912 for the benefit of future generations and historians said nothing about the Battle of Berea of 1852.⁴⁹ This omission is very surprising.

What there is, which is little according to Peter Sanders, is that the Battle of Berea is known as *Ntoa ea Masole* "The Battle of Soldiers."⁵⁰ However, how the Battle was fought, and what the feelings of the Basotho were at the time, is not brought out in clear tones. The small lines which appear in Z.D. Mangoaela's collection of praise-poems state that "the country of orphans can never be taken."⁵¹ Yet Peter Sanders put across the view that Moshoeshoe's reputation rose to new heights to such an extent that:

"In Sotho propaganda, the Battle of Berea had been transfigured into a triumph against white aggression. A British army had advanced into Lesotho and had been compelled to retire with heavy casualties. News to this effect reached Sarili, the Xhosa paramount two days before the official mounted express reached the chief commissioner in British Kaffraria, and thereafter Sotho medicines were much in demand on the Eastern frontier."⁵²

Due to the contradiction which appears to arise between the lack of material dealing with the battle which appeared in Z.D. Mangoaela's book, and the assertion of Peter Sanders about Moshoeshoe's vastly increased reputation after the battle, Dr. Damane was approached to shed light on this important issue. Dr. Mosebi Damane's comment on the issue was that Moshoeshoe,

⁴⁹Z.D. Mangoaela, *Lithoko tsa Marena a Basotho* (Praise poems of Basotho Chiefs).

⁵⁰ Sanders, 194.

⁵¹ Mangoaela, 212-213.

⁵² Sanders, 198-199.

to downplay his success, issued a strict general order that no praise poems should appear about the Battle of Berea.⁵³

The Battle in the meantime had turned Moshoeshoe into a prophet with honour for peace. This is attested by the fact that the Commandant Smit and others namely T.G. Klopper, J. Olivier, H. Weber, H. Smit and T. Smit wrote Moshoeshoe a letter from Smithfield dated 31st December 1852 where they said:

“Chief Moshesh - We, the undersigned, Commandant and Field-cornets, for and on behalf of the inhabitants of the District of the Caledon River, do hereby make known to you that we rejoice much to hear that the Governor has concluded peace with you and the Basuto Tribe. We are much opposed to War and Bloodshed, except where it cannot be avoided. We were delighted to hear that peace was concluded after the fight of Berea on the 20th instant, as we think the ends of justice were fully met.”⁵⁴

However, the battle from the Eurocentric viewpoint seemed to be the victory for Sir George Cathcart. This view they came to without actually taking into consideration the motive which led to the campaign. For the fundamental question was not necessarily victory, but the desire to settle old scores and quarrels and to enable the withdrawal to take place with relative ease. Stating the Eurocentric viewpoint W.P. Morrell says about the Berea campaign:

“There is truth in Orpen’s comment: ‘Cathcart ...perilled his military reputation in the cause of justice.’ He did not withdraw his troops because he had been

⁵³Martin Lelimo Collection, Dr. Mosebi Damane, *Interview Conducted at Maseru, 10-06-1995*. A different story which gives some support to this view is quoted by Tylden (p.62): “Father Laydevant, O.M.I., tells the following story to illustrate the chief’s attitude. Before the fight, some Basuto were told by the missionaries that if they fought the British it would be like a young cock ostrich fighting a bull. Next day, as the same men passed the mission, they called out: ‘The cock ostrich has kicked the bull!’ When Moshesh was told of the incident he sent the men to apologise to the mission people.”

⁵⁴Letter from Commandant Smit and others to the Chief Moshesh, 31st December 1852, in Theal, Vol. I, 636-637.

defeated, but the withdrawal left him open to this insinuation and was widely criticised in the Colony. The Basuto boasted of their success; but Moshesh knew in his heart how close he had come to ruin and was careful never to fight against 'the Queen's soldiers' again."⁵⁵

What can best be said about this Battle is that it achieved the main objective for Moshoeshoe and Cathcart. Moshoeshoe had long been telling his people that the British Government was the greatest power in Southern Africa, and that friendly relations with the Queen were therefore essential for the well being and survival of Lesotho. After the battle they listened to him, as was shown by the fact that cattle raiding stopped completely along the frontier.⁵⁶ Peace returned to Lesotho and the Basotho went back to supplying grain to Europeans in a friendly manner.

Where Cathcart was concerned:

"His confidence in Moshoeshoe's sincerity had been proved justified, and his opinion of the chief soared accordingly. In January 1853, he cautiously described him as 'an enlightened and I believe a good man.' By March all reserve had been swept aside: Moshoeshoe, he declared, was 'not only the most enlightened, but the most upright chief in South Africa, and one in whose good faith I place perfect confidence.'"⁵⁷

In the next section of this chapter, we shall examine the resolution of this matter as the British withdraw from the Orange River Sovereignty on terms which are ultimately disastrous for Moshoeshoe, their so-called ally!

⁵⁵Morrell, 47.

⁵⁶Sanders, 194.

⁵⁷*Ibid.*

The second phase of the British withdrawal from the Orange River Sovereignty started abroad in the Colonial Office. After the dust had settled, and peace was restored in the lower Caledon, Governor Cathcart recommended that the Home Government should appoint a Special Commissioner to effect the withdrawal. Cathcart's direct recommendation was taken seriously in the Colonial Office. The British Government, taking the cue from Cathcart, did appoint "Sir George Russell Clerk, Knight Commander of the most Honourable Order of the Bath, to be Her Majesty's Special Commissioner for settling and adjustment of the said territories designated as the Orange River Sovereignty."⁵⁸

Questions one can ask are: What type of character was Sir George Clerk? Why in particular was he empowered to effect the withdrawal? Did he have the necessary qualities to effect the withdrawal smoothly and in a dignified manner that would preserve the treaties and the perfect confidence Cathcart had in Moshoeshoe? More importantly, would the lower Caledon remain peaceful after the withdrawal? C.W. de Kiewiet in answering these questions says about the character of Clerk:

"In a sense Sir George Clerk was the best man who could have been chosen for such a mission. Clerk was hard of temperament, with an icy and unapproachable manner, little disposed to be moved by appeals or entreaties from the path of policy the British Government had laid down for him."⁵⁹

This formidable character was specifically chosen to settle the Orange River Sovereignty question because, as far as the Transvaal was concerned, there were no problems for the British Government. In fact the Assistant Commissioners, Hogge and Owen, found it a relatively easy matter to call Pretorius and secure his co-operation on the banks of the Sand River, on

⁵⁸ Order of Her Majesty in Council, 30th January 1854, in Theal, Vol.II, 98.

⁵⁹ De Kiewiet, 70.

January 16, 1852. The result being that the famous Sand River Convention was agreed upon by Britain and the Boers of the Transvaal without any fuss.⁶⁰

However where the Orange River Sovereignty was concerned, Britain expected trouble. The issue of withdrawal was approached with great caution. There were many British subjects in the Orange River Sovereignty who were traders and land speculators likely to view withdrawal as an emotive issue needing to be discussed thoroughly. Moreover, a section of the Afrikaner settlers was also pro-British. Britain as a result took precautions with the choice of Clerk: "so that those in the Sovereignty who protested against the abandonment found themselves confronted by a man of stiff formal manners and an impassive demeanour, who [would] reply that he had his orders and intended to carry them out to the letter."⁶¹ And true enough there were many people who were against withdrawal. "Clerk also found that there was no great demand for abandonment, and indeed the British inhabitants of the Sovereignty, together with some 'loyal' Afrikaners, quickly organised a vigorous opposition."⁶²

One of the English, who was bitterly against withdrawal, and was angry and hurt when finally the withdrawal took place, did not like Clerk the moment he laid eyes on him. Analysing the character and disposition of the Special Commissioner, JM Orpen said: "Sir G. Clerk's face seemed to me, absolutely stony. It was that of the executioner I then considered him as I still do."⁶³

Given the odds Clerk was facing, it is perhaps pertinent to ask, what kind of a situation did the Special Commissioner find in the interior of South Africa? What was the position of the

⁶⁰ C.J. Uys, *In the Era of Shepstone*, 33.

⁶¹ De Kiewiet, 70.

⁶² Sanders, 195.

⁶³ J.M. Orpen, *Reminiscences*, 154.

Basotho who mattered a great deal in the withdrawal? Putting everything in proper historical perspective, it is important first to point out that: "Immediately after the battle of Berea Moshesh sent messengers to the chiefs of the tribes far and near, to inform them that he had gained a great victory and had driven the English forces from his country."⁶⁴

The Battle of Berea apparently transformed Moshoeshe into a Pan-Africanist for, after this victory, Moshoeshe tried hard to establish common ground with Sekonyela along racial lines. Talking about brotherhood to Sekonyela, Moshoeshe went on to emphasise the practical need for him and Sekonyela to unite against whites or Europeans. "We are both black and of one nation - it is now our duty and interest to sympathise with each other - to lay aside all hostile feeling, and henceforth to be united, and only keep a jealous eye on enemies of another colour."⁶⁵

But the views of Sekonyela were too limited. He, in short, refused to establish common ground with Moshoeshe. Moshoeshe persisted, nevertheless, in his endeavour to alert Sekonyela to the dangers constituted by the white race. Moshoeshe, in desperation to win the support of Sekonyela to the cause of Pan-Africanism, said to him that "according to his weekly reports from the Eastern Frontier, the Africans' cause there was lost: the Europeans were now steadily driving them (Africans) back and would listen to no request for peace."⁶⁶

Moshoeshe apparently was worried by the aftermath of the Eighth Frontier War. He saw himself as the next victim of white encroachment. The Battle of Berea seemed to confirm his worst fears that the white man wanted Africans defeated and driven from their country. However, Sekonyela, whose fortunes had stagnated over the preceding 20 years, refused to see things the way Moshoeshe saw them. Sekonyela's greatest fear was now fulfilled as he refused to enter into a partnership, albeit a junior one, with Moshoeshe. As a result, Moshoeshe decided to

⁶⁴ Theal, Vol.IIIA, v.

⁶⁵ Sanders, 184.

⁶⁶ *Ibid.*

reduce Sekonyela by force to the status of a vassal together with Gert Taaibosch and the Korannas. In this respect, the new perspective was able to establish the fact that Moshoeshoe, to further his aim of Pan - Africanism, arranged a secret plan with a highly trusted Mosotho, who was known by the name of Machela.

This character, Machela was given strict instructions to gather all vital information regarding the might of Sekonyela in preparation for an imminent attack by the Basotho forces. According to Chief Patrick Lehloenya, Machela, posing as a deserter or disaffected member of Moshoeshoe, ran to Sekonyela's Kraal. Machela, before he left Thaba-Bosiu, had the blood of an ox splashed over his clothe to make it appear as if he was nearly killed by Moshoeshoe's people.⁶⁷ Sekonyela, not suspecting any plot or foul play, took the concerned spy into his kraal and made him his confidant.

Machela meantime, as per the agreed plan, collected all the information he could in order to facilitate the imminent attack by Moshoeshoe. This spy was so successful that he was able to steal even the loin-cloth of Sekonyela. This loin-cloth of Sekonyela was handed over to Tsapi the traditional doctor of Moshoeshoe, who placed medicine on it to deaden Sekonyela's war instincts. With Moshoeshoe's preparations well advanced to attack Sekonyela, he got the following letter dated 12th August 1853 from Sir George Clerk who was at Bloemfontein:

“Chief Moshesh, - I write to inform you that Her Majesty's Government has appointed me Special Commissioner for the Orange River Sovereignty..... Understanding that the Boundary question still remains a subject of dispute, and a cause of dissatisfaction between yourself and the Boers, I am most anxious that one of my first acts should be the settlement of this matter.”⁶⁸

⁶⁷ Martin Lelimo Collection, Interview, conducted in Mahloenyeng near Matsieng, with Patrick Lehloenya, 20-10-1995.

⁶⁸ Letter from Sir George Clerk to the Chief Moshesh, 12th August, 1854, in Theal, Vol.II, 59.

This letter could have stiffened the resolve of Moshoeshoe to finish Sekonyela, because in 1849, when the unfair boundary line was imposed on Moshoeshoe by Warden, Sekonyela was used as a lever to threaten Moshoeshoe to submit to the boundary line which was perceived as quite unfair to Lesotho. Moshoeshoe perhaps had fears that if he did not attack Sekonyela and reduce him to the status of a mere vassal, what happened in 1849 could again repeat itself. Here it should be pointed out for the sake of clarity, that the Assistant Commissioner Owen, also wrote a letter to Rev. E. Casalis from Bloemfontein, dated 12th August 1853, which said:

“Sir George Clerk has requested me to pay a visit to Moshesh, in order to make arrangements for the adjustment of the long disputed boundary line between the Boers and Basutos.....I will then come on to your station to meet Moshesh on Thursday next the 18th inst. I have also other matters of importance to communicate to the Chief.”⁶⁹

The matter of importance alluded to here is the fact that Owen actually told Moshoeshoe that Sir George Clerk was of the opinion that Moshoeshoe should not attack Sekonyela. Moshoeshoe on the other hand was not prepared to leave Sekonyela as he was, on the eve of the British withdrawal, knowing that this spelt danger for his survival with the question of the boundary line looming large in the background. On the 21st October, 1853 Clerk met Moshoeshoe at Platberg. “[The] Special Commissioner, learning of his plans, recommended him to hold back, but the chief and his advisers merely listened to him.....with a ‘quiet air of respectful dissent.’ Two days after this interview the campaign against the Tlokoa began.”⁷⁰

What is not clear is why Clerk did not want Moshoeshoe to attack Sekonyela. However, the mere fact that Clerk raised his opposition suggests that Moshoeshoe's fear that he would be threatened again with the might of Sekonyela as happened in 1849 was in fact not far-fetched.

⁶⁹ Theal, Vol.II, 59.

⁷⁰ Sanders, 196.

This opinion is strongly backed by the fact that Moshoeshoe, before he moved against Sekonyela, did his level best to try to win Sekonyela to his side. Theal supporting this view says:

“And, in opposition to the advice and wishes of Sir George Clerk, in November 1853, Moshoeshoe in one short campaign put an end to the disturbances which had for so many years agitated the country. His patience being exhausted in the fruitless effort to induce the Batlokua and Korannas to become his vassals, he took the field in person..... and fell suddenly upon Sekonyela's stronghold.”⁷¹

Moshoeshoe, by this action, incurred the wrath of Sir George Russell Clerk. On the other hand, this victory of Moshoeshoe ensured that the British policy of divide and rule which had been carried out for a number of years by Major Warden died a natural death. In future Moshoeshoe would deal with both the British and Boers from a stronger bargaining position, free from a fretful neighbour like Sekonyela.

What made the position of Moshoeshoe unassailable was the fact that Moshoeshoe had in his possession all the treaties entered into between himself and the British, which he viewed as extremely important in safeguarding his nation from the Voortrekker emigrant Boers. These treaties had recently been given a boost by Cathcart who only a few months previously declared Moshoeshoe “...a valuable and willing ally of no small power....”⁷²

Moshoeshoe with the defeat of Sekonyela proved the words of Cathcart to have been highly prophetic. The only trouble was that with the prowess of the Basotho well established, the British position especially in the lower Caledon became extremely precarious. This position was most humiliating especially for Clerk. Theal says about the embarrassing position of Clerk:

⁷¹ Theal, Vol.IIIA, viii. Moshoeshoe made a surprise attack at dawn on the 27th October 1853. Sekonyela, who had less than 1 000 warriors, was unable to organise even the few resources he possessed, and his stronghold Joala-Boholo was easily taken by the Basotho who numbered over 10 000 and overran the Batlokoa. Masopha was particularly valiant in defeating the Kora of Taaibosch. Sekonyela fled to Winburg and settled thereafter at Herschel where he died in 1856. The Basotho took control of the entire upper Caledon. See Tylden, 64-65, Sanders, 196-97.

⁷² Theal, Vol.II, 3.

"His position was a most humiliating one. Representing the Imperial Government, professing friendship for all with whom he came in contact, he saw his advice unheeded and his authority set at nought. Armed bands of natives rode over the country as they pleased and others plundered and destroyed whenever and wherever their inclinations led them."⁷³

To try and deal with a complex situation Clerk tried to settle the boundary question before Moshoeshoe moved against Sekonyela. However Moshoeshoe had anticipated the moves of Clerk with perfect timing, and delivered a coup de grace on the strategy of Clerk. JM Orpen, giving evidence to this effect, says:

"Just before Moshesh finally crushed Sikoniela, and while he was mustering his forces for the purpose, Sir George Clerk met him at Platberg for the purpose of discussing with him the question of the boundary of the Smithfield district. It appears from records that he was with Moshesh at that place on the 22nd October [1853] and arranged there.....to send Mr Green to make some preliminary inquiries in the Caledon River district..... before deciding on all points relating to the line of demarcation."⁷⁴

What proved that Moshoeshoe had anticipated Clerk's strategy with perfect timing was the fact that after Moshoeshoe had defeated Sekonyela, Clerk found his own stature and position cumbersome and inept where the boundary question was concerned. Thereafter Clerk never got his act together, as far as the boundary line was concerned, nor did he come up with a cohesive strategic plan to implement the withdrawal smoothly. However, Clerk did see Moshoeshoe for the second time after he had defeated Sekonyela with some Boers. This crucial meeting took

⁷³ Theal, Vol.IIIA, viii.

⁷⁴ Orpen, 170.

place at the end of December, or the beginning of January in 1854 at Jammerberg Drift. Orpen, quoting Theal, summarised the meeting as follows:

“When Moshesh was asked to arrange a boundary with certain Boers then present, he ‘replied that he thought that the Orange River would be a good dividing line. After this there could be very little discussion, and nothing more was ever attempted by the special commissioner in this matter.’ But this account turns history upside down....”⁷⁵

The question arises, what really did transpire? Towards the end of 1853, Clerk was frustrated and under pressure to implement the withdrawal smoothly. The situation became extremely sensitive for Clerk who had to cajole the Boers to take independence. When the situation became fluid, immediately before the meeting at Jammerberg Drift,⁷⁶ Governor Cathcart entered the dispute surrounding the boundary line. Cathcart tried to approach the situation rationally, coolly and unemotionally. Cathcart chose certain influential men like J.P. Hoffman and Hendrick Olivier, who were living on the border, as members of a commission in 1853 to discuss and try to settle with Moshoeshoe.⁷⁷

Theal’s allegation that Moshoeshoe torpedoed the negotiations by referring to the Orange River as a starting point for discussions was completely false. Rather, the good work of the commission was to be frustrated by Clerk. For instead of letting the commission come to his much needed aid, thereafter act as judge and decide who had the better claim in the dispute which

⁷⁵ Orpen, 171-72.

⁷⁶ The meeting took place at the farm of J.P. Hoffman, future President of the Orange Free State and one who was on good terms with Moshoeshoe. It aimed at establishing a new boundary line in the Smithfield District between Boer and Basotho, and was composed of a number of influential Boers, Moshoeshoe, Dyke and Clerk. Divergent views were held, even among the Boers, and ultimately Clerk left the matter unresolved rather than making a final judgement which would no doubt have pleased no one. See Orpen, 171-76 and Sanders, 199.

⁷⁷ Orpen, 172.

was before him, on 23 December 1853, he decided to evade the issue by terminating the duty of the commission. Clerk, no doubt, did this because he needed the support of the Boers who were frankly not interested in withdrawal. According to J. M. Orpen:

“What he did do [Clerk], finally, that day, as Mr. Dyke told me, was to tell Moshesh that on the abandonment of the Sovereignty everything would revert to exactly the state in which it was before its assumption [annexation of 1848].... He simply left them [Boers and Basotho] to fight out, probably by war, a dispute which had been to a great extent created by the actions of British functionaries and for the remainder of which the British Government was responsible throughout....”⁷⁸

Clerk by cancelling the Boer Commission chosen by Cathcart turned history upside - down. Clerk was afraid that the findings of the Boer Commission comprising men like J.P. Hoffman and Hendrick Olivier would jeopardise the whole withdrawal scheme, especially if some Boers found that they were losers in the new arrangement. Yet Clerk was afraid of the Napier Treaty which he knew Moshoeshoe still had in his possession. Clerk knew that by leaving matters unresolved, he would create no great offense. What made Clerk fear the commission and the Napier Treaty, signed in 1843, was, according to C.C. Eloff, because of the fact that the Napier Line included as Basotho property:

“the later Smithfield, Rouxville, Zastron, Dewetsdorp, Wepener, Hobhouse, Ladybrand, Clocolan and Ficksburg, almost as far north as the Hlotse River... When Sir Harry Smith proclaimed the Orange River Sovereignty (ORS) on 3 February 1848, it meant that the region between the Orange and Vaal Rivers

⁷⁸ Orpen, 173-74.

would henceforth be subject to British authority... According to the proclamation, this annexation did not intend to deprive the paramount chiefs of their authority or territory. On the contrary, the step was taken 'with the sole view...of upholding them in their hereditary rights, and protecting them from any future aggression or location of Her Majesty's subjects....'⁷⁹

Clerk, in 1853-1854, knowing all these arrangements, did not want the Boer Commission. His primary aim was simply to pretend that the Napier Treaty of 1843 did not exist. The Winburg Agreement of 27 January 1848 also did not exist in his mind. This explains why one of his first actions in addressing the complex situation brought by the Boer Commission set up by Cathcart was to ignore it and hope that the Boers would not bring the matter up. The Commission had simply opened up a can of worms. Clerk would not allow frustration to fritter away his chances of withdrawing British rule no matter how strong was the opposition. Theal summarising the stand of Clerk stated:

"One of Sir George Clerk's earliest acts was an attempt to arrange a boundary of the Caledon River District satisfactory both to the Basutos and the Boers. But after a little experience he became convinced that this was impossible, and he then relinquished the effort. His chief aim was to withdraw the flag as soon as he possibly could from a country where physical force alone would ensure its being treated with respect."⁸⁰

This explains why Clerk never wanted to have a permanent understanding with Moshoeshoe on the boundary line. All Clerk was interested in, was for the Bloemfontein Convention to have meaning and appeal to the Boers who had emigrated in the Great Trek of

⁷⁹ C.C. Eloff, *The so-called Conquered Territory*, 8.

⁸⁰ Theal, Vol.IIIA, viii.

1834-36. Fair enough, Smith had created problems with his promise to uphold the hereditary rights of Moshoeshoe which Clerk could not possibly uphold if he hoped to cajole the white settlers into accepting British withdrawal. What showed the hypocrisy, false morality and convoluted sophistry of the British in this respect is the manner the Boers were given independence in Bloemfontein on 17th February 1854. For after Moshoeshoe had defeated Sekonyela in late 1853, there emerged a stiff opposition to withdrawal. Most white immigrants were not keen for independence anymore in the Orange River Sovereignty. This stemmed mainly from the fear that the name of Moshoeshoe generated in the lower Caledon. But apparently Britain had taught Clerk that he must keep the wheels of commerce turning and that pragmatism does not always allow room for ethics in foreign policy. Clerk met with fear and stiff opposition in the Orange River Sovereignty.

“The small group of British and European traders and land speculators who had settled in the Sovereignty were bitterly opposed to British withdrawal, and most of the Afrikaners were loath to assume the responsibilities of self-government at a moment when the MoSotho King had emerged triumphant from the attacks by Warden and Cathcart. Clerk responded by manipulating the white population.... and encouraging the Afrikaners to produce leaders who were willing to treat with him for independence.”⁸¹

Clerk, faced with the second setback caused by the stature and might of Moshoeshoe, though this time not directly connected with treaties, simply adopted an ostensibly confrontational attitude towards Moshoeshoe to placate the Boers. In order for them to take independence, Clerk ushered in a new era along the lower Caledon, and chartered a new course based on deception, hypocrisy and outright lies. Clerk made a complete U-turn concerning the treaties signed with

⁸¹ Thompson, 168.

Moshoeshoe. He deftly manipulated the Boers to believe in him and the withdrawal by finding a pretext for cancelling Moshoeshoe's alliance. When the assembled Republicans asked Clerk what had happened to the treaties with Moshoeshoe and in particular the Napier Treaty of 1843, Clerk found himself in a tight corner, more so because he could not designate the boundary line precisely because of the Napier Treaty. It will be remembered that he had already cancelled the Boer Commission. Now the chickens had come home to roost.

Clerk was finally forced to deal with the Napier Treaty of 1843, which Moshoeshoe referred to as the foundation cementing his alliance with Great Britain. On this occasion, Clerk's reply of 17 February 1854 stated that "A war between two powers breaks all pre-existing treaties. The British Government having since the date of the Napier Treaty been at war with Moshoeshoe the Treaty is at an end."⁸²

Clerk, in answering the Boers in the manner stated above discovered to his surprise that there is nothing as harsh as the truth. After he ran away from the Napier Treaty and other treaties that followed, he was finally caught in a very embarrassing situation. As a result Clerk committed a cardinal sin against both Moshoeshoe and the Boers. He used a highly immoral ploy to force independence down the throat of the Boers, whose independence was in the final analysis also a sham. The British Government through their Special Commissioner Clerk, manipulated the Boers ruthlessly to pursue its sinister ideal of withdrawal. History in judging Clerk in this respect can only assert that Clerk was a name to dread, a name to curse, a name that evaporated the labouriously hammered and carefully prepared road mapped by Cathcart, who after the Battle of Berea stated that Moshoeshoe was a truly staunch ally of Great Britain. In the path now created by Clerk lay toil and tears as shown by the 1858 Basotho Boer War, and finally the 1865-68 conflict which saw Lesotho annexed by Britain.

⁸² Theal, Vol. II, 99. Extracts from Minutes of a Meeting held at Bloemfontein held on 17th February 1854 (preparatory to the abandonment of the Sovereignty by the British Government).

Clerk to his credit merely proved true the maxim that patriotism is the last refuge of scoundrels. He had no qualms about telling lies. Firstly, he told lies because of the opposition which he met from both the Boers and Moshoeshoe. Secondly, because the Boers feared Moshoeshoe greatly and he wanted to placate them, he told them that the Napier Treaty no longer existed. But Clerk had no shred of evidence that the treaties had been broken by Moshoeshoe - if anything, Cathcart had shown the need to maintain good ties with Moshoeshoe. Clerk had been chosen in Britain to carry out withdrawal with the full knowledge that in his mission he would spare no one in his relentless pursuit of the orders he had been given by the Colonial Office.⁸³

Faced with sceptics, cynics and critics Clerk decided to simply ditch Moshoeshoe, and even use him as a pawn to win approval for his withdrawal scheme from the Boers. What is shocking about Clerk is the fact that, in saying Moshoeshoe was no longer an ally, Clerk was merely being devious. He was using Moshoeshoe in the manner Cathcart had recommended for in giving Moshoeshoe peace in 1852 Cathcart said that "I trust, he [Moshoeshoe] may be found, should occasion require it, a valuable and willing ally of no small power...."⁸⁴

Taking the cue from Cathcart, Clerk used a political foil to divert blame and create deliberate confusion in the minds of the Boers. For exactly seven days later, after Clerk had repudiated all treaties with Moshoeshoe publicly in front of the Boers, Clerk wrote to Moshoeshoe on 24th February 1854:

"Chief Moshesh, - When I saw you near the Caledon River I assured you that on withdrawing from this Territory the British Government continued to entertain towards yourself the same friendly feelings which have been expressed to you by Governor Cathcart and by me ... As I intimated to you in our last conversation,

⁸³ De Kiewiet, comment on p. 65.

⁸⁴ Dispatch from Governor the Hon. G. Cathcart to the Right Hon. The Secretary of State for the Colonies, 13th January, 1853, in Theal, Vol.II, 3.

Her Majesty's Government intend to appoint a qualified person to a consular office on the Orange River Frontier. Though residing within the British Territory, he will be at all times ready to communicate with you, or to visit you and all friends. One of his principal duties will be to endeavour to promote good understanding and kindly sentiments and to be the means of removing any causes of irritation, which, if not adjusted, are apt to create out of small matters painful feelings of enmity and distrust."⁸⁵

In analysing this letter, one cannot escape the conclusion that Moshoeshoe was lured into, and then caught in a very elaborate trap first executed by Governor Cathcart in 1852. For Clerk, realising that the Battle of Berea had never achieved its aim of humbling Moshoeshoe to prepare for a smooth withdrawal, now used the same battle as a pretext to cancel the treaties with Moshoeshoe, and to win approval for withdrawal where the Boers were concerned. On the other hand, Clerk secretly encouraged Moshoeshoe and gave him the assurance that he was still a British ally, a fact that was denied by him publicly.

Moshoeshoe for his part did not first treat the betrayal of Clerk seriously, when he asserted to the Boers that Moshoeshoe was no longer an ally. The reason for the lukewarm response of the Napier Treaty being that he had at his disposal compelling evidence to prove that after the Battle of Berea in 1852, Cathcart had categorically said Moshoeshoe was a valuable ally of no small power. Further, Moshoeshoe, on receiving an invitation on 9th March 1854 to address the Provisional Government of the Orange Free State, wrote a letter to Sir G. Clerk requesting permission to have a conference with him.⁸⁶ On the morning of the 10th March 1854

⁸⁵ Letter from the Spécial Commissioner to the Chief Moshesh, 24th February, 1854, in Theal, Vol.II, 100.

⁸⁶ Conference between the Provisional Government of the Orange Free State and the Chief Moshesh (From the *Friend of the Sovereignty* of the 18th March 1854) in Theal, Vol.II, 106.

Moshoeshoe met Clerk. What transpired on this particular day between Moshoeshoe and Clerk at Bloemfontein is summarised thus by Theal:

“Sir George Clerk, in an interview with him [Moshoeshoe], spoke of a British officer being stationed on the border as a channel of communication between the Colonial Government and the heads of the communities north of the Orange. Moshesh desired that he might be placed in the Lesuto [Lesotho], but did not press the matter. He enquired if the Warden Line was still considered his boundary, and was requested by the Commissioner not to speak of it, ‘it was a dead horse that had long been buried, to raise it would be offensive.’ Thus the Basotho chief was led to believe that the line was not considered binding by the Imperial Government, while the Boers had every reason to believe that it was.”⁸⁷

This prevarication and double-talk was the stock in trade of Clerk. Clerk standing on the threshold of withdrawal flagrantly abused the principle of justice and natural law to justify his every dubious step. For after saying to Moshoeshoe that the Warden Line was a dead horse, he said to the Boers something quite the opposite. Nor was this all. He denounced the treaties with Moshoeshoe and promised the Boers arms to protect themselves against Moshoeshoe. Theal felt very strongly about this argument:

“Some of the Europeans resident in the Sovereignty objected to abandonment on the ground of the danger they would be subject to from their powerful neighbour, now that he had lost his respect for white men. But the Special Commissioner was able to get together an assembly of delegates willing to take over the Government. To them he stated that Sir George Napier's treaty with Moshesh was

⁸⁷ Theal, Vol.IIIA, x.

cancelled by war which had since taken place, and he agreed to insert a clause in the Convention that the British Government had no treaties with any chief north of the Orange River except Adam Kok.”⁸⁸

Clerk, having diagnosed the problem, and its origins, that the Boers now lived in perpetual fear of Moshoeshoe and his war machine, decided to fully address this fear on the part of the Boers and completely eradicate it. According to Theal, “The new Republic was to be permitted to purchase munitions of war in the Colony, and these were not to be supplied to any natives.”⁸⁹

This clause in the Bloemfontein Convention of 1854 was no doubt aimed at Moshoeshoe. This important clause provides a rare and compelling insight into the minds of British at this stage about how Moshoeshoe's power was viewed where the survival of the white race was concerned. In this respect it can be said that Clerk took matters into his own hands, adding more fuel to a looming confrontation. In the process Clerk deliberately frustrated and sabotaged every principle underpinning the alliance Moshoeshoe had with the British. What further showed the fact that Clerk wanted Moshoeshoe destroyed by the Boers was that the Bloemfontein Convention of 1854 said practically nothing about the boundaries. Under these circumstances physical force alone would ultimately determine the fate of Lesotho. C.C. Eloff highlights this important omission thus:

“The Bloemfontein Convention left untouched one of the most vexed questions in the Orange Free State, for nowhere in the document were any references made to borders... This was inevitably to lead to renewed confusion, vague land claims and conflicting demands by the two parties concerned. In the Whites’ view, the Bloemfontein Convention had not changed the *status quo* as laid down by the

⁸⁸ Theal, Vol.III, x.

⁸⁹ *Ibid.*

Warden-line. In turn, Moshweshwe felt that British withdrawal from the Sovereignty had rendered all earlier border arrangements null and void...."⁹⁰

Thus, Sir George Russell Clerk, standing on the threshold of withdrawal, set the Basotho against the Boers and ensured that war would inevitably erupt between the two parties concerned. This was no doubt a clear recipe for catastrophe. Clerk's openly belligerent attitude made him forget entirely that according to his own admission his first task in southern Africa was to settle the long standing dispute over the boundary line. His attitude to some extent embarrassed Cathcart. For on the 13th March 1854, Cathcart wrote Moshoeshoe a conciliatory farewell letter which assured Moshoeshoe that he was still the ally of Great Britain. This letter really places matters in proper historical perspective.⁹¹ For it is not easy to determine the intention of Cathcart by this letter, especially because when Clerk destroyed the treaties, Cathcart's silence was deafening. Yet Cathcart was the one who recommended that a Special Commissioner be sent to effect the withdrawal. This letter seemed to mock Moshoeshoe, because it addressed him in terms quite surprising. For example, Cathcart says:

"I rejoice to believe that you are, and always have been, well disposed to the British Government, and a true and loyal friend of our gracious Queen; and I will not fail to assure Her Majesty of this my favourable and sincere opinion, as soon as I have an opportunity; and you may be assured that Her Majesty will ever be favourably disposed towards you, so long as you continue soI now take leave of you, great and enlightened chief, and subscribe myself, your sincere friend,
(Signed) Geo. Cathcart Governor"⁹²

⁹⁰ C.C. Eloff, 10.

⁹¹ Letter from Sir George Cathcart to the Chief Moshesh, 13th March, 1854, in Theal, Vol.II, 105.

⁹² Theal, Vol.II, 105.

How could Moshoeshoe be happy given the manner he had been treated by Clerk, whose superior was Cathcart? How could Moshoeshoe be happy when it was said openly that he was no longer a British ally? The contradictions of the times were sometimes baffling. This letter of Cathcart, however, came as a gift from heaven for Moshoeshoe. Moshoeshoe was to use this letter then and in future as final irrefutable proof that he was still a British ally. Moshoeshoe went out of his way to assert that the Battle of Berea of 1852 could not be the excuse for cancelling his alliance with the British. When writing a number of years later to the High Commissioner in December 1861, Moshoeshoe recalled these difficult times leading up to British withdrawal, he actually challenged the allegation of Clerk thus:

“I treasure this letter, for who was more competent than he [Cathcart] to judge of my conduct on that occasion? And with regard to the causes of this attack, he laid the whole blame on Major Warden. He explained these causes in his Minute of the 20th May 1853, and in his Despatch of the 14th April. He says of him [Warden], 'In support of unjustifiable aggression he had recruited petty Native Chieftains on the side of Government, and had openly instigated them to annoy and vex the Basutos...' He says further that if war had been declared it was very questionable whether justice and good faith would be found on the side supported by Government.”⁹³

Yet Moshoeshoe, giving final irrefutable proof that he was still a British ally after the Battle of Berea, did not pull any punches. He provided hard compelling evidence that clearly showed that Sir George Russell Clerk had no qualms about telling lies. Quoting very strong evidence to substantiate his case, Moshoeshoe said:

⁹³ Letter from the Chief Moshesh to the High Commissioner, 6th December, 1861, in Theal, Vol.II, 606.

"On the 3rd January 1853, Mr. Green, the British Resident, wrote to me that I, Moshesh, now that peace was restored, was still an 'ally of the Queen of England.' His Excellency Sir G. Cathcart mentions, in his Despatch of the 15th March 1853, that this letter was written according to his instructions; and Mr Green also mentions in his letter of the 30th March 1853, that he had personally informed me of Sir G. Cathcart's approval of it; and again Sir G. Cathcart himself, in his Despatch of the 13th January 1853, mentions me as 'a valuable and willing ally of no small power.'"⁹⁴

Supporting Moshoeshoe in his cogent arguments and further destroying the baseless allegation that a war between two powers breaks all pre-existing treaties, J.M. Orpen says:

"With regard to this reply, I must remark, firstly, that hostilities between two powers do not always, or wholly, break all pre-existent treaties or covenants. The obligations which have arisen between such powers often remain and may exist independently. Secondly, Sir G. Cathcart, himself, had authorised Mr. Green, as British Resident, to inform Moshesh, after the battle of Berea, that he remained an ally of the British Government...."⁹⁵

In concluding this chapter, it is fair to say that Moshoeshoe bore the brunt of foul play from the British in many respects. From 1843, Moshoeshoe never got a fair deal - each time he was required to give up more land for the sake of peace, even though it was clearly the white settlers who always gained at his expense. To make matters worse, Moshoeshoe was rewarded for his continual sacrifices when his people were attacked on two occasions by the British. In spite of his consummate diplomatic efforts to restore trust in his alliance with the British, they had

⁹⁴ Theal, Vol.II, 606-7.

⁹⁵ Orpen, 182.

now gradually come to the point where the white settlers of the new Orange Free State were to be perceived as tacit allies with them. The Basotho were thus denied arms and ammunition under the Bloemfontein Convention of 1854, making their long term protection increasingly difficult. This "British neutrality" was anything but neutral. Moshoeshoe was still tacitly an ally of Britain while the Boers were the real if secret allies of Great Britain. Small wonder then that Lesotho was not annexed at the time of Moshoeshoe's request in 1861, but only seven years later when it was teetering on the verge of collapse. These facts the new perspective would like to bring to the fore and emphasise.

CHAPTER FOUR

THE AFTERMATH OF THE BLOEMFONTEIN CONVENTION OF 1854

The Provisional Government of the Orange Free State was set-up early in March 1854, in Bloemfontein by Sir George Clerk and the Boers he had assembled, after telling them that the Napier Treaty of 1843 with Moshoeshoe was cancelled. This Provisional Government was set-up with the simplicity and spontaneity of a child, but without the wisdom and patience of true national leaders. What showed that there was no wisdom, experience or vision where the architect of the Provisional Government was concerned, namely Clerk, was the fact that before he left Bloemfontein he said to Moshoeshoe on 16th March 1854 "That he had been acknowledged as a faithful friend and that it was on account of the injustice to which he had been subjected that the English Government was now retiring, (!) And that he ought now to be assured of the great interest that the Government felt in him...."¹

Clerk further promised Moshoeshoe an interview on the 11th March 1854, at 7 o'clock in the morning. When this time arrived, Clerk was ready to start for the Cape Colony without having granted Moshoeshoe and members of the Provisional Government any interview.² Clerk was afraid that what he had told Moshoeshoe on 10th March - that his boundaries reverted back to the Napier Treaty - would now be exposed. He was further afraid to meet the Provisional Government members because to them he had said the Warden Line was the boundary. In a subsequent speech Moshoeshoe delivered on the 10th March 1854, he talked of peace. *The Friend of the Sovereignty* of the 18th March 1854 says about the speech and words of Moshoeshoe:

¹ JM Orpen, *Reminiscences of Life in South Africa*, 185.

² *Ibid.*, 185-86.

"My coming amongst you with Moroko may satisfy you that I am anxious to live at peace with you and him. I have witnessed the contentions of Pretorius and Potgieter. Both are dead....I have also noticed that Mr. Hoffman has feeble limbs, and must use crutches... This sufficiently proves to us, that it is not strong and sound limbs that deliver a man from difficulty and danger, but that it is God who does so."³

Moshoeshoe then challenged the Boers present on that day to follow the example of Hoffman of fearless truth and uprightness. Then he reminded the Boers present in Bloemfontein that they got where they were by toil, sacrifice and above all, prayer. His message embraced the aspirations, frustrations, desires and tragedies of the past which shaped the history of the Afrikaner people. Above all his message was full of hope for the future. Apparently this speech was well received by members of the Provisional Government present that day. Reverend Maitin who was with Moshoeshoe on that particular day, as he delivered the speech, testifies to his effect:

"The members of the Government were astounded at the speech of the chief. One of them enquired of me: 'Moshoeshoe is a Christian, is he not?' - 'I wish I could reply in the affirmative, but I cannot' - 'Is he then a hypocrite?....' - 'Moshoeshoe has told you nothing but what he believes to be the truth.' - 'If that is so, he will be saved, do you not think so?' - 'I trust he will....' I concluded by saying that, heathen though he may still be, I believe that Moshoeshoe is nearer to the kingdom of heaven than many who call themselves Christians. Everything I had to say was listened to in a serious and friendly manner."⁴

³ GM Theal, *Basutoland Records*, Vol.II, 106. Conference between the Provisional Government of the Orange Free State and the Chief Moshesh (From the *Friend of the Sovereignty* of 18th March 1854.

⁴ RC Germond, *Chronicles of Basutoland*, 227.

After this state visit of Moshoeshoe to the Orange Free State everything for a while went on smoothly between Moshoeshoe and the Provisional Government. Moshoeshoe by his speech proved that courtesy towards others was not an alien concept to him. He further vindicated what Casalis had said about his political style:

"It is a fact that this chief has rarely been understood by his subjects; that he has conducted himself on most occasions in a manner that seemed quite absurd to them at first, and that the success he has obtained, the power and influence he enjoys, are the direct result of these anomalies....he had based his political conduct entirely on the knowledge he had acquired of the human heart by attentive observation. From there, a system of temporisation and discretion, an invincible repugnance for extreme methods and causes, a great indulgence for the weaknesses of others and his own weaknesses; in many cases, the skilful use of generosity in the place of brute force."⁵

Moshoeshoe, by the example of his state visit to Bloemfontein, managed to have partially succeeded in normalising relations between Lesotho and the Orange Free State. What perhaps was remarkable about the degree of composure displayed by Moshoeshoe on this occasion was the fact that he came to Bloemfontein a worried man who actually could not say where Clerk was going, together with the Provisional Government. Yet he cleverly concealed his hidden thoughts and rose to the occasion admirably.

The reason for this was perhaps Moshoeshoe's faith in Queen Victoria which was not shaken even after the Bloemfontein Convention. JM Orpen, who became the first "Ambassador" sent to Thaba-Bosiu in May 1854, says the chief was so happy when he learned that Orpen was an English-man that Moshoeshoe on this occasion addressed the Basotho thus:

⁵ E. Casalis quoted in L. Thompson, *Survival in Two Worlds, Moshoeshoe of Lesotho 1786-1870*, 215.

"The Queen has not left us for ever. No Sovereign ever did throw away subjects. The Queen is sitting on the top of a high mountain, looking down at us, her children, white and black, who are playing below and sometimes quarrelling too. She is watching us and trying us. Some day, Queen Victoria will come back among us. On that day I shall rejoice as I rejoice at the rising of the sun."⁶

Moshoeshoe was such a realist that he graphically put the Bloemfontein Convention of 1854 in proper historical perspective. Fair enough, the dawn was to be long in coming as it came only in 1868, when Lesotho was annexed, but the point is that Moshoeshoe was proved right. His breadth of view, his vision was so clear about the whole withdrawal scheme that he surprised even JM Orpen, who was listening to his words. JM Orpen, speaking about how surprised he was about the sober analysis of Moshoeshoe, says:

"As he [Moshoeshoe] went on with his speech, I thought: 'Old man, great is thy faith!' I did not know, till he now mentioned it before his people, of Sir George Clerk's promise to him that Government would continue to watch over him and appoint an agent to aid him in maintaining peace, or how these promises must have tended to strengthen his confidence that Government [British] would eventually do Justice. I hardly dreamed that his words would prove prophetic as they ultimately did, and that the Basutos would eventually be brought under the British Government."⁷

Moshoeshoe strongly believed in the treaties and promises the British Government made to him. The fact that he strongly believed in these treaties and promises was shown as late as 1861 when he addressed messieurs Burnet and Orpen thus: "The table itself is the foundation of all, my original Napier treaty. The tablecloth is the minute of Sir Peregrine Maitland. The bottom

⁶ Orpen, 211-2.

⁷ *Ibid.*, 212.

of the desk is the minute of Smith, the upper part of the desk is what Sir George Clerk told me."⁸

Regardless of the fact that Clerk never met him again as he promised, before he left for the Cape Colony at Bloemfontein, Moshoeshoe never took this rebuff seriously, a fact explained by the way he became happy in seeing Orpen as an "ambassador" to Thaba-Bosiu, because in Moshoeshoe's view the presence of Orpen seemed to be confirming what he had been promised. The presence of Orpen was concrete, irrefutable proof to Moshoeshoe that despite his temporary set-backs, his connection with the British Government was growing everyday, and that in due course it would yield the positive results. Another point worth mentioning in this respect is the assertion of Peter Hlaole Molotsi who maintains that in the African Viewpoint the notion of a constitutional monarch was a completely alien concept which was meaningless to Africans. As far as Africans were concerned, only Queen Victoria mattered.⁹

Given the huge distrust by the white settlers of the stature of Moshoeshoe, generated by the meteoric rise to fame he generated after defeating Sekonyela and becoming master of the entire Caledon, what Moshoeshoe did in November 1854 further confounded his critics. On the other hand, he showed that the concept of buffer states was in fact the right policy as Dr. Philip had said. In trying to put Lesotho along the lines of an ideal Christian state:

"Moshesh, by the advice of the missionaries and with the concurrence of his councillors, issued, in November 1854, an ordinance under which all spirituous liquor brought among his people was to be poured upon the ground, without the owner having any claim for compensation...At a later date Moshesh, by the advice of the missionaries, issued ordinances against punishment on charges of witchcraft and against circumcision."¹⁰

⁸ Minutes of the Conference, in Theal, Vol.IIIA, 146.

⁹ P.H. Molotsi, *The Decline of British Influence on South African Native Policies*, 33-4.

¹⁰ Theal, Vol.IIIA, xvi.

Whether Moshoeshoe passed these laws to placate the Missionaries and win the support of Queen Victoria is not clear. However Theal in this respect says:

“Moshesh, at this time, gained much credit with the friends of the missionaries in South Africa and in Europe by an ordinance which he published prohibiting the introduction of spirituous liquors into the Lesuto. The form of this ordinance must be attributed to European influence....”¹¹

Moshoeshoe, still proving that he was an accomplished statesman, epitomised a never-say-die spirit in the face of adversity represented by the withdrawal of British rule coming under the facade of the Bloemfontein Convention of 1854. Moshoeshoe now invited President Josia Hoffman in July 1854 with a view of exploring with him how the boundary question could be settled so that peace could reign in the lower Caledon, between Lesotho and the Orange Free State. According to Orpen, Hoffman left Bloemfontein on the 3rd August 1854 to visit Moshoeshoe. Hoffman was received with respect, cordiality and hospitality.¹² On the 11th August 1854 he reached Thaba-Bosiu. According to Dr. Damane:

“The visit of President Hoffman in 1854 was one of the greatest events in the history of the Basotho at the time and as an attempt made by both the President and Moshoeshoe to implement in practice the principles of good-neighbourliness. Hoffman was received at the Mission station... A specially groomed white horse was saddled for the President and upon arrival....he was served with a special dish.”¹³

¹¹ Theal, Vol.III, xv.

¹² Orpen, 267-8.

¹³ Dr. Mosebi Damane, *Thaba-Bosiu: Centre of African Political Gravity in the 2nd Half of the Last Century*, 5.

During the course of this state visit by President Hoffman, Moshoeshoe requested the President for a present of gunpowder "in consideration of all that had been shot away in salutes and in order to enable him to do the President this honour on the occasion of another visit."¹⁴ Hoffman promised Moshoeshoe that upon his arrival in Bloemfontein he would definitely send Moshoeshoe a keg containing fifty pounds of powder. The President, true to his word, did send Moshoeshoe the requested gunpowder. However Hoffman did not first consult with his principal executive council known as the Volksraad, on this sensitive issue. Sensitive because of the fact that the Bloemfontein Convention of 1854 specifically stated that the natives should not be allowed to purchase arms and ammunition from the British and Boer authorities. What made matters worse, the Boers got to know of the present when the matter was published in *The Friend* early in December 1854.¹⁵ Understandably, the Boers were angry when they learned of the gift Hoffman had made to Moshoeshoe. This matter in the eyes of the Boers, who did not trust Moshoeshoe, warranted the dismissal of Hoffman from the Presidency. The Boers at this stage were still mostly farmers who were conservative with an ingrained phobia of the blacks. Dr. Mosebi Damane comments thus on the matter:

"The Volksraad accused Hoffman of lowering the dignity of Europeans in the eyes of the Blacks by dealing with the Basotho Chief as though the Free State was Moshoeshoe's vassal, and that his action was tantamount to arming the 'Native against the white man whose prestige, as such it would be dangerous to diminish.'

Hoffman was compelled to tender his resignation."¹⁶

Yet there is something that must be appreciated and borne in mind about the Boers attitude at this time. De Kiewiet says on the matter:

¹⁴ Orpen, 269.

¹⁵ *Ibid.*, 288-9.

¹⁶ Damane, 6.

"The two Boer republics were democratic in their political discussion and in their law making. But they contained no patrician element or privileged economic group which might have made the cause of the native population its special interest. One of the most telling facts in South African history is the absence in the Nineteenth Century Afrikaner population of a reform movement in the field of race relations."¹⁷

In the place of Hoffman, stepped in Jacobus Nicholas Boshof in May 1855. The dismissal of Hoffman was in fact an admission of weakness on the part of Boers. It clearly showed their inability to come to terms with the mess created by the Conventions which left no clear boundaries between Lesotho and the Orange Free State. The Boers, with unbalanced racial lenses, fuelled by the absence of a patrician or privileged economic group, continued to cast doubts and aspersions about the sincerity of Moshoeshoe where the boundary issue was concerned. What followed were raids and counter raids between Lesotho and the Orange Free State. Hoffman, putting the whole situation under serious analysis, warned the British about the looming crisis in 1855. But his warning was ignored. Leonard Thompson says about this matter:

"Hoffman, after being ousted from the presidency, warned Grey that the Free State was liable to precipitate a war, which would be foolish because the Free State was weak, and unnecessary because 'so long as Moshoeshoe lives there will never be an occasion for such a war.' Orpen, for his part, tried to make Boshof understand the complexities of the unresolved boundary dispute..."¹⁸

Sir George Grey, who assumed the Governorship of the Cape Colony in December 1854¹⁹, did not pay any respect to the opinions and views of Hoffman and Orpen. Apparently Grey on

¹⁷ C.W. De Kiewiet, *The Anatomy of South African Misery*, 22-3.

¹⁸ Thompson, 229-30.

¹⁹ G.M. Theal, *History of South Africa since 1795*, 140.

his arrival in South Africa suffered from confabulation, that is to say, armed with half-backed truths and with very little knowledge of the subject matter or terrain he was operating in, he presented the image of somebody who had all the answers to the South African situation. What was worse, after the departure of Cathcart, the military officers of the Cape who were stationed in Kaffirland [sic] began to exert strong pressures on Grey to undermine Moshoeshoe. Apparently these narrow minded men had not forgiven Moshoeshoe about the defeat he inflicted upon them. They now forgot the general order issued by Cathcart in the *Cape Town Advertiser* of 21st March, 1853. Leonard Thompson say about them:

“However, military officers in the Cape Colony, smarting under Cathcart's retreat from Thaba Bosiu, prejudiced Grey against the BaSotho, while Boshof determined to cast Grey in the role of ally rather than impartial arbitrator. The stage was thus set for the new British and Free State office-holders to put joint pressure on Moshoeshoe.”²⁰

With the new British and Free State office-holders in tacit alliance against Moshoeshoe, the stage was set for them to place Moshoeshoe in a negative light. The scales turned against Moshoeshoe. The mess Clerk left behind started pointing in one direction, namely, conflict between Lesotho and the Orange Free State. The meeting convened by Grey in October 1855 turned out to be an occasion where Moshoeshoe was actually insulted by Grey. What transpired on that day when Moshoeshoe first met Grey is recorded thus by Thompson:

“As Moshoeshoe rode to Smithfield with his retinue of councillors and territorial chiefs he was unaware of what was in store, assuming that his first meeting with the new officials would be an occasion for courtesy and hospitality. Instead Boshof immediately launched into a tirade against 'wicked people' who stole cattle.... Grey himself addressed Moshoeshoe in terms both insulting and

²⁰ Thompson, 230.

intimidating: 'You have collected some barbarians, and made a kind of a nation. The question is whether you are to succeed or fail.... It is impossible that a civilised nation can allow a nation of thieves to remain on their boundary. The President and I are ready to put them down.'"²¹

What was not clear in the utterances of Grey was why he singled out African customs and beliefs for vicious attack and condemnation, when the substance of faith in the supernatural is exactly the same in all instances. After Grey had launched a systematic assault on the integrity of Moshoeshoe, he did not stop there. He judged Moshoeshoe without even according him a real hearing in order to pursue a doomed neo-colonialist system of conventions. Grey at this stage never acknowledged the error of the Bloemfontein Convention which left the burning issue of the boundary line untouched and which placed Britain in a supposedly neutral position. Nonetheless, it denied arms and ammunition to the Basotho while these were freely sold to the Orange Free State. The double standards of Grey amazed Moshoeshoe. The arrogant manner Grey treated Moshoeshoe was illustrated starkly by what the Governor demanded of Moshoeshoe on the following day:

"The next morning, 6th October 1855, Grey summoned the king and his leading men and insisted that they come to an understanding with Boshof. Anxious to avoid a breach with the High Commissioner, Moshoeshoe and his advisers then signed a document prepared by Boshof, with clauses endorsing the Free State pass regulations, prescribing procedures for the recovery of stolen stock, and prohibiting trespassing by subjects of Moshoeshoe on the 'farms' of Free State burghers or by Free State burghers on 'land in the territory of the Paramount Chief Moshesh.'"²²

²¹ Thompson, 230.

²² *Ibid.*, 230-31.

Needless to say, the Basotho refused to honour these terms which were thrust upon them without any discussion or semblance of reciprocity - all evil resided on one side of the border. As a result of this one-sided alliance between Grey and Boshof, war clouds started gathering between Lesotho and the Orange Free State. What Grey did to Moshoeshoe was manna to the ears of Boshof and the Boers. On the other hand, the Basotho of Posholi retaliated by stealing more of the Boers stock in the Smithfield District, aware that this was the only means to drive the message home that the Boers were encroaching on their land. The Boers, with their Christian orientation, were naturally bitter about the conduct of the Basotho:

“The possessions of the heathen were the inheritance of God's people and could be taken from them without sin.... For the frontiersman the heathen fell outside the pale and their claims could therefore never complete on equal terms with those of the Christian's group. The idea that Christians and non-Christians were in any sense equal even before the law, or that an offence by Christians against the person or property of a non-Christian should be taken seriously.... as a similar offence by a non-Christian was entirely foreign to frontier mentality.”²³

Such was the influence of an ill informed, racially biased and malicious campaign that actually led to war between Moshoeshoe and the Boers. What reinforced the Boers in their misguided belief was the terms of the Bloemfontein Convention of 1854 which armed Boers against Blacks. C.W. de Kiewiet on the point says:

“A new and dangerous belief had crept into thought on colonization. It was that the colonist must ultimately prevail against the native. As the backwoodsmen of Kentucky had pursued and overcome the Red Indians, so should the Boers across

²³ R.U. Kenny, *Piet Retief: The Dubious Hero*, 120.

the frontier be allowed to overcome the natives by force of arms.... By the conventions the British Government finally abandoned the attempt to secure the natives in their possession of their lands and to protect them against aggression.”²⁴

Grey, in handling the sensitive boundary question, should have been more careful in his dealings with Boshof and Moshoeshoe. Grey who was holding a very important post encouraged the Boers to follow a reckless policy which ended up in war in 1858. What was worse, there was a firm conviction and belief after 1854 that the whites would emerge the victors in the conflict with the Basotho due to the favourable terms of the Bloemfontein Convention. The Boers who embarked on the Great Trek because of the ideals now enshrined in the Bloemfontein Convention, were convinced of the righteousness of their cause. CW de Kiewiet summarises the points made above.

“It set up as the chief end of its policy the lessening of responsibilities and the avoidance of war and disturbance. In 1854 the Native question had been degraded from one of civilization into one merely of defence....In the days of Lord Charles Somerset and Sir Lowry Cole, the Boers had been the backbone of Colonial defence. Left to their own devices they would once again form a part of the system of defence against the unsubdued enemies of the white man, against what now began seriously to be called the ‘menace of the blacks.’”²⁵

Taking all these factors into consideration it becomes clear that the architects of white domination and a racially segregated society in South Africa were the British through their Special Commissioner Sir George Russell Clerk. The Sand River Convention and the Bloemfontein Convention of 1854 laid the real foundation of what later came to be called the Black menace or

²⁴ C.W. De Kiewiet, *British Colonial Policy and the South African Republics 1848-1872*, 79.

²⁵ *Ibid.*, 79-80.

"Swart Gevaar". The chief motive of the conventions of 1854 was not only to suppress the blacks in South Africa, it was also to settle an old score with Moshoeshoe who proved a menace to the domination of the British and the Boers. De Kiewiet says about the intention of the Conventions regarding Moshoeshoe: "When the two republics were united as it was hoped they would soon be, they would not only control Moshesh, but would also constitute a perpetual menace to the Zulus and so direct the attention of Panda and Moshesh outwards from the British colonies of Natal and the Cape."²⁶

The next question to answer is how did Moshoeshoe threaten the interests of the whites, especially in view of the fact that Moshoeshoe was still nominally a British ally? Moshoeshoe saw that on certain matters whites were strongly united. This was shown by the manner Clerk publicly denounced the alliance which he knew existed between the British and the Basotho. Yet Grey threatened Moshoeshoe in 1855 that he and Boshof were ready to crush him and the Basotho. Moshoeshoe in reaction tried to build up an African alliance which he had first talked of to Sekonyela in other words:

"[Moshweshwe] saw that British policy was subject to sudden shifts which he could not predict or control; while...the events on the eastern frontier of the Cape Colony demonstrated that white people generally acted in concert against black people throughout the sub-continent. Moshweshwe therefore tried to build up a defensive African alliance. For this purpose the central position of Lesotho in south-eastern Africa was admirably suited. His envoys were continuously on the move, from the Soutpansberg to the Kei River, and envoys of distant chiefs were often at Thaba Bosiu."²⁷

²⁶ De Kiewiet, 80.

²⁷ M. Wilson and L. Thompson, *Oxford History of South Africa*, Vol.I, 444.

Yet Moshoeshoe was justified in forming a defensive African alliance because the victory of Berea left him with a terrible legacy where the Cape military officers were concerned. These military officers it must be said were so bitter that after Berea, Governor Cathcart threatened to charge them with high treason.²⁸ However, these military officers remained bitterly opposed to any plans favouring Moshoeshoe. When Clerk chose John Burnet to be a British Agent resident with Moshoeshoe, military officers in the Cape objected, and Grey agreed with them.

“Sir George Grey was at first, and naturally, disposed to adopt the view of many Cape frontier officials and military men who were prejudiced against Moshoeshoe on account of the affair of Berea...they represented Moshoeshoe as a plotting and dangerous enemy.”²⁹

In other words the military officers never liked Moshoeshoe because to them Moshoeshoe was: “The potential mastermind of a united black combination against white domination in southern Africa.”³⁰

As a result of the thinking of the Cape frontier officials Moshoeshoe never received an Agent. The question now arises, how could the British ever know about Moshoeshoe's alleged scheming hand if the British refused to get close to him. Peter Sanders on this issue says:

“The Agent whom Clerk appointed, John Burnet, was stationed firstly at Bloemfontein, and then, from the beginning of 1855 onwards, at Aliwal North, just within the colonial border, where he also acted as Civil Commissioner. Clerk had finally recommended that a subordinate agent be placed with Moshoeshoe at Thaba Bosiu, in accordance with the chief's wishes.... Grey...rejected this

²⁸ Cathcart, 348.

²⁹ Orpen, 327.

³⁰ J.B. Peires, *The Dead Will Arise*, 109.

proposal....which was that it would give rise to jealousy and 'suspicious alarms' in the Free State..."³¹

Given the double-standards and frivolous grounds upon which Grey denied Moshoeshoe an Agent, how could the British ever arbitrate fairly on any dispute between Moshoeshoe and the Boers without the services of an honest broker? Further, the central theme that emerges between Moshoeshoe and the British is lack of trust. How could trust be nurtured when the British refused the offer of Moshoeshoe to station an Agent at Thaba-Bosiu? There was apparently a great fear where the African Alliance was concerned, especially when the white colonists in Natal found the Basotho teaching the Zulu how the Basotho mounted guerilla warfare.³² How could this situation be addressed if the British feared to station an Agent with Moshoeshoe. The British and whites colonists were simply afraid of Moshoeshoe, because they were aware that Moshoeshoe was no fool, and in fact had seen through their hidden agenda, that his alliance with Britain at this point in time was merely cosmetic and was not worth the paper it was written on.

With the failure of the promise of an Agent to materialise, Clerk's withdrawal scheme ensured that the old order of treaties faded away, giving birth to a stillborn child. Thereafter, everything tended to be fluid and uncertain. The new order, while rejecting the old order and the faith it anchored, could not establish any situation that could ensure peace and trust. The uncertainty that resulted encouraged destructive conjecture which saw Moshoeshoe as a potential mastermind bent on driving all the whites into the sea. The classic example of this thinking was shown in 1856 by Maclean during cattle-killing in the eastern Cape:

"Maclean turned quite naturally to the assumption that the key to understanding the Cattle-Killing lay in information which was being concealed from him. Like

³¹ Sanders, 203.

³² E. Axelson, *Natal and the Annexation of Basutoland 1865-1870*, 7-8.

his master Grey, Maclean possessed a good measure of the paranoia born of authoritarianism and, once again like Grey, he found conspiracy theory a congenial means of damning his opponents and justifying himself. Ever since Moshoeshoe's victory over Governor Cathcart at the battle of Berea, Maclean had seen the Sotho King as the potential mastermind of a united black combination against white domination in southern Africa."³³

General Maclean, representing the thinking of the military officers in Kaffirland [sic], had not forgiven Moshoeshoe about Berea, even though Cathcart had threatened them with high treason. Maclean once he saw envoys at the Eastern Cape coming from Lesotho in 1856, immediately jumped to the conclusion that Moshoeshoe was behind the cattle-killing. Apparently, the Battle of Berea left Moshoeshoe with a terrible legacy where whites supremacists were concerned. Moshoeshoe so towered above other leaders that his every move was interpreted as negative and potentially hostile by the Eurocentric viewpoint of his opponents in the Orange Free State.

The fear of Moshoeshoe was also prevalent even in Natal. E. V. Axelson, elaborating on this fear on the part of colonists in Natal, says:

"The Natal colonists continually felt themselves to be existing upon a world of black gunpowder, with the arch-fiend Moshesh a few bare yards away, igniting matches and essaying to throw them upon Natal's precarious foundations....The Natal Government viewed with foreboding its discovery of an incessant interchange of messengers between Basutoland and Zululand. Anxiety was not allayed when it was found that there was in permanent attendance upon

³³ Peires, 109.

Cetewayo a body of Basuto, supplied with horses, who were teaching the Zulu court the Basuto mounted guerilla warfare."³⁴

This presence of the Basotho supplied with horses who were busy teaching the Zulu court the Basotho mounted guerilla warfare tactics was again interpreted as proof positive of Moshoeshoe's plans to throw the white man into the sea in Durban. Thus just as there was a military section which saw Moshoeshoe as a potential mastermind, behind the disturbance in the Eastern Cape, there was correspondingly another section in Natal which saw Moshoeshoe as a dangerous leader, plotting the down fall of the colonists in Natal. E.V. Axelson says on this point of the presence of the Basotho warriors in Cetswayo's Kraal: "It was popularly thought that here was proof positive of impending doom: of a vast combination of native peoples, planned by Moshoeshoe, having for its object the sweeping into the sea of all the white-skinned in South Eastern Africa."³⁵

The racists in dealing with Moshoeshoe tended to have short memories, forgetting the reality of the past that Moshoeshoe had a long history of alliance with the British. Well as its semantic history shows, scandal, untruths and myths tend to thrive in the grey area between rumour and fact. Yet, the Free State suffered from the same racial fears where Moshoeshoe was concerned, apart from the Cape Officials in Kaffirland [sic], and the Natal colonists around Durban. The only difference was that where the Boers in particular were concerned, racism became a virus gnawing at the hearts of the victims, namely the Boers themselves, to such an extent that they took a fatalistic attitude towards Moshoeshoe. E.V. Axelson elaborates:

"The Basuto were entrenched in the pivotal position with regard to the South East African native races. Situated between the Cape, the Orange Free State, and

³⁴ Axelson, 7-8.

³⁵ *Ibid.*, 8.

Natal, and in close contact with the tribes north of Natal, the Basuto were the centre of the native web of South Africa; and squatting in the centre, alive to the slightest movements along the threads, and able almost at his very will to produce movements along the threads, sat the wise old Moshesh. It is not difficult to understand why his every action should so interest, so alarm, the colonists on all sides. The Boers of the Free State were insistent that until they had subdued and annihilated or assimilated the Basuto there would be no security for their young and flimsy republic."³⁶

As a result of this fear that Moshoeshoe generated in the Caledon River Basin, the British were forced not to seriously consider making their "alliance" with him effective lest the move should offend the whites in general. Grey himself admitted this fact after rejecting the plan of the agent: "It would give rise to jealousy and "suspicious alarms" in the Free State, where any difficulties with the Sotho would be attributed to British intrigue."³⁷

Moshoeshoe by his African alliance,³⁸ which was highly supported by the telegraph system, an elaborate network of infrastructure known as *lititimi* (meaning "special runners") to take messages to and from Thaba-Bosiu to every corner of Southern Africa, made it difficult for the Boers, the Natal colonists and Cape Officials in Kaffirland [sic] to guess what to expect from Moshoeshoe. As the result, the alliance Moshoeshoe had with the British assumed all the trappings of a farce. As this process unfolded it turned into a complex labyrinthine and time-consuming exercise very close to a process of the war of attrition, till the 12th of March 1868 when Lesotho was annexed.

³⁶ Axelson, 6-7.

³⁷ Sanders, 203-04.

³⁸ See Thompson and Wilson, 444.

In summarising why Moshoeshoe's behaviour in foreign policy caused so much concern amongst the white race, it is important to state that Moshoeshoe was temperate in his reaction to the whites even when hurt, such as was shown by his first meeting with Grey at Smithfield. So it was very difficult to read him or try to predict what he would do next. Moshoeshoe was not an absolute monarch in many respects and his subjects including junior chiefs could sometimes do as they liked, such as stealing from whites. All such theft the whites thought had the sanction or blessing of Moshoeshoe. The reason why Leonard Thompson says: "Moreover, Moshoeshoe's own subordinates did not fully understand his reasoning and they were too jealous of one another to co-operate effectively, with the result that they often committed actions that endangered his plans."³⁹

Jean Van Der Poel, looking at the problems of Moshoeshoe from yet a different vantage point, succinctly expressed the predicament of Moshoeshoe. She says:

"It must be admitted that, bad as it was, the cattle-stealing was exaggerated by the Boers. In those days there were no fenced farms and cattle running loose without herdsmen near the frontier were an almost excusable temptation to a people for whom cattle were wealth. Many cattle had also been lost by straying and these were likewise demanded of Moshesh. And the Basuto were not the only cattle thieves in those parts. There were Bushmen and Korannas and white rustlers like van der Kolf who stole the cattle for which Moshesh was called to answer.... A Bantu parts very reluctantly with his cattle and Moshesh could not coerce his chief men... He was no Chaka and his claim to the paramount position was not unimpeachable."⁴⁰

³⁹ Thompson, 254.

⁴⁰ J. Van der Poel, *Basutoland as a Factor in South African Politics 1858-1870*, 179.

Van der Poel implies here that though Moshoeshoe was painted a villain, the opposite was closer to the truth. Moshoeshoe on the whole was abreast with current affairs in a region afflicted by political instability and lack of proper or effective infrastructure. Maclean and Grey condemned Moshoeshoe because of their lack of preparedness and ill-knowledge of the terrain in which they operated. The geographical situation of Lesotho suited Moshoeshoe with his spider-like network of *lititimi* (special runners). This was a great discomfort to the whites, especially the Boers of the Free State.

These fears were not completely unfounded for even Arbousset believed that in the event of an attack on Lesotho by the Orange Free State, Moshoeshoe would receive assistance from outside. Thompson stated that "In a curious private letter at this time Arbousset confided to a fellow missionary that when war broke out Moshoeshoe might receive assistance from Kok and Waterboer (the Griqua chiefs), Sandile (Xhosa), Moroka (the Rolong chief at Thaba 'Nchu), Mahura (the Tlhaping chief near the Vaal River), and Langalibalele (the Hlubi chief in Natal)."⁴¹

As a result a war broke out between the Boers and the Basotho in 1858⁴². The man who

⁴¹ Arbousset to Cochet 10 September 1856, in Morija Archives, quoted in Thompson, 234.

⁴² The 1858 War broke out on the 19th March and fighting lasted until early May after which an armistice was agreed upon. The Treaty of Aliwal North, ending the war, was signed on 29 September under the mediation of Sir George Grey.

Essentially the war was caused by bitterness on the part of the Boers over stock theft, especially in the Smithfield District by Posholi and others who could not be controlled as the OFS had no police force and Moshoeshoe's efforts to control him through Nehemiah Sekhonyana had failed. Posholi of course complained bitterly that the Boers had taken his land and must feed his people. The thefts were greatly exaggerated, however, and were in many cases quite old and could not therefore be properly followed up.

When war broke out, Moshoeshoe's younger men and sub-chiefs were mostly unconcerned, even eager to test their strength against what they perceived as the badly organised and even cowardly OFS military forces. Ultimately, the war was not fought over animals claimed by the OFS - 393 cattle and 762 horses - but over the disputed boundary line. Both sides wanted land - both sides felt aggrieved. It was the OFS, however, which openly played up and exaggerated the issue of stock theft in order to provoke a crisis, with the pretext of taking more land. The OFS now claimed that the Warden Line had never been cancelled and that it should still be honoured.

The war erupted as petty incidents in the Smithfield District were blown out of proportion - fear dominated as well as greed - for the OFS was now sure that much land and booty would result from the war. With the Free State forces mobilised as of 11 March, Boshof declared war on the 19th. Moshoeshoe probably had about 10 000 mounted warriors at his disposal while Boshof had only about 1 500 - but the latter's weapons were much the superior. Both sides suffered from lack of unity and poor discipline.

The OFS forces attacked from Smithfield under Commandant General Weber, whose first act was to

actually fired the first shot in this war was Grey, who was cast in the role of the ally by Boshof in 1855.⁴³ In this conflict the general expectation was that, favoured by the Bloemfontein Convention, the Boers would easily defeat the Basotho.

But history proved this supposition other wise even though the arms embargo was still imposed on the Basotho. The Basotho, contrary to expectations, emerged victorious. In this conflict the character and tactics of Moshoeshoe emerged as a trump card, ensuring that victory went to the Basotho. Boshof was forced to ask for the assistance of the Governor, Sir G. Grey. Boshof begged Grey to mediate as a Christian and humane act. Theal says about the success of the Basotho in the conflict: "In Moshesh, the Free State had to deal with one whose early manhood had been passed in war, and who had risen to power by means of military ability displayed chiefly as a strategist. He had forgotten nothing since the days of Matiwane and Umpangazita but had learnt much."⁴⁴

This war, which ended in 1858 brought Moshoeshoe and Grey together. This was because President N.J. Boshof asked the Governor to mediate between Moshoeshoe and himself, as a humane and Christian act. Moshoeshoe took this opportunity to clearly show the Governor that the Boers were no Christians at all despite their claim. Moshoeshoe, though he agreed to an

destroy most of the Beersheba Mission on 23rd March, moving on to Posholi's village of Bolokoe which he took on the 28th. The OFS forces only suffered losses on the 3rd April when Letsie cut off 16 men at The Hell. In the north, Commandants Senekal and Pretorius met resistance at Mekuatling but easily moved on to the Caledon where they camped at Cathcart's Drift. A major battle took place here from the 12th-14th April - but the laager held firm against an estimated 6 000 to 8 000 Basotho warriors.

The northern forces then joined Weber's group at Jammerberg. Senekal took over as overall Commander and moved against Morija on the 28th April, razing Letsie's village to the ground and burning much of the mission as well. They then moved on to Thaba-Bosiu. By this time, Posholi, Moorosi and others were plundering extensively in the Caledon River District and beyond. When fighting erupted at Thaba-Bosiu on 6th May, it did not take long for both sides to realise that victory would come at a high price. The Boers, already disheartened by the stories of Basotho raids against their farms, broke up their laager and went home a few days later. Sir George Grey's offer to mediate was accepted by both sides and the war was over. See Tylden, 72-77 and Sanders, 216-36.

⁴³ Theal, *Basutoland Records*, Vol.II, 154-59. Minutes of the Conference between the President of the Orange Free State and the Chief Moshesh in the presence of His Excellency Sir George Grey.

⁴⁴ GM Theal, *History of South Africa*, Vol.IV, 60 (1908 edition).

armistice at the insistence of the Governor, strongly questioned whether the Boers were Christians. Moshoeshoe proved that he had a compelling case when he seriously questioned the Boers conduct during the conflict. According to Edwin W. Smith:

“Moshesh accepted but wrote in scathing terms of the Boers' conduct of the war, particularly in regard to the destruction of the mission stations.... ‘The Captains of your commando are not Christians, for I shall never believe that Christianity consists in carrying away women and children into captivity, in shooting down old and sick people, and all this has been done by your children [Boshof forces].’”⁴⁵

The Governor was shocked as the details of the atrocities of the Boers were graphically explained to him. The war was an eye-opener to the Governor and freed him from prejudice towards Moshoeshoe. On the other hand, Moshoeshoe took full advantage of his victory and skilfully showed the Governor that he was civilised, "heathen" as he was. Remembering how Grey had insulted him, by saying it was intolerable for a civilised nation to live next to "barbarians," Moshoeshoe said to Grey indirectly addressing Boshof:

“You call yourself a Christian in your letter to me. I have long known that you are a Christian; but the commandants of your army are not yet Christians.... They will force us to believe that there is no God. What ! would their Christianity consist in destroying Christianity? Have your warriors not sacked the beautiful station of Beerseba? Have they not burnt the house of the missionary at Morija? Have they not removed Mr Arbousset's furniture and even his wagon?.... When I waged war against Sekonyela, I forbade my people to touch the church.... and it was respected. What will the world say when it learns that... the children of a

⁴⁵ E.W. Smith, *The Mabilles of Basutoland*, 95. See original letter of Moshoeshoe to Boshof in Theal, *Basutoland Records*, Vol.II, 362-65.

heathen chief have not dared to lay their hands on the house of God?"⁴⁶

Moshoeshoe in victory showed utmost restraint in the face of unjustified provocation. What was most impressive was his moderation and patience which were underpinned by the knowledge that he was still loyal to Britain and wanted to impress on both his own people as well as the Boers and British that his long term desire was for peace and stability. In short, Moshoeshoe showed respect for the principles underlying the treaties he had suffered when Grey took over the Governorship of the Cape. What was more, Moshoeshoe showed the most admirable quality in a leader, namely magnanimity in victory. Apparently Moshoeshoe appreciated the fact that of all manifestations of power, restraint impresses men most. This quality greatly impressed Grey who suddenly found himself and his career dependent on Moshoeshoe exactly like Cathcart in 1852. For in August 1858: "At Bloemfontein the Governor received urgent despatches requiring him to send all the troops that could be spared immediately to India. To establish peace between the Free State and the Basuto thus became a matter of first importance...."⁴⁷

In this hour of need of the British Empire, Moshoeshoe once again showed that he was a staunch ally of Great Britain. What he did amounted to a diplomatic coup, repeating what he

⁴⁶ Germond, 246-7. It may well be asked if Moshoeshoe was influenced directly by the missionaries to use this line of argument against the OFS. Casalis had left in 1855 and those who remained were not so close to Moshoeshoe, nor were they keen to play the role which Casalis had previously played. There can be no doubt, however, that the missionaries were horrified by the attacks of the OFS on Beersheba and Morija. They no doubt expressed outrage at the conduct of the Boers. At the same time, Moshoeshoe had been exposed to the values and teachings of the missionaries and the West for 25 years. He needed no prompting to point out the discrepancies between the teachings and actions of the so-called Christian burghers who had attacked the PEMS mission stations. Whether his letter, which bordered on ridicule, was appropriate and served his long term interests is questionable. As Tylden (p.77) has remarked "it was most unfortunate that Moshoeshoe could not see where he was trending. After his victories over the Matebele and Amangwane he had been careful not to boast too much; that excellent habit he was now losing."

Concerning the influence of the missionaries, Tylden (p.78) is probably correct that it would be foolish to overstate their influence. "From time to time discussions arise as to the amount of political influence exerted on Basuto policy by the Frenchmen. It can be said with some certainty that had the Frenchmen possessed the influence with which they are credited it is unlikely that they would not have used it to prevent the nation following the ruinous road they were now treading."

⁴⁷ Theal, *Basutoland Records*, Vol.IIIA, xxxvi.

did in Berea in 1852. Moshoeshoe granted Grey peace, who tactically came to Lesotho and Morija in particular so that the Governor could see for himself first hand the massive destruction caused by the Boers to Church property which he, Moshoeshoe, had bitterly complained about. This Moshoeshoe did to buttress his earlier arguments that the Boers were not Christians at all as they claimed.

Moshoeshoe skilfully forced Grey to come to Lesotho. Moshoeshoe in order to force Grey to visit Lesotho did not honour the meeting which was supposed to be held in Aliwal North in 1858 to finalise the peace arrangements. As to whether Moshoeshoe was afraid to meet Grey because of his earlier experience of Grey at Smithfield, when the latter showed great prejudice against Moshoeshoe is an open question. However Theal says a blind child prophesied that danger awaited Moshoeshoe if he left Lesotho.⁴⁸ Grey, who was under pressure to secure peace in Southern Africa so that additional troops could be sent to India to suppress a mutiny there, found it expedient to visit Moshoeshoe, finally managing to find him at Morija.⁴⁹ Thus Grey saw for himself the barbarity and savagery of the Boers. The extensive damage done to Church property forced a psychological and mental rethink regarding Lesotho and Moshoeshoe's leadership. The visit did the trick that was at the back of the thinking of Moshoeshoe. The era of Grey which started on a sour note for Moshoeshoe changed overnight and yielded dividends for Moshoeshoe and the Basotho.

Grey began to purposely question the arrangements which Sir George Clerk left behind. Grey now became the ally of Moshoeshoe and forgot Boshof and the Cape military officers in Kaffirland [sic]. He seriously attacked the Bloemfontein Convention in very strong terms as the root of all the evil between the Free State and Lesotho. According to Van Otten:

⁴⁸ Theal, Vol.III, xxxvii.

⁴⁹ *Ibid.*, xxxvii-xxxviii.

"Grey angrily expressed his sentiments on the unsatisfactory nature of his position. Either a strong hand should have been used to stop the present conflict, or a strict non-intervention should have been effected. We should have not provided one party [the OFS] with the means of destroying the other [the Basotho] and have deprived that latter party of the means of defending itself."⁵⁰

Differences between Sir G. Grey and the Colonial Office, rather than being lessened, were in fact exacerbated by what Grey had seen in Lesotho. Grey now wanted a federation of all the British possessions in South Africa. What was of importance in this war, was that it cancelled the document Grey forced Moshoeshe to sign which had effectively negated the Napier Treaty of 1843, known as the Smithfield Agreement of 6th October 1855. This was replaced by the First Treaty of Aliwal North of 29th September 1858. Talking about this treaty C.C. Eloff says:

"After agreeing to a cease-fire with the Basuto on 1 June 1858, the Free State Government decided to accept Grey's offer to act as arbitrator. The first Treaty of Aliwal North was signed by the two parties on 29 September [1858]. In terms of this the Free State was to surrender to the Basuto 50 farms in the disputed area between the Orange and Caledon Rivers in the present districts of Zastron and Wepener... The boundary-line of 1858 meant that the largest part of the present districts of Zastron, Wepener, Ladybrand, Excelsior, Clocolan, Marquard, Ficksburg and Fouriesburg would henceforth be considered Basuto territory."⁵¹

Having carefully studied the origins of the conflict, and after assuring himself that it basically emanated from the vexed question of the boundary line which had not been addressed by the Bloemfontein Convention, Grey started questioning the entire morality of the British

⁵⁰ Van Otten, 77.

⁵¹ C.C. Eloff, *The so-called Conquered Territory*, 12.

Empire, just like Moshoeshoe questioned the Christian morality of the Boers. Grey according to W.P. Morrell said:

“When a great and powerful nation like England binds itself by a convention not to enter into treaties with numerous coloured races in the vicinity of her own possessions, and to act as a police for another nation, to prevent these coloured races from obtaining arms and ammunition with which they might defend themselves, I think she should at least preserve such control over the proceedings of the nations whom she thus benefits at the cost of others that they used these vast advantages justly, and well for others, and in a manner which did not compromise the interests or safety of British territories.”⁵²

After Grey had cancelled the Smithfield Agreement of 6 October 1855, negotiations proceeded concerning a new boundary line between the OFS and Lesotho. In the end, after much wrangling and a serious misunderstanding on the part of Lelosa and Makoai, who were representing Moshoeshoe, a compromise was made in which the Basotho gave up quite a bit more land than was necessary in the southwest.⁵³ Grey beacons off the new boundary and the OFS was exceedingly pleased with the final outcome. They had lost the war but won the peace.

Grey had seriously questioned the morality of Buckingham Palace, the morality of the Colonial Office which blessed withdrawal, the morality of colonial reformers and finally the morality of Sir George Clerk who said to Moshoeshoe that after withdrawing everything would revert back to the position of 1843, whereas to the Boers Clerk said the Warden line was the boundary. Grey's doubts, however, did not change the outcome of the negotiations at the end of the war. And when Moshoeshoe asked for an Agent to be placed with him, Grey agreed - but

⁵² W.P. Morrell, *British Colonial Policy in the Mid-Victorian Age*, 105.

⁵³ See Sanders, 236-40.

nothing was ever done to fulfill this promise. Moshoeshoe saw only too clearly that a new dynamic was at work: The British were drawing closer to the Orange Free State in the hope that a federation of white states could be achieved. Moshoeshoe's alliance with the British - if it still existed - was likely to be replaced by an explicit British-Boer alliance if he pushed matters too far. Thus, Moshoeshoe and his people bowed to accept another boundary line in which they were forced to sacrifice more land for the sake of peace. Moshoeshoe could not contain his dissatisfaction, however, as he complained that "Sir George Grey is the fifth great man who has come here to make matters right between me and the Boers and such arrangements have always ended by a piece of country being lost to my people."⁵⁴ It was because of these new dynamics that Moshoeshoe once again took the initiative to shore up his alliance with the British and gain the long term security which his people required. It is to his new initiative that we now turn.

⁵⁴ Quoted in Thompson, 251.

CHAPTER FIVE

MOSHOESHOE ASKS FOR INDIRECT RULE FROM THE BRITISH

Moshoeshoe, having emerged from the 1858 Basotho Boer War his reputation intact and his prestige enhanced, did not display any attributes of political hostility towards Britain. He could not afford to do so lest Britain join hands with the Orange Free State against him. But Moshoeshoe could not abandon his long term hope of strengthening his ties with Britain and re-affirming his alliance which went back to 1843. Moshoeshoe continued to look upon himself as the ally of the British and methodically presented himself as such. In August 1860, Moshoeshoe dramatically showed that where his faith with Britain was concerned, he transcended human frailty and bigotry by the manner in which he treated His Royal Highness Prince Alfred. Theal says about the courtesy of Moshoeshoe:

"In August 1860 His Royal Highness Prince Alfred, when on a tour through South Africa, was waited upon by Moshesh at Aliwal North. The Great Chief was accompanied by twenty-five of his captains and an escort of three hundred men. To the Prince he professed the most unbounded loyalty, and declared that in all his troubles he had been faithful in his allegiance to the Queen. In somewhat vague language he asked that he might be restored to the position he occupied under the Napier treaty."¹

Here it should be pointed out that under the Napier Treaty Moshoeshoe received £75 a year, "either in money or in arms and ammunition as the Chief may desire."² So when Moshoeshoe was asking that he should be reinstated in this position, no doubt he was referring

¹ GM Theal, *Basutoland Records*, Vol.IIIA, xlv-xlv.

² L. Thompson, *Survival in Two Worlds, Moshoeshoe of Lesotho 1786-1870*, 123.

to arms, or the fact that the arms embargo imposed on him should be reviewed. He used Prince Alfred to plead his case to Queen Victoria. The courtesy Moshoeshoe displayed towards the Prince was meant to convince Prince Alfred that the Basotho regarded themselves as the subjects of the Queen. Perhaps also, Moshoeshoe was hoping that Prince Alfred might help to soften the hardline attitude adopted towards him by previous British officials, including the present Governor, Sir George Grey. After all, the son is always very close to the mother.

For the sake of clarity, it should be mentioned that relations between Moshoeshoe and the Boers were not particularly strained at this time. The mere fact that Moshoeshoe talked of his former position, should not be interpreted in a negative manner. Moshoeshoe was only taking precautions knowing that without the means to defend himself and his nation, he was vulnerable, especially in the longer term. Proof of the fact that there was no impending doom was clearly explained by Theal.

“At the beginning of April 1861 another conference took place between the President of the Free State and the Great Chief, which lasted three days, and was conducted in a very friendly manner. It was held in the Lesuto, at Mabilela, near Platberg.... The Basuto were then in occupation of a large portion of the District of Winburg, and ignored altogether the Boundary Line of the treaty of 1858. This matter was discussed at Mabilela, and Moshesh undertook to recall his people from farms belonging to burghers of the Free State, but he was careful not to admit that he had any knowledge of the line.”³

With matters standing as they were, however, Moshoeshoe showed that he had more faith in the British than the Boer emigrant farmers. For towards the end of 1861, Sir Philip Wodehouse arrived in South Africa as the new Governor of the Cape replacing Grey. Immediately after the

³ Theal, Vol.IIIA, xlv.

arrival of Wodehouse Moshoeshoe seized the initiative and on 6th December 1861 wrote to the Governor asking that he be considered now as a British subject along the lines which he proposed below.

"Sir,- I have the honour to present Your Excellency my respectful salutation upon your arrival in the Colony. I have received the letter which His Excellency Sir George Grey wrote bidding me farewell; in it he alluded to my desires with regard to my relations with Her Majesty's Government, and mentioned that he had recommended that an agent should be sent to me. I beg Your Excellency also to support my petition; and since there appears to be still some doubt as to the precise nature of my wishes, I beg Your Excellency, lest this should cause any delay, to lay this letter before the Queen, for I desire now to explain distinctly my views with regard to my past relations with Her Majesty's Government and my wishes for the future."⁴

Moshoeshoe knew that procrastination is the thief of time. On learning that Sir George Grey had left the colony he hastened to try and persuade Wodehouse to honour the promise made by Grey. What emerges in the tone of this letter of 6th December 1861 was the fact that Moshoeshoe was worried that he was not allowed to buy arms in the Cape or anywhere in South Africa. Stating his concern in the same letter of 6th December 1861 he said:

"And now we say, can the Queen suffer Her children [the Basotho] to be attacked again with their hands bound, while those who attack us are furnished with cannon and guns and ammunition by Her Government? I have always said we were forgotten, but for a moment. I still trust in Her justice and humanity, therefore I

⁴ Letter from the Chief Moshesh to the High Commissioner, 6th December 1861, in Theal, Vol.II, 602-03.

now ask to be recognised as her subject, and that my subjects, the Basutos, may, on account of and through my chieftainship, be Her subjects too...I do not wish to involve Government in wars on my account, my only longing is for peace and rest; and I know that if I were but received, no one would ever think of attacking me.”⁵

What Moshoeshoe clearly proposed to Wodehouse was a relationship very much along the lines of indirect rule apart from the fact that he was worried by the arms embargo. This letter of Moshoeshoe written at Thaba-Bosiu on the 6th December 1861 also graphically explained to the new Governor that at the time of withdrawal, Clerk promised to send the Queen's representative to reside at Thaba-Bosiu. Moshoeshoe's statement that Clerk had promised an agent at the time of withdrawal was in fact true, the veracity of his allegation being that he had in his possession a letter written by Clerk dated Bloemfontein 24th February 1854.⁶ Moshoeshoe, on 6th December 1861, told Governor Wodehouse that, if this promise had been kept, a lot of mischief and painful experiences and the war of 1858 could have been averted.

The recommendation of a British agent could have had a sobering, progressive, and far-reaching effect in the direction in good governance, accountability and stability. Such a step would ensure that hardened attitudes where theft was concerned, and narrow sectoral interests did not undermine peace initiatives articulated in the alliance. Pointing out the importance of an agent, Moshoeshoe said that Grey, before he left, was also of the idea that an agent was a crucial factor to solve problems between him and the Boers. Talking about this sensitive issue Moshoeshoe said to Wodehouse on 6th December 1861:

⁵ Theal, Vol.II, 608.

⁶ Letter from the Special Commissioner to the Chief Moshesh, 24 February, 1854, in Theal, Vol.II, 100.

"If it should please Her Majesty to appoint an agent to reside with me and communicate with me, and be Her ears and eyes, [such an appointment as Sir George Clerk recommended, and Sir George Grey also spoke of,] I would receive him with gladness. It is an arrangement provided even in my original treaty [1843], and had it been carried out, much mischief might have been prevented. Though I desire peace much and above all things, yet, after it, I do desire also that powder and such supplies should be allowed to reach us in such measure as our conduct shows us to be deserving of confidence."⁷

In addressing the new Governor in such serious terms and tone, what was Moshoeshoe in return reacting to? Although he had never suffered military defeat in three previous encounters with the British and the Boers, he was steadily losing the diplomatic initiative as British and Boer interests began to intersect. In the last war, his people had lost additional land and the future was increasingly uncertain. Moshoeshoe was aware that he was himself getting old, and that his sons were not united. By themselves, they would probably split the Basotho nation into pieces. Moshoeshoe wanted permanent security for Lesotho. He wanted the nation he had built to be united in action and live under the protection of Great Britain which to him would provide the only long term security in the face of the Orange Free State. This explains why he said his wishes were now for the future. Moshoeshoe admits as much in the same letter of 6th December 1861 when he said to Wodehouse:

"I am not perhaps altogether unable to defend my own country, but this I am unable to do - to keep from it the constant expectation of being attacked; this does my people no good. Such security Government alone can give me. It is, therefore, that I ask to be received, that my people may never again be disturbed with thoughts of war, and may build and cultivate and grow in civilization."⁸

⁷ Theal, Vol.II, 608.

⁸ *Ibid.*

Moshoeshoe wanted the alliance to be revived and strengthened, to complete its full circle and give the Basotho complete and permanent security, hence why he said: "I know that if I were but received, no one would ever think of attacking me."⁹ He appealed to Wodehouse for a fundamental change of direction and heart in the name of justice and humanity. In a nutshell Moshoeshoe said that the British, having agreed first to the Napier Treaty and the subsequent treaties that followed, had not matched words with deeds.

"In the year 1843 a written treaty was granted to me by which I became the child of the Queen... I have always kept that covenant faithfully, and I cling to Her still. On the 30th June, 1845, His Excellency Sir Peregrine Maitland proposed to me an additional treaty founded on the first, and I agreed to it. By that agreement I gave up at his request, for the use of Her Majesty's emigrant subjects, a part of my country... On the 27th January, 1848, Sir Harry Smith proposed to me at Winburg an agreement, and it was made strong between us in writing that day."¹⁰

Moshoeshoe elaborating on the treaties for the benefit of Wodehouse stated the following concerning the plans of Sir Harry Smith:

"Upon that writing, so far as my country was concerned, was built Sir Harry Smith's proclamation of Her Majesty's paramount authority over the country between the Vaal and the Oranje rivers, but the agreement itself, and all that was done by its power, was based upon my original treaties. The written agreement itself styles our arrangement 'this day's *cemented* alliance.' It cannot be said to have destroyed that which it cemented; my original treaties therefore continued still in force."¹¹

⁹ Theal, Vol.II, 608.

¹⁰ *Ibid.*, 603.

¹¹ *Ibid.*

Then Moshoeshoe ended up by saying to Wodehouse that they as a country had nothing to offer in exchange but gratitude and fidelity; that, however, should they be called upon to serve the cause of the British empire they would do so willingly and lay down their lives, as they had been prepared to do in 1846-1848.¹²

Sir Philip Wodehouse, who had just arrived in South Africa, who in fact assumed the governorship of the Cape Colony on 28th October 1861, felt compelled to answer the letter of Moshoeshoe. Wodehouse, however, was ignorant about all the documents and treaties Moshoeshoe was referring to. He decided to avail himself of all the facts alluded to. On 28th January, 1862 he called Mr John Burnet who was appointed by Clerk in 1855 as the first agent to go to Thaba-Bosiu and hear the views of Moshoeshoe. Burnet was helped by Joseph M. Orpen. The two Assistant Commissioners were supposed to find out precisely what Moshoeshoe wanted.¹³

The response of Wodehouse to Moshoeshoe's letter of 6th December 1861 was swift, although apparently his Excellency at that time could not form a definite opinion of what Moshoeshoe had meant by permanent security for Lesotho, because he could not give the Basotho a firm undertaking that they would not be attacked in the future. He said that such security Government (the British) alone can give them. To unravel this situation, Wodehouse chose Burnet and Orpen to go to Moshoeshoe with the following instructions for their guidance:

"1. The Commissioners will be good enough to understand that they have no power or authority to treat with Moshesh in any way, but that the object of their mission is simply to confer with that Chief, to endeavour to ascertain distinctly his

¹² Theal, Vol.II, 608.

¹³ Instructions for the guidance of John Burnet and Joseph M. Orpen..., in Theal, Vol.III, 130-31. See also Lagden, 310 and Thompson, 269.

views and wishes in regard to his relations with this Colony present and future, and to report thereon for the information of Government.

2. Moshesh has frequently addressed letters to the Governor of this colony upon the above subject, but generally in such vague and undefined terms (arising, probably, from his not quite understanding his own wants, his ignorance of our customs, and his habit of using figurative language), as to render it impossible that any practical result can be arrived at from them....

3. A copy of the last letter from Moshesh, dated 6th December, 1861, is annexed for the information of the Commissioners. In this communication, Moshesh alludes to his treaties with Sir George Napier, Sir P. Maitland, Sir Harry Smith, and Sir George Clerk's arrangements...."¹⁴

Wodehouse in his instructions for the guidance of Burnet and Orpen, made it clear that he did not know which treaty Moshoeshoe favoured most. Secondly that he was not aware as to whether Moshoeshoe fully understood the implications of his request to be taken as a British subject, namely that "neither he nor any of his subordinate chiefs could thereafter be permitted to exercise unrestricted jurisdiction, and would be bound to act both within their own limits and beyond them, in strict conformity with such rules and regulations as would be from time to time promulgated for that purpose...."¹⁵

In this respect, Wodehouse wanted Burnet and Orpen to clearly explain to Moshoeshoe that if he came under British Protection he would no longer rule his people as the final arbiter of what was right or wrong; that he Moshoeshoe would rule his people according to the rules set down by the British. The power of Moshoeshoe together with his subordinates would ultimately be placed under the jurisdiction of European magistrates.

¹⁴ Theal, Vol.III, 130.

¹⁵ *Ibid.*, 130-31.

After the terms of reference of Burnet and Orpen were clarified by Wodehouse, the Assistant Commissioners were given a go ahead to proceed to Thaba-Bosiu on the 11th February 1862. They stayed at Thaba-Bosiu from the 11th February 1862 to the 21st of February 1862, with a clear brief to ascertain precisely what Moshoeshoe wanted from the British Government. This step by Wodehouse showed that the Governor among other things thought that dialogue was better than heavy-handedness, or the reliance on the policy of conventions. In his response Wodehouse represented vitality and a challenge to old orders and stultified dogmas brought by the conventions, such as fear, mistrust and racial antipathy on the part of whites and blacks in Southern Africa.

This point was driven home by the manner in which, for once, Moshoeshoe was honoured at his mountain strong-hold, Thaba-Bosiu. Moshoeshoe, rising to the occasion, asked the Commissioners to give him two days to call all the Chiefs under him together with his sons, so that he could publicly state what he wanted for himself, his subordinate Chiefs, posterity and Lesotho. Moshoeshoe further requested that he might be furnished in the meantime with a memorandum of the chief points which would form the subject of the conference, in order that he might discuss them with those present including his councillors. The Minutes of the Conference recorded the following conclusion:

“The Commissioners acceded to Moshesh's requests, and after adjourning the Conference for two days, sent him a Sesuto translation of the following Memorandum: - 'Memorandum for the guidance and consideration of the Chief Moshesh, during the Conference to be held between the Chief and Messrs. Burnet and Orpen, appointed by the authority of His Excellency the Governor, dated 28th January, 1862, for the purpose of ascertaining the Chief's views and wishes in respect of his present and future relations with the Colonial Government.’”¹⁶

¹⁶ Theal, Vol.III, 139.

The Assistant Commissioners in strict conformity with what Wodehouse laid down, told Moshoeshoe that they had no power or authority to treat with him in any way; but only to come to a clear understanding of his views and desires vis-a-vis British protection because his previous letters to various British Governors had not been precise enough to enable the British Government to draw up practical recommendations.¹⁷

The Commissioners further explained to Moshoeshoe as they were required to by Wodehouse that, if Moshoeshoe came under the British Protection, neither he nor any of his subordinate Chiefs could thereafter be permitted to exercise unrestricted jurisdiction in Lesotho. A wide range of Moshoeshoe's people were present including his sons, brothers, counsellors and subordinate chiefs, as well as the ambassadors of Mpande and Faku.¹⁸

The minutes of the conference highlight the fact that Moshoeshoe wanted transparency where the Zulus and Xhosas were concerned so as to challenge the erroneous notion that his association with these chiefs had ulterior motives, such as driving the white men into the sea. Addressing the ambassadors of Mpande, the Zulu king, Moshoeshoe talked peace and said:

"I tell you Zulus who are present here, that I have got plenty of horses and guns to defend myself, and all I have got are obtained by the good understanding I have always maintained with Government [British]. The chiefs of many other tribes have fallen out with Government, and have disappeared in consequence. I am now making you presents of horses and other things, but if you ever be such fools as to use them against Government you will forfeit my friendship."¹⁹

The question that needs clarification is why in particular did Moshoeshoe on this important occasion address the Zulus in the manner he did? Was Moshoeshoe aware that some colonists

¹⁷ Theal, Vol.III, 139.

¹⁸ *Ibid.*, 140.

¹⁹ *Ibid.*, 141.

in Natal viewed him as a potential mastermind, aiming to throw all the whites into the sea? The answer to these questions is yes. Moshoeshoe was quite aware that in white circles in Natal he was viewed in a negative light. He wanted Burnet and Orpen to know the truth about his stand. He further wanted Wodehouse through the Assistant Commissioners to find out the truth about him and his leadership. Above all, Moshoeshoe wanted Wodehouse to establish how trustworthy he had always been. Bluntly speaking, Moshoeshoe was tired of all the unfair allegations heaped on him as a flag-bearer of the down-trodden. Although Moshoeshoe was widely regarded by fellow African rulers as the victor against both the British and the Boers in previous military engagements, Axelson mentioned a letter which Moshoeshoe wrote to Shepstone that:

“Moshesh, hearing of these aspersions upon his intentions, wrote....a vivid disclaimer of any desire to cause a ‘confirmation’, explaining that his association with the Zulu was but a survival of his ancient alliance with Chaka. He sent his protestations in the care of his son George further to declare the absence of ulterior motives.”²⁰

Now in 1862, Moshoeshoe again saw fit to reiterate his stand so that Wodehouse would not misinterpret the alliance he had with the Zulus. Moshoeshoe was quick to appreciate the fact that he had the right man at the right place at the right time and wanted to exploit the situation to the full. Moshoeshoe was led to believe in this gentlemen, because the Assistant Commissioners told Moshoeshoe in a very serious tone that:

“every word of [the Conference] will be written down as it comes from his mouth, and will be sent to the Queen; not one word will be lost. The Commission now request that Moshesh will open his heart, as the Queen has sent far and he may not

²⁰ Moshoeshoe to Shepstone, 8 November 1861 in E.V. Axelson, *Natal and the Annexation of Basutoland 1865-1870*, 8.

have such another opportunity.”²¹

The Assistant Commissioners, having addressed Moshoeshoe as they did, seemed to have struck the right chord. For after Moshoeshoe had blown sky-high the myth that he was busy plotting the downfall of whites, he turned around to address his people. He further explained to the Commissioners that he was getting old and wanted to have permanent security for Lesotho. In 1862 Moshoeshoe was 76 years of age, having been born in the year 1786.²²

“You must now listen that you may know what I have done for you when I was young and strong; how I have watched over your interests. Now I am old and about to become blind like an old goat. What you have been listening to were only temporary arrangements, but now as I am an old man I am going to make arrangements which will last for ever.”²³

The question to clarify is, what had the audience been listening to, i.e. that to which Moshoeshoe alluded? Here it should be mentioned that at the start of the Conference, the Assistant Commissioners were asked to read all the treaties and agreements heretofore made between the Government and Moshoeshoe.²⁴

After the Assistant Commissioners had read all the treaties, namely, the Napier Treaty of 1843, the minute of Sir Peregrine Maitland, dated Touwfontein, 30th June, 1845 and the agreement made with Sir Harry Smith at Winburg on the 27th January 1848, everybody was now in the picture as to what the Conference was all about. At this stage Councillor Abraham Ramatšeatsana asked:

²¹ Minutes of the Conference, in Theal, Vol.IIIA, 140.

²² Thompson, 1.

²³ Theal, Vol.III, 141.

²⁴ *Ibid.*, 140-41.

"Is this what Smith wrote to his own Government?

[Commissioners'] Answer:- Yes.

Councillor Abraham says: - Have these beautiful words (the treaties) been all well understood by the Queen's Government?

Commissioners answer: - That these treaties and agreements have all been published and known both here and in England for many years.

Moshesh says that when he now hears them read he remembers every word as if it were but yesterday."²⁵

The whole process of reading and translating the treaties into Sesotho took the whole day of February 18th, 1862, according to the Minutes of the Conference.²⁶ The following day 19th February 1862, Moshoeshoe sat in consultation with all his councillors and invited Chiefs, to formulate his stand on the treaties. This was done so that what Moshoeshoe said could be a clear barometer of the thinking of the nation. After Moshoeshoe had consulted and sounded the opinion of everybody, at four o'clock p.m., George and Tsekelo, sons of Moshoeshoe, and Lebenya brought the following memorandum, drawn up by the chiefs, to the commissioners at their residence at the mission station. According to the Minutes of the Conference, the memorandum stated:

"I, Moshesh, the chief of the Basutos, as the ambassadors of the Queen have come to ask me, I say my desire is that I should be taken care of by the Government of the Queen as all people are taken care of by it. The bond by which I wish to be bound to it is that of the commencement; that is that I should be the soldier of the Queen as I was before. I still say, I and my children after me, and my people, we

²⁵ Theal, Vol.III, 141.

²⁶ *Ibid.*

will die her soldiers. I have acted long ago towards the children of the Queen in such a manner as to show that I am indeed her servant, and to this day I am standing in the same position. 2nd.- I beg that I may be allowed arms and ammunition as all who are placed under the feet of Government are permitted, that the barter and commerce in arms may be allowed as at first....."²⁷

Moshoeshoe, in the memorandum handed over by his sons to the commissioner on the 19th February, 1862, went further to point out that the arms embargo made him a thief, as it caused illicit trade. In proving how faithful he had always been towards the British, he pointed out in the memorandum that any favour which the Queen asked through the Governors at the Cape, he bent over backwards to meet. Stating the grounds upon which the arms embargo had to be lifted on Lesotho he said in the memorandum, sent to the commissioners at four o'clock by George, Tsekelo and Lebenya:

"3rd.- You asked me through Maitland for a piece of my land to keep the Boers on, and I acceded.

4th.- You asked me through Clerk, who was together with Hoffman, and I agreed.

5th.- You asked me through Sir George Grey, after the war with the Free State, for land, and I agreed.

I agreed to all these things on account of my respect for the Queen's name; therefore I ask now: Are these not things which I have done on account of Her Majesty's Chieftainship, and especially my taking from my children the little bit of land of a poor man to give to her. I say are these not things which may be taken into consideration?"²⁸

²⁷ Theal, Vol.III, 141-42.

²⁸ *Ibid.*, 142.

On the 20th February, 1862, the Assistant Commissioners, having been told that Moshoeshoe wanted to be bound by the Napier Treaty of 1843, as from the beginning, now wanted Moshoeshoe to answer the question of his coming under the British Protection, as his jurisdiction would be curtailed. Lesotho would also come under the rule of Magistrates. Would Moshoeshoe accept to be under the rule of Magistrates, as he wanted Lesotho to be under the protection of the Queen? Moshoeshoe answered the Assistant Commissioners this way:

“If the Government sends Magistrates the Basutos will not understand. It will be like a stone which is too heavy for them to carry. What I desire is this, that the Queen should send a man to live with me, who will be her ear and eye, and also her hand to work with me in political matters. He will practice the Basutos and gradually teach them to hear Magistrates, while he is helping me in political matters. He will show them how these things are done in the Colony. He should be a man who would be fully trusted by everybody, and he must know our ignorance and our ways. I fear to put my people under something which they cannot understand, they are like little children who must first be taught the ABC.”²⁹

On the 20th February the Assistant Commissioners, reacting to Moshoeshoe's memorandum drawn jointly by the Chiefs, sub-chiefs, Councillors and Moshoeshoe, wanted to know precisely what Moshoeshoe meant when he said, he wanted to be recognised as Her Majesty's subject, and that my subjects, the Basotho may on account of and through my chieftainship be Her Majesty's too? ³⁰

The Assistant Commissioners bluntly put the question to him thus, “Does Moshesh mean to govern his subjects by native law; and in connection with this, what does Moshesh mean in his

²⁹ Theal, Vol.III, 143.

³⁰ *Ibid.*, 144.

memorandum of yesterday [19-02-1862], when he says, 'I want to be taken care of by the Queen as other people are taken care of?'"³¹

Moshoeshoe in answering this question stated exactly what he wanted the agent for. Secondly he showed what a democratic type of a ruler he was. Thirdly Moshoeshoe in answering this question showed beyond doubt that what was at the back of his mind was nothing but indirect rule. The chief gave an answer to the question of an agent with a tiresome repetitiveness. Moshoeshoe also said his position as a ruler had to be jealously guarded and defended against assorted legions of subverters. Moshoeshoe's words from his mouth were:

"If I obtain an agent, I will be under the Queen as her subject, and my people will be her subjects also, but under me. I am like a man who has a house, the man rules the house and all that is in it, and the Government rules him. My "house" is Basutoland. So that the Queen rules my people only through me. The man whom I ask from the Queen to live with me will guide and direct me, and communicate between me and the Government. I shall then consider myself to be under the Queen's authority. I shall be like a blind man, but when he directs me I shall be considered wise; when the agent and I agree as to what is right, I shall carry it out, and he will report it to Government. I wish to govern my people by native laws, by our own laws, but if the Queen wish after this to introduce other laws into my country, I would be willing..."³²

However, Moshoeshoe pointed out that even though the British may take a leading hand in establishing or introducing a set of rules to govern Lesotho, he wanted the council of the Basotho to play a decisive part in passing such rules so as to ensure stability and peaceful

³¹ Theal, Vol.III, 144.

³² *Ibid.*

transition. Concerning capital punishment, he said that if he found the offender to merit execution, he would first of all consult the Queen before he took any action.

On this day of the 20th February 1862, Moshoeshoe ended up by explaining exactly what he meant by saying he wanted to be taken as the soldier of the queen.

"I do not mean that I would cross the seas as a soldier, but I would be her soldier in all the country about me, as is promised by me in Napier's treaty, where I promised to protect the peace of the Colony on my frontier.....I do not want anything further at present from the Government in relation to my being received as the Queen's subject, nobody would ever think of attacking me, and I think if what I now ask were acceded to, the affairs of my country would become satisfactory to Government."³³

After this, the conference adjourned to the 21st February, 1862. Moshoeshoe's creativeness with the truth and his admirable ability to mould facts to suit his viewpoint was unique.

Moshoeshoe's humane and intelligent approach baffled the Assistant Commissioners. The Chief was a skilful and far-sighted patriot. What Moshoeshoe clearly said he wanted on the 20th February, 1862 from the British was Indirect Rule, which was not going to cost the British anything. However Moshoeshoe, illiterate as he was, was ahead of his time, as Britain only came to regard the concept of Indirect Rule as useful and worth endorsing in 1913, when this policy was applied in Nigeria by Sir Frederick Lugard. Rather than ignoring or undermining traditional political authorities as was then the prevalent British policy in the Eastern Cape, Moshoeshoe was advocating that the British rule African peoples through these authorities.³⁴

³³ Theal, Vol III, 145.

³⁴ Thompson, 254.

Moshoeshoe, by asking for security from the British through the treaties, knew that this was the only weapon left to him. This is why Moshoeshoe refused to acknowledge that his treaties with the British were no longer effective. This is why he used the Conference to stop any campaign to demonise him in the British eyes. The departure point of Moshoeshoe was governed by two considerations: Firstly, that his side of the story be told and recorded properly, in a rapidly changing and often confusing society and political scene; and secondly, that the arms embargo and the Boers' aggression and encroachment on his land be dealt with firmly. Leonard Thompson says about the predicament of Moshoeshoe:

"He knew that his people lacked the power to resist white expansion indefinitely.

To attempt to do so would be suicidal. He was therefore constrained to select the best available option within the general framework of white power, and he did so by exploiting the divisions among the Whites and coming to terms with the British government, which had no apparent interest in disrupting his nation, whereas his settler neighbours coveted his land and were reducing their subject peoples to serfdom."³⁵

Before finally leaving the events surrounding this historic conference which can correctly be billed 'The Judgement Day of Lesotho,' it is important to look into the reasons which Moshoeshoe offered in defending his stand that the treaties were still effective and binding on both the Basotho side and the British side. Specially addressing Wodehouse through the Assistant Commissioners and maintaining that his original treaties were still in existence, Moshoeshoe did not pull punches or mince words. Here for the sake of clarity it must be pointed out that it is the Assistant Commissioners who, on the morning of 21st February 1862, were the first to set the ball rolling. The Assistant Commissioners asked Moshoeshoe as to which of his treaties with the British was still in force?⁴

³⁵ Thompson, 254-55.

Moshoeshoe, in answering the Commissioners' questions, used a simple powerful image that both his councillors and people could easily understand. The Minutes of the Conference record Moshoeshoe's reply.

"Moshesh answers by placing a desk upon the table, a letter on top of the desk, and a hat on the letter, and says, "The table itself is the foundation of all, my original Napier treaty. The tablecloth is the minute of Sir Peregrine Maitland. The bottom of the desk is the minute of Smith, the upper part of the desk is what Sir George Clerk told me. The letter lying on the desk is that of Sir George Grey, in which he promises that my relations with Government will be recommended for consideration, and the hat upon the top is the arrangement I have now been proposing for the consideration of the Queen. I cannot acknowledge that the old foundations are removed, otherwise there would be nothing to build upon."³⁶

What Moshoeshoe meant by this powerful imagery has already been fully explained in the introduction. Moshoeshoe by referring to the Napier Treaty of 1843, which gave him the status of an ally together with the annual salary of £75, which could be in money or ammunition, was reminding the commissioners that no valid reasons to date had been submitted by the British for the termination of that treaty. He was further alerting the commissioner that in the 1840s when humanitarianism was at its height, Lesotho was earmarked as a potential ideal state to spread Christianity and Civilization.

On the 30th June 1845, His Excellency Sir Peregrine Maitland proposed to Moshoeshoe that he should give additional land to the use of Her Majesty's emigrant subjects, a part of the country which according to the Napier Treaty was acknowledged as Basotho territory, namely Smithfield, a large part of Zastron, etc. This Moshoeshoe agreed to, once again showing respect to the British desires. In a similar fashion on the 27th January 1848, Sir Harry Smith proposed to

³⁶ Theal, Vol.III, 146.

Moshoeshoe at Winburg an agreement, which was made strong in writing. Hence Moshoeshoe's statement: "Upon that writing, so far as my country was concerned, was built Sir Harry Smith's proclamation....The written agreement itself styles our arrangement.'This day's *cemented* alliance'."³⁷

To show how seriously Moshoeshoe took these measures, that is the agreements and treaties, he put his forces on the war footing once the Boers under Pretorius, who opposed annexation, attacked Warden in 1848 in the Battle of Boomplaats. Moshoeshoe was ready to fight on the British side as an ally. In 1854, when the British withdrew their rule in the Orange River Sovereignty, the Special Commissioner, Sir George Russell Clerk at Bloemfontein, handed Moshoeshoe a letter dated 24 February, 1854. This letter said:

"Chief Moshesh,- when I saw you near the Caledon River I assured you that on withdrawing from this Territory the British Government continued to entertain towards yourself the same friendly feelings which have been expressed to you by Governor Cathcart and by me.....As I intimated to you in our last conversation, Her Majesty's Government intend to appoint a qualified person to a consular office on the Orange River Frontier....One of his principal duties will be to endeavour to promote good understanding and kindly sentiments, and to be the means of removing any causes of irritation..."³⁸

Again Moshoeshoe took this promise of the British seriously. Evidence to this effect was shown in May 1854. On this occasion Joseph M. Orpen had visited Lesotho, sent by Hoffman who was the first President of the Provisional Government of the newly founded Orange Free State. Moshoeshoe in receiving Orpen as the "first ambassador" of the O.F.S. extolled the virtues of Queen Victoria.

³⁷ Theal, Vol.II, 603.

³⁸ *Ibid.*, 100.

Now in 1862, to the Assistant Commissioners sent to Thaba-Bosiu by Governor Wodehouse, due to the faith Moshoeshoe had in Queen Victoria, and due to the services rendered in furthering the aims of British imperialism, Moshoeshoe was refusing to acknowledge that his friendship and basic alliance with the British had ever elapsed. In this refusal Moshoeshoe was supported by principles underlying the alliance. There was no shred of evidence which the British could produce that Moshoeshoe acted in a manner which violated the spirit and terms of the treaties from 1843 to 1862. Moshoeshoe in refusing to acknowledge that he was no longer an ally said:

~~~~~ "I cannot acknowledge that the old foundations are removed, otherwise there would be nothing to build upon. My connection with Government has been growing from the beginning. It began on the ground and grew up like a tree, and were I to acknowledge that my original treaties were void and broken, the arrangement which I now propose would be like the hat, which is now on top, thrown to the ground, alone, a very little thing. If a child has not got a grandfather or a grandmother, where does the child come from? Suppose the treaties are said to be dead, they are like grandparents in their graves, but their descendants are alive still."<sup>39</sup>

Finally before the historic Conference came to an end on 21st February 1862, the Assistant Commissioners said there was a difference between Moshoeshoe's request of 6th December 1861, and what he now proposed; that Moshoeshoe had said he wanted to be the subject of the Queen; that he would allow the Government to guide him in his internal affairs and to exercise complete control in all matters of peace and war:

“but he would not give up his Chieftainship, or submit to Government having *direct* authority over his people, save only through him’....If the Queen sent an

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<sup>39</sup> Theal, Vol.IIIA, 146.

agent to reside with him and to communicate with him, then, he said he would receive him with gladness, although he would still want to retain his rights over the land. But that was as far as he went.... Wodehouse took a somewhat narrow and cynical view of the chief's intentions: 'his evident object,' he wrote privately, 'is to do exactly as he pleases in his own dominions and at the same time acquire a right to call on us to back him in all rows.'"<sup>40</sup>

The Assistant Commissioners put this question to Moshoeshoe, pointing out that there was a contradiction between what he wanted originally and what he was now proposing. Moshoeshoe answering this question showed that he was ahead of his time as he was in fact proposing Indirect Rule, a concept, at that stage unknown to Wodehouse and the Assistant Commissioners. Answering this question along the lines of Indirect Rule, Moshoeshoe said:

"I do not see any difference between what I asked in my letter and what I now ask; I put this hat under the handkerchief and both of them are under the house [the house being Lesotho, built and controlled by Moshoeshoe], but the handkerchief does not prevent the hat from being still under the house. I ask for an agency because I am the subject of the Queen, and this agent will be the Queen's eyes and ears to me to see and hear whether I am doing my duty to Her Majesty and not deceiving her. I have already said I will consult this man in all that I do, so that I may be able to please Her Majesty."<sup>41</sup>

In concluding this chapter, it is important to quote what Moshoeshoe said just before the close of the Conference. "'I have now opened my heart to the Queen,' he said. 'I have kept nothing back. I pray... that the Queen may understand me and receive me as I have asked.'"<sup>42</sup>

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<sup>40</sup> P Sanders, *Moshoeshoe, Chief of the Sotho*, 253.

<sup>41</sup> Theal, Vol.IIIA, 146-47.

<sup>42</sup> Sanders, 255.

Looking at what Moshoeshoe wanted it becomes clear that he wanted the right to buy arms and ammunition as a minimum. That is, the arms embargo provided for in the Bloemfontein Convention should be abolished. But more importantly, Moshoeshoe wanted permanent peace and security for Lesotho through the protection of Britain. Lastly he wanted the British to help him consolidate his authority not to undermine him after they declared a Protectorate.<sup>43</sup> The important question now is what was the reaction of Wodehouse after his Assistant Commissioners had reported their findings? On the whole Wodehouse himself was not unfavourable to Moshoeshoe's proposals. Firstly, however, he forwarded them to Britain. W.P. Morrell says about Wodehouse's reaction:

"He [Wodehouse] confined himself to suggesting that a judiciously selected Agent be stationed with Moshesh. This was approved at home [Britain]..... But no appointment was made. The President [Pretorius] and State Secretary confidentially informed Wodehouse that 'the probability of such a step being taken..... has caused much anxiety in the Free State.' An Agent in Basutoland who antagonised the Free State might do more harm than good. Wodehouse held his hand."<sup>44</sup>

The question then arises, what was Wodehouse afraid of? After all, he received Moshoeshoe's letter of 6th December 1861, and thereafter sent Assistant Commissioners to find out precisely the wishes of Moshoeshoe. Why now at the last stage did he fear to implement his decision as he originally indicated that he wanted to accede to Moshoeshoe's demands? Wodehouse in the first place could not give Moshoeshoe the right to buy arms because that would violate the terms of the Bloemfontein Convention.

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<sup>43</sup> Sanders, 255.

<sup>44</sup> W.P. Morrell, *British Colonial Policy in the Mid-Victorian Age*, 154-55.

Yet, what about the question of an Agent, which in fact Moshoeshoe had been promised, first by Sir George Russell Clerk, and later by Sir George Grey? Wodehouse himself wanted to give Moshoeshoe an agent. Why did he stop just when he was about to implement the move? Peter Sanders provides a possible answer:

"The proposed agency was the kernel of Moshoeshoe's plans, and had it been established, even in this attenuated form, his objectives might well have been gained. In June [1862], however, a Free State Commission consisting of Pretorius and his Government Secretary, Joseph Allison, arrived in Cape Town. Their main business with Wodehouse concerned customs dues, but they also expressed their acute anxiety about his intention to send a representative to Thaba Bosiu. They were evidently afraid that he would choose Orpen, for they impressed on him the difficulty of finding an impartial and competent man for the post. In deference to their wishes Wodehouse took no further action. Once again a British High Commissioner had shown himself more alive to the apprehensions of the Afrikaners than the needs of the Sotho."<sup>45</sup>

Moshoeshoe as a black man could never get a fair deal from the British High Commissioners. The High Commissioners would never do anything which created the impression that Moshoeshoe in the eyes of the law and the treaties was equal to or better than the Afrikaners. But in this case Wodehouse, by not honouring the terms of the treaties with Moshoeshoe, did not serve even the cause of the British Empire in the long run. Peter Sanders talking about the tactical blunder of Wodehouse says "even in terms of his own interests Wodehouse's neglect [to take Moshoeshoe as a British ally and give him an agent] was to prove a short-sighted blunder. In terms of Moshoeshoe's it was fraught with disaster."<sup>46</sup>

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<sup>45</sup> Sanders, 256.

<sup>46</sup> *Ibid.*

The Boers' apprehensions on the other hand stemmed from the fact that the Agent to be appointed was probably Joseph Orpen. Orpen knew all about the dispute surrounding the boundary question, especially where the treaty of Napier was concerned. Orpen was quite a strong supporter of the Basotho cause. He was anything but neutral. On the other hand, he knew a great deal about the inner workings of the Orange Free State. The leaders of the OFS were therefore afraid that Orpen would expose the truth and put them at a disadvantage. The historic conference held at Thaba-Bosiu never achieved anything tangible for Moshoeshoe and the Basotho.

Commenting on the inertia and paralysis of Wodehouse who could have averted disaster between Moshoeshoe and the Boers, Leonard Thompson says:

"Five more years [from 1862] would elapse, much blood would be shed, and Moshoeshoe himself would have sunk into senility before his strategy was, in some sense, fulfilled. Moshoeshoe was justified in seeking advice for the strengthening of his monarchy, for a process of disintegration set in as his energy ebbed away during his final years."<sup>47</sup>

Yet passing a strong condemnation of the British, who refused to take cognisance of the dangers of the situation Moshoeshoe faced and his yearning for a lasting peace, R. C. Germond pulls no punches. He condemns the British for lack of moral rectitude and for lack of honesty towards Moshoeshoe. For R.C. Germond says, had the British paid heed to what Moshoeshoe wanted, Lesotho and her territorial integrity could have been saved by Wodehouse much earlier.<sup>48</sup>

Thus Moshoeshoe, by initiating the historic Thaba-Bosiu Conference through his letter of 6th December 1861, had provided Wodehouse with a golden opportunity to right the wrongs of the past, and correct the constant dithering and duplicity of the British, who seemed always to

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<sup>47</sup> Thompson, 255.

<sup>48</sup> RC Germond, *Chronicles of Basutoland*, 262.

subvert Basotho interests in the name of their larger geo-political goals vis-a-vis the Orange Free State. Moshoeshoe's treaties with the British were consistently sacrificed on the alter of what was perceived as British self-interest. By world standards, in his orderliness, maturity and self-direction, Moshoeshoe was a class act. He held the moral high ground. What spoiled this record was only the cattle stealing, the fact that Moshoeshoe was no absolute Monarch who could always control his people. Even in this respect the British were partly to blame as they refused to provide an agent or a clear demarcation line, both of which could have averted serious trouble.

## CHAPTER SIX

### FACTORS LEADING TO THE ANNEXATION OF LESOTHO IN 1868: THE PRIMACY OF BRITAIN'S REGIONAL GEO-POLITICAL INTERESTS

In this chapter and the following one, we shall endeavour to understand the many factors which led to the annexation of Lesotho by Britain in 1868. In order to avoid an excessively long chapter, the factors have been divided into two groups - geopolitical and other. Thus, Chapters Six and Seven will cover the same time period but from different angles.

In order to fully understand Britain's regional geo-political interests and their bearing on the annexation of Lesotho in 1868, it is imperative first to go back and understand the rationale, thinking and motive of the British withdrawal from the Orange River Sovereignty in 1854. The point to clarify is what exactly did British withdrawal mean? What in essence lay behind the policy of conventions? And in being implemented what were the long term effects of these conventions? Did the withdrawal of British rule mean that Britain thereafter would have nothing to do with the Boers? After all,

“In 1852, the Sand River Convention recognised the independence of the Boers living north of the Vaal River; two years later the Bloemfontein Convention withdrew British Sovereignty from beyond the Orange River. The two Conventions meant that the Trekkers were free after all to establish independent republics. They meant that the Trekkers were free to manage their relations with their native neighbours. The Great Trek had conquered. South Africa was a land divided.”<sup>1</sup>

But precisely and in real terms, what did this independence mean? This independence of the Boers merely gave them the right to treat Africans as they liked and dispossess them of their

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<sup>1</sup> CW De Kiewiet, *A History of South Africa Social & Economic*, 66.

land. The major feeling in the Colonial Office was that this independence would help lessen the dependence of the great colonies on the mother country for their defence against Africans who did not want to part with their land without a struggle. In short the Conventions gave the Boer Republics all the trappings of independent states subject to the fact that the two Boer Republics could not establish ties with foreign powers hostile to Britain. Though supposedly independent, the two Boer republics were in fact satellite states of Great Britain. The policy of the Conventions was based along the lines of Neo-Colonialism. The policy as such could be described as the policy of encirclement, keeping the Boer Republics away from the ocean harbours so that they remained under the umbrella of Britain and her imperial policy in southern Africa. In short, though they were supposed to be "independent" the Boer Republics were in fact tied to the coat-tails of Great Britain as a mother country.

From another perspective, the policy of the Conventions was inappropriate even where the British were concerned even though they maintained their hegemony over the region. This explains why C.J. Uys, an Afrikaner historian, put the whole policy in a different historical perspective, and said:

"The Conventions had given meaning to the Great Trek and were a singular triumph for the Boer emigrants and a landmark in the history of South Africa. But from a British point of view these Treaties were the fruit of a hasty and ill-considered policy. They had created barriers to British expansion and had set up two Republics which could at any time be used by foreign Powers as a stepping-stone to the interior of South Africa, and as weapons against British political and commercial interests in this part of the globe. The incidence of these political blunders - for such the Conventions were - could only be palliated by preventing the Republics from acquiring a harbour of their own and by keeping them economically dependent on the British colonies in South Africa."<sup>2</sup>

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<sup>2</sup> C.J. Uys, *In the Era of Shepstone*, 35.



Although the policy of Conventions might have been perceived by Uys to have been the fruit of hasty and ill-conceived policy, yet the fundamental strategy and rationale was sound according to the British. Central to the policy of Conventions was the encirclement of the Boers. The first step in this policy was to give the Transvaal its independence knowing that there was no way Transvaal could break the encirclement. C.J. Uys says on this point:

“Between the South African Republic, the name by which the Transvaal was thenceforth known, and Delagoa Bay, its natural harbour, there lurked the tsetse fly fatal to beasts of burden. This barrier could only be surmounted by the construction of a railway, but the Republic had not the money for such a vast undertaking. There was also St. Lucia Bay at the mouth of the Umfolozi River. Here, however, the Boer designs had been anticipated shortly after the annexation of Natal.”<sup>3</sup>

To show that when Transvaal got its independence, on January 16 1852, through the Sand River Convention, a lot of careful thought was given to encirclement as such was further shown by the opening which St. Lucia posed.

“As soon as Her Majesty's Commissioner, Mr. H. Cloete, heard that the Emigrants cherished the hope of obtaining a seaport at St. Lucia, he hurried to the Zulu chief Panda and persuaded him, with little difficulty, to affix his mark to a treaty, ceding the bay and surrounding shores to the British, ‘to prevent any foreign Power from forming a settlement there!’ The cession was duly confirmed by the Colonial Office ‘as a safeguard against other Powers,’ and on condition that no settlement was contemplated.”<sup>4</sup>

This discussion brings us to a very important and pertinent question of how did Lesotho

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<sup>3</sup> Uys, 35.

<sup>4</sup> *Ibid.*

and Moshoeshoe fit into the jigsaw puzzle of Conventions? To understand the position of Lesotho centrally situated between the Cape and Natal is to understand the question of annexation, and why it came as it did and in the manner it occurred. Viewed from the perspective of encirclement, which in essence was central to the policies of Conventions, Moshoeshoe's position was crucial. Cathcart had already warned the British Government, as early as 1852, that Moshoeshoe could not be dismissed as insignificant in the lower Caledon; that the disregard of the might of the Basotho had the potential to cause irreparable damage to the process of withdrawal; and that it would be politically unwise not to give Moshoeshoe his rightful status as ally. Here it should be remembered that Cathcart said: "The Basuto force, consisting of from five to six thousand calvary and, it is said, two thousand infantry, well armed, generally with fire arms as well as assagais...."<sup>5</sup>

Cathcart, in the same despatch to the right Honourable, the Secretary of State for the Colonies also said that after the first clash with the Basotho forces, and the stiff opposition he met, said:

"I recognised an important crisis, in which one false step might involve the nation in a Basuto war, and embarrass the Government by perhaps irretrievably compromising the free option which now exists as to their future policy....Under these circumstances, I thought it my duty to accept the chief's submission, without further prosecution of the war."<sup>6</sup>

In other words Cathcart gave Moshoeshoe peace, so as to give the British Government a free hand and option as to their future policy of encirclement, which is why Cathcart, stating his

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<sup>5</sup> Dispatch from Governor the Hon. G. Cathcart to the Right Hon. The Secretary of State for the Colonies, 13th January 1853, in GM Theal, *Basutoland Records*, vol.II, 3.

<sup>6</sup> *Ibid.*, 4.

objective to the Secretary of State for the Colonies, said that Moshoeshoe was a valuable and willing ally who could be called upon as it was required.<sup>7</sup>

Cathcart restored the status of Moshoeshoe as an ally so that the policy of Conventions could be a viable alternative. In other words Cathcart saw that there was no way in which the entire policy could be implemented if it meant leaving Moshoeshoe out in the cold, and not as an ally. The policy of Conventions could not be successfully consolidated without the blessing and cooperation of Moshoeshoe. In essence Moshoeshoe was central to the success of the whole policy of encirclement of the Boers by the British, keeping them away from the harbours. The Basotho stood in the way of the Orange Free State, preventing the possibility of it gaining access to the port at the mouth of the Mzimvubu, namely Port St. John's.<sup>8</sup>

Governor Cathcart after the Battle of Berea saw that due to the might of the Basotho it was imperative to retain a moral influence over Moshoeshoe. This view was strengthened by Rev. H. Moore Dyke, who, addressing a person unknown according to Theal, said of Moshoeshoe at Thaba-Bosiu on 28 December 1852,

"Doubts will be entertained among men at a distance as to the sincerity of the Chief. I entertain no doubt. He ever wished to avoid a war with the British Government; and now that his people have seen that such a war would be a most serious concern for them, they will be more inclined to listen to Moshesh and, I trust, desist from annoying the farmers."<sup>9</sup>

The desire to again exercise a moral influence over Moshoeshoe by Cathcart stemmed from the fact that Cathcart was afraid to destroy the power of so powerful, shrewd, wise and far-

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<sup>7</sup> Theal, Vol.II, 3.

<sup>8</sup> Uys, 35.

<sup>9</sup> Letter from the Rev. Mr. Dyke on the Battle of Berea, 28th December 1852, in Theal, Vol.I, 634.

sighted a leader as Moshoeshoe. If Moshoeshoe's power was destroyed, Cathcart feared that the Basotho would make the Free State ungovernable and anarchy would prevail. The Bloemfontein Convention of 1854 could only be implemented with the approval of Moshoeshoe.

"The reply of His Excellency, judged by those who know the real position of things, shows him to be a merciful and a decided ruler, but also one who possesses a depth of penetration remarkable. He had at once seen the folly of those men who had treated with contempt the strength of the Basutos, and the inevitable miseries which must result from prolonged war. He also saw that if Moshoeshoe's authority was destroyed, there was no other Chief who could, even in a measure, control these people [the Basotho]."<sup>10</sup>

The power Moshoeshoe wielded over the Basotho explains why, in 1852, Cathcart made the effort, a miraculous effort, to save the alliance. Again in 1854, on the 13th of March, Cathcart repeated the exercise because he was basically afraid of the consequences that might follow if Moshoeshoe decided to attack the Boers, or behave in a manner which was unpredictable and unfriendly towards the British. Cathcart further showed how sensitive he was towards the friendship he made with Moshoeshoe when he issued a general order aimed at the military officers in Kaffraria, threatening to charge them with high treason if they provoked war. Why? The answer simply put is that Moshoeshoe was central to the success of the Conventions. De Kiewiet says on this point:

"As long as the British Government retained possession of the sea-board, and controlled the commerce of the interior states and their communications with the outside world, the spread of the Boers in the hinterland would not only, maintained Clerk, prove to be 'unattended with pernicious consequences,' but

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<sup>10</sup> Theal, Vol.I, 634.

might be rendered materially conducive to the advancement of civilization.....But if the state of affairs in the interior became dangerous to British interests, pressure, Clerk averred, could always be brought to bear upon the combatants either through England's control of the coastline or through the exercise of influence with the natives."<sup>11</sup>

Cathcart by treating Moshoeshoe in the manner he did was simply toeing the line dictated by the basic motive of the Conventions. What Cathcart did was therefore to create an impression which, viewed at face value, seemed to be in sharp contrast to that of Clerk, whereas basically their policy was the same. Cathcart relentlessly encouraged Moshoeshoe to revitalise his energies in keeping the alliance going so that Britain through the Governors at the Cape could always control Moshoeshoe through the exercise of moral influence stemming from the treaties. Whereas the Boers were to be controlled by England's monopoly of the coastline. In this set-up one crucial factor remained partially concealed but was nevertheless the bottom line. According to De Kiewiet: "The fact however remained that the Boers were now the allies [of the British] and the natives the enemies."<sup>12</sup>

The British were to show and exercise their influence over Moshoeshoe to grant peace to Boshof in the first Basotho-Boer War of 1858 which Moshoeshoe, under pressure from Sir George Grey, granted. Yet the British were to show that they did not want the Boers close to the coastline when they occupied St. Lucia, as a safeguard against other powers, and on condition that no British settlement was contemplated at St. Lucia. The move was part of the encirclement of the Boers to keep them away from the harbours. However this policy of the Conventions which implied the encirclement of the Boers did not fool the Boers. C.J. Uys says in 1860, the Boers were aware of the real intentions of the British:

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<sup>11</sup> CW De Kiewiet, *British Colonial Policy and the South African Republics, 1848-1872*, 80.

<sup>12</sup> *Ibid.*, 80.

"The interference of the British authorities in transfrontier affairs was viewed with suspicion by the new President of the Transvaal, Marthinus, the son of the famous Andries Pretorius, and added to his zeal for uniting the two Republics. The British Government had placed the political union of the two Republics beyond his reach, but he decided to effect a personal union by becoming President of both States.....on taking the oath as President of the Orange Free State.....he was also reported to have said: 'I have one grand object in view, but which I cannot at present disclose.'"<sup>13</sup>

By having said that he had a grand object in view, but could not at present disclose it, President Marthinus Pretorius set the alarm bells ringing where the Bloemfontein (1854) and Sand River Conventions (1852) were concerned. This statement of Pretorius apparently struck at the centre of the whole policy of Conventions namely encirclement. In reaction,

"In Cape Town business men were puzzled and nervously put their heads together to ascertain what was at the back of the mind of the Free State oracle. Wynyard, the Acting Governor, influenced by commercial Cape Town, jumped to the conclusion that Pretorius was aiming at an outlet to the sea by way of Port St. John's and advised the Colonial Office to lose no time in extending British jurisdiction over the territory beyond the Kei River, whereby a long start would be gained on the President of the Orange Free State. This communication started the race for the possession of Port St. John's."<sup>14</sup>

Thus the British were caught off-balance in their policy of encircling the Boers by the Conventions. They had to come with a way forward as to how to preserve their policy towards the Boers who were tacitly allies on the one hand, and Moshoeshoe who still insisted that he had

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<sup>13</sup> Uys, 39-40.

<sup>14</sup> *Ibid.*, 40.

treaties with the British Government on the other hand. For what Pretorius had implied contradicted the very essence of the policy of conventions. What Pretorius said accorded the architects of the Conventions, namely Cathcart and Clerk, the titles of "Masters of miscalculation", and made it almost impossible to find a face-saving formula except by the acquisition of Port St. John's in the fashion of St. Lucia. C.J. Uys states on this issue:

"On returning to South Africa in January, 1861, Sir George Grey at once summoned to his side Colonel John Maclean, the Lieutenant-Governor of British Kaffraria, and instructed him to impress upon Faku the necessity of establishing a British custom house at the mouth of the Umzimvubu. Before Grey could effect his purpose he was transferred from the Cape Colony, but his successor, Sir Philip Wodehouse, left no stone unturned to acquire a footing at the St. John's."<sup>15</sup>

The British Government system of Conventions was thrown into confusion at the Cape. The statement of Pretorius led to a crisis in the Cape, or to be precise, the race for Port St. John's had begun. At the centre of this storm was the policy of keeping the Boers away from the sea at all cost. Significantly Wodehouse acknowledged the importance of Port St. John's:

"The chronic hostilities between the Orange Free State and Moshesh spurred him on to redouble his efforts, for he, too, thought that the Boers were merely fighting the Basuto to cut a corridor to the coast. And when President Brand's gun began to boom in Basutoland, both he and the Lieutenant-Governor of Natal made a bee-line for the sea: the latter annexed the present County of Alfred to Natal...."<sup>16</sup>

At this stage the following events have to be explained: That after Wodehouse had sent John Burnet and Joseph Orpen to Lesotho in 1861, he tried to win favour with Pretorius and his

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<sup>15</sup> Uys, 40..

<sup>16</sup> *Ibid.*

Government Secretary, Joseph Allison, by refusing Moshoeshoe an Agent.<sup>17</sup> If Sir Philip Wodehouse did this in order to win the trust of the Boers, the strategy boomeranged on him in the long term because the Boers were not placated by his refusing to take Moshoeshoe as a British subject under the terms of Indirect Rule. Wodehouse made another blunder by refusing to co-operate with Moshoeshoe as he lost a vital opportunity to take advantage of the treaties, but also a chance to make a clean break with their unsavoury past where the treaties were concerned. What perhaps makes it rather hard to understand the thinking of Wodehouse in his refusal of Moshoeshoe's request is the fact that, after war broke out again between the Orange Free State and Lesotho in 1865,<sup>18</sup> the Governor knew that Port St. John's was a temptation for

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<sup>17</sup> P Sanders, *Moshoeshoe, Chief of the Sotho*, 256.

<sup>18</sup> The Second Basotho-Boer War (1865-66) was caused by a number of factors, not least of which was the outward pressure of the Basotho, who occupied increasing numbers of farms in the Winburg District which were north of the Warden Line. Moshoeshoe had a more difficult time attempting to control Mopeli, Moletsane and Molapo. Efforts to find a satisfactory negotiated settlement between Moshoeshoe and successive Presidents of the OFS - M.W. Pretorius (Treaty of Habo Khotso 1860) and later Brand (Wodehouse Award of 1864) - failed completely as the Basotho were not prepared to honour the Warden Line or Wodehouse's most recent pronouncements in late 1864. The authority of Moshoeshoe seemed to no longer hold sway, and the cry of the younger chiefs that they should reclaim their ancestral lands was deafening.

When on 4 November 1864, Moshoeshoe received a letter from Brand demanding that the Basotho withdraw to the south and east of the Wodehouse Line before month end, war seemed inevitable, especially as it meant the abandoning of crops before they could be harvested. The younger chiefs were anxious for war and believed that they were strong enough to withstand the OFS. Moshoeshoe, remarkably, rallied his energies and reasserted his authority at the time, clearing almost all of the disputed territory in time!

It was finally Moshoeshoe's nephew, Lesaoana, who provoked war by his raids. By this time, sections of the OFS burghers were also eager for war, disappointed that Moshoeshoe's efforts had actually succeeded in halting the drift to war. Lesaoana, ungovernable by anyone, gave the war mongers the pretext they needed. Even though Moshoeshoe made further concerted efforts to arrest the drift towards conflict, the actions of his subordinates, however minor, were blown out of proportion. War was now the main aim of the OFS.

The relative strength of both sides had changed considerably since the last war. The OFS military forces now numbered over 2 000, but more importantly, each possessed a modern rifle with ample ammunition. The Basotho, though still numerous with over 10 000 mounted and armed warriors, only possessed old and often defective muskets, being very short of gun powder and lead. Thus, their bullets travelled slowly, often falling far short of the target.

When war erupted in June 1865, the Basotho were nevertheless quite confident. They would seek to prevent the OFS commandos from entering Basotho territory. But the OFS forces were also well organised and highly motivated. Initial engagements proved conclusively that the Basotho could not stand against the fire power of the Boers, and thus they were forced to retreat to Thaba-Bosiu. Even the national fortress would have been stormed by the Free State commandos in August 1865 had it not been for the disunity and delays experienced during the assault on the mountain. Commandant Wepener was killed after which the morale of the OFS forces collapsed. A siege followed, and more fighting broke out early in 1866. But essentially the war was over. The Basotho, starved of food and facing a bleak winter, sued for peace and the Treaty of Thaba-Bosiu was signed, forcing the Basotho to alienate large tracts of their former territory. See Sanders, 243-69



the Boers to get access to the sea.

“For some time the matter was forgotten but the attention of the British authorities was directed to it again by the success of the Free State in the war of 1865-6. During the course of that struggle, Wodehouse had the idea that the Free State was endeavouring to force a road to the sea and in May 1866 he drew the attention of the British Government to this danger....”<sup>19</sup>

Yet another factor that showed that Britain was more interested in encircling the Boers, rather than upholding the treaties with Moshoeshoe, was the fact that in April 1866, Wodehouse tried to buy Port St. Johns's rather than defend the rights of the Basotho.

“During the previous month [April 1866], Wodehouse had directed Alfred White, a trader in Pondoland, to see Faku, the Paramount Chief, with the object of obtaining for the British Government so much of his territory as would secure the command of the trade and navigation of the Umzimvubu River. For this he [Wodehouse] was willing to pay R1,000 [£ 500] either in arms or in cattle. White willingly complied and in his discussion with the Paramount Chief showed either a singular disregard for truth or a peculiar ignorance of historical facts. He accused the Boers of a complete lack of respect for Native rights and said that Great Britain had occupied Natal to defend those rights.”<sup>20</sup>

The British, caught out in their effort to block the Free Staters from getting an access to the sea, in contravention of the policy of Conventions, started smearing Boers with lies. This was

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and 284-295, and Tylden 84-103.

<sup>19</sup> TB Barlow, *President Brand and His Times*, 87.

<sup>20</sup> *Ibid.*

one thing that the British were good at, always passing the buck, and putting blame on the Boers. However the British through Alfred White were not successful in persuading Faku to part with Port St. John's. This move which stiffened Faku's resolve not to part with Port St. John's also helped Lesotho and Moshoeshoe, leading in the final analysis to the annexation of Lesotho.

"Faku, however, was unwilling to make such a grant and once more the fates intervened. Faku's son and heir, Umqikela, fell ill and drought and sickness visited the land. The witchdoctors held these events to be connected with Wodehouse's aims and stiffened Faku in his refusal to negotiate. All Wodehouse could obtain was a promise that the Paramount Chief would not alienate his territory to any third party, but this was deemed to be insufficient against the onward sweep of the Free Staters. The Governor therefore continued his efforts to get Great Britain to annex Basutoland."<sup>21</sup>

The British as they went about smearing Boers with lies did not pull any punches. Up to now, April and May 1866, the British had played a dangerously contemptuous - and contemptible - game with the Boers by giving them independence through the Sand River Convention of 1852, and the Bloemfontein Convention of 1854. But now with the Boers having defeated Moshoeshoe, a feat that led to the peace treaty of April 1866, known as the Peace of the Corn, or Treaty of Thaba-Bosiu, the British made a complete U-turn on the Conventions after the Basotho were forced to give up large parts of their territory to the OFS.

The British were now trapped: they could not any longer pretend to honour the Bloemfontein Convention, and started secretly denouncing the Boers lack of respect for Native Rights. Due to the fear the British had of the Boers getting an outlet to the sea, bad stories were told to Faku about the Boers, and their violation of African rights. The British dealing with Faku,

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<sup>21</sup> Barlow, 88-89.

through Alfred White, said it was now time for the British Government and all its agencies to show that black people must be protected from the Boers. The British, in order to stop the menace represented by the Boers, now wanted to protect Faku at all cost. Alfred White on this point said, urging Faku to cede Port St. John's to the British that the Boers would never respect Native rights, and that the British would only be able to protect them if they (British) could be allowed to occupy Port St. John's, after which the Boers would never dare to trouble the Mpondo of Faku..<sup>22</sup>

Faku in turn was not impressed by the arguments of Alfred White. He refused to do any deal with the British. However, Wodehouse persisted in his endeavour to gain the co-operation of Faku. In desperation on 28th April 1866 the Governor, Sir Philip Wodehouse, decided to use the missionary Thomas Jenkins at Buntingville: "I can only repeat my anxiety to get the St. John's River business settled, and leave it to you."<sup>23</sup>

Still the answer Wodehouse got from Faku was a flat no. Under these circumstances Wodehouse was in a tight corner. His last act was to write to the Secretary of State for the Colonies that it was imperative:

"both politically and for the protection of the revenues of the Cape and Natal that we should get this place [Port St. John's].' But the flagging of the Basuto resistance obliged him to act before he had received the strongly qualified consent of the Colonial Office to the purchase of Port St. John's."<sup>24</sup>

The interesting question is, what did Wodehouse do under these circumstances? The Governor, after he had focussed and mobilised all forces at his command, still failed to secure Port St. John's. He now remembered the offer of Moshoeshoe of 1861 in which he asked for Indirect

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<sup>22</sup> Uys, 41-42.

<sup>23</sup> *Ibid.*, 40-41.

<sup>24</sup> *Ibid.*, 41.

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"Repeated disputes had occurred between the Basuto and the Republic, culminating in the war of 1865-6, a war which seemed likely to end in the impoverishment of both parties and would have a depressing effect upon the Cape Colony. The Basuto were increasing in number and this would cause an overflow into the Colony. In addition they were beginning to split up and trouble would undoubtedly follow upon the death of Moshoeshe, who was now very old. Under these circumstances, so Wodehouse urged, the Basuto should be brought under the authority of the Queen."<sup>25</sup>

Before the events leading to the annexation of Lesotho are fully discussed, it is important to answer the question of why did Faku refuse to cede Port St. John's at all cost. This is necessary because it is the failure of Faku to cede Port St. John's to Wodehouse which set in motion a chain reaction, leading to the annexation of Lesotho. C.J. Uys analysed and explained the importance of Port St. John's to Faku and the annexation of Lesotho.

"The negotiations with the suspicious Faku had miscarried; the Chief was loath to part with his sacred Umzimvubu, where dwelled his lusty pachydermata - the rainmakers of the tribe.... A new train of thought began to develop in the mind of the High Commissioner: if he could terminate the 'miserable and contemptible so-called war' by throwing British sovereignty over the whole or part of Basutoland, he would, as far as the Orange Free State was concerned, bar the path that leads in that all important direction, the sea..... The more shot and shell Brand poured into Moshesh's mountain fortress, the faster the Governor's scheme developed."<sup>26</sup>

Bearing in mind the thinking of Wodehouse and the fact that he saw the Basotho-Boer

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<sup>25</sup> Barlow, 86.

<sup>26</sup> Uys, 43.

war of 1865-6 as the so-called contemptible war, the central question raised is what exactly was the policy of Wodehouse towards the republics? Answering this question T.B. Barlow says:

"The key to the problem lies in those four words used by Wodehouse: *these South African Republics*. By using them as he did, he formulated the policy that the Free State and the Transvaal were to enjoy the rights of sovereign states only as long and in so far as it was convenient for Great Britain that they should do so."<sup>27</sup>

Wodehouse had been convinced for some time that Lesotho should be brought under the authority of the Queen. He had told the Secretary of State for the Colonies about his opinion on the 13<sup>th</sup> January 1866. In his reply of 9 March 1866, Cardwell, the Secretary for the Colonies, said that British rule could only be extended if there was an overriding necessity, a necessity which Cardwell believed was not present in the case of Lesotho.<sup>28</sup>

In March 1867, however, the war<sup>29</sup> resumed between the Orange Free State and Lesotho, thus placing Wodehouse in a precarious position. Lesotho's demise now seemed imminent, following which the OFS would have a clear path to the sea. Wodehouse's annexation scheme was now fully matured and developed. As Brand poured more shot and shell on Thaba-Bosiu, Wodehouse now believed that the "overruling necessity" was present. T.B. Barlow says about the manner Wodehouse convinced the Secretary for the Colonies that Lesotho should be annexed:

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<sup>27</sup> Barlow, 91.

<sup>28</sup> *Ibid.*, 86. See Theal, Vol.III, 596-98 and 632-33 for the letter of Wodehouse and the reply of Cardwell.

<sup>29</sup> The Peace of Thaba-Bosiu was doomed from the start. Having defeated the Basotho militarily, the OFS had nonetheless not destroyed Thaba-Bosiu nor cleared the Basotho off of extensive tracts of land which had been annexed by it. As the crops of 1866 were harvested by the Basotho from these and other lands, life began to return to normal. True, the Basotho had lost large numbers of cattle, but they had not vacated the land. Brand moved ahead to survey and allocate the annexed lands to his followers. Letsie and others were notified of these arrangements in January 1867. The Basotho refused to move, however, and the commandos were recalled. They began trying to clear the land in March. Moshoeshoe had sent most of the cattle to the mountains, and a few fortresses had been well stocked with grain. Although skirmishing occurred, the main hope of Moshoeshoe was in the renewed flurry of diplomatic activity aimed at gaining British protection for Lesotho. See Sanders 296-301.

"Wodehouse had thus lost the first round but he now raised another argument and accused the Free State of attempting to force a road to the coast."<sup>30</sup>

The principle of keeping the Boers away from the coast or harbours in southern Africa was obviously at risk. Wodehouse had in fact come up with the overruling necessity that would enable him to annex Lesotho. True enough, after this accusation, the British focussed all their efforts to ensure that the Boers never defeated Moshoeshoe and thereafter got to Port St. John's. Barlow commenting on the accusation says:

"Wodehouse's attempt to block the Free State in her efforts or supposed efforts to obtain a road to the sea was fully in keeping with British policy during the last century and had the full approval of the British Government. There can be little doubt that the annexation was due in the main to Britain's efforts to block any move on the part of Brand to get a port on the coast."<sup>31</sup>

After the Conventions established the parameters within which the Boers could act freely, they were now prepared to overstep the mark, and even try to get an access to the sea. It was about time Wodehouse became firm and scrapped the Conventions:

"Great Britain, once she made up her mind that the Conventions stood in her way, was prepared to override them and she seldom concerned herself with the principles of international law in her dealings with the Republics. She regarded herself as the paramount power in South Africa and drew the conclusion that the Republics were minor states."<sup>32</sup>

The man on the spot, Wodehouse, knew that he was faced with the reality of the legacy

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<sup>30</sup> Barlow, 86.

<sup>31</sup> *Ibid*, 89.

<sup>32</sup> *Ibid*.

of the Conventions and he swiftly acted to rescue Lesotho from the jaws of the Boer's conquest. Lesotho was annexed on 12 March 1868 while on the verge of the collapse of its fortress, Thaba-Bosiu. Wodehouse had already cut off war supplies and ammunition to the Free State on 10 March in order to stop the Boers from resisting his.<sup>33</sup>

When Wodehouse cut off the supply of arms and ammunition to the Free State, naturally and understandably, the Boers were very bitter. After all, the war had been extremely costly in financial terms. The Orange Free State was almost bankrupt. Further some Boers had lost their lives in the struggle. The road to their victory over the Basotho during the period 1865-1868 was strewn with casualties. This explains why when President Brand learned of the annexation of Lesotho he was both dismayed and very upset. According to E.V. Axelson:

"Brand started up in anger. He threw in the face of Wodehouse the second clause of the Bloemfontein Convention: 'The British Government has no alliance with any Native Chiefs or Tribes to the Northward of the Orange River with the exception of the Griqua Chief Kaptyn Adam Kok; and Her Majesty's Government has no wish or intention to enter hereafter into any treaties which may be injurious or prejudicial to the interests of the Orange River Government.'"<sup>34</sup>

The annexation of Lesotho in this respect became a remarkable paradox, for the arguments which Sir George Russell Clerk used to cajole the Boers to take independence were to be the same arguments which forced the British to return to their erstwhile ally, Moshoeshe. As for President Brand, he threw the second clause of the Bloemfontein Convention in the face of Wodehouse because he did not understand that British supremacy in Southern Africa could not be challenged, that getting an access to the sea was a non - negotiable issue as far as British

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<sup>33</sup> Barlow, 78.

<sup>34</sup> Axelson, 54-55.

Colonial Policy was concerned at the time.

The irony of the whole situation here is that when the Conventions were implemented, it was with the objective of controlling Moshoeshoe. Instead they turned out to be the saving star of Lesotho. The chief motive of the Conventions of 1854 was not only to suppress the blacks in South Africa, it was also to settle an old score with Moshoeshoe who proved a menace to the domination of the British and the Boers.

Fortunately for Lesotho, the mere possibility of the Orange Free State gaining access to Port St. John's was in itself so compelling that it forced Britain to overturn the provisions of the Bloemfontein Convention and annex Lesotho.



## CHAPTER SEVEN

### ADDITIONAL FACTORS THAT FORCED WODEHOUSE TO ANNEX LESOTHO

Lesotho was annexed in 1868 primarily as a result of the overriding geo-political considerations of the British. Those considerations were discussed thoroughly in the previous chapter. In this chapter, the new perspective will focus on additional factors that made annexation possible, namely, humanitarian, economic, and moral factors. Although these factors were not unimportant, they should not be made the focus of attention as has often been the case in many previous treatments of the subject.<sup>1</sup>

From the beginning let it be said that there was a legacy of distrust between the Basotho and the whites, especially the Boers. This legacy of distrust was not confined only to the whites in general. The British for their part did not trust the Boers either. One of the cornerstones of British foreign policy in southern Africa was to keep the Boers from the coast at any cost. What compounded this legacy of distrust was no doubt the fact that in 1854 when Britain withdrew and implemented the policy of Conventions there were no fixed boundaries agreed upon between Moshoeshoe and the Boers. The conventions from the beginning never addressed the vexed question of the boundary line between Lesotho and the Orange Free State.

Here it should be remembered that when Britain withdrew its rule over the Orange River Sovereignty, Clerk left Moshoeshoe with the impression that when Britain withdrew, everything would revert back to the status quo, meaning the Napier Treaty of 1843. The Boers for their part were left with a different opinion that once Britain withdrew, the Warden Line would become the boundary line. The confusion and distrust characterising the relationship of Moshoeshoe and

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<sup>1</sup> Of all the previous scholarly attempts at analysing this period, only Uys and Barlow have given due weight to the geo-political factor in Lesotho's annexation by the British. Although the geo-political dimension is mentioned by many others - Sanders, Thompson, Kimble, van der Poel, van Otten, and Axelson - it is done so almost in passing, and the other factors are given much more weight and coverage. The new perspective asserts that more weight must be given to the geo-political considerations.

the Boers stemmed from this origin. In other words, this perennial misunderstanding between Moshoeshoe and the Boers can be squarely put on the shoulders of Cathcart and the Special Commissioner who was in charge of withdrawal namely, Sir George Russell Clerk.

Thereafter the British were left with the policy of 'neutrality' towards the Basotho on the one hand who were not allowed the right of buying arms for self-protection; whereas the Boers were armed or given the monopoly of buying arms, and thereafter, left to their own devices as to how to deal with Moshoeshoe and the question of the boundary line. When Sir Philip Wodehouse became Governor of the Cape in 1861, this is the legacy of distrust he inherited. The policy of Conventions merely added fuel to the volatile situation ending up with the obsession of fear where the Basotho, the Boers and the British were concerned. The whites' phobia of the black menace continued to haunt them. Nothing could convince a cynical white populace about the bonafide intentions of blacks, and this cynicism was fueled by the stock thefts and other problems along the border. The British for their part were sceptical of the true intentions of Moshoeshoe after Viervoet 1851 and Berea 1852. W.P. Morrell highlighting the problem confronting Wodehouse when he assumed the Governorship says:

"Pretorius and a representative of Moshesh had beaconed off a boundary between Jammerberg Drift on the Orange River and the sources of the Modder in April 1861, but the northern boundary gave trouble and, at the very time when they [Boers] were taking exception to the appointment of an Agent, [to go to Thaba-Bosiu and reside with Moshoeshoe and monitor trouble between the Boers and Basotho on the frontier question], the Free State Government asked the High Commissioner to appoint a Commission 'for the purpose of pointing out to the Chief Moshesh the Winburg and Harrismith boundary line as defined by Sir Harry Smith.....'<sup>2</sup>

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<sup>2</sup> WP Morrell, *British Colonial Policy in the Mid-Victorian Age*, 155.

Here let it be pointed out that Moshoeshoe in 1862 had just asked for Indirect Rule from the Governor and the placing of an Agent. Wodehouse who wanted to give Moshoeshoe an Agent was dissuaded from doing so by Pretorius and his Government Secretary Joseph Allison, who went to Cape Town and put pressure on Wodehouse not to give Moshoeshoe an Agent. As a result of the refusal of Wodehouse to accede to Moshoeshoe's demand, the Chief was bitter. When the issue of a commission came up, Moshoeshoe on this occasion initially refused to co-operate. However, the new president of the Orange Free State, Jan Hendrik Brand, who succeeded Pretorius and was elected on 5th November 1863, was a diplomat. After being sworn into office on 2nd February 1864, Pretorius having returned to the Transvaal, the new President actually sought the help of the High Commissioner on the boundary line.<sup>3</sup> Brand was shrewd in this request to arbitrate on the northern boundary line between Lesotho and the Orange Free State, because if trouble started the Governor would be on the side of the Free State.

Moshoeshoe being put in a corner was afraid to incur the wrath of the Governor and was compelled to agree to arbitration with the following words: "I am the Queen's child," he said, 'What shall I do?... I must trust the Governor, and accept of his mediation as it is offered.' So at eleven o'clock that night he reluctantly added his mark to an appropriate document of agreement."<sup>4</sup>

After these preliminary steps, it was agreed that on the 15th October 1864, Wodehouse would meet both Basotho and Boer representatives so that he could actually look at their claims and thereafter give his award. Wodehouse, before embarking on this historic mission, had already made it clear to the Basotho and Boers that his award would be final and that both parties should be prepared to abide by it. Furthermore, Wodehouse stated that, while the Warden line was to

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<sup>3</sup> P Sanders, *Moshoeshoe, Chief of the Sotho*, 259-260.

<sup>4</sup> *Ibid.*, 260.

be the basis of his award, he would deviate from it where he considered it necessary.<sup>5</sup> The Chief's sagacious words before the final arbitration were:

“‘By the preceding list of deserted lands,’ he wrote, ‘we explain and clearly maintain that this country belongs to us Blacks. We are now crowded together, and we ask why we should be further molested. Having taken so much country, are the white men not content? I point to the deserted Villages of the many Chiefs I have mentioned, and ask if the ruined walls do not prove that those lands are theirs? If the day of equitable settlements has come, have these people not a right to be restored to their old habitations? All these Chiefs are now in my Country, and I say behold and judge between us.’”<sup>6</sup>

If these words of Moshoeshoe did have any impact on the High Commissioner, it is difficult to say. But Peter Sanders maintains that the words had no effect on Wodehouse.<sup>7</sup>

Wodehouse first inspected the Warden Line from east to west. However, the High Commissioner was partial. He did not have any intention of changing the line in favour of the Basotho and very much wanted to appease the Boers. Although the ruins of Basotho villages were pointed out to him north of the line, “He [Wodehouse] readily conceded that the land to the north had once been in their possession and that the ruins of their villages would be found there; but this was of no concern to him.”<sup>8</sup>

With Pretorius out of office, the High Commissioner wanted very much to please Brand. The Basotho, faced with this hostile Governor, displayed heroism, an incredible sense of discipline and a capacity for selflessness. For after some time, they just fell behind the Governor and kept

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<sup>5</sup> Sanders, 260.

<sup>6</sup> *Ibid.*, 261-62.

<sup>7</sup> *Ibid.*, 262.

<sup>8</sup> *Ibid.*

quiet. Wodehouse then withdrew to Aliwal North, and on 28 October [1864], he announced his award. From Jammerberg Drift to the source of the Modder he confirmed the boundary agreed upon by Moshoeshoe and Pretorius, in 1861; and in the north, with one minor exception, he confirmed the Warden Line.<sup>9</sup>

After this award, President Brand, who was young compared to Moshoeshoe, adopted a hard line uncompromising attitude towards Lesotho which finally led to the annexation of the country. What sparked off trouble was that, whereas Wodehouse had specifically given orders that the Basotho should be given enough time to uproot themselves and move into Lesotho, Brand gave them only one month.<sup>10</sup> What perhaps was worse, some burghers even refused to allow the Basotho to harvest their own fields of corn.<sup>11</sup> Tension between the two countries rose sharply, especially because the Basotho were supposed to move during the rainy season. This situation complicated matters and precipitated war between the two countries the following year. The manner in which the Basotho were treated was inexcusable and is explained thus by Germond:

“It appears that the Governor had asked that they [the Basotho] be granted a reasonable delay, but the Free State authorities have ignored this recommendation. The natives had sown their crops, it was the beginning of the rainy season, a time, moreover, when it was not easy to procure building materials; that made no difference..... In the midst of this brutal and hasty expropriation, the weaker section of the population has suffered great hardship; there are rumours of poor women giving birth on the high roads, under a deluge of rain and hail.”<sup>12</sup>

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<sup>9</sup> Sanders, 262..

<sup>10</sup> L. Thompson, 274.

<sup>11</sup> Sanders, 266.

<sup>12</sup> RC Germond, *Chronicles of Basutoland*, 266.

The judgement of Wodehouse and his arbitration resulted in tremendous tension and dislocation of the Basotho communities, the full impact of which was felt even by women. As if His Excellency's verdict were not painful and humiliating enough, the Basotho were now forced into the arid mountains: "to leave them no space in anticipation of the future and of the increase in population...."<sup>13</sup>

Under these circumstances Moshoeshoe's position became desperate. The chief was getting very old, and losing his grip on power. The order to withdraw to east of the Wodehouse Line put Moshoeshoe under severe pressure. Joseph Orpen, at this stage returned to Lesotho and persuaded the Chief to agree, saying that if they agreed, the hope was there that the High Commissioner would protect them from further aggression by the Orange Free State.<sup>14</sup>

Molapo and Mopeli who had a lot to lose from Wodehouse's unpalatable decision were hurt, angry and bitter. They naturally refused to honour the advice of Orpen initially. Orpen who had taken the message to them said of their reaction:

"I could see Moperi's lips quiver as he spoke about the narrow Lesuto that one could cross and recross in a day, and the wide open lands of the Boers which it would take weeks to pass over, and he said, 'What a destroyer without pity the white man is. Where are we to go? Where are we and our children to live?' And Molapo, while talking of his hastening to obey, broke out into a bitter laugh as he said, 'How am I to explain it to my people, that they are to leave their own villages where they were born?'"<sup>15</sup>

Yet another historical factor has to be explained fully at this stage, which made Moshoeshoe lose complete control in the north of Lesotho, added on top of that of Molapo and

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<sup>13</sup> Germond, 267.

<sup>14</sup> Thompson, 274

<sup>15</sup> *Ibid.*

Mopeli. At one stage in the early 1830s, Makhabane, the brother of Moshoeshoe, disputed Moshoeshoe's authority to be the supreme ruler or Chief of the Basotho. Throughout the Lifaqane period Moshoeshoe had been concerned with the internal tensions of his Chieftdom threatened by Makhabane, who had a son, then a minor known as Lesaoana whose descendants are presently based at Mapoteng in the Berea District. Tension between Moshoeshoe and Makhabane came to head in April 1835. On this occasion, Makhabane and Moshoeshoe set out to attack the Thembu in the Eastern Cape. Peter Sanders says about the expedition:

"Makhabane, in defiance of his brother's orders, had insisted that his own regiment, the Maanya, should fight separately and so have the exclusive benefit of any spoil which they might capture, and he expressed this determination in a pun which cannot be reproduced in English, but which is still well remembered in Lesotho today - '*Maanya ha a tlatsoe, e se noka*.'": 'The Maanya [Regiment] do not have to be swollen like a river.' [That Makhabane does not want any assistance from Moshoeshoe.]"<sup>16</sup>

On this occasion in April 1835, the Thembu, having been forewarned according to Peter Sanders, were waiting for the Basotho invasion. They therefore trapped them in the fight and captured Makhabane, Moshoeshoe's brother, and father of Lesaoana. News to this effect was conveyed to Moshoeshoe who could easily have rescued his brother; instead, Moshoeshoe refused to go to his brother to raise the siege and rescue him. Even today, among Makhabane's descendants, this tradition survives.<sup>17</sup>

What was worse for Moshoeshoe where the fate of Makhabane was concerned, was that, after being captured, Makhabane was beheaded. His head was paraded in Thembuland as the main villain in Basutoland, and that his son Lesaoana was even told that he should never ever trust

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<sup>16</sup> Sanders, 53.

<sup>17</sup> *Ibid.*, 54.

the Royal House of Thaba-Bosiu. When Lesaoana came of age, he therefore acted independently and in defiance of Moshoeshoe's orders. Z.D. Mangoaela, who compiled all the praise-poems of famous battles in Basotho history in 1921, captures Moshoeshoe's strategy in this respect where Makhabane was concerned in the following manner: "Thesele [Moshoeshoe's honorary title and name], the other one [Makhabane], where have you left him? [Na, Thesele, e mong o mo siea kae?]"<sup>18</sup>

As a result of Moshoeshoe's treachery in getting rid of his brother, Makhabane, Lesaoana waited on the wings to take his revenge once he assumed the leadership of his people. He therefore watched all the events unfolding in 1864-65 with glee. Once matters had come to a head and the Second Basotho-Boer War was about to erupt between Lesotho and the Orange Free State, Lesaoana acted against Moshoeshoe's explicit instructions. In May 1865, after expelling Lesaoana from the Free State, Brand issued the following proclamation on 9 June 1865: "Rise, then, burghers of the Oranje Free State! To arms, in the name of God....for the suppression of the arrogance and violence of the Basutos!"<sup>19</sup>

Moshoeshoe issued the following instructions, designed specially for the consumption by the British authorities which clearly showed that he was not against the British and did not want to incur their wrath:

"I make this proclamation in order to show that I am not wishing to fight with the Queen or any of her subjects, but only to protect my people from the aggression of the Free State Government, and I trust that my English neighbours will act as fairly towards me as I sincerely intend to act towards them, and that they will not

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<sup>18</sup> Martin Lelimo Collection, Interview with Chief Patrick Lehloeny, near Matsieng the Traditional Royal Village, 10-12-1996. See Z.D. Mangoaela, *Lithoko tsa Marena a Basotho*, 8.

<sup>19</sup> Proclamation by the President of the Orange Free State, in GM Theal, *Basutoland Records*, Vol.IIIA, 360.



assist the boers openly or secretly to crush me, for all persons know that my great sin is that I possess a good and fertile country."<sup>20</sup>

Yet Lesaoana, the son of Makhabane, totally ignored Moshoeshoe's orders that British property should not be touched at all. He also defiantly disregarded Moshoeshoe's orders that British territory should not be violated under any circumstances. This Lesaoana did in revenge for Moshoeshoe's actions toward Makhabane in April 1835. Lesaoana, acting independently of Moshoeshoe, caused considerable damage where the interests of Lesotho were concerned, namely, the protection promised to Moshoeshoe by Orpen. Exonerating Moshoeshoe of blame, RC Germond says:

"During these inroads, Lesaoana who listens to no one, crossed into the Colony of Natal, did much damage and is said to have killed three coloured men and wounded a few Europeans. This act of folly was committed against Moshoeshoe's explicit orders, for he had no wish to wage war against any one but the Free State."<sup>21</sup>

These unwarranted acts of Lesaoana put Moshoeshoe in a poor light where Wodehouse was concerned initially.<sup>22</sup> The problem was that at that time Wodehouse did not know whether Moshoeshoe had sanctioned these unfortunate acts. Shepstone, talking about the orders of Moshoeshoe to Wodehouse in a letter in 1865, complained that though Moshoeshoe had explicitly said that he was not waging war against the British, the truth was that:

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<sup>20</sup> Thompson, 277-78.

<sup>21</sup> Germond, 273-74.

<sup>22</sup> The issue of Lesaoana was further complicated by the fact that he had offered himself to the Free State as a subject and had been conditionally accepted as such. But Moshoeshoe only learned of this later, and thus took full responsibility for Lesaoana's actions. See Thompson, 265. The Free State, in accepting Lesaoana, repeated its tactics of 1858, when it took Jan Letele, one of the most uncontrollable of men, as its subject and ally against Moshoeshoe. Letele had been, together with Posholi, one of the principal sources of stock theft against Boer farmers in the Smithfield District. See Thompson, 222-3, 226. No doubt, Lesaoana, if he had fully joined the Free State side, would have taken his full revenge against Moshoeshoe as Letele had previously done. Lesaoana was later received as a Free State subject during the first part of 1867.

"It is however true that they [Basotho] professed to discriminate between the property of Boers and that of Englishmen, and that in several cases the latter was respected in consequence, as they said, of the word of Moshesh that he had not made war with the English. But with reference to this point I wish to draw Your Excellency's attention to a very significant fact....It happened that on the occurrence of this raid [by Lesaoana] Mr Piet Pretorius and three of his sons, all nearly connected with the President of the Transvaal Republic...were murdered in cold blood....."<sup>23</sup>

Lesaoana as he remembered the incidence of April 1835, where his father was captured and beheaded, due to the treachery of Moshoeshoe, who retorted that, 'the Maanya do not have to be swollen like a river', rather than going to the defence and aid of Makhabane, tore all the strategy of Moshoeshoe to pieces in the 1865-67 Basotho-Boers war. Nothing could stop Lesaoana as he took his revenge on Moshoeshoe. Meantime Wodehouse, who did not understand the predicament of Moshoeshoe:

"Pursued a complex diplomacy. He continued to restrain Natal; he threatened to cut off Brand's ammunition supplies if he persisted in inciting the white and black inhabitants of the Cape Colony to break the law and join in the military operations with the lure of booty; and, while assuring the Colonial Secretary that he had no intention of annexing LeSotho, but merely of giving effect to the earlier plan of appointing a resident Agent to Thaba Bosiu, he instructed Burnet to proceed to LeSotho and impress on Moshoeshoe the absolute necessity of punishing Lesaoana and sending 10,000 cattle to compensate Natal if his request for British

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<sup>23</sup> Letter the Administrator of the Government of Natal to the High Commissioner, 29th July 1865, in Theal, Vol.IIIA, 417.

protection was to be entertained.<sup>24</sup>

John Burnet, Commissioner at Aliwal North, followed the instructions of Wodehouse, and arrived at Thaba-Bosiu, with the war still raging on 6 November 1865. He found the fortress, namely Thaba-Bosiu, in a bad shape. First Burnet realised that Moshoeshoe 'is done mentally'.<sup>25</sup> As a result there was disorganisation and jealousy among the greater chiefs, as they realised that the reins of power were slipping away from Moshoeshoe. What was worse Burnet found that the Chief could not be persuaded to give unequivocal orders for the punishment of Lesaoana, and the rounding up of the many head of cattle demanded as a precondition for any form of British protection.<sup>26</sup> As a result Burnet on 17 December 1865 wrote to Wodehouse:

"Moshesh's once vigorous mind partially gone, his judgement harassed and poisoned by these wretches [diviners and prophets], and no proper intelligence or confidence existing between him and his children on account of his jealousy of their interference with his authority coupled with their jealousy of each other as to the succession it is not going too far to say that there is.....no Government in the country at present....."<sup>27</sup>

With this situation prevailing over Thaba-Bosiu, the actual encounter between Moshoeshoe and the Orange Free State was lop-sided, with the latter emerging victorious. The Basotho on this occasion proved to be no match for the Boers. The Conventions which forbade the Basotho the right to buy arms proved to be a decisive factor in the victory of the Boers. With their old muskets and lack of powder, their bullets often had little impact. The Boers on the other hand possessed modern rifles and ample ammunition. In the first engagements of the war, it

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<sup>24</sup> Thompson, 286-87.

<sup>25</sup> *Ibid.*, 287.

<sup>26</sup> *Ibid.*

<sup>27</sup> *Ibid.*, 288.

became very clear that the Basotho forces could not withstand the fire power of the OFS. The Basotho, despite their determination, were defeated and at last humbled, to such an extent that Moshoeshoe asked for peace.

The Treaty of Thaba-Bosiu, which followed, made matters very difficult for Moshoeshoe. As has already been mentioned, the Basotho were forced to evacuate their lands which now 'belonged' to the Free State, and they were given no chance to reap their maize. Once in Lesotho famine stared them in the face. The Treaty of Thaba-Bosiu was made in order to prevent starvation. This is the reason why the peace treaty was referred to as Khotso-ea-Mabele (The Peace of the Corn). Meantime Burnet, still in Lesotho, wrote to Wodehouse the following firm recommendation:

"If therefore it be the wish of the British Government to preserve Basutoland to the Basutos, and to civilise them, the only way seems to be to extend the Queen's authority over it, otherwise the Basutos will soon cease to exist as a tribe.' Orpen had independently come to the same conclusion."<sup>28</sup>

Matters were so critical that Lesotho faced possible extinction from President Brand's onslaught. It fell to Wodehouse to provide firm leadership, as the only real moral of the whole tragic saga. He was given encouragement in this respect by Orpen who "advised Wodehouse that the BaSotho were now willing to accept British control 'on any terms we please to dictate.'"<sup>29</sup>

Once Wodehouse was given the clear picture of the true state of affairs, he decided to take the bull by the horns and directly proposed to the Colonial Secretary that Britain should annex Lesotho on 13th January 1866. Wodehouse said this was the only way of preserving peace in Southern Africa. Explaining that there was no other alternative he said to Cardwell in Britain:

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<sup>28</sup> Thompson, 288.

<sup>29</sup> *Ibid.*

"Such a step really seems to offer the only permanent prospect for tranquillity. The hatred existing between them [the Basotho] and the Boers is intense, and neither party can keep the other quiet, while neither will willingly quarrel with us, especially as we have complete control over the supply of ammunition."<sup>30</sup>

Unfortunately for Wodehouse events overtook him. With starvation setting in seriously, Moshoeshoe and his councillors decided to sign the Peace of Thaba-Bosiu with the Free State, without Wodehouse's authority. This treaty was meant chiefly to give the Basotho a breathing space to plough and reap their corn, to avoid starvation spreading to every corner of the Lesotho during 1866. T. B. Barlow, stating the terms of the Treaty of Thaba-Bosiu, said:

"On 3 April [1866] the Paramount Chief signed the Treaty of Thaba Bosiu and the struggle came to an end. In terms of Article 1 of the Treaty a piece of territory stretching roughly from just below Bethlehem in the north to Rouxville in the south was added to the Free State. This became to be known as the *Conquered Territory* and was to be immediately evacuated by the Natives and the new boundary lines were to be beaconed off by Government surveyors."<sup>31</sup>

As matters stood like this, the important question to ask is what was the reaction of Sir Philip Wodehouse? The first step was of course that Wodehouse made the last request to Faku to cede Port St. John's offering five hundred golden sovereigns. Further Wodehouse offered to take any terms Faku might offer. In reply:

"Faku, however, was not tempted by the Governor's five hundred golden sovereigns, but was annoyed at the fact that Natal had sliced off a piece of his country and that Adam Kok's heterogeneous following had been located in

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<sup>30</sup> Thompson, 289.

<sup>31</sup> TB Barlow, *President Brand and His Times*, 71.

juxtaposition to him.”<sup>32</sup>

Wodehouse himself now was in a tight corner. He knew of course that the fundamental policy of Great Britain was that the Boers should not get a outlet to the sea. The High Commissioner, according to C.J. Uys, saw red. He now blamed Shepstone for his failures with Faku.

“The High Commissioner, essentially an opportunist, believed in doing things on the quiet.... To Wodehouse it appeared that the negotiations with Chief Faku had miscarried mainly as a result of the ill-timed public display of the Natal Government when annexing the Alfred County.”<sup>33</sup>

As a result of his failures, Wodehouse now started befriending Moshoeshoe and the Basotho. He first started attacking the Bloemfontein Convention as if he had just become aware of its devastating effects on the defences of the Basotho. What now made the policy of conventions in the opinion of Wodehouse morally, technically and truthfully bad was that it left the Basotho defenceless. In 1861, Moshoeshoe had alerted Wodehouse to this danger. But the High Commissioner had kept quiet. But now that Faku had refused to cede Port St. John's, Wodehouse became the advocate of Moshoeshoe on the issue. Wodehouse, pointing out the contradictions of the British policy towards Moshoeshoe, wrote to the Lieutenant Governor of Natal on 26 June 1867:

“It is not surprising that he should be unable to reconcile with our professions of neutrality the fact that we readily supply his enemies with ammunition, while we withhold it from him. The arrangement is very objectionable; but we have by Treaties expressly bound ourselves to facilitate the purchase of Warlike Stores by the two South African Republics, while our Treaty with the Transvaal Republic

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<sup>32</sup> CJ Uys, *In the Era of Shepstone*, 46.

<sup>33</sup> Uys, 45.

prohibits any sale to the natives in that region."<sup>34</sup>

Wodehouse, essentially an opportunist, to use the term of C.J. Uys, now, after Faku refused to cede Port St. John's, began to see reason. Wodehouse, who had agreed to a boundary line which gave the Boers a large part of Lesotho, now suddenly became the friend of Moshoeshoe. C.J. Uys analysing how Faku saved Lesotho says:

"The Governor's mind was made up: if Faku had to remain in possession of his Umzimvubu estuary, he, Wodehouse, had no other alternative to keep the Orange Free State away from the sea but to re-annex it, or to throw British jurisdiction over Basutoland. At the time the first alternative was out of question, because the irksome Bloemfontein Convention stood in the way...."<sup>35</sup>

Lesotho was annexed by the High Commissioner as a highly opportunistic move. For ever since 1861, Moshoeshoe had in fact asked to be taken as a British subject. But rather than accede to this demand, the High Commissioner gave more of Lesotho's land to the Boers. This act helped to precipitate the war of 1865-1867.

After this Wodehouse, feeling his career in the balance, hastened to annex Lesotho. However the decisive factor in the annexation was not the request of Moshoeshoe, but rather the fear of the Boers getting an outlet to the sea. C.J. Uys says on this issue:

"The impoverished Republic on which independence had literally been forced, had sacrificed much blood and treasure to subdue the marauding Basutos, but just when its exhausted fingers were closing on the throat of the Basuto Chief, the High Commissioner snatched away the prize. The blame for this truly ungenerous

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<sup>34</sup> Letter from the High Commissioner to the Lieutenant Governor of Natal, 26th June 1867, in Theal, Vol.IIIB, 787.

<sup>35</sup> Uys, 45-46.

step rests on Faku, rather than on Wodehouse. If the former had agreed to cede or sell Port St. John's to the British Government, the Orange Free State would probably have been permitted to subdue and annex Basutoland."<sup>36</sup>

Faku, in short, refused to sell his lands to Wodehouse, at a very sensitive and crucial historical moment, thereby paving the way for the annexation of Lesotho. The hostile, recalcitrant attitude of Faku to do business with the Governor was to be the salvation of Moshoeshoe and Lesotho; as happened on 12th March 1868. Faku in his refusal to sell Port St. John's made Wodehouse look like a Philanthropist who acted with mercy and compassion during the plight of the Basotho. This benevolent image of Wodehouse is strengthened by the fact that Wodehouse made arrangements with the PEMS missionary, H.M. Dyke, to buy and distribute grain to destitute and starving Basotho who were victims of the war with the Free State in 1867.<sup>37</sup>

Apparently Moshoeshoe in defeat was more important to Wodehouse than Moshoeshoe when he was strong. From the time of Cathcart, running through Clerk, Grey and now Wodehouse, Moshoeshoe's sincerity was always appreciated when the concerned Governors were in trouble and needed his support. Wodehouse, after giving more of Lesotho to the Boers in his arbitration of 1864, who in the process denied the Basotho the right of even harvesting their crops, was busy regretting the decision and now even trying to ameliorate the situation that he had created in the first place.

Yet what proved that Port St. John's was a nightmare to Wodehouse which weighed heavily on his mind was that as he pondered the fate of Lesotho, he turned to Jenkins, the missionary who failed to make Faku cede Port St. John's, and in a confidential letter stated: "I

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<sup>36</sup> Uys, 49-50.

<sup>37</sup> Letter from the Rev. Mr. Dyke to the High Commissioner, 10th June 1867, in Theal, Vol IIIB, 784-86.



believe that by assenting to what they [Moshesh's two sons and the missionaries] ask, we should obtain the best security for permanent tranquillity in those parts and, on the other hand, so long as Boers and Basutos remain independent, things will always be in a very precarious state."<sup>38</sup>

Moshoeshoe at this stage as if sensing that the Governor was at his mercy changed his strategy. He now tried to get Shepstone interested in the annexation of Lesotho. Wodehouse who was secretly bitter that Shepstone was behind the refusal of Faku to cede Port St. John's naturally resented the fact that Natal was getting interested in the annexation of Lesotho. In a move that can only be said to have been cunning, shrewd and diplomatically resourceful Moshoeshoe engaged Theophilus Shepstone.

"The enfeebled Moshesh, speaking through his brother Moperi, was reported to have expressed his willingness to cede to Natal all his rights and his country which, he lamented, had in turn been refused by Sir George Grey, by General Wynyard and by Wodehouse. If Shepstone likewise refused 'to carry him on his back,' nothing but perdition and famine would await his people."<sup>39</sup>

The special reasons advanced by Moshoeshoe on his occasion being that the Basotho would like to be ruled along the same principles under which the Zulus were being governed by Shepstone and the British authorities. Commenting on the reasons offered by Moshoeshoe, who was old and slowly getting out of touch with reality, C.J. Uys noted that "One discerns in this philosophical train of argument the 'hand' of Moperi, but the 'voice' of Natal's 'Jacob' for Native Affairs [Shepstone]."<sup>40</sup>

Wodehouse now moved into action. To what extent this was influenced by the Governor's resentment of Shepstone is not clear. Wodehouse made it clear to the Colonial Office that

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<sup>38</sup> Uys, 46.

<sup>39</sup> *Ibid.*, 47.

<sup>40</sup> *Ibid.*

if they opposed the annexation of Lesotho, he was in fact prepared to resign. Wodehouse said, making his stand clear to the Colonial Office and at the same time indirectly addressing Shepstone:

“‘The policy of leaving virtually to the decision of the Natal Legislature whether the Basutos should become British subjects or not is of very doubtful expediency.’ To make their fate depend on a negotiation with the Free State was to leave it to ‘their most bitter enemies, who now desire nothing so much as their complete ruin.’ If this was insisted on he must resign.”<sup>41</sup>

The British faced with the prospect of the resignation of Wodehouse, who knew what he was talking about, resulted in the eventual agreement to support annexation by the Colonial Office. However, Shepstone who was bitter about the turn of events, attacked what he called the evils Britain allowed under the Convention system. Moshoeshoe, having driven the wedge between Wodehouse and Shepstone, helped to expose what Africans were subjected to under the conventions:

“This decision [to annex Lesotho] was greeted by a chorus of protests from Natal and Shepstone's voice soared highest. The mill of the Natal legislature began to grind it and pulverised both Sir Philip Wodehouse and the Republics. The former, they alleged, had no influence over the tribes to the north of Natal, while in the latter slavery was rampant. According to one of Shepstone's informants, ‘young slave boys were emasculated by their White masters to prevent their running away with slave girls when grown up.’ They, the Republics, had thus broken one of the provisions of the Conventions and had forfeited their claim to independence.”<sup>42</sup>

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<sup>41</sup> Morrell, 167.

<sup>42</sup> Uys, 51.

As the true nature of Conventions was exposed, the British were embarrassed. In supporting the view that both the Orange Free State and Transvaal had no right to independence:

“Lieutenant-Governor Keate argued [supporting Shepstone] that the only remedy for such a revolting evil [which the Conventions have brought about] was ‘reunion sooner or later and in one shape or another of the separated States with the British colonies in South Africa.’ This was a clear indication of the direction in which the official mind of Natal was working. Keate also pleaded that Natal should have its own High Commissioner. Its character as a ‘great Native Government’ gives it influence far beyond its confines.”<sup>43</sup>

In other words Keate seemed to be saying the British High Commissioners, after failing to honour Moshoeshoe, who in many respects was a paragon of a Christian Leader, who was in the first place their creation, had no business calling themselves High Commissioner. They could scarcely be expected to uphold the rights of Natives. The British Commissioners at the Cape, by failing Moshoeshoe, had in fact no respect for treaties and principles. Such perhaps was the stature of Moshoeshoe.

Moshoeshoe indicted the British High Commissioners for their callous disregard of his sacrifices in the quest for peace and security for his people. They were only able to act in his defence to annex Lesotho when Moshoeshoe was on the verge of death. One of their own kind, Lieutenant-Governor of Natal, Keate, stated frankly that as High Commissioners they were in fact hypocritical and useless. This is the reason why he said Natal should have its own High Commissioner. Keate, denouncing the British and Boers in the Transvaal:

“pointed out that the sugar planters were short of labour and that a chief from the north had<sup>f</sup> undertaken to attend to their requirements, but could not do so in

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<sup>43</sup> Uys, 51-52.

consequence of the interposing South African Republic with her slave-catching inhabitants."<sup>44</sup>

Justice delayed is justice denied. Shepstone and Keate were of the opinion that Moshoeshoe, when he lamented that the British High Commissioner had turned against him, was right. Shepstone and Keate accepted that central to the failures of Conventions was their lack of credibility for everybody except the Boers of the Transvaal and the Orange Free State.

Acknowledgement of this short-coming of the policy of Conventions no doubt in itself was a fundamental step forward in an attempt to redress this legacy. In asking for a separate High Commissioner Natal was saying it did not want to be associated with all the atrocities committed under the Conventions. Furthermore Shepstone and Keate were saying they wanted to be ruled by somebody whose values were driven by the rules of fairness rather than racial sentiments against blacks.

Their observation of what transpired under the Conventions was such that they said the High Commissioners at the Cape Colony did not have the right to annex Lesotho on moral grounds. The High Commissioners were a guilty party because they assisted in the policy that turned the Basotho into cannon fodder for the Boers in the Orange Free State, whereas in the Transvaal the Blacks were turned into slaves. Their observations took into cognisance a very sad reality, that due to racial prejudice no where was Moshoeshoe given justice by the successive High Commissioners. They merely used Moshoeshoe to further their careers and the British interests. More importantly their callous conduct as High Commissioners left a lot to be desired concerning the rights of Blacks.

Their cautionary comments were really an attempt to query the High Commissioners' judgements, using a moral yardstick to question their suitability to such a high office given the

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<sup>44</sup> Uys. 52.

hypocrisy practised under the Conventions, which included allowing slavery to exist in the Transvaal, practising a fake neutrality vis-a-vis Lesotho and the Free State, which always benefited the latter. They said Wodehouse could be said to have been right in annexing Lesotho, but the motives for annexation were rather suspect. Wodehouse's annexation was deemed right for the wrong reasons.

Shepstone and Keate threw down the gauntlet in bitterness, because they too wanted to annex Lesotho for their own plans, because they wanted to be connected to the Cape without passing through the Boer's territory, the Orange Free State. "Natal had practically been fenced in and like a caged beast Shepstone paced up and down on the banks of the Tugela. He had staked everything on Basutoland in search of 'a safety valve,' but he had been outwitted by Wodehouse...."<sup>45</sup>

Small wonder then, why Shepstone said in bitterness that the High Commissioners had permitted the creation of the framework which allowed atrocities and slavery to thrive in the name of Conventions, and left the Boers to do the dirty work. Then when Moshoeshoe wanted to come under Natal, Wodehouse now snatched Lesotho away. However in defence of the stand of Wodehouse, let it be pointed out that Shepstone and Keate were not the only ones who attacked the policy of Conventions. Wodehouse, pointing out the contradictions of the Conventions did attack and denounce the contradictions of the entire policy of the British towards Moshoeshoe. Wodehouse wrote to the Lieutenant-Governor of Natal, Keate on 26th June 1867 as already shown. The letter that forced Wodehouse to annex Lesotho in 1868, was what John Burnet said in a letter dated 8th July 1867 written by the Civil Commissioner of Aliwal North to Wodehouse;

"My Dear Sir Philip, - Since putting up the *Friend* I have seen a letter from missionary Mabile. It is quite true that all is in motion in Basutoland to render the

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<sup>45</sup> Uys, 52.

Treaty [of Thaba-Bosiu] null and void. In fact Moshesh and all the Chiefs deny that it ever existed save in the imagination of the Free State Authorities. Messages are being sent out wherever any settlers are known to have come, with the word of Moshesh that they must not think of it. The new Reserve proposed [in the conquered territory or farms] to be established at the Orange River is not to be allowed. All the Natives around and upon it are instructed not to stir, and if attacked by the Boers help will be sent to them to enable them to resist. A couple of months, Mr M. thinks, will bring on hostilities.”<sup>46</sup>

In 1867 relationships between Wodehouse and Brand reached a low ebb; they deteriorated even further when hostilities broke out again towards the end of 1867, making the annexation of Lesotho a virtual certainty by Wodehouse. Keate and Wodehouse both wanted Lesotho annexed for similar reasons, that is economic reasons. Their point of departure being that the war as such was disrupting trade and likely to do so even in the future. They differed only on one major point, as to whether Lesotho should be annexed to Natal or the Cape Colony. Keate using the same economic arguments used by Wodehouse, said when addressing the High Commissioner about the economic reasons necessitating intervention by Great Britain:

“So far as I am able with my short experience to form an opinion on the subject, it seems to me that it will be no easy matter for the Free State Boers to occupy and settle the country which they profess to have conquered and annexed .... [this] will have, I fear, a very prejudicial effect upon the progress of this Colony [Natal]. It will stand in the way of anything like extended immigration from Europe; [The Boers conquest of Basotho territory] will ruin the Overberg trade, which is of such paramount importance to us, and it must check the introduction of capital for

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<sup>46</sup> Theal, Vol.IIIB, 787.

the formation of railways, the opening out and working of our coal fields, and for the development generally of the latent resources of the Colony."<sup>47</sup>

This letter of the Lieutenant-Governor of Natal, dated 9th September 1867, clearly showed that R.W. Keate had fears that if the Boers of the Free State were not stopped, chaos would follow in the Caledon River Basin; that on account of the bad treatment of Natives rebellion could also be expected on the part of Africans once the Basotho were defeated by Brand and his forces. Articulating his fears in point five of his letter Keate said:

"But there is another aspect of the question to which I am very anxious to draw Your Excellency's attention. Since the Basuto raid into Natal took place in July 1865, the relations between the native tribes in this colony and their neighbours, the Basutos, have undergone a very great change.....The traditional contempt of the Zulu for the Basuto appears to have given way to a feeling of sympathy with him for what he considers to be his unjust treatment by the Free State. The manner in which this has come about and its bearing upon the points at issue are very clearly set forth in Mr. Shepstone's memorandum."<sup>48</sup>

Keate as a result wanted Lesotho annexed to Natal, so as to avert the Basotho-Zulu union against the whites in general. Keate's fears were real in this regard. Lesotho after all, was viewed by whites and Africans alike as a symbol of resistance against white domination, a symbol of unity for the oppressed blacks, a factor which explains why Shepstone talking about Lesotho said:

"Basutoland has always been felt to be the centre of all native political aspiration; it is centrally situated between the warlike Cape Frontier Kaffirs and the powerful Zulus on our northern borders, and is the medium of interchange of ideas on

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<sup>47</sup> Theal, Vol.IIIB, Letter from Keate to HC, 9 Sept 1867, 810.

<sup>48</sup> *Ibid.*, 810-11.

important political questions between those people.<sup>49</sup>

Keate's warning to the Governor of the Cape was in many respects timely. He alluded to the fact that if Brand was allowed to continue to worry the Basotho, trouble would follow, and the possibility of the union of the Zulus with the Basotho could not be entirely overruled.

The Lieutenant Governor, also stated that the resultant commotion and destabilisation would ruin the trade between Natal and the Cape Colony which was essential and part of the life-blood of imperialism in Southern Africa. Keate in point three of his letter, says the Overberg trade was essential and important to Natal. Furthermore, the war as such would in the long run check the introduction of capital for the formation of railways; the opening out and working of our coal fields and for the development generally of the latent resources of the colony.<sup>50</sup> Summarising the views of Keate, the black perspective can say the thrust of the argument of Keate was that Lesotho was situated right in the middle of the Cape and Natal and as such crucial to the survival of the White man, economically and commercially; and that due to the reasons advanced Wodehouse had to interfere and stop the warfare between Lesotho and the Free State. In this important letter to Governor Wodehouse, Keate's concluding words under point six are:

"The concluding words of the memorial which I had the honour to forward to Your Excellency by last mail give expression to the feeling, generally prevalent in Natal at the present moment, that impartial mediation between the two States holds out the only hope of preventing a protracted and desolating war near the frontiers of this and of the Cape Colony.....I am given to understand that among the more thoughtful portion of the Free State a conviction is spreading that though annexation was, according to their views, a necessity of their position, and must be carried out at any sacrifice, the appropriation of so large a part of their

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<sup>49</sup> E. V. Axelson, *Natal and the Annexation of Basutoland 1865-1870*, 9.

<sup>50</sup> See footnote 47..



enemy's territory is a source of difficulty and weakness to them. The time may therefore possibly not be ill-chosen for negotiations, should Your Excellency on a full inquiry into all the circumstances of the case be inclined to take the same views of it as I have done...."<sup>51</sup>

In summarising this letter of Keate the following points have to be mentioned: That Keate apparently played his cards like a true master to Wodehouse. His letter of the 9th September 1867 showed that Keate had a true and keen sense of observation, with a penetration remarkable. The first conclusion is that Keate did not trust Boers at all especially in the Transvaal. Secondly that Keate was already formulating his answer to Moshoeshoe, as to whether he would annex Lesotho or not to Natal. Thirdly that Keate was worried about the economic implications of the war between Lesotho and the Boers from 1865-1868, and that the war was disrupting the Overberg Trade. It was disrupting the introduction of capital in South Africa for the building of railways. It was disrupting the flow of immigration from Britain of Europeans with needed skills for development of Natal and its latent resources, such as its coal fields. How this letter influenced Wodehouse to annex Lesotho is a matter of conjecture. What is clear is that the arguments Wodehouse used in annexing Lesotho in 1868, bear a striking similarity with the argument used by Keate on 9th September 1867. This perhaps explains why there was so much jealousy in Natal when Lesotho was annexed to the Cape Colony.

Another factor that has to be explained, is that even within the Free State itself there was a clamour of annexation still stemming from the economic motive. These arguments go a long way in challenging the view that Wodehouse stole the arguments of Shepstone and Keate in annexing Lesotho. One thing that is certain is that towards the end of 1867, Wodehouse had come to a firm decision to annex Lesotho. He was as it were left with this only alternative because all his efforts to obtain Port St. John's by bribery, diplomacy, cajoling and every trick in the book had

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<sup>51</sup> Theal, Vol.IIIB, 811-12.

failed. This clearly explains why Wodehouse in frustration offered to resign if his move to annex Lesotho was not sanctioned in Britain. Wodehouse was aware of the fact that even in the Orange Free State he had the support of the traders. From the beginning that is 1854 when British rule was withdrawn, they were against abandonment. Judy Kimble talking about this powerful interest group says:

"But there was a clear section of interest which advocated re-annexation to the British Possessions, the same section who had opposed the abandonment of the Sovereignty. The biggest grievances were the disruption of trade caused by the wars. From 1865-1868 the Free State courts were closed, and the Cape Colonists had no means of recovering debts to the tune of £300,000....Levies had been raised on the residents to finance counter-productive wars; even a special tax of £40 had been introduced on non-resident landowners. This group was clearly arguing for closer connections between the O.F.S. and the Cape, and was not in any way supported by the Volksraad. The Imperial response to both of these appeals reflects the nature of British interests in the area."<sup>52</sup>

The next question to answer is what did the Boers do when Sir Philip Wodehouse finally annexed Lesotho, other than what has already been mentioned. When Brand refused to acknowledge the annexation in 1868, Wodehouse reminded President Brand that

"Moshesh, at the request of Sir George Grey, had forgone his advantage over the Free State in its hour of weakness. Brand's present policy, 'if successful, must inevitably drive the population of Basutoland, in a state of beggary and destitution, into the Cape Colony on the one side and to the borders of Natal on the other.'"<sup>53</sup>

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<sup>52</sup> Judy Kimble, *Lesotho and the Outside World, Prelude to Imperialism*, 22-3.

<sup>53</sup> Morrell, 166.

The furore which the annexation measures of 12th March 1868 unleashed, surpassed the chorus which emanated from Shepstone and Keate. The Boers of the Free State were bitter because of the financial ruin the war caused. As an example of the furore that was ignited by the annexation, it should be mentioned that:

“The Volksraad decided to drop the negotiation and appeal to England over Wodehouse's head by sending delegates to remonstrate with Her Majesty's Government in person. The Duke of Buckingham, with Adderley and Rogers, received the delegates (the Revd. G. van de Waal and Commandant de Villiers), at Stowe. He found them ‘very shrewd and well able to maintain their case, but intensely obstinate.’”<sup>54</sup>

This delegation amongst others pressed for a special Commission to be sent out, so that in their opinion justice could be done. In his reply, he refused to accede to what the delegates wanted. The Boers were given the exact reply which Sir George Russell Clerk gave them in 1854, when independence was thrown down their throat. In 1854, Clerk had told the Boers that after the Battle of Berea Moshoeshoe was no longer an ally. In 1868, after Lesotho was annexed the Duke of Buckingham's exact reply was that “Sir Philip Wodehouse was ‘fully empowered, and trusted.’ Any negotiation must be with him, and he had been instructed to negotiate a new Basuto-Free State boundary, since the Treaty of Thaba Bosigo had been superseded by the war which followed it.”<sup>55</sup>

The Secretary of State, Buckingham stated categorically that Wodehouse as Governor at that time held the trump card. Wodehouse's magnanimous gesture of annexation gained Britain respectability and honour.

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<sup>54</sup> Morrell, 168.

<sup>55</sup> *Ibid.*, 168-69.

Yet another factor which forced Sir Philip Wodehouse to annex Lesotho in the manner he did was the startling revelations of DD Buchanan. Buchanan was the editor of the *Natal Witness*, a newspaper published and circulated in Natal.<sup>56</sup> Buchanan as a journalist tried to present a consistent, objective and comprehensive picture of events as they unfolded. He had a strong following in Natal. At the beginning of hostilities between the Boërs and the Basotho in 1865, Buchanan was against the Basotho. He wrote a lot that was highly uncomplimentary about Moshoeshoe and the Basotho chiefly because of the activities of Lesaoana. Buchanan "likened civilisation and barbarisation to oil and water; since they won't mix, he asseverated, what is to be done? Are intelligent, energetic Europeans to give way to the untutored native? Are the weak to yield to the strong, the ignorant to the intelligent?"<sup>57</sup>

However, after the Treaty of Thaba-Bosiu had collapsed, Buchanan changed his attitude and mentality towards Africans.<sup>58</sup> After the Volksraad adopted a motion on 7th February 1866 which in effect expelled the missionaries living in the Conquered Territory, François Daumas of Mekuatleng went to Natal where he was befriended by Buchanan whose perspective on the war was then transformed. Buchanan offered his services as a correspondent to Moshoeshoe. What part Shepstone and Keate played in this move of Buchanan who came to Moshoeshoe's aid is not clear. However, Buchanan shared the philosophy of Shepstone in how Africans should be treated. E.V. Axelson says on this issue: "DD Buchanan, the editor of the *Natal Witness* and the fire-eating crony of Shepstone, launched a powerful attack upon the neutrality policy, in alliance with its associated paper, *The Natal Mercury*."<sup>59</sup>

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<sup>56</sup> Axelson, 22.

<sup>57</sup> *Ibid.*

<sup>58</sup> Letter of D.D. Buchanan to the High Commissioner, 27<sup>th</sup> March 1867, in Theal, Vol.III 758-61.

<sup>59</sup> Axelson, 22.

Buchanan wrote about the horrific acts of barbarism Boers committed in Lesotho. In his letter of 6th March 1868, he strongly condemned the British policy of having armed the Boers, while denying Moshoeshoe the right to buy weapons for the sake of self-protection.<sup>60</sup>

In an indictment of the morality of the British, on the issue, Buchanan said the Bloemfontein Convention had fostered in the Boers' mentality and spirit a habit of disrespect for law and order, normally associated with civilised citizens. As a result the Caledon River Basin was caught up in a vicious circle of barbarism undreamed of in any civilized society. Buchanan graphically explained the suffering of the Basotho in his letter of 6th March 1868 written to the Lieutenant Governor of Natal:

"Among the diabolical cruelties perpetrated by the Boers, I have just received, on what appears to be reliable information, that a body of from seventy to a hundred Boers surprised eight Basuto women, and ravished them to a degree that they are not expected to live. This is only a specimen of the barbarities perpetrated, and surely some steps ought to be taken to put an end to such evils, and check the brutal violence of these wretched men. I trust Your Excellency will excuse my importunity on behalf of Moshesh; and, if possible, take some step, by issuing a proclamation, manifesto, or other more practical demonstration to stop the fearful carnage that is going on...."<sup>61</sup>

Buchanan was particularly moved by the plight of the Basotho. He started putting things into a more realistic perspective and became the spokesman of Moshoeshoe against the Boers. In the opinion of Buchanan the Orange Free State was the engine room of disaster in the lower Caledon. The Basotho were in his opinion an endangered species. The Boers in their bid for self-

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<sup>60</sup> Letter from Mr. D.D. Buchanan to the Lieutenant Governor of Natal, 6<sup>th</sup> March 1868, in Theal, Vol.III, 889.

<sup>61</sup> *Ibid.*

preservation had now expelled missionaries in the Conquered Territory. Buchanan challenged this unfortunate expulsion and exposed the atrocities which the Boers committed. Buchanan wrote to alert the public in Natal about these uncivilized acts. The sum total of these activities of Buchanan was to win Moshoeshoe and Lesotho considerable sympathy from the whites in Natal, who had previously turned against Moshoeshoe due mainly to the unwarranted acts of Lesaoana. The Whites in Natal, who up to then wholly approved of the terms of the Bloemfontein Convention of 1854, which denied the Basotho arms, suddenly turned against the Bloemfontein Convention. Buchanan building up a strong case which favoured Moshoeshoe, said the effects of the Bloemfontein Convention of 1854 was to teach the Boers that black life was cheap, introducing the concept of "Swart gevaar" or the black menace. Axelson referring to Buchanan in this respect says of him:

"Buchanan was particularly moved, and he turned a complete volte-face. The terms that he had previously applied to the Basuto he now applied to the Boers, and there was no limit to the extravagance of his language. The Boers, for instance, were compared with Nero, Herod and Pilate, to the distinct advantage of the latter. He inveighed fanatically against 'such an attempt to turn back the hands of the dial of progress, and to reverse the decrees of Eternal Wisdom...[referring to the expulsion of the missionaries]... such a deliberate proclamation of a nation's infidelity: such a dastardly piece of cowardice: such an unparalleled illustration of unprincipled cupidity...' Buchanan went so far as to advocate concrete military support to Moshesh against the Boers. He promised the chieftain that he would help him to procure ammunition and general military aid...."<sup>62</sup>

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<sup>62</sup> Axelson, 40.

The important question then arises, was Buchanan telling the truth or did he have an axe to grind with the Free State Boers? This question is pertinent especially because Buchanan was to some extent sympathetic to the cause of Shepstone and Keate, who wanted to annex Lesotho to Natal. For Moshoeshoe at this stage was a heartbeat away from complete ruin. Was Buchanan undergoing a subtle transformation, while continuing to cater for Moshoeshoe as his spokesman? E.V. Axelson answering these questions says:

“To the High Commissioner, Buchanan explained that a realisation had dawned on him of the idiocy of his former stand-point; that he had failed to perceive 'the Basuto are exposed to injustice, if not extermination; and that on the other hand the inhabitants of the Free State are becoming debased and demoralised'.....Buchanan's writings were certainly most extravagant, but they were sincere; before they became too extravagant and fanatical Buchanan commanded a very considerable following in Natal, and he truly reflected in his pages the public opinion of the Colony.”<sup>63</sup>

The polemical approach of Buchanan is perhaps what Moshoeshoe needed at this critical hour. Buchanan turned out to be the ideological powerhouse the situation demanded. With the exposure of the atrocities committed against the Basotho, the initial sympathy the Boers enjoyed in Natal evaporated. At the heart of the matter arose the moral dilemma of giving one party in the conflict the means to destroy the other, which second party did not have, for the Basotho were denied arms. Buchanan's critical stance paid dividends. His criticism of the Boers had a damaging effect on the cause of Brand and his followers. Buchanan who according to Axelson commanded a very considerable following in Natal greatly boosted the cause of Lesotho and the missionaries in particular. Through the activities of Buchanan the public in Natal saw and

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<sup>63</sup> Axelson, 40-41.

appreciated for the first time the horror created by the Conventions. They therefore sympathised with Moshoeshoe, which sympathy led to the annexation of Lesotho in 1868. Axelson says on this point:

“There soon occurred in Natal a violent revulsion of public opinion. The colonists came to appreciate the true difficulties under which the Basuto were labouring; they came to understand that the quarrel with the Free State had been precipitated by the land hunger of the latter; that the Basuto and their advisers, the missionaries, had been unjustly treated; and that they themselves had been unjust in bowing to a one sided neutrality which supplied gunpowder and ammunition to one side and not the other, which allowed the Natal colonists and natives to cross the border to assist a warring State and yet permitted no retaliation. The colonists found themselves envisaging a mournful picture of Basutoland, its inhabitants forced from their most fertile tracts, the clans wrought with jealousy and conflict, the people tired to death of oppression and evil government.”<sup>64</sup>

Since the swing of the pendulum in Natal against the Free State was set off by the expulsion of the missionaries, it is important to briefly look at the events which surrounded the expulsion of missionaries. The missionaries and in particular Dr. John Philip were instrumental in Moshoeshoe asking for an alliance from Britain in 1842-43. Dr. Philip after visiting Moshoeshoe in 1843 was of the opinion that Moshoeshoe was in danger of annihilation from the Boers, who Dr. Philip then alleged were about to attack Thaba-Bosiu. At that time Dr Philip had the ear of Sir. George Napier, who took his warning serious enough, which led to the Napier-Treaty of 1843 between Moshoeshoe and the British. Eugene Casalis who resided at Thaba-Bosiu became a close friend of Moshoeshoe and in fact a confidant. Casalis acted as his Foreign

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<sup>64</sup> Axelson, 43.



Secretary. As a result of the activities of the missionaries, Moshoeshoe's claim to the disputed territory which was at the centre of the controversy could be well articulated with documentary proof. Further as early as 1842 Lesotho was identified by missionaries as an ideal Christian State. Due to these services and factors rendered to the Basotho by these pious men, the Boers never liked the influence of missionaries in Lesotho. After Casalis left in 1855, the influence of the missionaries had certainly declined. Nonetheless, despite their growing disillusionment with Moshoeshoe's policies, the missionaries remained advocates for the Basotho cause in general. As a result:

“On 7 February 1866 the Volksraad adopted a motion by J.N. de Wet to the effect that the missionaries living in the Conquered Territories should leave before or on 1 March or confine themselves to an area indicated by the Executive Council. De Wet contended that the missionaries had not confined themselves to their spiritual duties but had taken and were taking part in political activities against the interests of the Free State.”<sup>65</sup>

Even though on this occasion, President Brand opposed the motion for the expulsion of missionaries on the grounds that the missionaries were educating Africans and helping to spread Christianity, the motion was carried. This act clearly proved that there was still a section of Boers who had never forgiven missionaries after the Great Trek. To them the Bloemfontein Convention had merely empowered them to redress all the grievances which led to the Great Trek in 1834-36.

The Free State Volksraad on the occasion advancing their own narrow cause expelled the missionaries from the Conquered Territory. The missionaries naturally were particularly bitter about their unlawful eviction. In reaction Samuel Rolland who was President of the Missionary Conference and Adolphe Mabilie, Secretary, wrote to the High Commissioner on behalf of their expelled colleagues. The letter dated 16th April 1866 read as follows:

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<sup>65</sup> Barlow, 73.

"Your Excellency is no doubt aware that a resolution was passed in the Honourable Volksraad of the Orange River Free State on the 7th of February last, by which the French Protestant Missionaries were ejected from such of their stations as were situated within a certain portion of Basutoland annexed to the Free State by a Military proclamation in August 1865.....The principal points which we would respectfully beg to submit to Your Excellency's favourable consideration are the following - That the adherents of our Mission in Basutoland have endured great and comparatively undeserved suffering by a war which they had no concern in bringing about, and which has inflicted peculiarly severe losses upon them as being the most industrious and civilized portion of the Tribe....."<sup>66</sup>

The Missionaries addressing Wodehouse said they hoped that the Governor would be adult and mature enough to see beyond the emotional outpourings which had been bottled up for so long, that the Basotho be recommended for British protection on account of their general character as peaceable, orderly and industrious members of society. Reminding Wodehouse that Lesotho at one stage was chosen as an ideal Christian State, the Missionaries said the Basotho have shown progress towards a better state of things; and that a community like the Basotho, under sufficient control, would serve as a model state of a Christian and civilized society, and further as a barrier against the barbarous and lawless tribes. The missionaries said they hoped sanity would prevail between the British Government and Lesotho in view of the alliance which existed between Lesotho and the British Government. The Missionaries further reminded Wodehouse that Moshoeshoe had long been asking for British protection as happened in 1861, or to be under the authority of the Queen. Adopting a highly defensive position and attitude

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<sup>66</sup> Letter from the Rev. Messrs. Rolland and Mabile to the High Commissioner, 16th April 1866, in Theal, Vol.IIIB, 658-59.

towards Lesotho, the Missionaries in the same letter of 16th April 1866 said:

“That it would be detrimental to the general interests of Christianity and civilization to suffer communities of partially christianized and civilized natives to fall back into a state of barbarism and heathenism, which would probably be the case with most of them if they were entirely deprived of that mental and moral training which is the object of Missionary enterprise. That these communities seem to have a moral claim upon the compassionate protection of Her Majesty's Government on account of the friendship which has long subsisted betwixt that Government and the Basutos, and on account of the loyal desire which they have long cherished to become subjects of the Queen..... We are firmly convinced that under the present circumstances of our Native Christians, it would be highly advisable that they should be placed under a firm and just Government....

Signed S. Rolland President.

A. Mabile Secretary.”<sup>67</sup>

The Missionaries stood by Moshoeshoe at this critical hour, and helped to tip Wodehouse in favour of annexing Lesotho in March 1868. Due to the sympathy shown by Missionaries towards the Basotho, a question that begs an answer is this: Was Moshoeshoe honest in asking for missionary support? C.W. Mackintosh says on this point: “It is true that the heathen never want missionaries except for material benefits; but men like Moshesh and Lewanika desired enlightenment and civilization.”<sup>68</sup>

Here it should be remembered that Moshoeshoe at the height of this power forbade any of his forces to attack churches, that as a result of his respect for churches Cathcart saw it fit that

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<sup>67</sup> Theal, Vol.III, 659.

<sup>68</sup> C.W. Mackintosh, *Coillard of the Zambesi*, 229.

he should refer to him as the enlightened Chief Moshoeshoe. Now at his hour of need all forces of enlightenment came to his aid. In France, for example, the members of the Paris Missionary Society also adopted a defensive stance and attacked the wrongs and injustices of the Volksraad resolution. These members in a strongly worded letter said to Brand on the 18th June 1866:

“From all time, and under all systems, it has been the rule that even the guilty should be condemned only after having been heard. Our brothers were innocent, and they have been expelled without having a opportunity given them to exculpate themselves from the charges against them. They knew, without doubt, that they would be able to convict them only of being profoundly attached to their flocks, and of evincing a lively solicitude for them..... In the midst of the greatest dangers and of an almost absolute isolation, they have remained faithfully at the posts assigned to them by the Lord, endeavouring to mitigate as much as possible the evils of the war by acts of devotion and charity.”<sup>69</sup>

The words of Moshoeshoe when he attacked Boshof in 1858 proved prophetic. On that occasion Moshoeshoe had said to Boshof what will the world say when they learn that a heathen Chief respects Christianity and the Churches, whereas Boshof and his commanders claiming to be Christians had no respect for the word of God. As if answering Moshoeshoe's assertion the Paris Missionary Society ended its letter of June the 18th 1866, by telling Brand that in Europe the evils he was perpetrating in Africa were being brought to the attention of the public and leading officials in government:

“These evils Europe at this moment is striving to diminish, by making in the international conventions greater scope for sentiments of humanity. They are instituting an order of voluntary officers, who, without making any national distinctions, will go to the battle-fields to gather the wounded, give care and

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<sup>69</sup> Theal, Vol.IIIB, 707.

consolation to the dying, and cover with their protection the women and children in peril.”<sup>70</sup>

Thus the conflict between Lesotho and the Boers was internationalised by the Missionaries, creating a bad impression and image for the Boers who were claiming to be Christians in Europe. But it also presented Britain, the colonial power, with a dilemma as well. This letter took the wind out of the Colonial Reformers and put the final nail in the coffin of the Bloemfontein Convention of 1854. Van Otten says about the whole sorry era: “The missionaries according to the Volksraad encouraged the Basuto war effort. Brand opposed the Volksraad's action; Wodehouse deplored it; the Christian World was scandalized.”<sup>71</sup>

These embarrassing exposures for the morality of Great Britain put further pressure on the Colonial Office to do something concerning Lesotho. But before the annexation was announced, the Basotho forces suffered a humiliating defeat when Qeme was captured by the Boers. Qeme is a big plateau laying between Morija and Thaba-Bosiu. It was guarded by Basotho forces under Letsie oldest son of Moshoeshoe. This happened on the 22 February 1868. The Basotho forces left in the hands of the enemy about 20,000 head of livestock. T. Jousse says:

“It was on 22 February 1868. If instead of stopping to divide the spoils taken from Qeme Mountain, the Boers had proceeded to Thaba-Bosiu without delay, it is likely that the fortress of Moshoeshoe would have surrendered because of the great demoralization among the Basotho after Qeme was captured. God allowed it to happen that way. The capturing of Qeme weakened the Basotho and predisposed them to accept with gratitude the protection of the British Government.”<sup>72</sup>

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<sup>70</sup> Theal, Vol.III, 707-8.

<sup>71</sup> Van Otten, 220.

<sup>72</sup> T. Jousse, *La Mission Française Évangélique au Sud de l'Afrique*, Vol.II, 124-25. Translated by Pusetso Nyabela, Deputy Curator, Morija Museum & Archives.

Under these circumstances the Basotho just hung on, wounded with anxiety, until the annexation measures which Moshoeshoe had been told by Wodehouse would come into effect. On the 12th March 1868, the British High Commissioner, Wodehouse declared Lesotho British territory with the following proclamation:

“Her Majesty the Queen has been graciously pleased to comply with the request made by Mosesh, the Paramount Chief and other Headmen of the tribe of the Basutos, that the said tribe may be admitted into the allegiance of Her Majesty....Now therefore, I do hereby proclaim and declare that from and after the publication hereof the said tribe of the Basutos shall be, and shall be taken to be, for all intents and purposes, British subjects; and the territory of the said tribe shall be, and shall be taken to be, British territory.”<sup>73</sup>

What Wodehouse did in annexing Lesotho was mainly motivated by geo-political and economic interests, supported by humanitarian concerns and the moral embarrassment under which the British were exposed as a result of their failed policies. Ultimately they were forced to annex Lesotho and “honour Moshoeshoe as their ally.” By framing the proclamation in the terms he did, there is no doubt that Wodehouse was referring to the general Conference, which included all the sub-chiefs under Moshoeshoe in 1862. Suffused with the passions, anger and suspicions of the past which fed the legacy of distrust, Wodehouse sent General Currie to hoist the union flag at Thaba-Bosiu. Although the British had finally taken the correct action, the overriding geo-political factors still predominated. Thus, instead of Moshoeshoe spending his last days in peace, the harsh realities of the imperial mandate intervened to give him sleepless nights. The bitterness of the situation is brought out clearly by Leonard Thompson, who says on the issue:

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<sup>73</sup> Proclamation by His Excellency Sir Philip Edmond Wodehouse...., in Theal, Vol.IIIB, 894.

"During 1869, Moshoeshoe's elation at Wodehouse's annexation proclamation gave way to depression when he heard the terms of the boundary settlement that Wodehouse and Brand had agreed upon at Aliwal North, and his depression deepened as it became evident that the terms would not be improved. This coincided with - and possibly precipitated- the onset of his final illness."<sup>74</sup>

Thus, Moshoeshoe, the pragmatic idealist, who had clung so tenaciously to his British allies, died a disappointed man.

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<sup>74</sup> Thompson, 312-13.



## CONCLUSION

The first period of interaction between the Basotho and the British was dominated by the philosophy of the humanitarians, which emphasised African rights and the creation of Christian buffer states north of the Orange River for the purpose of restricting the expansion of white settlement in the interior, particularly that of the Boers. The Napier Proclamation (1842) and the Treaty which followed (1843) gave concrete expression to these ideals. Thus, the treaty system was born with Moshoeshoe and Adam Kok being the principal beneficiaries.

The British, especially during the period 1842-1847, marketed themselves as a party guided by Christian values, and specifically wanted Lesotho to be the cornerstone on which the treaties could be used to build a prosperous and lasting peace in the interior. Moshoeshoe was impressed by the forthright expression of good will on the part of the British and threw in his lot with them as the best guarantee against the land hunger of the white settlers. The Boer settlers were also proclaiming Christian values, but by and large they did not recognise the validity of African politics.

The British supported Moshoeshoe while seeking to curtail the encroachment of the Boers on his land, but these efforts were ineffectual due to the lack of an enforcing authority. Thus, after the original Napier Treaty of 1843, further efforts like that of Maitland (1845) to solve the conflict over land between the Basotho and the white settlers led to the former making compromises while the latter made increasing inroads. Nonetheless, Moshoeshoe remained firm in his commitment to the British.

Harry Smith annexed the entire Transorangia in 1848 on behalf of Britain in an effort to make progress in establishing true peace in the interior. In order to achieve his objective, he first extolled the virtues and leadership of Moshoeshoe, and went so far as to say that the peace prevailing in the Lower Caledon was due primarily to Moshoeshoe's sagacious leadership. In



other words, the Boers must learn to see Moshoeshoe with new eyes: true peace could only be achieved by respecting the territorial integrity of Moshoeshoe's domain.

As Harry Smith's policy of annexation failed to produce the desired results in the Orange River Sovereignty, however, a scapegoat was found in none other than Moshoeshoe, whose leadership had previously been so firmly praised. Moshoeshoe was to be humbled in order to uphold the dignity of the paramount power, Britain. But two attempts in this direction created humiliation for the British as they were outmanoeuvred at Viervoet and at Berea. And thus, the principle of upholding and strengthening the Christian buffer states as a means of containing unplanned white expansion in the interior, which policy had prevailed during the 1840s, came to an abrupt end!

Despite the changing character of the various British emissaries and governors, Moshoeshoe remained loyal. From 1834 when Moshoeshoe first met Dr. Andrew Smith who earmarked him as a ruler worthy of British confidence, the Basotho chief was to remain a remarkably loyal British ally until 1854 when the British withdrew from the Orange River Sovereignty.

Thaba-Bosiu emerged as the centre of African political gravity in southern Africa at this time, and Moshoeshoe's stature was at its highest. But because he had had the temerity to attack British forces on two occasions, even though Governor Cathcart ultimately put great trust in him, others found it necessary to deal in a double handed manner with him. Thus the duplicity of Clerk, and the very unfavourable terms of the Bloemfontein Convention which transformed the once renegade white settlers of the Orange Free State into British allies, worthy of receiving arms and ammunition while Britain's erstwhile ally of eleven years, the Basotho, were denied access to these. If the British had reciprocated the honesty and trust of Moshoeshoe, a lot of the suffering which followed could have been prevented.

As the British had withdrawn from the interior without a commonly agreed border

between the Orange Free State and Lesotho, it was impossible to prevent the escalation of tensions over conflicting land claims. After the First Basotho-Boer War of 1858, Sir George Grey saw the folly of the so-called neutrality practised under the Bloemfontein Convention and promised that Moshoeshoe's relations with the Government would be reconsidered. It was only with the arrival of a new Governor, Sir Philip Wodehouse, however, that new overtures were given serious thought. Moshoeshoe's request for protection in late 1861 was followed up with a detailed investigation by Burnet and Orpen in early 1862.

Wodehouse could have put in place an Agent to help mediate affairs between the Orange Free State and Lesotho at that time, but he refrained from doing so lest he incur the displeasure of the Free State. The Basotho would now see their fortunes gradually decline in the face of the arm's embargo, and when hostilities resumed in 1865, the nation of Moshoeshoe was unable to defend itself properly. A farcical treaty was entered into, but only so that starvation could be prevented. In 1867, with Moshoeshoe still refusing to honour the outrageous demands of the Free State, war resumed and threatened to annihilate his political work of almost 50 years. It was only the over riding geo-political factors of British policy in the sub-continent which finally induced Wodehouse to save the Basotho nation when it was in peril of destruction.

These geo-political considerations involved first and foremost the containment of the Boer states along neo-colonial lines whereby they should have no independent foreign policy and no outlet to the sea for purposes of trade or diplomacy. Once the fear was generated that the Free State would not be content to overrun Lesotho, but that it might have as another object the acquisition of a harbour in Chief Faku's territory at Port St. John's, then swift action became the order of the day. Wodehouse tried by various means to persuade Chief Faku that he should cede the port to the British but without success. The only alternative in the restless mind of the Governor was to annex Lesotho and thus prevent the Free State from coming even remotely near

to the Transkei coast.

As the Colonial Office was finally made amenable to the annexation of Lesotho for the purpose of containing the possible expansion of the Free State, other factors could easily be added to make the case more palatable. The degrading racial policies of the Boer Republics were examined, the plight of Basotho women and children was made heart rending, the expulsion of the French Protestant missionaries was highlighted, and the economists made much of the financial implications of the war, and the destabilising consequences for the entire region which would ensue should the ruin of the Basotho be allowed. All of these factors were true, together with Moshoeshoe's long-standing request to become a British subject, but none was sufficient, alone or together, to have moved the Colonial Office to support the annexation of Lesotho. It was the geo-political fears centred around Port St. John's which moved Wodehouse and the British Government to annex Lesotho at this particular time, and prevent their allies, the Boers, from overrunning Moshoeshoe's kingdom, despite the fact that the British had to overturn certain provisions of their treaty (Bloemfontein Convention) with the Orange Free State to do so. But then international treaties with neo-colonial satellite states were not a real barrier when strategic interests were involved.

It was true that Moshoeshoe had posed as a faithful British ally for many years, and had asked for Protection on numerous occasions from 1861 on. But this was not so very relevant. Thus, even after the annexation of Lesotho in 1868, it was not the sincerity of friendship which motivated British actions. The request of Moshoeshoe for a form of Indirect Rule was quietly set aside and ignored, magistrates would be placed, and the land base of Lesotho would be further reduced as the British negotiated away more of Moshoeshoe's land. As a result, Moshoeshoe died a very disappointed man in 1870.

This thesis has tried to place all these events in a clear context so that the sometimes

liberal and humanitarian rhetoric which was still used after 1848 might be seen for what it was: a smoke screen for more important geo-political considerations. The new perspective articulated in this thesis has tried to demonstrate the consistency of Moshoeshoe, his far-sightedness, his humanity, and his ever creative impulse to break down stereotypes and make new opportunities for peace and security possible. If he died a disappointed man, who saw much of his land taken for white settlement, it was not for lack of trying.

Previous historians have largely failed to place the annexation of Lesotho in its proper context. It is clear, as Sanders, Thompson, van der Poel, Tylden, Axelson and others have pointed out that the British showed concern for the wider regional implications of the struggle between Lesotho and the Orange Free State. They highlighted the desperate situation in Lesotho itself. Economic hardship, the loss of trade and commerce, the bankruptcy of the OFS, and its implications for certain British banks operating in the Cape, the possibility of destabilisation caused by movements of refugees, the moral revulsion at the treatment of Basotho women, the expulsion of the French Protestant missionaries, and the perceived inability of the Free State to control the Basotho if Lesotho was completely overrun, the desire to honour a faithful ally in his hour of need - all these have been used on various occasions to justify or explain the British annexation of Lesotho. Although there is certainly an element of truth in each of these factors, it is doubtful whether these factors, alone or in concert, can explain why Lesotho was annexed when it was.

On the one side of the historical spectrum is Peter Sanders.<sup>75</sup> In spite of his vast and detailed analysis of the events leading up to annexation, and his often erudite conclusions, he fails to even mention the geo-political context in which the wider struggle was played out, or any of

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<sup>75</sup> One will search in vain for any reference to Faku, Port St. John's or the possibility of the Boers driving to the sea once Lesotho was overrun in Sander's otherwise excellent biography of Moshoeshoe.

Wodehouse's efforts to get control of Port St. John's. This blind spot seems to characterise certain liberal scholarship which is perhaps uncomfortable with the hard edges of British imperial policy, emphasising instead that the compromises made at the time afforded the Basotho some space in which to maintain their existence, even if it was increasingly bleak. Obviously, the Basotho were better off in this attenuated situation than if Lesotho had been completely overrun by the Orange Free State. Many Basotho would no doubt also like to forget about these hard edges of British policy, but the enduring historical legacy of injustice with regard to the Conquered Territory will not disappear by itself.

Other scholars have not been quite so blind as Sanders, although Thompson, van der Poel and Axelson<sup>76</sup> have merely mentioned the problem of the Boers gaining a port in passing. They too fail to deal thoroughly with the facts and the analysis which Uys published more than 60 years ago. Since the time of Uys, only Tylden and Barlow have paid proper attention to this wider geo-political context. Tylden<sup>77</sup> talked of "Port St. John's, destined to play an important part in Basutoland-Orange Free State relations."<sup>78</sup> More importantly, he concluded that the issue of Port St. John's, together with the Free State's inability to control Lesotho, were the most important factors which led to Lesotho's annexation.<sup>79</sup> Major Tylden, who was a military man with a keen eye for strategic and military concerns, was not fooled by the humanitarian and moral rhetoric which has featured so prominently in other narratives.

Barlow has also taken this perspective seriously. After thorough study, he came to the conclusion that the geo-political factor is paramount in understanding the annexation of Lesotho

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<sup>76</sup> See Thompson, p.296; Van der Poel, p.209; Axelson, p.35.

<sup>77</sup> Tylden discusses the issue of Port St. John's on pages 80, 101 and 110.

<sup>78</sup> *Ibid.*, 80.

<sup>79</sup> *Ibid.*, 110.

in 1868. "There can thus be little doubt that the annexation was due in the main to Britain's efforts to block any move on the part of Brand to get a port on the coast."<sup>80</sup> He then goes on to assert that Wodehouse was completely deluded, that "Brand never had such an idea [of gaining a port on the coast] and it was a pure figment of Wodehouse's imagination."<sup>81</sup> Figment or not, this factor was decisive.

The new perspective articulated in this thesis, therefore, is partly a re-assertion of a perspective which for the most part has been underrated and ignored in the dominant scholarship. Basotho, however, cannot forget, however much they would like to, the injuries of the past and the historical legacy of land claims. After 1868, the Basotho could not officially raise the issue of the Conquered Territories for many years. Orpen, on behalf of the nation, submitted a document<sup>82</sup> to the Cape Parliament just before the Gun War, in which he outlined some key concerns of the Basotho chiefs, namely, land, law, representation and disarmament. He provides detailed maps which show the historical injustice done to the Basotho nation vis-a-vis the land issue. (See appendices.) But the document did not call for the return of the Conquered Territories; rather, because of the approaching conflict over disarmament, attention was focussed elsewhere.

The first real opportunity which the Basotho had for raising the issue of the Conquered Territories came only in 1919, after the "Great War" had been concluded. After sending over 4 000 soldiers to serve His Majesty's cause during the war, and given the liberal principles enunciated by the Allies in order to produce a new world order based upon justice, the Basotho

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<sup>80</sup> Barlow, 89.

<sup>81</sup> *Ibid.*, 92.

<sup>82</sup> J.M. Orpen, *Some Principles of Native Government Illustrated and the Petitions of the Basuto Tribe*. Cape Town: Saul Solomon, 1880.

held a widely shared belief that their long cherished dreams of regaining their lost land would now receive a fair hearing.

“Finally we humbly pray and beseech your Majesty to give his gracious and generous consideration to our prayer for the restoration of our rights of which we have been deprived, that is, large tracts of our land which lie to the North-West, West and South-East of Basutoland of to-day. Our reason for submitting this prayer to Your Majesty is on account of the understanding made by Your Majesty’s Government and those of Your Majesty’s Allies that all nations, great and small, which had had their rights violated a those more powerful than they, are to have those rights restored, and being in the same category we therefore humbly pray that Your Majesty may graciously accord us the same recognition.”<sup>83</sup>

This very humble petition was drawn up by the National Council of Basutoland, which was largely appointive but served as an official voice for the chiefs with some of the emerging intelligentsia. This petition was supposed to be included with other official messages being taken by the Paramount Chief, Griffith Lerotholi, to the King of England as Griffith was to visit England during mid-1919. After receiving considerable pressure from the British High Commissioner, this request was not carried by Griffith to the King despite widespread dismay in Lesotho.<sup>84</sup> Thus, the British High Commissioner followed in the footsteps and traditions of previous holders of this illustrious office by undermining the legitimate aspirations of the Basotho people. From 1843 to 1919, the pattern was the same: Basotho were expected to compromise in the interests of Britain’s larger regional interests..

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<sup>83</sup> “Draft Petition to His Majesty the King, 1919”, quoted in L.B.B.J. Machobane, *Government and Change in Lesotho 1800-1966: A Study of Political Institutions*, p.140.

<sup>84</sup> See Machobane, 139-48.

After World War Two, the quest for a more humane world order gave impetus again to the hopes of regaining the Conquered Territories and righting the wrongs of the past. The rise of new mass based political movements like the Basutoland African Congress (later the Basutoland Congress Party) was wedded to slogans such as "Tšoara thebe e tiee oa Rasenate, Ua bona fatše leno lea ea." In translation, "Hold fast to your shield and let it be firm Father of Senate [Letsie, son of Moshoeshoe I], you see that this land is going." In other words, be vigilant because our enemies, the whites of South Africa, are still intent on taking the land of the Basotho through incorporation. Once this danger was past, another slogan emerged: "Ea khutla naha" (Let the land return). That slogan epitomises the feelings of many Basotho, and after Independence in 1966, the issue of the Conquered Territories was brought up on a number of occasions, which inspired a prominent South African Nationalist think tank to publish CC Eloff's rather polemical booklet, *The so-called Conquered Territory*.

It is only now, however, with the arrival of a fair and just dispensation in South Africa, that the issue of Lesotho's Conquered Territories can be properly examined. The legacy of injustice which has been borne for all these years may yet be solved to the satisfaction of the Basotho. The new perspective, articulated in this thesis, has tried to place the past relations of Moshoeshoe and the British clearly and in a proper context so that, in the end, the legacy of injustice can be seen clearly by all concerned and dealt with fairly.

The African National Congress itself has always acknowledged and appreciated the central role which Moshoeshoe played in the resistance to white domination in the sub-continent. When the ANC held its first national conference in 1912, none other than Paramount Chief Letsie II of Basutoland was elected as the honorary President of the Convention. Given this understanding on the part of the ANC, one would think that the organisation which now commands the greatest following in a free South Africa will be prepared to enter into negotiations on the subject of the



legacy of injustice inherited by Lesotho and seek to do justice.

Today, as in the past, the choices of small nations are very limited and often demeaning. Realism combined together with a pragmatic optimism should still guide the Basotho as they seek to chart the course of their future in Southern Africa, and work to redress the legacy of injustice inherited from the past vis-a-vis the Conquered Territory.

# EIGHT MAPS,

Shewing original or recognised and acquired lands of the Basuto tribe and their absorption under Her Majesty's Alliance and Sovereignty down to the 1880 proposal.

DRAWN BY J. M. ORPEN, M.L.A.,

FORMERLY MEMBER OF ORANGE FREE STATE LEGISLATIVE COUNCIL, LATE BRITISH RESIDENT, ST. JOHN'S TERRITORY.

## EXPLANATION OF MAPS.

### MAP No. 1.—1833.

This represents the country possessed by the Basuto tribes when first visited by Europeans (*vide* Map attached to travels Arbonisset and Daumas). No Europeans then lived between the Orange and Vaal. On this Map, the figure marked A represents nearly 3,000 square miles of territory imagined to be purchased, on behalf of the Methodist Conference, from Moshesh and his resident subordinate chief, for "seven young oxen, one heifer, two sheep, and one goat," by deed of sale 7th December, 1873, —WITNESS, CAROLUS BATJE, his mark (of whom see Map No. 3, note below).

C represents the country of Molitsani's tribe.

B that of Sikonela, at this time a refugee and with waning power, most of his people having joined Moshesh.

Also the Colonial Boundary till 1847, i.e. Orange River and Stormberg Spruit.

### MAP No. 2.—1847.

Represents the Basuto territory as recognised either by Treaty of 5th October, 1843, or by Government officially south of Orange (*vide* Map, page 54 Blue-book, Kafir Tribes, July, 1848). This Treaty takes nothing away, but binds to recognition of the part described.

Also Extension of Colonial Boundary, proclaimed 17th December, 1847.

### MAP No. 3.—1851.

Represents the condition of Basutoland after 3 years of the protectorate of Her Majesty, whose Sovereignty was proclaimed by consent of Moshesh, dated 27th January, 1848, for the purpose of "restraining" H.M. subjects from encroachment, and "protecting" from aggression.

A represents the share given to Carolus Batje (see note to Map No. 1), who, after witnessing a so-called deed of sale of an outer part, claims and gets an inner part of Moshesh's country, in which he was a guest.

B is given to Moroko, of the Baralong tribe, also a guest.

C is "taken from Moshesh" and given to Molitsani, whose country "falls" to others.

D is given to a *Karanna* from Vaal River, Gerrit Tanibusch.

E is recognised to Sikonela, of the *Mantatees*.

F is country largely occupied by the Basutos, now appropriated for colonisation.

The Map also represents two extensions of the boundary of the Colony by proclamation, the latter appropriates the present District of Herschel.

### MAP No. 4.—23RD FEBRUARY, 1853.

Represents the condition of Basutoland after the policy of "recruiting Native Chieftains" against Moshesh was withdrawn; the country reverted to his rule; Baralong unmolested; Her Majesty's Sovereignty withdrawn; the boundary given up; and a mixed population of subjects and allies left to fight out the difficulty at F.

### MAP No. 5.—1861.

Represents Basutoland after the first war with the Free State, before which Moshesh asked Government's arbitration, and after which he at once agreed to it, on which a boundary was made.

A, B, and C together represent country Government had, in 1844, recognised by Treaty to Faku Chief of the *Anapmulo* tribe.

A (alone) represents a part of this ceded by Faku in 1850 to Natal, by a Treaty disowned till 1863 by the Governor of this Colony (who had protectorate authority) on the grounds that it was forced.

B represents an unoccupied country, then offered to Moshesh by Faku, in the rear of tribes with whom he was at war, and to which Moshesh, with an understanding with Sir G. Grey, sent Nehemiah in 1859, when the country was taken to recoup for losses of land, as shown in the former maps. The Pondos acknowledge the grant.

### MAP No. 6.—13TH MAY, 1862.

Represents the position when Adam Kok was, this year, introduced, by consent of Faku, on condition of Her Majesty governing it and with ultimate acquiescence of Moshesh; part of the cession to Natal of 1850 being overruled by the High Commissioner.

D is the part granted by Sir P. Wodehouse to Adam Kok (see his letter of 13th May, 1862, and its attached Map).

This fixes Adam Kok's position as a British subject on British Territory, and Government responsibility for his acts.

### MAP No. 7.—12TH MARCH, 1868.

Represents the legal position of Basutoland on the date of the Proclamation of Sovereignty over the tribe and their territory for its protection; with the frontier on the Free State side rearranged, in consequence of war (which was, as elsewhere shown, the lack of Government). This acceptance bound to protection of the whole territory.

Adam Kok had, during this war, attacked the Basutos and driven Nehemiah out, in spite of a proclamation of neutrality.

But Government could not take advantage of this crime of its subject, which it, on the contrary, should have prevented.

Besides it had taken no such advantage, and the cession now guaranteed protection. Sir P. Wodehouse placed part of the country then under Adam Kok (see part marked A); but it was *Basuto* country and not his to grant, and this is the very point in dispute. He also placed a *Fingo* Chief in the part marked C.

On the Bill for the Annexation of Basutoland being published, Letaire wrote to Sir H. Barkly on the 21st June, 1871 (see page 93, Select Committee Report on Native Affairs, 1873) asking that this whole part should be included, and was answered by letter of 12th August, 1871 (same page), promising entertainment of claim and making room if there were vacant land.

This Map also represents the present legal condition of Basutoland; a, b, c, d, e, f, g, represent its boundaries by the Act of Parliament, and the remainder is what the Basutos claim should have been retained for their use.

B, when Sir H. Barkly's promise was made, was nearly altogether vacant, now for the most part alienated.

C has been given to a Basuto chief, and two other chiefs.

A has had about 100 farms cut out of it.

And generally, B and A are being filled up by others than Basutos, and their petitions have for years simply been that this course be stayed.

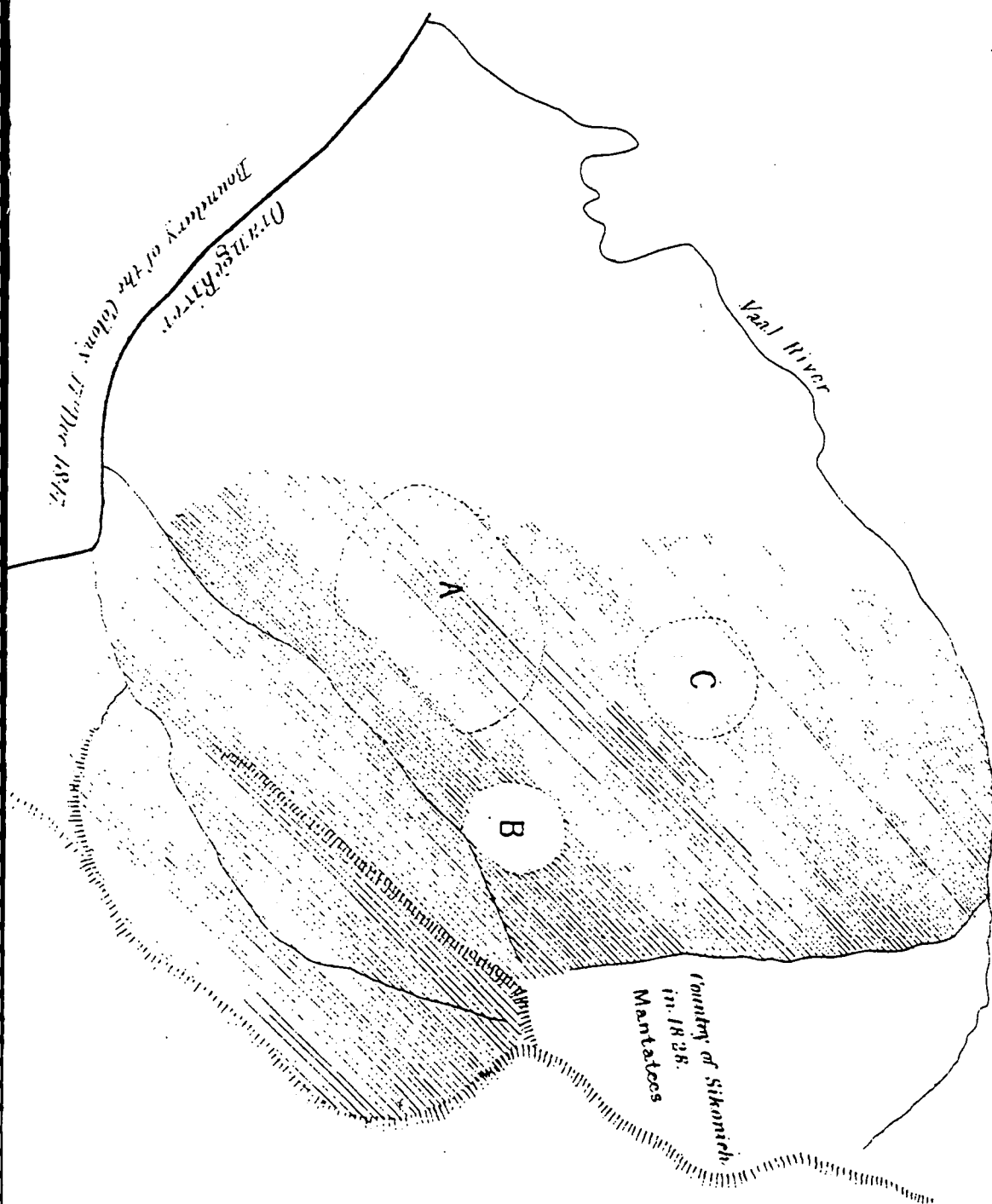
### MAP No. 8.

Represents, save some small location, the whole habitable country, which *should* be left to the use of the tribe if the proposed confederation is carried out—that is the part capable of the normal cultivation that hilly country allows,—and in this would be couped up a population of 150,000, a tribe from which by their good-will or our foul play, so much of their land has been taken, with Her Majesty bound herself and us to protect.

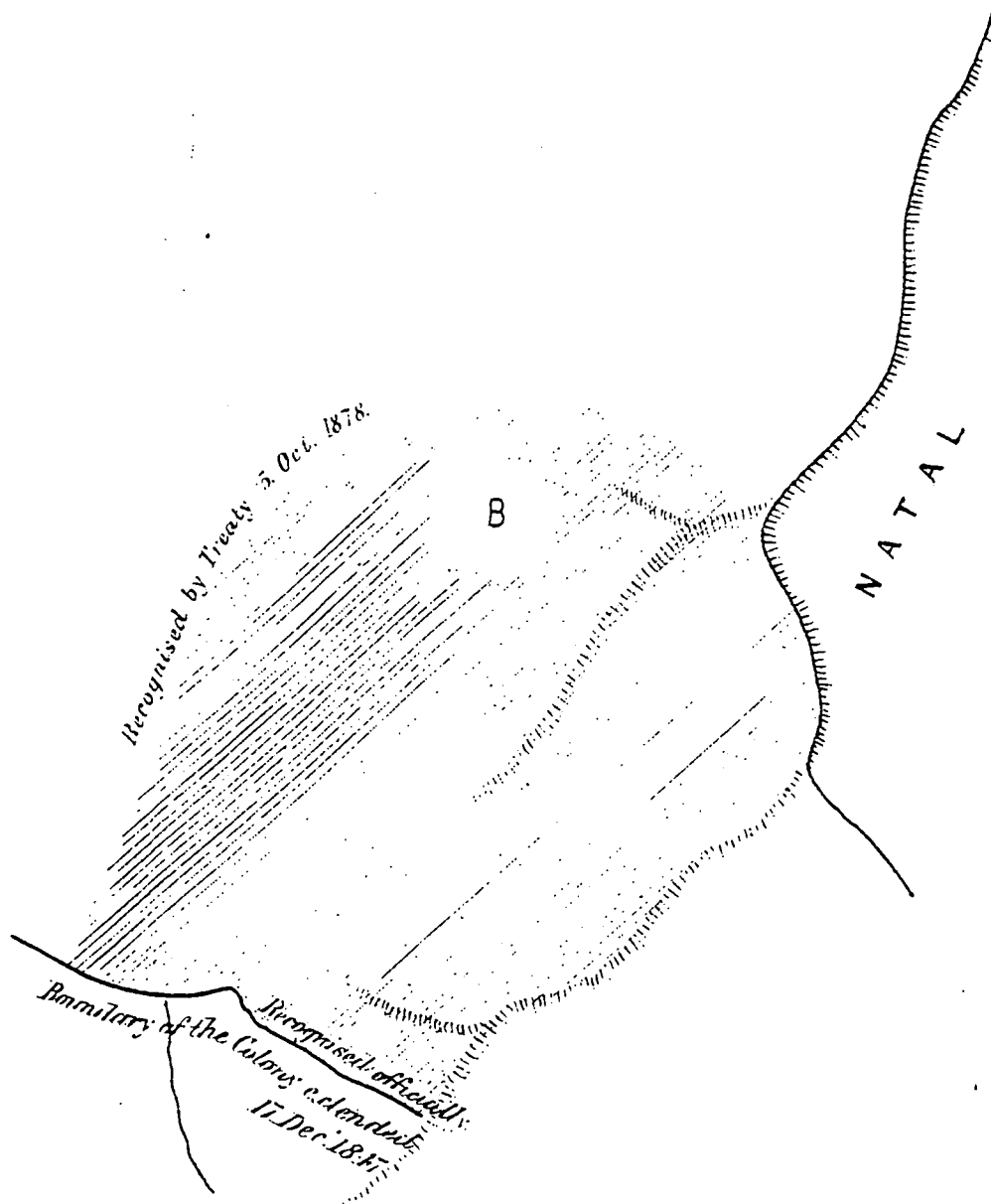
The outer lines show the parts of the country originally belonging to the Basutos, or recognised, or fairly acquired, by them, but which will then have been taken from them since they were taken under Her Majesty's protection by Proclamation, Treaty, or Sovereignty.

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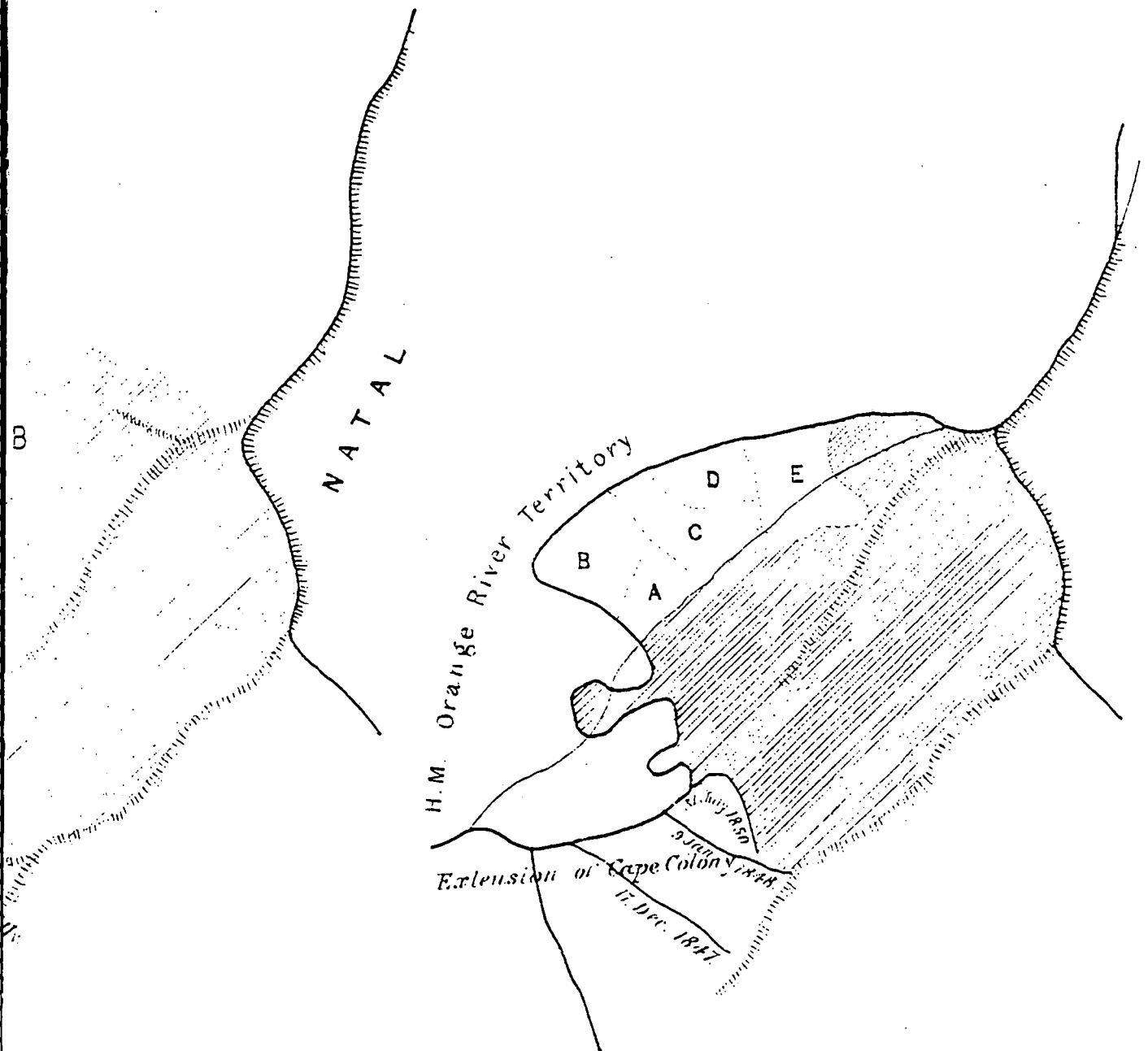
Nº 1. 1833.



Nº 2. 17 Dec 1847.



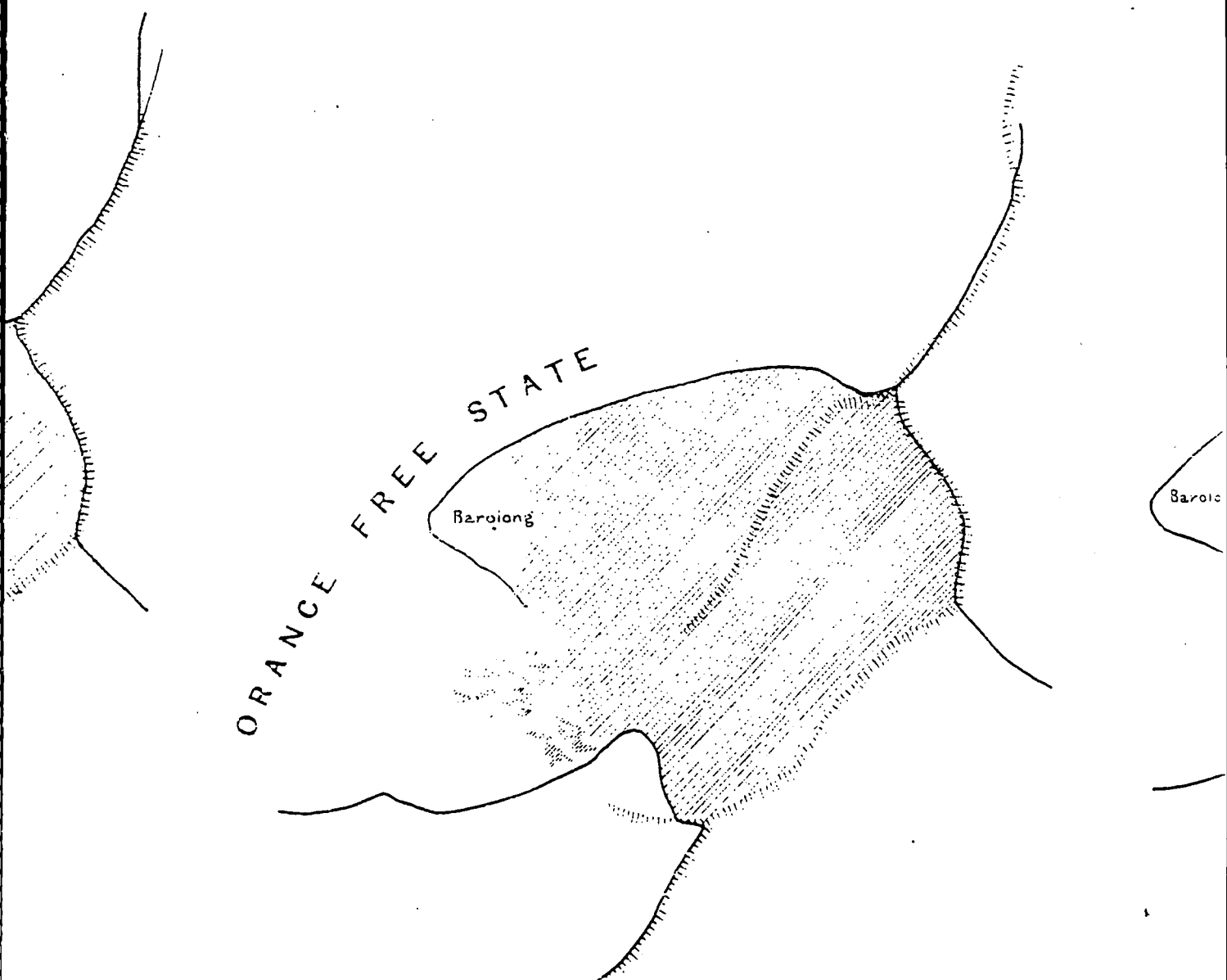
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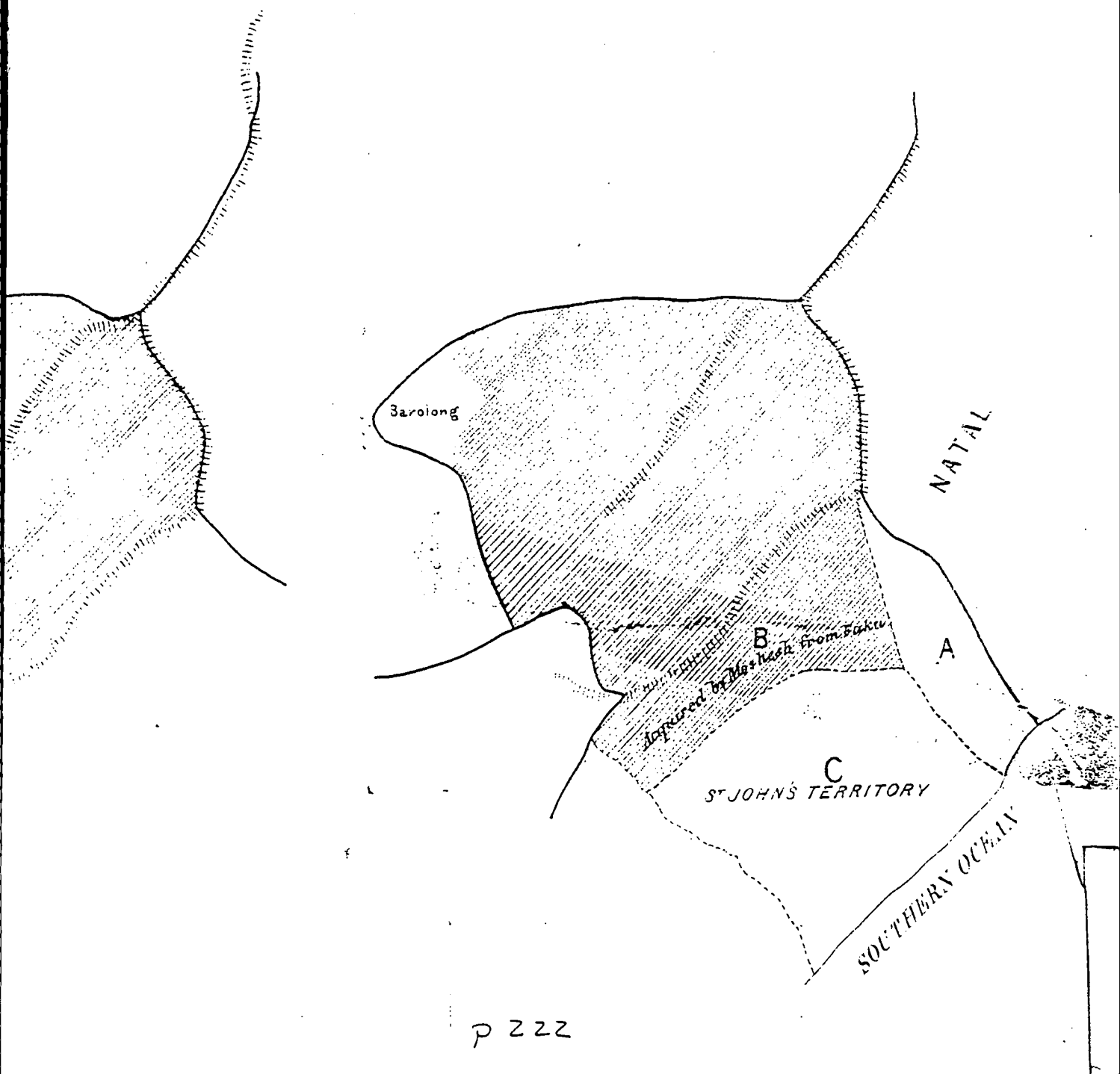
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Nº 8. ? 1880.

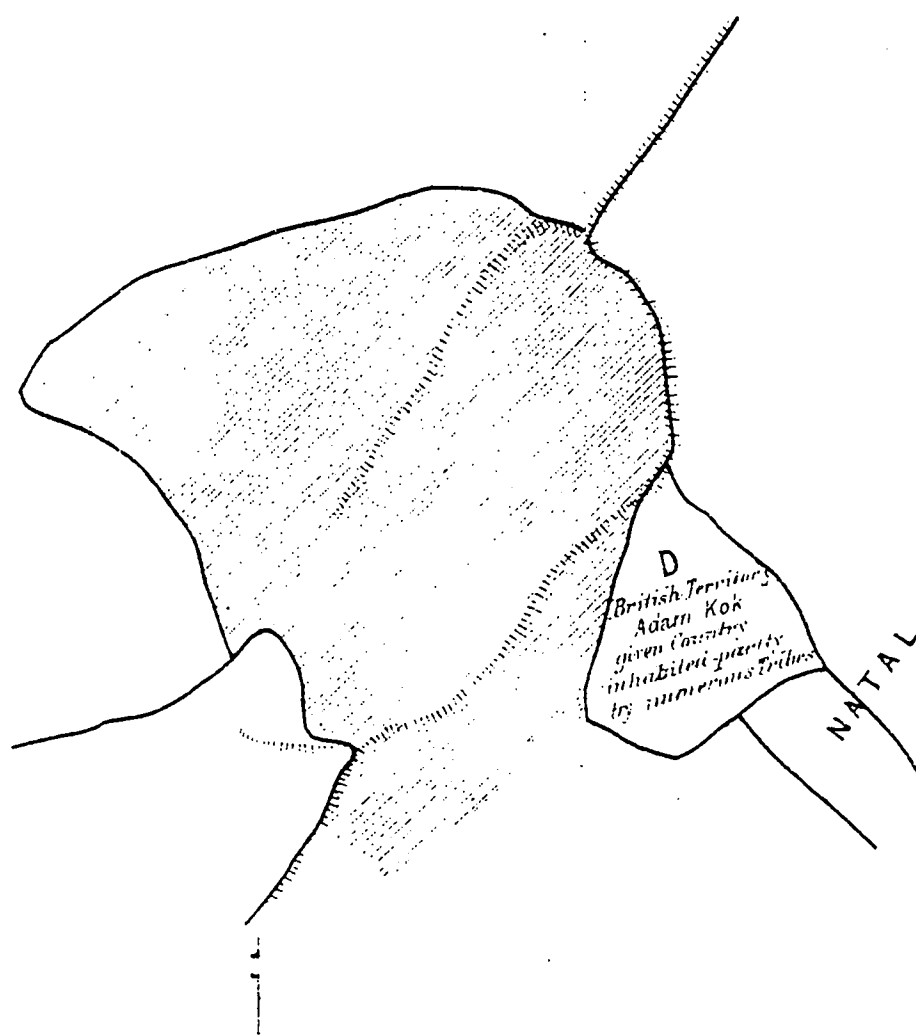
Nº 4. 23. Feb. 1853



Nº 5 1861



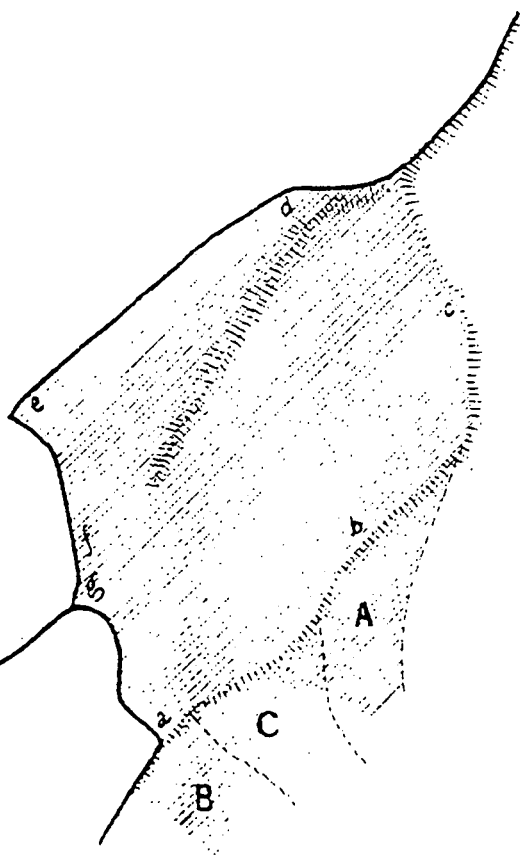
Nº 6. May 13. 1862.



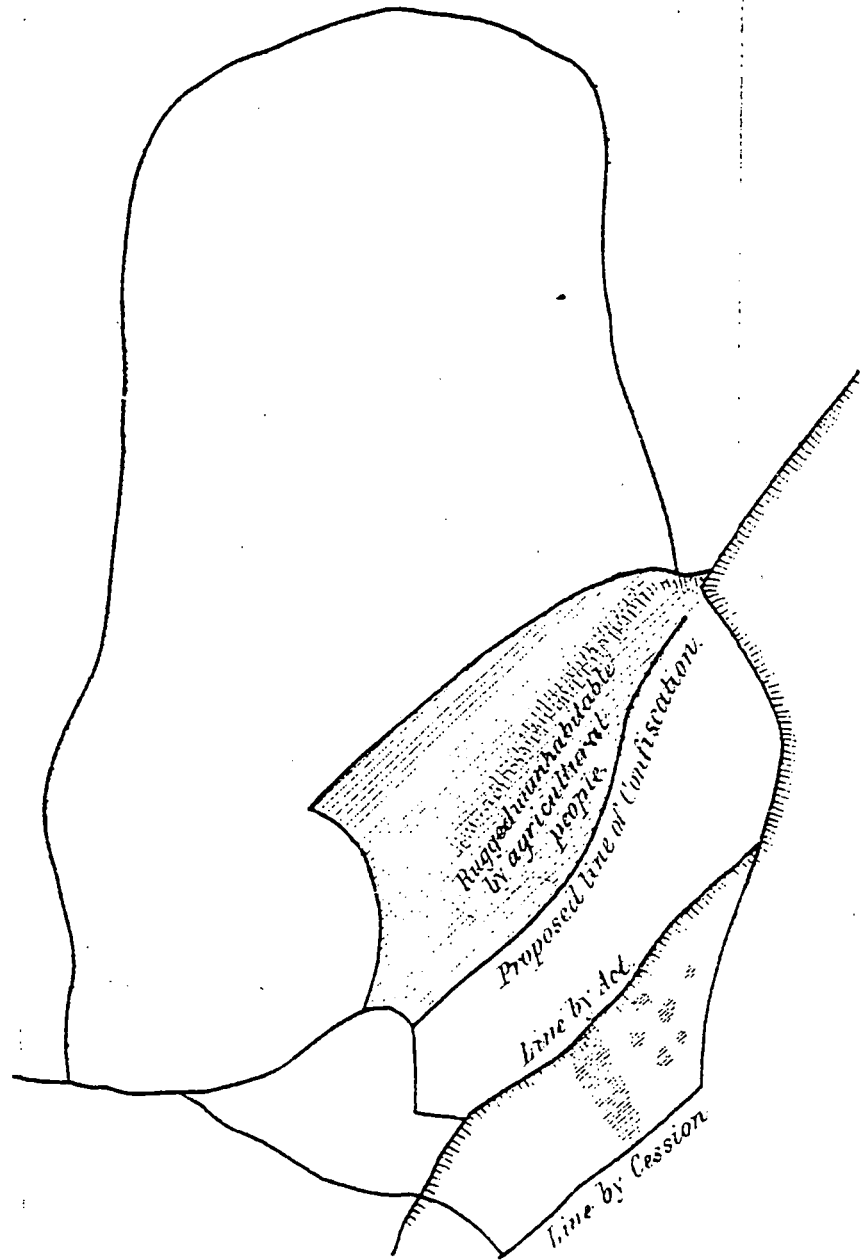
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68  
Nº 7.12. March 1848.



Nº 8. 21880.



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## SUMMARY

The annexation of Lesotho in 1868 by Great Britain has been interpreted by previous historians in various ways. Most have emphasised the economic, humanitarian and moral factors which compelled Wodehouse to declare Basotho to be British subjects. While these factors were real and cannot be ignored, the more important immediate cause of the annexation at that point in time were Britain's regional geo-political concerns: namely, the need to prevent the Orange Free State from breaking out of the neo-colonial framework imposed on it by Britain through the Bloemfontein Convention of 1854. In other words, if the OFS were to overrun Lesotho and head for the Transkei coast, it could then establish independent relations with foreign powers through Port St. John's. This factor has been played down or even forgotten by most historians. The new perspective articulated in this thesis seeks to place it back on centre-stage.

In order to put the final act of annexation into proper historical perspective, this thesis explores carefully the various treaties and relations which existed between Lesotho and Britain from 1842 onwards. During the period 1842-47, Britain was pleased to assert Lesotho's right to its land and protection for its citizens against the encroachments of the white settlers of Transorangia. This period of the Treaty States gave way to that of the Orange River Sovereignty in 1848, when Sir Harry Smith annexed the entire region for Britain and tried to establish proper mechanisms for peace and justice for both black and white. As this experiment failed, a scapegoat was needed. Moshoeshe, previously viewed as the source of peace and as a man prepared to compromise for the common good, now became in Smith's view the source of tension and a proud ruler who needed to be put in his place. Attacked twice by the British, Moshoeshe was not humbled militarily; through skilful diplomacy, he regained the confidence of Governor Cathcart.

As Britain had already decided upon a policy of abandoning the Orange River Sovereignty, the only question which needed to be answered was this: What status would Moshoeshe, her traditional ally, enjoy under the new dispensation. Clerk, entrusted with the task of disentangling Britain from the ORS, gave Moshoeshe strong assurances concerning his land claims while at the same time he told the white settlers the opposite, thus leaving the border situation confused and unresolved. Clerk also agreed to the white settlers' request for an embargo on arms and ammunition against the Basotho. Britain's "neutrality" was thus highly advantageous to the newly formed Orange Free State.

Nonetheless, during the First Basotho-Boer War of 1858, the Basotho emerged victorious due to their numerical superiority and the Boer's realisation that they could win individual battles but they could not subdue the Basotho. The British, through Governor Grey, gave more land to the Free State however in the hope of persuading it to join a white federation of states. Moshoeshe had thus won the war but lost the peace. Though disillusioned with the British, Moshoeshe knew that in the long run, he had no choice but to seek closer ties with Britain if he was to have any hope of resisting the land hungry white settlers. In 1861, Moshoeshe formally asked to become a subject of the Queen. This request was followed up carefully but, unfortunately, came to nothing. Seven more years were to pass and the Basotho would be terribly humbled in battle during the Second and Third Basotho-Boer Wars before the British finally acted to save the Basotho from complete defeat, fearing as has been said that a victorious OFS would then push on to the coast, and break out of the encirclement imposed on it by Britain.

The historical legacy of injustice from this period has never been forgotten by the Basotho nation. The issue of Lesotho's Conquered Territory, lost to the Orange Free State with the blessing of Britain, is still alive and perhaps the time has finally arrived for justice to be done now that South Africa is finally ruled by a government elected by all of her people.