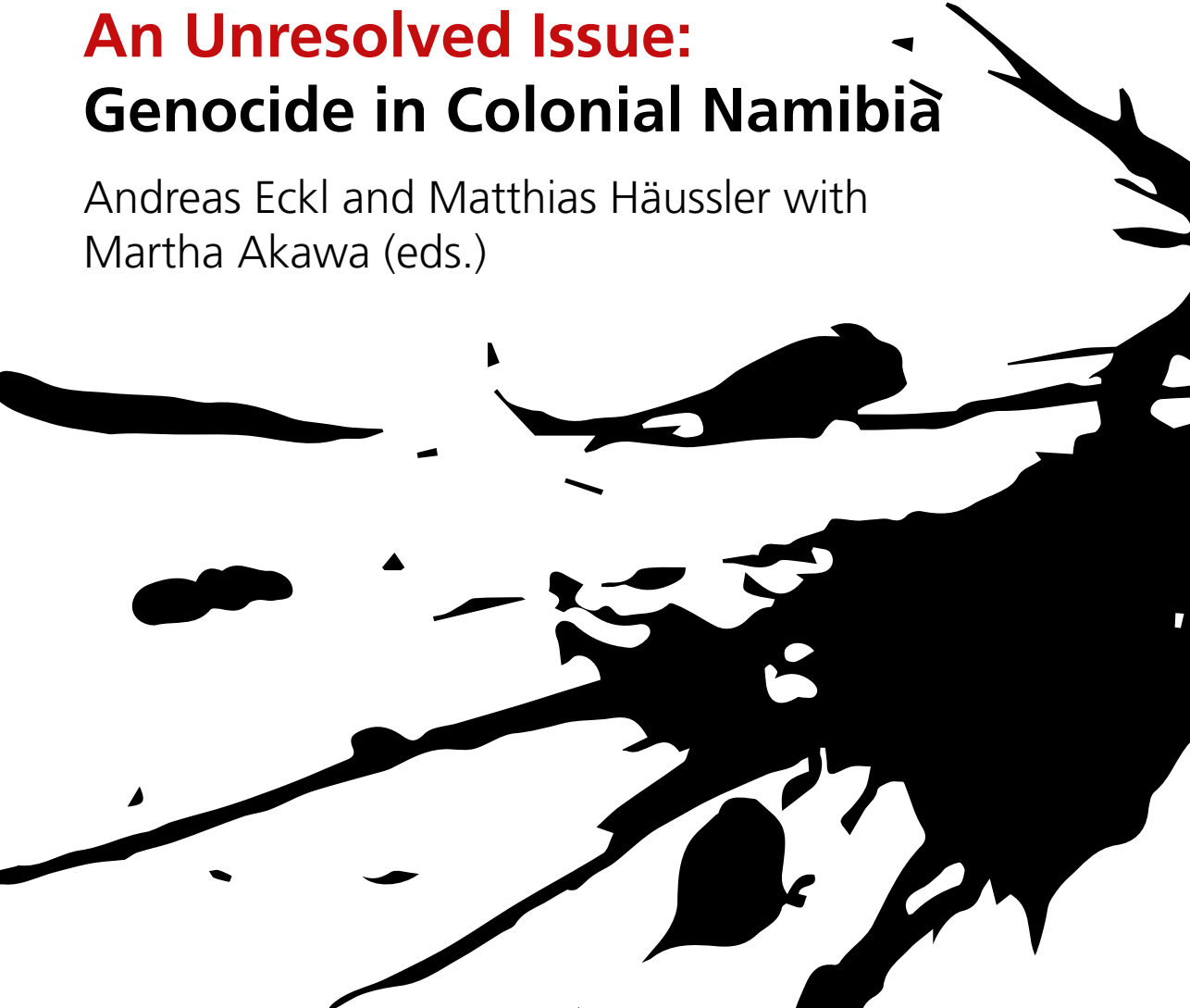




# **An Unresolved Issue: Genocide in Colonial Namibia**

Andreas Eckl and Matthias Häussler with  
Martha Akawa (eds.)



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Editor: Proof (Ed) – IT!  
Design and layout: Creative Care Graphics  
Contact/orders: [office.fesnamibia@fes.de](mailto:office.fesnamibia@fes.de)  
July 2024

Published by:  
Friedrich-Ebert-Stiftung  
Windhoek, Namibia  
Tel: 264 61 417500  
Email: [office.fesnamibia@fes.de](mailto:office.fesnamibia@fes.de)  
Website: <https://namibia.fes.de/>

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ISBN: 978-99945-56-38-0

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# Preface

In spring 2021, news spread like wildfire that Namibian and German government delegations had, after years of negotiations, concluded a 'reconciliation agreement' which included the official recognition of German crimes committed against the Ovaherero and Nama (1904-1908) in former 'German South-West Africa' (GSWA) as genocide, apologies to the Namibian state and the descendants, and compensation. The agreement received extensive coverage from various news sources, with historians, theologians, linguists, and other experts readily offering insights into a negotiation process that hardly anyone had been directly involved in, and expressing their opinions on matters of war, genocide, reparations, and reconciliation.

If anything, the short-lived public debate served to highlight how little is generally known about the wars in question, their protagonists, and intricacies. In particular, discussions usually referred to 'war' and 'genocide' in the singular, although these events involved a variety of independent political entities within a polycentric framework that lacked a central authority. It should also be remembered that Ovaherero, Nama, and Oorlam did not wage a joint war against the Germans since the latter supported the Germans from January 1904 on and only turned their weapons against them in October 1904 when the Ovaherero were no longer capable of any form of armed resistance. And in doing so, they did not come to the aid of the Ovaherero but fought their own war. Or should we rather say 'wars'? – As it turned out, Hendrik Witbooi, who referred to himself Great Head of Great Namaland (*Groot Operhoofd van Groot Namaqualand*), did not automatically command obedience from other leaders: their responses to his call to arms varied – some joined the conflict late, while others did not participate at all. Despite occasional joint actions, different theatres emerged in southern Namibia, around accomplished leaders such as Hendrik Witbooi, Cornelius Fredericks, Jacob Marengo, and Simon Kooper, who retained the authority to decide when to enter, how to conduct, and when to conclude the war, thus forcing the Germans to embark on a multitude of different campaigns. In the chapter *The Nama-German War – an integral part of a complex trajectory of large-scale violence*, Reinhard Kössler seeks to show that the Nama (and Oorlam) did fight a joint war against the Germans, thus highlighting the intricate trajectory of this war. Regardless of whether one agrees with Kössler's conclusions or not, the depth of his argument shall serve as a reminder that both this *or* the opposite assertion require a great deal of thought and cannot be blindly assumed.

The call for recognition of the German crimes and their Namibian victims has grown ever louder over the past years. If we are serious about this demand, we have to become more sensitive and precise in order to capture the full complexity of the world that the Germans set out to destroy; a modicum will not do anymore. To enhance our understanding of the entangled Namibian and German past and to address its many unresolved issues, the editors decided to put together the present volume, a collection

of contributions from distinguished experts presenting new perspectives and engaging with contemporary debates on war and genocide in colonial Namibia, on their aftermath, representations, memory and commemoration, and the moral, political, and juridical challenges they pose up to the present day. The chapters are divided into four sections: I. War and Genocide: New Perspectives, II. The Ending of War and its Aftermath, III. Recalling Genocide and IV. Present and Future Challenges.

Shampapi Shiremo and Kletus Likuwa point to the long history of extreme violence, providing a crucial prelude to the larger scale violence that followed and drawing on an instance that has not received the attention it deserves: The Vagciriku-Lishora Massacre of 1894. Although the event was officially acknowledged by representatives of the Namibian government and is still gaining attention throughout the country, academic research is limited. Shiremo and Likuwa fill this gap. In their chapter titled *The Vagciriku-Lishora Massacre of 1894: A colonial intrigue and genocide of the 19<sup>th</sup> century*, they analyse the causes of the massacre, concluding that it was a colonial intrigue linked to the killing of two European traders in 1892 that led to the outburst of extreme violence. Touching on the traumatic experiences of Vagciriku and Vashambyu victims, they advocate the use of the term 'genocide'.

In the following chapter *The Nama-German War – an integral part of a complex trajectory of large-scale violence*, Reinhart Kössler investigates the hostilities between Nama (-Oorlam) and Germans in order to unravel the intricacies underlying this conflict. He argues that the Nama-German War, conventionally dated to begin on 4 October 1905, is part of a broader Namibian (German) War, encompassing anticolonial resistance from 1903 to 1909. In addressing various aspects such as the common fate that all African resistance groups shared in German concentration camps or the commemorative alliance built among descendants of the victims in 2007, Kössler vigorously advocates a unitary reading of the wars in question.

Andreas Eckl examines the photo album that was created, along with the diary, by Lothar von Trotha during his stay in GSWA. In *A Visual Narrative of Genocide? Lothar von Trotha's photo album as seen against the backdrop provided by his diary*, Eckl explores the question of what image of the wars Trotha wanted to convey with his photographs and how Trotha, through his photographs, shaped a specific narrative. The comparison with the diary clearly shows that a massive reshaping of memory has taken place in the album. The chapter argues that Trotha strategically constructed this narrative in omitting images of enemies and victims. By obscuring the actual warfare as well as its aftermath and by presenting the wars as normal colonial conflicts, so Eckl concludes, Trotha initiated an extremely shameful tradition of denying genocide by simply blanking it out and banishing it from remembrance.

In the chapter *"Race Warrior"? Lothar von Trotha in German South-West Africa (1904–1905)*, Matthias Häussler examines the role that Lothar von Trotha played in the wars against Ovaherero, Oorlam and Nama, questioning whether his actions were driven by exterminatory racism or strategic considerations. While Trotha justified genocidal violence against the Ovaherero as a race war, the chapter explores a less studied phase of his offensive against the Oorlam and Nama, revealing greater

strategic flexibility and even attempts at peace negotiations. The author suggests that Trotha's approach may have been influenced by the absence of personal orders from Kaiser Wilhelm II for the later campaigns, allowing for a wider spectrum of measures and raising questions about Imperial Germany's responsibility for escalating violence in German South-West Africa.

Tilman Dederling explores the reactions and perceptions of the white community in GSWA during the Ovaherero and Nama Wars of 1904-1908. Rather than delving into political and military decision making, *The Herero and Nama War in German South West Africa (1904-1907) in Newspaper Reports* focusses on how observers in GSWA, South Africa and other African territories made sense of large-scale violence by examining German and English newspapers from the period until the 1940s, which provide information on settler opinions and concerns. While acknowledging the biased nature of these sources, Dederling's chapter reveals recurring themes in public narratives, illustrating how extreme violence against Africans was defended and normalised in the cultural and psychological environment of the time and beyond.

In her chapter, *The Concentration Camp on Shark Island near Lüderitz. Chances and perspectives of archaeological surveys in colonial structures*, Katja Lembke reports on a highly relevant archaeological project. Concentration camps were an integral part of the pacification of GSWA, and their chapter provides us, from an archaeological perspective, with new insights into the most notorious concentration camp on Shark Island, which saw the death of thousands of natives between 1905 and 1907. It is incomprehensible that Lüderitz lacks any memorial – and all the better to hear that Lembke's collaborative project rediscovered the site using archaeological methods, revealing installations, and creating a detailed map.

Wolfgang Werner reminds us that until 1897, the Ovaherero were considered the uncontested rulers of their land, resisting outright land sales to Europeans – and that colonial authorities opted, in their quest to establish a German settler colony, for a war of annihilation. As Werner shows in *"This country is hell for the white man!" Land dispossession and resilience 1906-1914*, the consequences resulting from this intransigent approach were disastrous. Post-war proposals for providing surviving Ovaherero with land were rejected in favour of complete expropriation, impacting both their livelihoods and settler agriculture. Ironically, the Germans faced significant difficulties: The imposition of Native Regulations, aiming at controlling African communities, met with resistance, as colonized people navigated between wage employment and subsistence, and violence on farms perpetuated a labour shortage until the end of colonial rule.

In the chapter *A Question of Fundamental and Far-Reaching Importance for all the Future". German compensation payments as a result of the Ovaherero War, 1904-1914*, Jakob Zollmann sheds light on the fact that the German state compensated German settlers, companies, and some Africans for the damages caused in the course of the Ovaherero war. It may come as a surprise that these precedents seem absent in current debates on German reparation payments to the Ovaherero and Nama in

Namibia. As Zollmann's considerations show, they deserve much more attention, given the sharpness of the controversies that came with them.

Sarala Krishnamurthy's chapter *Defined, or Disrupted? Investigating post-memory and transgenerational trauma in Herero Nama Genocide survivor family narratives*, makes an important contribution to this volume, addressing the long-term impacts that war and genocide have had on the members of the victim groups up to the present day, she brings to the fore the complexities of memory. By introducing the concept of historical trauma and emphasising its collective nature among groups sharing an identity, Krishnamurthy seeks to explore transgenerational trauma in the context of the Ovaherero and Nama survivor families and to highlight the differences in coping mechanisms between these two ethnic groups.

Medardus Brehl's chapter *From the Herero Uprising to the Ovaherero and Nama Genocide. About the discourse history of an event of mass murder* starts from the Reconciliation agreement of May 2021 according to which the German atrocities committed from 1904 to 1908 were to be termed genocide if viewed from a contemporary legal standpoint. Unsurprisingly, this declaration was met with great uneasiness in Namibia as it was perceived as ambiguous and as relativizing the German atrocities. Brehl examines how the latter came to be classified as genocide; by focusing on the historical discourse surrounding the events, Brehl elucidates the implications of the legal term genocide and highlights the challenges of naming, contextualizing, and interpreting of atrocities in a discourse-historical perspective.

In *A Forgotten Genocide? The concept of colonial amnesia as an instrument of memory politics*, Christiane Bürger and Sahra Rausch analyse the widespread notion of colonial amnesia and the role it has played in memory politics, especially since 2004. In investigating the rise of the concept, Bürger and Rausch elucidate its historical context as well as the challenges that it poses and follow up the question if war and genocide have really sunk into oblivion in memory politics after 1904. Recalling that notions such as forgotten genocide have only recently come into use, the authors point out that oblivion is a social practice that involves the media, politicians, activists, and scholars.

In his chapter *The Herero War and the Question of Genocide. An overview of recent research*, Jonas Kreienbaum addresses the ongoing scholarly reception of war and genocide in colonial Namibia, focusing on the fate of the Ovaherero. Touching on crucial issues such as Lothar von Trotha's extermination order or the continuity thesis, Kreienbaum reviews new studies since 2004, pointing out that the genocidal nature of Imperial Germany's actions is widely accepted. While acknowledging opposing views, he shifts his focus to understanding the complex dynamics of violence beyond the strict fixation on the genocide concept.

Harald Kleinschmidt examines a document that was issued by the German federal parliament in 2016 to counter Namibian compensation claims, thus highlighting the shaking ground on which the so-called reconciliation agreement came to be concluded. In *The Scientific Re-Presentation of Colonialist Propaganda. An analysis of the legal opinion by the scientific services of the Deutscher Bundestag relating to*

*Namibian compensation claims* he argues that the parliament's legal defence reflects nineteenth century colonial attitudes, which becomes evident with respect to the underlying notion of the colonial war or the denial of international status to African states. The document is analysed within the history of international law and the theory of war, revealing colonialist perspectives in the legal arguments against compensation claims.

Henning Melber specifically addresses the serious problems inherent in the so-called Reconciliation Agreement of 2021, looking back on its making. In *A Reconciliation Agreement that isn't one. The German-Namibian Joint Declaration on Genocide in German South West Africa*, he reminds us that although the agreement was initialled by both governments, it came to face criticism for lacking legal recognition, responsibility, and reparations, and goes on to highlight flaws in the agreement, including the exclusion of influential agencies of affected communities. Melber concludes that true reconciliation extends beyond government agreements and requires material recognition, empathy, and a willingness to listen among people.

In their chapter, *Decolonial Futures: Reflecting on the legacy of German colonialism in Namibia and the restitution of museum objects*, Golda Eureth Ha-Eiros and Napandulwe Shiweda tackle a different, but equally demanding issue concerning Germany-Namibia relations: the restitution of museum objects. Drawing on the example of the restitution of 23 objects from the Ethnological Museum in Berlin to the National Museum of Namibia in May 2022, they dismiss the common practice of solely relying on museum archives for provenance research and stress the necessity for evaluating artifacts based on their cultural and historical significance to descendant communities. In doing so, the authors highlight the deeper meaning of restitution, claiming that the returned objects can contribute to the restoration of cultural values and identity that got lost in the wake of colonization. Therefore, restitution must be considered as an integral part of larger decolonisation efforts.

In his chapter *After Genocide: How might Namibians and Germans reconcile?* André du Pisani reflects on the challenges of reconciliation. He points out that ethics and moral philosophy centre on choice, acknowledging that our decisions are influenced by historical, political, contextual, and moral factors. Despite limitations and the absence of absolute ethical rules, he advocates for a cosmopolitan lens shaped by African ethics, virtue ethics from Western philosophy, and psychohistory in addressing moral crimes such as genocide. His focus extends beyond ethical ideas to encompass modes of remembering, contested truths, human agency, and the complexities of citizenship. This leads to the realisation that reconciling after genocide involves actualising core principles for cosmopolitan justice, recognising the challenges but emphasising the potential of cosmopolitan thinking in accessing our shared humanity.

As readers engage with the chapters in this book, the hope is that they gain not only a comprehensive understanding of the genocide in colonial Namibia but inspire further research and dialogue, acknowledging that the quest for a better understanding of the war, justice and reconciliation is ongoing. Through collective scholarly

effort and public engagement, this volume acknowledges that we learn and unlearn from the past, in order to foster a more just and equitable world.

The editors thank the German Research Foundation (DFG), the Friedrich-Ebert-Stiftung (FES) and the Institute for Diaspora Research and Genocide Studies at the Ruhr University Bochum for their support and, last but not least, the colleagues, who contributed the chapters to this volume.

Andreas Eckl, Matthias Häussler, Martha Akawa

Bochum/Mainz/Windhoek, July 2024

## **I. WAR AND GENOCIDE: NEW PERSPECTIVES**





# The Vagciriku-Lishora Massacre of 1894

## A colonial intrigue and genocide of the 19<sup>th</sup> century

### Shampapi Shiremo and Kletus Likuwa

#### Introduction

In recent years, the previously little known Vagciriku-Lishora Massacre of 1894 had gained some attention from important figures and government structures of Namibia. Since around 2018, Dr Hage Geingob, the third President of the Republic of Namibia has cited the Lishora Massacre of 1894 as one of those historical episodes that Namibians must always remember and commemorate in order to reflect on the dark days of the country's colonial times in his speeches.<sup>1</sup> Furthermore, since 2017, the Lishora Massacre has been on a few occasions a subject of discussions of the National Assembly, with the most recent contribution being made by Hon. Sebastiaan Karupu on February 28, 2023. This is perhaps an indication that the Lishora Massacre of 1894 is receiving some attention it deserves in order for it to be recognized as part of the public and national history of Namibia. However, from an academic point of view, it appears that more research work is yet called for. This is essential to establish scientific knowledge and conscientize a wider community of researchers and general public about this massacre. Thus, this chapter intends to add to the efforts which aims at providing clarity on some of the issues that remain blurred in the narrative of this little-known massacre. Notably, being a descendant of the victims of the Lishora Massacre of 1894 and a historian by scholarship, John Mutorwa (now Deputy Prime Minister) had impliedly called upon researchers to further dig into the matter in order to establish the real causes of this massacre.<sup>2</sup> This study is therefore partly an attempt to respond to this historical calling.

An important objective of this study is to explore and examine some of the accounts that were previously provided as the causes of the Vagciriku-Lishora Massacre of 1894. Some accounts are oral and emanate from the victim communities, whilst the written account mainly emanate from the colonial officials, other European role players and the direct perpetrators of the massacre, the BaTawana. Among other methods, these accounts are examined by first outlining them and then checking for

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<sup>1</sup> Keynote Address by H.E Dr Hage Geingob, President of the Republic of Namibia, On the occasion of the commemoration of Heroes Day: Working for A United, Free and Just Namibia, Nkurenkuru, Kavango West Region, August 26, 2018. p. 11.

<sup>2</sup> John Mutorwa: *The Establishment of the Nyangana Roman Catholic Mission Station During the Reign of Hompa Nyangana*, Windhoek, Gamsberg Macmillan, 1995, p. 11.

their veracity through a critical inquiry, source critique, comparison and cross checking with other sources.

Based on archival and contemporary records, the chapter provides a basis onto which an argument about the massacre having been a colonial intrigue on the Vagciriku can be based. The chapter supplies a ray of information that shines light on the fact that had it not been for the killing of the two white traders, the German subject, Phillip Wiessel and the British subject, Robert Arthur Faraday in 1892, the Lishora Massacre of 1894 probably couldn't have taken place. It further asserts that a discussion about this massacre without the context of the deaths of the two said traders could be misleading as far as what its fundamental causes were. An argument that the Lishora Massacre can also be considered as a genocide against the Vagciriku during the 19<sup>th</sup> century is also provided.

Finally, the chapter touches on the traumatic experiences of the Vagciriku and Vashambyu women in the aftermath of the massacre. It is shown that despite the mass rape and other abuses that were committed against these women, the survivors and rape victims and their descendants have rather chosen to explicitly leave out mentioning these traumatic experiences. Implicitly however, the women narrators of the aftermath of the massacre have hinted at the atrocities that were committed by the BaTawana; for interesting reasons, Hompa Nyangana is depicted as the villain and scoundrel in their accounts.

## **The oral accounts, and competing versions on the causes of the Vagciriku-Lishora Massacre**

There are six different competing versions regarding the cause of the Vagciriku-Lishora Massacre. Four of the versions emanate from oral history, whereas the two other versions are found in written sources. These versions can be categorized as coming from four main sources, namely: The Vagciriku, Vashambyu, BaTawana, and that of the Europeans from Ngamiland. Whereas the versions of the Vagciriku and the Vashambyu are rooted in oral tradition and history, those of the BaTawana and the Europeans from Ngamiland can be found in both primary and secondary written sources. The Vagciriku, together with the Vashambyu were the victims in the BaTawana's attack, whereas the BaTawana were the direct perpetrators of the massacre; some written sources had implicated the Europeans from Ngamiland as having been sponsors or instigators of the massacre. Given the different perspectives, we therefore outline a brief survey of these accounts and their sources as an attempt to establish their historical veracity and relevance to the actual causes of the Lishora Massacre.

When the BaTawana attacked the Vashambyu at Malyo Island and massacred the unarmed Vagciriku standing army at Shantjefu in 1894, not a single person from these two communities was literate. Nevertheless, the accounts about the Lishora Massacre have survived for over a period of more than 100 years. The elders from the two affected communities have passed on the memories of the massacre to their next

generations. As a result, the massacre's memories are deeply rooted even amongst the present generations, especially amongst the Vagciriku. Thus, it is common even today to hear the youth of the Vagciriku and Vashambyu referring to *mwaka waShikuma* i.e, the year of Sekgoma, in their daily expressions. This is so even if they cannot exactly tell the actual date of this massacre as per the Gregorian calendar. Until recently, even in published literatures, the exact year that the Vagciriku-Lishora Massacre took place had been a matter of guesswork.<sup>3</sup> However, the majority of the two affected communities have at least an idea of what happened to their ancestors during the said infamous year of Sekgoma. The dating and periodization problem is part of the nature of oral tradition and history, which is mostly devoid of exact dates. Amongst the Vagciriku, there are several sources that have handed down the accounts about the Vagciriku-Lishora Massacre. These sources were either contemporary or those who were directly related to those who were eyewitness of the massacre. On record some of these sources were the Vagciriku royal members, namely, Shiromba shaMakanga<sup>4</sup>, Hompa Linus Shashipapo<sup>5</sup>, George Mukoya<sup>6</sup>, Kandambo kaMunkanda<sup>7</sup>, Hompa Sebastian Kamwanga<sup>8</sup>. Non-royal members' accounts, such as those

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<sup>3</sup> In the meanwhile, we have since August 2008 found an archived contemporary document in Botswana National Archives and Record Services which authoritatively set the date of the Vagciriku-Lishora Massacre at March or April 1894. Before August 2008, from the reading of other literatures, we asserted 1893 as the year of the Lishora Massacre. For this reason, Shampapi Shiremo's (2002) BA mini-thesis was partly titled 'The Lishora Massacre of 1893'.

<sup>4</sup> She was *Hompa* Nyangana's niece, a daughter of Kandambo and Makanga. Makanga, her father was killed by the BaTawana at Shantjefu, apparently after a daring resistance with his battle knife (*rufuro*). She is estimated to have been between the age of 6 and 8 years old in 1894. She died in around 1987 at an estimated age of 100 years old.

<sup>5</sup> He was *Hompa* Nyangana's nephew, son of Katiku and Mashika. Mashika, his father was able to escape with his family. Shashipapo himself was born about three years after the Lishora Massacre. Massacre. He was the seating ruler of the Vagciriku from February 1945 to 16 December 1984.

<sup>6</sup> George Mukoya was a son to Shiromba (cf. footnote 4) and Kandjimi. He is estimated to have been born approximately 14 years after the Lishora-Massacre of 1894.

<sup>7</sup> Kandambo (aka Lilyenge) was a daughter of Rukunde and Munkanda. Rukunde was a niece to *Hompa* Nyangana, a daughter of his sister, Kandambo. Kandambo's father, Munkanda was grandchild of Katiku kaSheshere as he was an offspring of her son Mututo whom she begot with Prince Kanyetu. She was estimated to have born in around 1925. She passed on or about the 29 August 2014.

<sup>8</sup> He was a son of Shihako and Ndunda. Shihako, his mother was a daughter of Shiromba (cf. footnote 4). He qualified as a teacher in 1951 from Döbra Teacher Training School. He became a ruling *Hompa* of the Vagciriku from 1985 until his death in January 1999.

by Mudumbi ShaMurarero<sup>9</sup> and Lidia Katiku kaSharumbongo<sup>10</sup>, contain one version which also appears in the royal account. It is common knowledge that the Lishora Massacre is a retold community story amongst the Vagciriku. However, it must be mentioned that women and children were not present at the scene when the massacre took place. One can then guess that the men who survived the massacre handed down the accounts about what transpired at Shantjefu during that fateful day. However, both women and men could have been equally placed as historical sources for the pre-massacre events, depending to the proximity to the ruling clan at the time. Even though most of the men who turned up on the fateful day were killed, there were very few survivors of the Lishora Massacre. A good case of those that survived were Kaveto (aka ShaKashivi) and Shidjukwe: The two faked death by lying still amongst the dead bodies and managed to escape at dusk. George Mukoya (Interview, 1989) related how Kaveto, who was a personal bodyguard of his grandfather, Makanga, survived in that manner. Ludwig *Lishuro* Mudumbi waKamenye (Interview, 2002) related a similar account of his grandfather, Shidjukwe. Lishuro claimed he had himself seen scars inflicted on his grandfather's body during the heat of the Lishora Massacre and his grandfather related to him about how it happened. When Lishuro was interviewed in 2002, he was himself already in his late seventies.

It is important to note that though Hompa Nyangana, who features prominently in the accounts of the Vagciriku-Lishora Massacre, lived for another 30 years after the incident, a substantive account regarding what transpired shortly before, during and after the massacre from his part has not been located yet. However, in the monthly report of 1922, the Officer-in-charge of Native Affairs, René Dickman wrote that in his own presence and that of Hompa Muduni zaKatembo of Mbunza, Hompa Ndango waMakinyara of Sambyu and a big Gciriku crowd that gathered at the occasion, Hompa Nyangana briefly spoke about this event. He spoke about how he was a prisoner of war of the BaTawana for two years until his release by Kgosi Sekgoma upon the insistence of the British-Bechuanaland officials.<sup>11</sup> However, what he said as

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<sup>9</sup> He was a son of Maneko and Ngondera. His mother, Maneko while a girl, together with her brother and baby Tumone on her back escaped from the BaTawana's onslaught. She ran through thick bushes until she crossed the Kavango River at Shaghaya. Tumone was a daughter of her older sister, Mayenga who died of natural causes a month/s ago. In her adulthood, Tumone gave birth to five children including Manyandero, the paternal grandfather to Mr. Shampapi Shiremo, a co-author of this chapter. Mudumbi ShaMurarero himself is the father to Murarero, the paternal grandmother of Mr. Shampapi Shiremo. He is estimated to have been born around 1910. He passed away in around March 1999.

<sup>10</sup> She was a daughter of Shidona and Sharumbongo. Both, her parent lived at Mbambi Village with Princess Mavandje, the elder sister to Hompa Nyangana. She is estimated to have been born in 1929. She passed on 4 July 2006.

<sup>11</sup> NAN, SWAA 2385 file no. A519/1 Vol 1. A Monthly Report by the Officer-in-charge of Native Affairs of the Okavango Native Reserve, René Dickman, 01/09/1923 to Secretary of SWA, Windhoek, p.285.

contained in Dickman's monthly report, is not enough to establish what he thought to have been the causes of the massacre. Thus, it needs to be noted that all of the Vagciriku oral accounts that are now available have been taken many years after the death of Hompa Nyangana. Indication is that the oldest recorded oral accounts regarding the Lishora Massacre amongst the Vagciriku royal family were taken about 70 years after the incident itself and about 40 years after the death of Hompa Nyangana. This excludes those accounts that were taken by the Roman Catholic missionaries such as Father August Bierfert and Joseph Wüst, which are generally not available to the public. One therefore wonders whether these accounts – that seem to heap all the blame regarding the causes of the Lishora Massacre on Hompa Nyangana – would have been the case if they were told at a time when Hompa Nyangana himself was still alive.

It must be stated that from 1910, the Catholic Missionaries from the order of the Oblate Mary Immaculate founded a Mission Station amongst the Vagciriku. Thus, one expects that those missionaries had recorded Hompa Nyangana's views regarding the Lishora Massacre. In fact, there are indications that they have done so. As for example, in 1913, one of the founding priests of the Nyangana Roman Catholic Mission, August Bierfert published an article entitled "Die Diriku" in a German volume called Benhard Voigt (Comp), *Lesebuch Zur Heitmakunde von Deutsch Südwest Afrika*. In that article, he referred to the Vagciriku-Lishora Massacre, but without giving any hint that Hompa Nyangana was responsible for inviting the BaTawana. August Bierfert wrote in a way that gives the impression that the BaTawana's onslaught on the Vagciriku was just one of those series of attacks that the Vagciriku had suffered from foreign aggressors in the 20 years before the time of the Lishora Massacre. It is known that Father August Bierfert had frequent interviews/conversations with Hompa Nyangana as the two lived within a short walking distance from each other. It also seems evident that another missionary at Nyangana Roman Catholic mission wrote about the Vagciriku-Lishora Massacre. In a translated version of an article that she previously published in German in 1983, Dr. Maria Fisch indicated that another early missionary also wrote about the BaTawana's onslaught on the Vagciriku. Fisch notes that the Catholic Missionary, Josef Wüst, who worked under the Kavango people since 1912, is the only author who has written down a short and correct overview of the course of the events.<sup>12</sup> However, Father Wüst's manuscript in which he wrote the short and correct overview regarding the events relating to the Vagciriku-Lishora Massacre, is of now not in the public domain. It is said Wüst's manuscript got lost or stolen in some archives or libraries of the Roman Catholic Church. It would have been interesting to know what Father Josef Wüst wrote about the Lishora Massacre. Though Dr. Fisch relied on Wüst's manuscript, she did not clarify as to whether Hompa Nyangana was one of Wüst's sources.

The Vagciriku elders had provided versions that blame Hompa Nyangana as having been the main instigator of the Lishora Massacre of 1894. They give four reasons,

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<sup>12</sup> Maria Fisch: 'The Tawana's Military Campaign into Kavango', in: *Journal Namibia Scientific Society*, 55, 2007, pp. 109-131 (112).

with the principal reason that Hompa Nyangana himself invited Kgosi (king or chief) Sekgoma to punish Prince Kanyetu of the Vashambyu who stole his wife, Katiku kaSheshere. Secondly that out of jealousy, Hompa Nyangana wanted to get rid of his brother in-law, Makanga, because he had more wealth than he, [Hompa Nyangana]. Thirdly, that Hompa Nyangana wanted to teach his people how to obey him. Lastly, is the account about vengeance where Kgosi Sekgoma punished the Vagciriku because Hompa Nyangana led them into danger when he asked them to fight Prince Kanyetu at Malyo Island.

### **The Katiku kaSheshere version**

Most of the Vagciriku elders who gave the account of the Lishora Massacre narrative, referred to the feud between Hompa Nyangana and Prince Kanyetu of the Vashambyu over a woman named, Katiku kaSheshere as the origin of the massacre. Princess Mavandje, her son Prince George Mukoya, and Mudumbi ShaMurarero are on record citing the Katiku kaSheshere factor as the cause of the Vagciriku-Lishora Massacre. Dr. Maria Fisch's sources for her article *The Tawana's Military Campaign into Kavango* also affirmed the Katiku kaSheshere factor as the main contributing reason to the Lishora Massacre; according to Dr. Fisch's sources, the woman in question was also identified as *Kashekere* not only as 'Katiku'.<sup>13</sup>

Amongst the Vagciriku, the name *Katiku* means a girl born at night. It is the same name as *Kasiku* amongst the Vakwangali, *Kathiku* amongst the Hambukushu, *Namasiku* amongst the Aluyi and *Naufiku* in Oshiwambo language. *Katiku* was her own name, whereas *kaSheshere* represents as to whose daughter she was. Thus, in this case *Katiku kaSheshere* means *Katiku*, the daughter of *Sheshere*. The prepossession *ka* which precedes the name *Sheshere* means the child of, just as in the example in *Kambonde kaMpingana*. As they were/are too many *Katiku(s)* in the Vagciriku community, to distinguish her from the other *Katiku(s)*, the elders had to identify her surname, in this case the name of her own father. It must be mentioned that *Kashekere* is however also a stand-alone name found amongst the Kavango people, Dr. Fisch's findings need to be investigated further because she interviewed "informants who were still blessed with the gift of recollection."<sup>14</sup> These informants included the then ruling Hompa Linus Shashipapo who was interviewed by Dr. Maria Fisch herself in 1966. Since no audio material is available where the name *Kashekere* is confirmed, the woman in question will only be referred to as *Katiku kaSheshere*.

In their narrative of the Lishora Massacre, the Vagciriku oral sources have repeatedly claimed that *Katiku kaSheshere* was one of Hompa Nyangana's wives, but was unhappy, ran away from Nyangana, and fled to the Shambyu kingdom. The oral sources make it clear that when *Katiku kaSheshere* fled from *Shitopoho*, Hompa Nyangana's royal seat, she fled to *Shiyana*, then the capital of Shambyu, where Prince

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<sup>13</sup> *Ibid.*, p. 117.

<sup>14</sup> *Ibid.*, pp. 110f.

Kanyetu and his older brother, Hompa Mbambangandu I lived at the time. George Mukoya (Interview, 1989) related that when Prince Kanyetu saw Katiku kaSheshere at Shiyana, he got interested in her and took her into marriage. This was even though Prince Kanyetu was advised against the idea by his older brother, Hompa Mbambangandu I.<sup>15</sup>

Written sources that refer to Prince Kanyetu and Hompa Mbambangandu shed some light as to the date when the Katiku kaSheshere affair probably could have taken place. For instance, it is known that due to the bad relations with his older brother, Prince Kanyetu moved away from Shiyana village, then the royal capital of the Vashambyu at the Kavango River, with his followers and established his own settlement at Malyo Island on the Kwito River. From the written commentaries of the early 20<sup>th</sup> century, it appears most likely that by 1884, Prince Kanyetu was already settled at Malyo Island on the Kwito River. This is because in 1884, when the Balози Sovereign, Litunga Lubosi or Lewanika sought asylum amongst the Vashambyu, it was Prince Kanyetu who afforded him protection at Malyo Island.<sup>16</sup> This means that the Katiku kaSheshere affair took place before Prince Kanyetu relocated from Shiyana to Malyo Island. In 1884, when Litunga Liwanika fled from his kingdom and went to seek asylum amongst the Vagciriku and Vashambyu people, he found Prince Kanyetu already settled at Malyo Island. This might give us some clue as to the length of period it took Hompa Nyangana to react to the stealing of his wife, by Prince Kanyetu. Nevertheless, the Vagciriku elders had repeatedly cited the Katiku kaSheshere affair as the immediate cause of the Vagciriku-Lishora Massacre of 1894. Since we now authoritatively know that the Lishora Massacre took place in 1894, this dating of the events does give us some clues as to the length of time it took Hompa Nyangana to react to the stealing of his wife Katiku kaSheshere by Prince Kanyetu: by this calculation at least a decade.

If what is speculated above is true, could the Katiku kaSheshere affair really qualify as the immediate cause of the Vagciriku-Lishora Massacre? Interestingly, at least one authoritative source from the Vagciriku Royal Family have strongly questioned the credibility of the Katiku kaSheshere affair as the possible immediate cause of the Lishora Massacre. Kandambo kaMunkanda (Interview, 2006) questioned the Katiku kaSheshere affair as the main reason why the BaTawana descended on the Vagciriku. She argued that Katiku kaSheshere was in fact *Prince Kanyetu's wife* before she became Hompa Nyangana's. Furthermore, she reasoned that the fact that Prince Kanyetu had more and older children with Katiku kaSheshere compared with Hompa Nyangana, who only had one child, named Shapirama, with her, is proof that the former had greater rights to claim Katiku as his wife than the latter. By this argument, it means that, if anything, it was Hompa Nyangana who stole Prince Kanyetu's wife and not the other way round. The explanation by Princess Kandambo kaMunkanda

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<sup>15</sup> Richard Hashipara, Interview, 1999.

<sup>16</sup> Sebastiaan Kamwanga, Franz-Josef Haushiku: *Tu Va manyo kushakare*, Windhoek, Gamsberg Macmillan, 1996, p. 35 & Alfred St. Hill Gibbons: *Africa from South to North through Marotseland*, vol.1, London, Lane, 1904, p. 153.



(aka Lilyenge) perhaps justifies Prince Kanyetu's behaviour when one day he suddenly appeared at Hompa Nyangana's capital, Shitopoho mounted and with a firearm demanding for Katiku, his wife and ready to fight his arch-rival. However, the day was saved because his nemesis, Hompa Nyangana was on a hippo hunt on the day and thus Prince Kanyetu returned to the Shambu capital of Shiyana without a serious incident.<sup>17</sup> The retired Inspector of Schools and Historian, Karl Peter Shiyaka-Mberema was also further informed by his earlier informants that upon Hompa Nyangana's return from the hippo hunt, he considered Prince Kanyetu's rude visit as an outrage and thus embarked upon a hot pursuit while mounted and armed but couldn't catch up with Kanyetu and therefore returned without any success. As already intimated, this incident probably took place shortly before or in 1884. Prince Kanyetu's children with Katiku kaSheshere were: Mututo, Mberema, Wayera, and another girl whom Kandambo kaMunkanda could not recall during the interview. Napenda Mbambangandu (Interview, 2004) referred to someone called Kanema as having been another child of Katiku kaSheshere. We therefore assume that one of the children of Katiku kaSheshere with Prince Kanyetu, whose name Kandambo kaMunkanda forgot, during the interview, could be Kanema.

Kandambo kaMunkanda's account of the conflict between Hompa Nyangana and Prince Kanyetu over Katiku kaSheshere is persuasive in many respects. One of Katiku kaSheshere's children with Prince Kanyetu, Mututo, was her own biological grandfather who bore her father Munkanda. She related that she once lived with her grandfather, Mututo at his homestead at Koro village, probably between the 1930s and 1940s. One can therefore take Kandambo kaMunkanda's version seriously, as the people she was talking about were all close blood relatives whom she closely interacted with during her lifetime.

Against this background, the view that Hompa Nyangana's outrage about the stealing of his wife Katiku kaSheshere by Prince Kanyetu led to him inviting the BaTawana to assist him in crushing his rival, need to be further scrutinized. Some oral sources hint at the fact that Hompa Nyangana sought assistance from Kgosi Moremi, whereas others mention that he sought it from Kgosi Sekgoma who was the former's successor from 1891. It needs to be noted at this juncture that Kgosi Sekgoma's statement regarding the Lishora Massacre is available and that not in a single line did he mention that Hompa Nyangana sought assistance from him or his predecessor over the Katiku kaSheshere Affair.

### **Makanga's wealth version**

There is a version amongst the Vagciriku royalty that Hompa Nyangana invited Kgosi Sekgoma to execute his brother in-law Makanga. In an apparent conversation between Kgosi Sekgoma and Hompa Nyangana regarding the latter's request to the former to attack his enemies, including his own people on his behalf, Sekgoma asked Nyangana; *Gciriku ne nke yi ka fera?* Meaning why must your people (Vagciriku) get

<sup>17</sup> Karl Pereter Shiyaka-Mberema in his routine conversations with Shampapi Shiremo, 2010.

killed? Hompa Nyangana is said to have responded to this question by saying, "Makanga and his wife Kandambo are disobeying me. They also possess a lot of cattle and food stuffs in their kraal. You will also have to kill my brother, Ngandu." [*Makanga ana ndini na mukadendi Kandambo, vana kara nangombe dadingi nandya dadingi. Namuunyande Ngandu a ka fe.*]<sup>18</sup> It seems that Hompa Nyangana's response to Kgosi Sekgoma's question was somehow misguided. If it is correct that the statement above was Hompa Nyangana's response to Kgosi Sekgoma's question, then it becomes obvious that he did not have any good reasons to order the extermination of the Vagciriku's able-bodied male population. What did the rest of his adult male population have to do with Makanga's wealth? The reason Hompa Nyangana apparently gave to Sekgoma was that Makanga had become wealthier in cattle than he [Hompa Nyangana]. Once again, this version heaps all the blame regarding the Lishora Massacre on Hompa Nyangana's jealous character. The justification of this version is that since Makanga was a Prince-Consort to Princess Kandambo kaHashipara, who was one of Hompa Nyangana's two younger sisters, Hompa Nyangana imagined himself deposed by Makanga's wife and children. This was because by Vagciriku Royal Family structure, Kandambo and her children were next in line to take over the Gciriku throne. And, for this reason, Hompa Nyangana saw Makanga, a wealthy man originally from Shambyu, Utokota being the husband to his younger sister, Kandambo, as a threat to his powerbase and throne. Thus, Hompa Nyangana apparently felt jealous, undermined, suffered from an inferiority complex, and thus decided to seek assistance from Kgosi Moremi or his successor Kgosi Sekgoma to come to the Gciriku kingdom and eliminate Makanga. On record about this version, are George Mukoya (Interview, 1989), Kandambo kaMunkanda (Interview, 2006) and Dickson Muyeghu Kayoka (Interview, 2002). One needs to take note that the Makanga wealth's version prominently emanates from Makanga's own descendants. Judging from the Vagciriku's oral history, those from the lineage of Princess Kandambo- Makanga's wife had more losses to count after the massacre and were thus left with a bitter taste in the mouth. For instance, Makanga's first-born with Princess Kandambo, Muyeghu, and Makanga himself all perished in the massacre. All of Makanga's large herds of cattle were also taken by the BaTawana. These huge losses in human lives and property probably had a major psychological impact on the memories of the Kandambo's descendants compared to the descendants of the Katiku. The family of Princess Katiku, the youngest sister of Hompa Nyangana survived the massacre in *toto* and became the dominant ruling lineage in Namibia successively for 59 years immediately after the death of Hompa Nyangana. It is therefore understandable that against this royal history of succession, the Makanga and Princess Kandambo descendants justifiably had an axe to grind with Hompa Nyangana even after his death. It is evident that they viewed Hompa Nyangana as the obstacle who stood in the way of some of their family members to ascending to the Vagciriku throne and thus blamed him on the past misfortunes that befell their family. The premature and unnatural deaths of Princes Muyeghu in 1894 and the Tjimi in

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<sup>18</sup> George Mukoya, Interview, 1989.

1919 who were Princess Kandambo's sons are a few of the examples with which they tried to explain these misfortunes. One then wonders if the Makanga's wealth issue was the real and main reason why Hompa Nyangana had to invite the BaTawana. If it was so, then it remains a mystery as to why the BaTawana not only executed Makanga alone and left the rest of the Vagciriku standing army or warriors alone. There are even contradicting statements regarding the Makanga's wealth version. For instance, Sebastian Kamwanga writes that Hompa Nyangana together with his brother-in-law, Makanga went to Ngamiland to invite Kgosi Moremi to come and execute Prince Kanyetu.<sup>19</sup> When the BaTawana responded to this invitation or hiring by Hompa Nyangana in 1894, they not only executed Prince Kanyetu but Makanga too. Thus, it becomes difficult to understand that Makanga would have formed part of a delegation that went out to seek help to execute him. This is because, there is at least one contemporary document that indicates that two years before the Vagciriku-Lishora Massacre, Hompa Nyangana had a working relation with his brother in-law, Makanga. In 1892, when the Vagciriku killed a German trader, Phillip Wiessel (*locally known as Mpundja*) Hompa Nyangana together with his brother-in-law, Makanga appears to have plotted the whole thing together.<sup>20</sup> Interestingly, George Mukoya (Interview, 1989) who expounded the version of Makanga's wealth, revealed in the same interview that there could have been other motivating factors for the massacre. Mukoya related that as the BaTawana passed by Gciriku territory to Malyo Island, Kanyetu's settlement, a sick BaTawana soldier (a Muyeji), Shankadi (probably Sankandi), who had been left behind in Makanga's house, informed Makanga that the BaTawana would upon their return attack the Vagciriku.<sup>21</sup> On the contrary, in his earlier research, the Historian and teacher, retired Inspector of Schools, Karl Peter Shiyaka-Mberema, was informed by an old lady, Princess Mbuto and teacher Stephan Kamonga, who were descendants of Mashika, that the said Mudjo (i.e. Muyeji) rather stayed in Mashika's court yard and the two became good friends.<sup>22</sup> Mashika was married to Princess Katiku who was the youngest sister of Hompa Nyangana. The account that Sankandi stayed in Mashika's courtyard rather than in Makanga's looks more likely. This is because Mashika probably refused to obey Kgosi Sekgoma and Hompa Nyangana's order to all the Vagciriku men to assemble in one place, acting on the warning given by Sankandi. He was therefore able to escape with his whole family to Ukwangali and Mbunza in Kavango West Region. The Sankandi account does not perhaps completely refute the version of Makanga's wealth as the cause of

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<sup>19</sup> S. Kamwanga, F. J. Haushiku: *Tu Va manyo kushakare*, p. 14.

<sup>20</sup> Botswana National Archives and Records Services (BNARS), File no. HC 144. A letter dated 10/12/1895 by Lieutenant Barre Phipps, Magistrate of Ngamiland to the Resident Commissioner at Mafeking.

<sup>21</sup> Romanus S. Shiremo: 'The Lishora Massacre of 1893 and its Effects on the VaGciriku Community', unpubl. BA thesis, University of Namibia, 2002, p. 30.

<sup>22</sup> K.P.S. Mberema's comments on the transcribed interview by George Mukoya which I shared with him in 2007.

the Lishora Massacre, but it does point to the fact that the BaTawana came with an agenda of their own - rather than what the Vagciriku perceived of their adventure.

### **The version about the Vagciriku's disobedience of Homba Nyangana's authority**

When doing his anthropological research amongst the Vagciriku residing in Botswana in 1953, Gibson was informed that Homba Nyangana invited Sekgoma, to come and teach his people to obey him.<sup>23</sup> In achieving this, he asked for assistance from the BaTawana to massacre his people; the George Mukoya 1989 interview, seems to affirm this version. Once again, this version squarely shifts the blame from the BaTawana who massacred the Vagciriku to Homba Nyangana, whose people were slain. Why Homba Nyangana is depicted to have masterminded the extermination of his own standing army that had by then built up a track record of defending him from foreign aggressors, has not been properly explained by those who propagate this view. In fact, none of the military incursions that Homba Nyangana and his kingdom had suffered from the Europeans and Boers trekkers in 1878, 1892 and in 1894 - in which his standing army played decisive fighting role in defending the land - have been mentioned in all these oral accounts that were given about the Lishora Massacre before Namibia's independence. And yet, these said incursions, which are omitted in the oral accounts, provide an important colonial context to the Lishora Massacre of 1894.

From the readings of contemporary commentaries of the events by European observers one can argue that the Vagciriku standing army, including his brother-in-law, Makanga were still loyal to Homba Nyangana at the time of the Lishora Massacre in 1894. This is clear because when Homba Nyangana ordered all his armed forces to gather at one place in order for the BaTawana to administer to them *Peke*, the so-called special bullet-proof medicine, the majority, if not all, responded positively to his call. This could be proof that Homba Nyangana's people, including his brother in-law, Makanga obeyed and respected his authority.

### **The Vengeance version**

It is affirmed in both oral and contemporary written accounts that before the attack on the disarmed Vagciriku men at Shantjefu, the BaTawana first attacked the Vashambyu aligned with Prince Kanyetu at Malyo Island on the Kwito River. Unlike the Vagciriku men who, from the onset, were disarmed before the BaTawana opened fire on them, the Vashambyu of Prince Kanyetu are said to have been found prepared because they returned fire. Even in the BaTawana's written sources, there are hints that the Vashambyu at Malyo Island were found prepared for the encounter. As per the Vashambyu oral tradition of the Batawana's attack that had for many years

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<sup>23</sup> Gordon D. Gibson, Thomas J. Larson and Cecilia R. McGurk: *The Kavango Peoples*, Wiesbaden, Steiner, 1981, p. 164.

asserted that the Vashambyu under the command of Prince Kanyetu, heroically defended the Malyo Island before they were overpowered. And that they inflicted so heavy a casualty on the BaTawana army that Kgosi Sekgoma got furious to the extent that he vowed to take revenge on Homba Nyangana who drew him into such an armed conflict. Supporting this line of history are Richard Mavara Hashipara (Interview, 1999) and Frans Josef Haushiku (1995, 36). Dr. Maria Fisch (2007, 120) also asserted this line of history as the main possible reason why the BaTawana descended upon the Vagciriku at Shantjefu. Among others, citing the then Vagciriku leader, Homba Linus Shashipapo (1945-1984), Fisch was told that the loss among the ranks of the BaTawana army, especially amongst Yeyi recruits, was very high indeed, that their casualties are said to have outnumbered those of the Shamyu. Fisch writes that now anger and disappointment were vented in Tawana's outcry, that they angrily remarked, "It was Nyangana who brought this ill-fortune upon us. Our people fell in battle for his cause. He shall pay for this."<sup>24</sup> This line of history suggests that the BaTawana only decided to attack the Vagciriku after the battle of Malyo Island but not before. On the contrary, this school of thought is then contradicted by a BaTawana soldier, Shankadi (probably Sankandi) who never reached Malyo Island. As learned earlier, he'd to remain behind in Gciriku because he fell sick while the others went ahead to attack the Vashambyu at Malyo Island. This Muyeyi man informed an important royal-consort, namely Makanga, that the BaTawana planned to attack the Vagciriku upon their return from Malyo.<sup>25</sup> Shankadi's information suggests that the attack on the Vagciriku was planned in Ngamiland, not at Malyo on the Kwito River as it is proclaimed in oral tradition [that proclaims the vengeance factor as the main contributing factor to the Lishora Massacre].

As it appears in the versions recorded amongst the Vagciriku, the Vashambyu version on the Lishora Massacre heaps the blame solely on Homba Nyangana. In a way, the Vashambyu version seems to justify the BaTawana's massacre of the Vagciriku, as Homba Nyangana had invited the trouble on himself and his people by inviting the BaTawana. However, contemporary BaTawana sources on the Lishora Massacre not only discounted the fact that Homba Nyangana ever invited them, but also that they suffered heavy casualties at the hands of Prince Kanyetu. For instance, though admitting that the Vashambyu were found prepared, the BaTawana's own statement regarding the Kanyetu saga did not acknowledge that they suffered heavy casualties on their side. The BaTawana's version of the Malyo Island says:

So, Sekhome (Sekgoma) found the people prepared, the women and children sent away, and only the men at home. Sekhome's army surrounded the town during the night, and at dawn they opened their attack on the town, and killed a great many

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<sup>24</sup> Fisch: 'Military Campaign', p. 120

<sup>25</sup> George Mukoya, Interview, 1989.

men, and seized all their cattle. Three of Sekhome's (BaTawana) men were killed on this occasion.<sup>26</sup>

By this statement, it appears that the vengeance version cannot be the main reason why Kgosi Sekgoma of the BaTawana decided to trick the Vagciriku standing army into a wholesale disarmament and merciless massacre. What is however true, is that Kgosi Sekgoma was wounded during or after the attack on Prince Kanyetu at Malyo Island.<sup>27</sup> Could this be the main reason why the BaTawana massacred the Vagciriku soldiers?

## Written accounts

Written accounts regarding the Vagciriku-Lishora Massacre are both found in primary sources and secondary sources. The primary sources appear in the form of correspondences and statements from the colonial officials of the Bechuanaland British Protectorate for the period between 1893 to 1896. These officials noted down accounts of the BaTawana on the matter. Kgosi Sekgoma himself and other prominent BaTawana appear to have given some accounts to the Bechuanaland British Protectorate officials regarding the matter. Traces of these evidence are kept in Botswana's National Archives, in a file number, HC 144.

Secondary sources that referred to the Lishora Massacre are found in books and articles that were published between nine and ten years after the incident. Two books are worth mentioning in this regard. One by a British soldier, Major Hill Gibbons (1904) titled *Africa: From the South to North through Marotseland*. The other one was an article entitled *Die Mambukuschu* by a German explorer, Professor Siegfried Passarge (1905). One has to take note that though these two publications were made in 1904 and 1905, the two authors recorded these accounts between 1898 and 1900 respectively. This means that the versions contained in those publications were taken down between four and six years after the Lishora Massacre. This means that these versions were taken down when the memories on the accounts of the Lishora massacre were still fresh in people's mind. There are few other publications that make references to the Lishora Massacre dating back from 1913 to the 1960s. An article called *Die Diriku* by August Bierfert (1913) and the other entitled *Founding a Protectorate: History of Bechuanaland, 1885-1895* by A. Sillery (1965, 187-188) are most notable. It needs to be taken into account that the written versions regarding the causes of the Lishora Massacre can be classified into two main categories, namely that of the BaTawana and that of the European observers from Ngamiland.

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<sup>26</sup> BNARS, file no. HC 144. A statement dated 04/09/1894 sent by Sekhome, Chief of the BaTawana, Lake Ngami to Bathoen, Chief of the Bangwanketse, Kanye, pp. 1-2.

<sup>27</sup> *Ibid.*, p. 2.

### The BaTawana's version

A substantive BaTawana account of their military campaign against the Vagciriku and the Vashambyu along the Kavango and Kwito rivers is contained in an important statement that was written down by Sergeant Edwin Lloyd. The BaTawana statement was sent at Cape Town to Dr. Rutherford Harris, who was then Secretary of the BSACo. It was entitled, *Statement sent by Sekhome, Chief of the BaTawana, Lake Ngami to Bathoen, Chief of the Banwaketsi*. The fact that this statement is said to have been given by Bäetsile who in turn was Kgosi Sekgoma's own messenger classify the statement in the category of primary source. This is because Bäetsile was himself an eyewitness to the Lishora Massacre. Unlike the Vagciriku and Vashambyu versions on the causes of the Lishora Massacre which seem to heap all the blame on Hompa Nyangana, the BaTawana statement actually depict him to have been naïve about what was to be befall him and his people. In fact, the BaTawana's statement exonerates Hompa Nyangana on the count that he invited Kgosi Sekgoma to attack Prince Kanyetu on his behalf. As for example, the statement reads:

The Chief Sekhome set out with an army just before the corn (Mahangu) formed into ears (March or April) in the direction of the Makwangadi people (N.W. along the Okovango River). This army passed by Nyangana's town. Sekhome said to Nyangana, "We are not an army; we are passing to hunt; you must lend us boats to cross the river." Then a few of Sekhome's people (BaTawana) crossed over; but the majority crossed at night, as Sekhome did not wish Nyangana to know their strength. Having crossed the river, they went forward to attack a town of Makwangadi (i.e, Vashambyu). Nyangana sent forward word that Sekhome was coming, and said, "Sekhome is coming with an army, but states that he is not going to attack people, but, I Nyangana have my doubts...."<sup>28</sup>

By this statement, it becomes clear that Hompa Nyangana did not sanction any attack on the Vashambyu and Prince Kanyetu as is proclaimed in many oral accounts. It also undermines the widely held notion in the oral history of the Vashambyu and the Vagciriku that Hompa Nyangana collaborated with Kgosi Sekgoma to exterminate the Prince Kanyetu-aligned Vashambyu at Malyo. Irrefutable evidence is that upon suspicion of the BaTawana's intention in the area, Hompa Nyangana actually sent messengers to the village of his enemy and 'wife-snatcher', Prince Kanyetu, about the BaTawana's approach. The same statement points out that thanks to Hompa Nyangana's warning, the people at Prince Kanyetu's village were found prepared for the Batawana's attack.

Although, the BaTawana's statement does not provide explicit reasons as to what the motive for the BaTawana to embark upon such a costly military campaign was, an allusion that they were on a mission to arrest Hompa Nyangana who allegedly killed some white people, was made. This appears evident at a point when Kgosi Sekgoma

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<sup>28</sup> BNARS, file no. HC 144. Statement date 04/09/1894 sent by Sekhome, Chief of the BaTawana, Lake Ngami to Bathoen, Chief of the Banwaketsi.

suggested to his soldiers to execute Homba Nyangana after the Lishora Massacre. For instance, as they were marching back to Ngamiland, Kgosi Sekgoma of the BaTawana suggested to his men that Homba Nyangana be shot. This plan was however blocked by one of his men, Chaune, who reminded and advised Sekgoma about the mandate of their campaign. Chaune intervened by saying, "No, is he not your witness? Will you not point to him as the man who killed white people and tell the white people 'here he is?'"<sup>29</sup> In appreciation of Chaune's advice, Kgosi Sekgoma gave him as the portion of his spoil five women and four oxen. From Chaune's intervention, one can surmise that there'd been white people who'd been killed and that Kgosi Sekgoma was implicated in that murder. One can also deduce from the same statement that there were white people at *Kgosi* Sekgoma palace/territory who needed evidence about who killed their fellow whites. At this point, this appears to be mere speculative reasoning. However, one needs to take into account that Kgosi Sekgoma was also interviewed by Major Goold-Adams regarding the death of the two traders (said whites), Phillip Wiessel and Robert Arthur Faraday, and his attack on the Vagciriku. On 1896, July 9, Major Goold-Adams was apparently informed by Kgosi Sekgoma and his headmen that they decided to punish Homba Nyangana on account that he killed the two mentioned traders and his own people.<sup>30</sup>

There are pieces of evidence that appeared before the Vagciriku-Lishora Massacre in early 1894 which implicated Kgosi Sekgoma of having killed white traders. This appears evident in a letter written by a native evangelist at Ngamiland, Khukhu Mogodi, to John Moffat, an Assistant Commissioner of the Bechuanaland British Protectorate who was stationed at Palapye. On December 29, 1893 Khukhu Mogodi related to John Moffat what some white people had said to Kgosi Sekgoma and his headmen at a meeting at which he was present:

We have seen coming here messengers from the Queen. They came from the Cape. They said, 'we are sent by Mr. Rhodes the king of that place to come and ask the BaTawana. 'Do they wish to make friends with him.' If they will make friends with him, he will defend them. The Germans are fighting with the Namaquas and their army will go further. They are looking at the Damara[Herero] also and the BaTawana. There is a certain trader here whose name is Muller. He has written to the Cape to say that Sekhome (Chief of the BaTawana) has killed white people at Botserekwe [Gciriku] and Nyankana [Nyangana]. And, the Germans say- If our army begins to fight it will not cease. Even if you regret it and ask for peace- there will be no peace. And the question is- do you make friends with us or do you not? This you will know yourselves.<sup>31</sup>

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<sup>29</sup> Ibid.

<sup>30</sup> BNARS, file no. HC 144. A report dated 09/07/1896 by Major Hamilton Goold-Adams, Nakalache to F.J. Newton, Resident Commissioner, Mafeking.

<sup>31</sup> BNARS, file no. HC 144. A Copy of an extract from a letter dated 29/12/1893) of Khukhu Mogodi to John Moffat, the Assistant Commissioner stationed at Palapye. It must be noted



It is clear that in the letter quoted above Kgosi Sekgoma was accused of having killed some white people, accused in particular, by a German trader of Ngamiland, Franz Müller who is said to have reported the case to the Cape Colony. One needs to take note that both Kgosi Sekgoma and Homba Nyangana were implicated by Müller as having acted for a common purpose in the case. Though implicated in the case together with Homba Nyangana, while Kgosi Sekgoma was persuaded to sign a treaty of friendship with the BSACo of Cecil John Rhodes; there is no evidence that Homba Nyangana was approached with the same offer. This could mean that as a friend and co-accused of Homba Nyangana, Kgosi Sekgoma was hired to arrest his friend to whom he shifted the blame for the death of Phillip Wiessel and Robert Arthur Faraday. The statement by Mogodi regarding the treaty of friendship between the BaTawana and the BSACo was confirmed by Kgosi Sekgoma himself and his headmen in October 1894. J. Mashabbi, who was one of Sekgoma's headmen, swore before Magistrate Walsh that the BSACo's agent told them (i.e, BaTawana) that the Germans were coming to ask for the heads of the white people that Nyangana had killed.<sup>32</sup> The statement by Mashabbi was confirmed by Kgosi Sekgoma himself in a sworn affidavit. In refuting the claims that he gave exclusive land and mineral concession rights in Ngamiland to the BSACo, represented by Isaac Johan Bosman, Mathys Andries Joubert, Georg Reinhardt, and Frederick Scheepers, Kgosi Sekgoma swore that when they signed the papers from Bosman and colleagues they were under the impression that they were signing a treaty of friendship with the BSACo.<sup>33</sup> The rationale of signing the treaty of friendship was that the Germans in Namibia were rumoured have had plans to attack the BaTawana for the death of a German trader Phillip Wiessel whom Homba Nyangana had killed in a conspiracy with Kgosi Sekgoma in 1892. At the same time the BaTawana also admitted to the Magistrate, that the BSACo agents presented Kgosi Sekgoma with five firearms and a wagon as gifts. Initially, Kgosi Sekgoma is said to have refused to accept the gifted firearms but was pressed upon to accept them. At the time, the law in the Bechuanaland British Protectorate forbade the sale, let alone the donation of firearms and ammunition to Africans. Evidence that the act of giving firearms to Kgosi Sekgoma was considered a criminal offence was alluded to by the Bechuanaland British Protectorate authorities a month later and a few weeks before the Lishora Massacre. On February 6, 1894, some few weeks before the Lishora Massacre, the Assistant Commissioner, John Moffat complained about Bosman and colleagues' conduct of giving Martini-Henry breech-loading rifles to Sekgoma. He wrote, "but in any case the giving of breech-loading rifles, is a breach of the Brussels` Convention. I do not think that Messrs Reinhard and Bosman had a

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that John Moffat certified this letter on February 6, 1894. Thus, the letter was written only a month before the Lishora Massacre.

<sup>32</sup> BNARS, file no. HC 144. Affidavit sworn by J. Mashabbi to Magistrate, A.B. Walsh on October 4, 1894, at Nakalachwe.

<sup>33</sup> BNARS, file no. HC 144. Affidavit sworn by Kgosi Sekgoma to Magistrate A.B. Walsh on October 4, 1894, at Nakalachwe.

permit from the office of the Bechuanaland Protectorate.”<sup>34</sup> At the time when Bosman and colleagues entered the Ngamiland the import of weapons and ammunition was forbidden. Every wagon going from Bechuanaland to Ngamiland was searched for weapons, and whites could bring only limited number of hunting weapons for their own personal use.<sup>35</sup> Nevertheless, Moffat made it very clear in his letter that the wagon of Bosman and colleagues was never searched for weapons as they smuggled the guns into Ngamiland. He wrote that “Bosman and Reinhard passed through Kanye in October last—took the desert road to the Lake. My Informant here states that Bosman gave to Sekhome five breech loading rifles, which he himself saw.” The question is: Why would Bosman and colleagues sneak into the country if they only had honourable plans? Their conduct also brings into question whether the number of guns given to Sekgoma was really just five. When this criminal conduct reached the high offices, the Chairman of the BSACo, Cecil John Rhodes is on record defending Bosman and his colleagues. In a letter written by Dr. Rutherford Harris who was the Company Secretary of the BSACo, Rhodes is quoted to have said:

In reply to your letter I/S No.69 of the 23<sup>rd</sup> ultimo I have the honour to state, for the information of his Excellency the High Commissioner, that on enquiring from Mr. Bosman as to whether he gave any rifles to Sekgomo (sic) Chief of the Lake N’gami Nation, that gentleman states that it is true that on Sekgome and some of his headmen visiting his wagons one day and making a request for a present of the rifles which they saw hung up in them, he and his friends did give- he thinks 4 rifles- to Sekgomo. Mr. Bosman says they were given simply out of good nature, not knowing that he was breaking any law in doing so, and it is evident that the gift of 4 or 5 rifles could have been no inducement to Sekgomo to sign the Concessions of Land and Minerals which he granted to the British South Africa Company; because, both the Chief and the Nation have plenty of fire-arms and would know the small commercial value of 4 or 5 rifles. I have pointed out to Mr. Bosman that he must be more careful in the future. Mr. Rhodes trusts that this explanation will be considered a satisfactory one by the High Commissioner.<sup>36</sup>

It is interesting to note that Mr. Cecil Rhodes would defend the breach of a law which he himself was party of, as the Prime Minister of the Cape Colony. A question here is: Whose rifles were those that Bosman gave to Kgosi Sekgoma? The letter by Dr. Rutherford Harris did not make it clear as to whether those rifles were private properties belonging to Bosman and colleagues or whether they were owned by the

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<sup>34</sup> BNARS, file No. HC 144. A letter communication dated 06/02/1894 by the Assistant Commissioner, John Moffat to the High Commissioner, Cape Town.

<sup>35</sup> Edwin N. Wilmsen: *The Kalahari Ethnographies (1896-1898) of Siegfried Passarge*, Köln, Köppe, 1997, p. 240.

<sup>36</sup> BNARS, file no. HC 144, A letter dated 09-03-1894 by Secretary of the BSACo to the High Commissioner.

BSACo. One needs to note that Bosman and Colleagues gave these rifles to Kgosi Sekgoma while performing their official duties as agents of the BSACo.

It appears that in the late 1960s and early 1970s, Professor Thomas Tlou also gathered some oral evidence amongst the BaTawana regarding Kgosi Sekgoma's military campaign against the Vagciriku. In the BaTawana's oral accounts, Tlou was informed that Sekgoma decided to attack them because he intended to extend his territory and capture cattle of the Vakwangali and Gciriku.<sup>37</sup> This account is odd, because it appears in written and Vagciriku oral accounts that, way before Kgosi Sekgoma came into power in 1891, the BaTawana's sphere of influence included the Vagciriku territory and that Hompa Nyangana was a vassal of BaTawana paramount leader. By this line of history, it would then mean that Kgosi Sekgoma targeting the Vagciriku for extending his territory and cattle raiding, wouldn't have made sense. The act would have been tantamount to raiding within his own kraal, because as a vassal, Nyangana was already paying tribute to the BaTawana. What is interesting in the BaTawana's oral account as recorded by Professor Tlou, is that Hompa Nyangana was not identified as the main cause of the Lishora Massacre, but that it is attributed to Kgosi Sekgoma's ambitions for land and cattle.

### **The Lishora Massacre's version by the Europeans from Ngamiland and the German connection**

Both Professor Siegfried Passarge (1905) and Major Hill Gibbons (1904) asserted that in around 1894 or 1895 a European trader lost his life in Gciriku territory, reportedly at the order of Hompa Nyangana. Gibbons in particular, further asserted that because of the murder of a European trader, Weisel [Wiessel] at the order of Hompa Nyangana, whites living at Lake Ngami encouraged the Tawana Chief, Sekgoma, to send a punitive expedition against the Gciriku. Gibbons writes:

It appears that in '95 at the instance of white men living at Ngami, Sekome [Sekgoma], had organized a punitive expedition against the Makwengari [i.e, Vagciriku] chief Nyangana, at whose village Mr, Weisel, a trader, was treacherously murdered. Niangana was made prisoner, his village sacked, and his people slain. After trial at Ngami, he was released and allowed to return to his home.<sup>38</sup>

On his side, Professor Siegfried Passarge noted that "the murder of a Boer, Wiese, by Nyangana was the cause of the war between the BaTawana and the Gciriku."<sup>39</sup> One must take note that both authors of the texts quoted above were well acquainted with the Ngamiland affairs as both of them sojourned in that area during the late

<sup>37</sup> Thomas Tlou: *A History of Ngamiland, 1750-1906. The formation of an African state*, Gaborone, Macmillan Botswana, 1985, p. 125

<sup>38</sup> Alfred St. Hill Gibbons: *Africa from South to North through Marotseland*, vol.1, London, Lane, 1904, pp. 212f.

<sup>39</sup> Wilmsen: *Kalahari Ethnographies*, p. 286.

1890s. Many years later, writing on the Sekgoma's attack on the Vagciriku, Anthony Sillery pointed out that it was later discovered that Sekgoma was given by Bosman' to raiding neighbouring tribes. He asserted that, compared with the whole-hearted activities of the Matabele, Sekgoma's raids probably did not amount to much, but one such expedition, in which a chief named Nyangana had been captured, had violated Germany territory.<sup>40</sup> As already shown elsewhere, the killing of two European traders at the order of Homba Nyangana in 1892, is now a verifiable incident from documentary evidence. There are also pieces of evidence to suggest that Kgosi Sekgoma was led on by whites at Ngamiland to attack the Vagciriku. Those whites at Lake Ngami who are on record discussing the murder of the white trader with Kgosi Sekgoma were agents of the BSACo. There is little doubt that the said traders were killed in Homba Nyangana's territory, as he himself is quoted to have confirmed this allegation. In 1894, while in captivity in Ngamiland. Homba Nyangana is quoted to have said, "Yes, I have killed white men, but I only did so by the command of my paramount Chief, Sekgoma."<sup>41</sup> In late 1895, John Macdonald discovered that Kgosi Sekgoma actually instigated Homba Nyangana to kill Wiessel and Faraday, because they refused to sell Martini-Henry Rifles to him in 1891.<sup>42</sup> It is notable that amongst the four white men who spoke to Kgosi Sekgoma about the murder of the German trader, two of them, Georg Reinhardt and Frederick Scheepers, were themselves of German origin and had some connections to the German colonial authorities in Namibia. In January 1895, Georg Reinhardt is reported to have sent a statement to the GSWA Imperial Authorities in Windhoek. He reported on the murder of Phillip Wiessel and Robert Arthur Faraday and the subsequent actions that Kgosi Sekgoma took against Homba Nyangana and his people. Sir Percy Anderson, from the Office of the Under Secretary of State in the Foreign Office in London, wrote that the German Ambassador in London had drawn attention to a statement made on January 30, 1895 to the Imperial Government of South West Africa by Georg Reinhardt. The letter by Anderson continued to say:

It appears that during a journey which Reinhard made last year to the Zambesi, he was informed that a German subject of the name of Phillip Wiesels formerly living in Damaraland (Namibia) and an Englishman called Farranty had, about three years before, been murdered and their bodies thrown into the river by the Kaffir Chief Niangana, probably in concert with Chief Sekgome of Lake Ngami. In consequence of the subsequent encroachments of Niangana, Sekgome is said to have made a raid on him and to have captured amongst other properties 3000 head of cattle, 2 horses and several guns belonging to Phillip Wiesels which were brought

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<sup>40</sup> Anthony Sillery: *Founding a Protectorate. History of Bechuanaland, 1885-1895*, The Hague, Mouton, 1965, pp.187f.

<sup>41</sup> BNARS, file no. HC 144, Statement date 04/09/1894 sent by Sekhome, p.4.

<sup>42</sup> BNARS, file no. HC 144, Commission of Inquiry Report dated 09/07/1896 by Major Hamilton Goold-Adams to the Resident Commissioner, at Nakalachwe.

into Sekgome's camp where Reinhardt asserts, he was at the time staying.<sup>43</sup>

The most interesting part is that Georg Reinhardt was camping at Kgosi Sekgoma's place at the time of the Vagciriku-Lishora Massacre. The evidence at hand is that two months before the Lishora Massacre, Georg Reinhardt spoke to Kgosi Sekgoma about the death of a German trader. In late December 1893, Reinhardt and his three colleagues pressed Kgosi Sekgoma to sign a treaty of friendship with the BSACo in order to defend the BaTawana. They told Kgosi Sekgoma that the German army in GSWA was preparing for war with the BaTawana, because Sekgoma together with Homba Nyangana were reported at the Cape by a German trader, Franz Müller, that they murdered a German trader. Thus, the fact that Reinhardt asserted that he was staying at Sekgoma's camp when the BaTawana army returned from the Kavango expedition raises the question about the relationship that existed between Kgosi Sekgoma and Reinhardt. Looking at the issue from the angle of the cosy relationship between Kgosi Sekgoma and Georg Reinhardt strengthens assertions made by Passarge and Gibbons that Kgosi Sekgoma was encouraged to carry out a punitive expedition against Nyangana by whites at Ngamiland.

However, in her article entitled *The Tawana's Military Campaign into Kavango*, Dr. Maria Fisch rejects the notion by Gibbons and Passarge by stating that no such instigation by whites ever took place. Rejecting the version of the whites from Ngamiland, Dr. Fisch writes that "Sekgoma defended his Kavango foray by saying that he intended to punish Nyangana for the murder of white traders." Without specifying which reports, she further pointed out that even though German police patrols reported similar rumours about robbing and killing in the area of the Gciriku tribe in Angola, no names were disclosed. She reasoned that the known incident was the case of an American trader, Charles Thomas whom the Gciriku killed in 1878, 15 years before the Lishora Massacre. Thus she established that since then, the whites at Lake Ngami tended to attribute all obscure disappearances of whites to the Gciriku. And that even if such allegations were true, they were not the main reason for the Tawana's campaign against the Kavango people but merely a subsequent pretext.<sup>44</sup> Ignoring the written account by European observers and colonial officials, Dr. Maria Fisch only affirmed the position in oral history of the Vagciriku and the Vashambyu which identify Homba Nyangana as the main cause of the Lishora Massacre.

It must however be observed that though there is no conclusive evidence that the German colonial authorities in Namibia played a role in the planning and execution of the massacre of the Vagciriku standing army, there are pieces of evidence which indirectly implicate them in the massacre. Firstly, Phillip Wiessel, who was killed by the Vagciriku in 1892 within German colonial state was a German subject. Franz Müller, who is said to have first reported the murder to the authorities at the Cape and

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<sup>43</sup> BNARS, file no. HC 144. A letter dated 20/06/1895 by Sir Percy Anderson for the Foreign Office to Sir Edward Fairfield in the Colonial Office.

<sup>44</sup> Fisch: 'Military Campaign', p. 123.

Windhoek, was a German subject. Georg Reinhardt, who informed Kgosi Sekgoma about the German attack that the BaTawana and Vagciriku were to expect because they killed a German subject, was himself a German. There are indications that the German colonial authorities in Windhoek got a full report about the massacre from Georg Reinhardt. The proceeds from the sale of a horse formerly belonging to Wiessel that was captured from Homba Nyangana after the massacre, was sent to the German ambassador in London, who further forwarded the same to the family of Wiessel to Germany. It therefore appears to us that it was more than likely that the German colonial authorities in Namibia were fully aware of the events that followed the killing of its subject, Phillip Wiessel by Nyangana. Based on this account and the complexity of international relations between the newly mapped colonial states of Botswana, Namibia and Angola, it is reasonable to speculate that through Georg Reinhardt and others, the German colonial authorities in Namibia possibly played some indirect role in the planning and execution of the massacre. We know, for example, that coinciding with the Vagciriku-Lishora Massacre in 1894, Andries Lambert, Chief of Khauas Khoi in the Gobabis area was executed by a firing squad led by Major Theodor Leutwein who was supported by Tswana soldiers. Chief Lambert was among others accused of having murdered an unnamed German trader and for robbing a Tswana settlement.<sup>45</sup> Thus, Homba Nyangana's act of ordering and participating in the killing of Phillip Wiessel was in the same category of the crimes for which Major Leutwein executed Chief Lambert.

### **The Lishora Massacre as an intrigue of colonial power dynamics**

Available evidence as thrashed out above shows that the Vagciriku-Lishora Massacre of 1894 was an intrigue played on Kgosi Sekgoma of the BaTawana and Homba Nyangana of the Vagciriku by European powers and their agents for obvious reasons. Not completely discounting oral tradition that have situated the cause of the massacre in local politics and inter-communal rivalries, both the contemporary written records representing the BaTawana's narrative on the subject matter and those of the Europeans seems to be more compelling evidence. These accounts situate the causes of the massacre in colonial development schemes and policies. For instance, when the killing of the two European traders took place, present-day Namibia, Botswana and Angola had recently been demarcated as colonies of Germany, Britain and Portugal. It is well established that Phillip Wiessel was a German subject and Robert Arthur Faraday was a Scot and thus a British subject. The two traders were killed in around March 1892 in the Vagciriku area, within the borders of the GSWA Protectorate. The suspects, Homba Nyangana and most of his subjects, were residing on the Angolan side of the Kavango River and therefore in Portuguese colonial territory. For this reason alone, it was difficult for the German colonial authority to attack Homba Nyangana and his people directly without permission from the Portuguese. Similarly,

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<sup>45</sup> Werner Hillebrecht: 'How the Kai/khauan were robbed of their Land', in: *The Namibian*, 31 May 2022, p. 11.

Kgosi Sekgoma who was a co-suspect in the killing of the two European trader, was at the time *de facto* a subject of the British colonists. For the same reason, the Germans could also not take direct punitive action against Kgosi Sekgoma without complicating their international relation with the British government. In fact, Ngamiland, the area under the lordship of Kgosi Sekgoma, had been declared part of Bechuanaland British Protectorate in 1890, but the British officials only arrived there in 1894. This was because of Kgosi Sekgoma's expedition into Kavango in Angola, which took him through territories then claimed by the Germans and Portuguese. Before 1890, Ngamiland was outside the British control and it is known that way before these areas were declared as part of the larger colonies, the BaTawana who ruled in that area had extended their sphere of influence deep into present eastern Kavango in Namibia and Angola. These areas were declared as part of the German and Portuguese colonies in the German-Portugal Treaty of 1886, where it was also decided that the course of the Kavango River would form the borderline between the two powers.

Contemporary evidence on the British side indicates that upon being informed of the incident, they considered action but the ambiguous new colonial boundaries of the area and the citizenship of the suspects and location where the alleged crime took place, played a key part in restraining themselves. This was despite the fact that one of the victims, Robert Arthur Faraday, was their subject. Thus, one can see from a letter written on May 7, 1895, by Goodenough, Acting High Commissioner to Ripon that the British administration instead proposed measures to restrain their subject, Kgosi Sekgoma.<sup>46</sup> This communique came after Kgosi Sekgoma had attacked and massacred the Vashambyu and the Vagciriku who also formed part of the German protectorate. Regarding the implementation of the instruction to restrain Kgosi Sekgoma, Captain Fuller, who was asked to execute this order, had the following to write:

I have ascertained that Nyangana, the Chief who was captured by Sekgome within German territory, has been released and allowed to return. I questioned Sekgome as to whether any of Nyangana's people are still here and working as slaves for the Bechuanas, he replied that there were none here with his knowledge. I shall find out for certain before long, and I think if told to do so Sekgome would release any that may be found. I explained to him that Nyangana's territory is in German Protectorate and must not be entered by his people for the purpose of making war. He said he did not know where the line between the English and Germans was at the time he fought Nyangana, but he would take care not to allow his people to cross their borders again.<sup>47</sup>

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<sup>46</sup> Sillery: *Protectorate*, pp. 187-188.

<sup>47</sup> BNARS, file no. HC. 144. A letter dated 05/06/1895 by Captain Fuller to the Colonial Secretary.

Following up on the matter, on 28 June 1895, Sir Edward Fairfield from the Colonial Office in London, informed the British Foreign Secretary, Sir Percy Anderson that it seems probable that the murder took place within the German Protectorate, and, if so, the proper course would seem to be to send Nyangana, if he was still in Sekhome's custody, to the German authorities on the Damaraland border. If they could arrange to receive him, his alleged crime could be inquired into and dealt with.<sup>48</sup>

Gleaned from contemporary records on the English side, it appears likely that the authorities in GSWA also conducted their own enquiries regarding the killing of the two traders; the search for the direct and contemporary German colonial authorities' comments, reports and other correspondences on the matter has so far not been fruitful. Nevertheless, some English sources at the time implied that the Germans were indeed aware of the incident and were taking some actions. As such, a *Western Daily* newspaper article published in Cape Town, in either 1895 or early 1896, alludes to this fact. In May 1896, W. Faraday, a brother of the late Robert Arthur Faraday, used this newspaper article to back up his complaints to the English authorities for their reluctance to institute a commission of inquiry. The article read, "The German authorities are now instituting inquiries into the murder of a German named Weisel and of an Englishman named Faraday. They are supposed to have been murdered and robbed by a native chief to the north of Lake Ngami."<sup>49</sup> One must bear in mind that by December 1893, the Germans were said to already have been aware of the death of Phillip Wiessel and were rumoured to have had plans to attack those who were involved in his murder. Kgosi Sekgoma and Homba Nyangana were mentioned in those reports as the targets of the Germans' planned retributive attacks. In January 1895, Georg Reinhardt, who in December 1893 was one of those four white men who related the news regarding the plans of the German attack on the BaTawana, is said to have submitted a full report to the colonial authorities in GSWA. Reinhardt's report was given after Kgosi Sekgoma had already massacred the Vagciriku in March/April 1894. By this report and through the activities of Georg Reinhardt and others in Ngamiland since December 1893, there is little to doubt that the German authorities in Namibia were aware of the events which led to the Vagciriku-Lishora Massacre and its aftermath. The only thing that remains to be established is the role that the German colonial authorities played in the planning and enabling of the massacre. Contemporary German records or correspondence with the British authorities, BSACo, and the Portuguese colonial authorities on the death of Phillip Wiessel and Robert Arthur Faraday seem to be lying in archives somewhere, in either one or in all these countries, namely Germany, Britain, Portugal, Namibia, Botswana and Angola. A clue about the existence of these records is taken from BOPA newspaper article of 9<sup>th</sup> September 2001 that hinted at the fact that such a correspondence on the pre-events and the Lishora Massacre was exchanged between the capital cities of three colonial powers. The article reported that:

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<sup>48</sup> BNARS, file no. HC 144. A letter dated 28/06/1895 by Sir Edward Fairfield from the Colonial Office to Sir Percy Anderson of the Foreign Office.

<sup>49</sup> BNARS, file no. HC 144: *Western Daily*, newspaper article (exact date unknown).



When news reached London via Barotseland (western Zambia) of Sekgoma exploits, the principal British concern was the effect that raid might have on their relations with Germany and Portugal, the nominal colonial overlords of the Bagcereku and Bakwangadi (in fact, the Vashambyu). In fact, like the British, at the time neither the Germans nor the Portuguese had any genuine administrative presence in the region. This resulted in confused correspondence between Berlin, Lisbon and London as to what exactly had occurred, with the hapless Nyangana initially being seen as the aggressor.<sup>50</sup>

It must also be mentioned that as of now, no evidence regarding the massacre of the Vagciriku in 1894 from the side of the Portuguese has so far been found. Shantjefu, the place where the Vagciriku men were assembled and massacred by the BaTawana, was inside the Portuguese territory, in present-day Angola. Thus, the massacre was a clear violation of the Portuguese territory by subjects of the Bechuanaland British Protectorate. One can suspect that the Portuguese commented on the issue; these documents are also still to be sourced. Against this background, it appears reasonable that, being cognizant of the international complications that direct punitive actions against the alleged offenders would create, both Britain and Germany avoided taking such courses of action. However, activities of BSACo agents from December 1893 up to January 1895 firmly establish a nexus between the deaths of the two European traders and the Lishora Massacre of 1894. These established facts place the Lishora Massacre squarely into the context of colonial development and policy which the local people had to react to, either by collaboration or resistance. We therefore argue that despite oral tradition that reduces the Massacre to the consequence of domestic dispute and not being able to locate the narrative within the dominant historical narrative of the anti-colonial resistance and the independence struggle, the analysis of the causes of the Massacre must take account of the colonial context.

## **A genocide of the 19<sup>th</sup> Century**

From July 1878, both the European and African observers branded Hompa Nyangana and his people as slayers of Europeans and a warlike people. This was because by 1892, the Vagciriku had already been involved in two incidents in which they'd killed European traders. The first incident took place shortly before 1878 and involved Portuguese traders and the second incident took place on July 27, 1878, and involved the killing of an American trader, Charles Thomas. The last incident provoked revenge attacks from the combined force of European traders that included Boer trekkers, American, Welsh, Irish, and Africans. Hompa Nyangana and his army put up a spirited resistance. In the end, the Vagciriku lost about 22 men and many more were

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<sup>50</sup> Jeremy Silvester (ed.): *Re-viewing Resistance in Namibian History*, Windhoek, UNAM Press, 2015, p.67.

wounded.<sup>51</sup> Many of the Vagciriku homesteads, including Homba Nyangana's palace were burned down.<sup>52</sup> Homba Nyangana and some of his followers fled from his kingdom to Ukwangali where he was given asylum for a short period. It appears this incident marked the beginning of an armed struggle against Europeans traders, hunters, or colonists who were not willing to accept his sovereign policies or threatened the sovereignty of the Vagciriku territory. To this effect, Aurel Schulz and August Hammar, who were in the Hambukushu area around 1885 were informed about this hostile stand against the Europeans by the Vagciriku and were thus strongly advised not to travel through their country. They were informed that it was impossible for them to go that way, as some white people had killed a chief near Darico (Gciriku) on the river, and the natives (i.e, Vagciriku) would never allow another white man into their country.<sup>53</sup> The reputation of a sovereign and people who killed white people who ventured into their territory, was shared in European circles so much that the Vagciriku became a much-dreaded nation amongst the white communities. For instance, in around 1899 Litunga Lewanika advised Major Hill Gibbons, who was surveying the extent of the Barotse country on behalf of Cecil John Rhodes, to not pass through Homba Nyangana's territory because his people were known for killing white people.<sup>54</sup> Thus this belief that Homba Nyangana and his people killed white people at first sight was so widespread in European circles. Though this widespread belief was partly false as it appears from the multitude of available evidence, the killing of Phillip Wiessel and Robert Arthur Faraday in early 1892 at the order of Homba Nyangana reinforced the propaganda so much so that measures were contemplated to deal with the Nyangana and Gciriku problem of killing white people once and for all. Evidence of this contemplation can be picked up from the statements that were allegedly made by some European traders and hunters in the vicinity of Ngamiland, present-day Botswana. Upon hearing about the death of their fellow traders, European traders in Ngamiland, such as Franz Müller, made sure to report the incident to the colonial authorities at the Cape and Windhoek. From there onwards, the rumours started to circulate that some kind of punishment was going to be meted out to the offenders, with Homba Nyangana and his people the primary targets. These rumours were first shared amongst the BaTawana people of Kgosi Sekgoma by amongst others, Georg Reinhardt, Johan Bosman, and two others in December 1893.

The first and real punitive action against the Vagciriku was taken by a Boer Commando that was travelling to Mossamedes, Angola. Axel Eriksson who led the Boer Commando Unit to Mossamedes in Angola, related that when the Commando, consisting of 20 wagons, was crossing the river, the natives (Vagciriku) opened fierce fire towards them but fled afterwards. It appears that not a single Mugciriku man or

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<sup>51</sup> Petrus Serton, (ed.): *The Narrative and Journal of Gerald McKiernan in South West Africa 1874-1879*, Cape Town, The Van Riebeeck Society, 1954, p. 176.

<sup>52</sup> *Ibid.*, p. 168.

<sup>53</sup> Aurel Schulz, August Hammar: *The New Africa: A Journey up to the Chobe and down the Okavanga Rivers. A Record of Exploration and Sport*, London, Heinemann, 1897, p. 243.

<sup>54</sup> Gibbons: *Africa*, p. 185.

woman is reported to have been killed during this skirmish as most of them retreated to safety and took cover. The Boer Commando however went on and torched five homesteads belonging to the Vagciriku.<sup>55</sup> It looks likely that after having killed the two traders in 1892, the Vagciriku seemed to have been on high alert and that therefore all white people passing into their territory were suspected of ill-intentions. Thus, any white grouping approaching the Vagciriku in a hostile manner at the time could be seen as an attack which they were prepared to fend off or to avoid. This situation was worsened by Bushmen spies and runners who collaborated with Nyangana and his people by informing them of any approaching forces from a distance.<sup>56</sup> Some Bushmen strategically lived at the entrance routes of the territory which gave them an advantage of knowing any groups that were entering the Gciriku country. This intelligent information provided by the Bushmen spies and runners gave Hompa Nyangana and his army enough time to evacuate women and children and place his men in defensive positions. The Bushmen problem as spies for Nyangana was also mentioned by Magistrate Marwyn Williams of Ngamiland in November 1903 as part of the careful plan that was being brainstormed to attack the Vagciriku.<sup>57</sup> It seems likely that the Bushmen spies and runners played a role when the Boer Commando Unit attacked the Vagciriku in early 1894. In November 1903, a Swedish trader who worked closely with the renowned Swedish trader Alex Eriksson, remembered how the said attack on the Vagciriku failed. Fritjof Swanstrom recalled that in 1894, the late Axel Eriksson travelled up the Okavango River in the company of a party of Boers. And that they attacked the Njangana tribe, but after a short fight the natives (i.e, Vagciriku) fled.<sup>58</sup>

Axel Eriksson himself noted that when travelling through that route he seriously considered the risk of being attacked by what he called bands of robbers. He noted that a large number of travellers had been robbed, and in several cases murdered, along that route, and that in order to secure the route against these attacks, he decided to remove the threat during this trip once and for all. Before he arrived in their area however, he had to wade over a wide river, in which the water reached up to their armpits, with his expedition. The natives (i.e, the Vagciriku), apparently opened fierce fire towards them, but then fled, after which they took over their kraals without much opposition. Five of these kraals were torched and in one of them, Eriksson found a post that Faraday (who was killed in the Gciriku area in 1892) had received most lately and through which he could identify him.<sup>59</sup>

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<sup>55</sup> Peter Johansson: *The Trader King of Damaraland: Axel Eriksson, a Swedish pioneer in southern Africa*, Windhoek, Gamsberg Macmillan, 2007, p. 68.

<sup>56</sup> BNARS, file no. HC 144, A statement dated 10/12/1895 by John McDonald and taken down by Arthur Barré Phipps, Magistrate of Ngamiland.

<sup>57</sup> BNARS, file no. RC 10/8, A letter communication dated 23/11/1903 by Marwyn William, Magistrate of Ngamiland, Tsau to the Resident Commissioner, Mafeking.

<sup>58</sup> BNARS, file no. RC 10/8, A letter Communication dated 15/11/1903 by Fritjof Swanstrom, Lealui to Mr. R.T. Coryndon.

<sup>59</sup> Johansson: *Trader King*, p. 68.

Since the Boer trekkers comprising the said commando were sponsored by Cecil Rhodes' BSACo to trek to Mossamedes in Angola, it is possible that the chartered company's agents, namely Johan Bosman, Georg Reinhardt, and others who were at the time in Ngamiland with Kgosi Sekgoma on official duties, also had some connections with the Boer attack. It is worth noting that Cecil John Rhodes, the Chairman of BSACo in 1890 already approved Axel Eriksson as a man knowledgeable of the area including the Kavango in which he intended to settle the disgruntled Boer trekkers from South Africa. In 1890, Rhodes wrote that Eriksson was a great trader who knew the whole question of Ovamboland and (the area) north and south of Zambezi on the west, and that Mr. Johnston of Mozambique, who once travelled with him (Eriksson) gave him (Rhodes) the highest opinion of Eriksson. On this account, Cecil Rhodes recommended Axel Eriksson to the foreman of the Boer trekkers intending to travel through those areas; to see Axel Eriksson and to consult him regarding the said areas.<sup>60</sup> It can therefore be argued that Johan Bosman, who was with Kgosi Sekgoma, urging him to sign a treaty of friendship on behalf of the BSACo, and Axel Eriksson, who was escorting the Boer trekkers to Mossamedes in Angola were at the time all in the employment of Cecil John Rhodes. Thus, the news about the failure of the Boer attack on the Vagciriku in early 1894 shortly before the Lishora Massacre, had therefore possibly been communicated to one another as agents of the BSACo. It is therefore plausible that Kgosi Sekgoma was fully aware of the reasons why the Boer Commando attacked the Vagciriku before them. For instance, Sekgoma informed Major Hamilton Goold-Adams that the Boers attacked the Vagciriku shortly before his own army did. He reported that on their arrival at Hompa Nyangana's settlement, they found that the town had already been raided and burned down by a party of Boers from their settlement in the Portuguese area of Mossamedes. Sekgoma informed Major Hamilton-Goold Adams that the Boers attacked Hompa Nyangana to punish him for the murder of the white men and that Nyangana, on Sekgoma's arrival, was at the time hiding on the far side of the Okavango.<sup>61</sup> It seems that Hompa Nyangana and his people were at their most vulnerable time and this could be one of the reasons why Hompa Nyangana saw the advent of his ally, Kgosi Sekgoma in his territory as a timely rescue and protection.

It is against the context of the failure of the Boer Commando attack on the Vagciriku in 1894 that the careful planning and execution of the Lishora Massacre needs to be discussed. This is because, aside from the Boers burning five Vagciriku homesteads, Hompa Nyangana was not arrested, and no casualties were reported during this attack. However, without giving context of the then prevailing political dynamics in the area, some observers have proclaimed that the massacre was enabled due to the stupidity of the Vagciriku who were gullible enough to believe the lies that Kgosi Sekgoma sold to them at the time. Firstly, it needs to be pointed out that at the time

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<sup>60</sup> BNARS, file no. RC 10/8, A letter dated 15/02/1890 by Cecil John Rhodes, Chairman of the British South Africa Company to Mr. Bower.

<sup>61</sup> BNARS, file no. HC 144, Major Hamilton Goold-Adams's report dated 09/07/1896 to the Resident Commissioner, Mafeking.

Hompa Nyangana and Kgosi Sekgoma were on friendly terms and thus his arrival in the Gciriku area was not the least suspected. To assure Hompa Nyangana further, Kgosi Sekgoma personally announced his peaceful intentions to Hompa Nyangana and his people: *"We are not an army; we are passing on to hunt; you must lend us boats to cross the river."*<sup>62</sup> Unbeknown to Hompa Nyangana his supposed ally, Kgosi Sekgoma, was in cahoots with some European elements who put him under pressure to wipe out the Vagciriku's standing army, arrest and take him to Ngamiland to be questioned on the 1892 deaths of Phillip Wiessel and Robert Arthur Faraday; Kgosi Sekgoma was acting as a mercenary to avenge the death of the two traders to exculpate himself from the same accusation. It had been alleged since 1892 by some European traders that Kgosi Sekgoma and Hompa Nyangana had conspired to kill the two traders. In fact, Kgosi Sekgoma was reported to be in the Gciriku area with a war party in 1892 at the time of the killing of Phillip Wiessel and Robert Arthur Faraday. There are at least two independent primary sources that could testify that Kgosi Sekgoma was in Nyangana's country before the killing of the two traders and that he indeed encouraged and abetted Hompa Nyangana in the act. First, on September 4, 1895, the Scottish, John McDonald who was tasked by the Magistrate of Ngamiland, Barre Phipps to investigate the killing of Phillip Wiessel and Robert Arthur Faraday testified that he was informed by among others Hompa Nyangana's sister Mavandje that Kgosi Sekgoma was in Nyangana's country, a very short time before the death of the two traders. And that after the killing of Wiessel and Faraday, Hompa Nyangana shared the spoils with Sekgoma in the form of rifles.<sup>63</sup> Secondly, in 1903, a Swedish trader, Fritjof Swanstrom remembered that he passed along the Okavango in 1892 on his way from the Transvaal to Angola. Whilst at Lake Ngami, he was told by a trader that 2 white men Messrs. Faraday and Visel (Wiessel) had come with a wagon from the south as far as Ganses (i.e Ghanzi) where they had taken the road for the Okavango. The Chief Sekome (i.e Sekgoma) had intimated to them that he wished them to come down to the Lake and they had refused which had offended the Chief. Furthermore, that before reaching Chief Andara's Country (i.e, Mbukushu) Swanstrom's party met a war party of Kgosi Sekgoma's men with several horses. When queried on the objective of their presence in the area, they said they had been raiding Bushmen on the Okavango River. Around the same time, Swanstrom's party also saw the wagon spoor of the said white men coming from Ghanzi, and at Andara they were told that the men had been killed by Chief Nyangana's people higher up the Okavango, a statement they later found correct.<sup>64</sup> All indications are that, by early 1894 before and shortly after the Boer attack on the Vagciriku, Kgosi Sekgoma and Hompa Nyangana were on friendly terms. Thus, Hompa Nyangana easily believed

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<sup>62</sup> BNARS, file no. HC 144, A statement dated 04/09/1894 sent by Sekhome, Chief of the Batawana, Lake Ngami to Bathoen, Chief of the Banwaketsi. p.1.

<sup>63</sup> BNARS, file no. HC 144, A statement dated 10/12/1895 by John McDonald and taken down by Arthur Barré Phipps, Magistrate of Ngamiland.

<sup>64</sup> BNARS, file no. RC 10/8, A letter Communication dated 15/11/1903 by Fritjof Swanstrom, Lealui to Mr. R.T. Coryndon.

when Sekgoma approached him with tricks, as he appeared to have had only good intentions for Nyangana and his people. Given the latest military setbacks with the Boer Commando a matter of weeks before, the Peku or Shimbaranganyi, the bulletproof special medicine that Kgosi Sekgoma promised to treat Homba Nyangana and his people with, appeared an attractive offer.

The BaTawana's statement regarding the conversation how Kgosi Sekgoma managed to trick Homba Nyangana and his people shortly before the massacre is as follows:

Approaching Nyangana's town on their return, Sekhome sent two messengers ahead, viz, Sekhatole (his half-brother) and Baitsole, saying, "tell Nyangana that I am coming that he may seek food for me and my men, and boats for crossing the river." Next day Sekhome arrived at Nyangana's town, and Nyangana gave him boats to cross and food for his people. Sekhome said to Nyangana, I come from attacking the tribes that conquered you formerly." Nyangana replied, I am glad, Chief although you have been wounded; yet as you have conquered them I rejoice; but now I ought to go with you, for if I remain those tribes will attack me." Sekhome answered, "I will leave you behind; you will not be killed by anyone. Nyangana said, "do not leave me, for they will kill me." Sekhome replied, "No, but if you fear I will make a charm for you." "If you can make a charm for me, Chief, I shall be glad," was Nyangana's reply. Sekhome proceeded to say, "Tomorrow you must all be gathered together; bring all your people with their arms; leave no one behind." Then Sekhome's people gathered leaves, pounded them and placed them in water; they also pounded charcoal, mixed it with fat; all these were put into an ox-horn. On the morrow Nyangana's people all came, as they were told, and were commanded by Sekhome to lay down all their arms and then approach him. Sekhome next called them to come near and wash themselves, and they were sprinkled by means of a wildebeest tail dipped into a bowl of water. The sprinkling was done by Oëcho Ötsile. Sekhome said to Nyangana, "You are a Chief, so you cannot be washed with the others; you and I must have a charm together." Then a rheim with a slip knot was prepared. Sekhome first passed through the slipknot, saying (as he did so) "pass through' the opening of the stomach" (This refers to a heathen custom.) Next Nyangana's little son passed through' the slipknot in a similar manner.

Thirdly, Nyangana himself entered the slipknot to do the same but was caught by the slipknot and made a prisoner. Sekhome, having secured Nyangana, instructed his followers to open fire on the unarmed men of Nyangana and killed them to a man. Then the Batawana (Sekhome's people) seized the women, children and cattle of Nyangana and his

people, gathered them all together, and travelled home with them, Nyangana and his son being prisoners of Sekhome.<sup>65</sup>

The intention for genocide can easily be noticed, because in his strategy Kgosi Sekgoma ordered that all the Vagciriku men with all their arms, not to leave anyone behind, had to be assembled in one place. It can also be seen that the following day, indeed all of Homba Nyangana's people came and were commanded by Kgosi Sekgoma to lay down their weapons, before he ordered his men to open fire on them and they were indeed killed to a man. Regardless of the number that were killed, this massacre qualifies as a genocide because the definition of the UN Convention on genocide refers to the intention to kill off the whole or just a section of the main population of a tribe or nation. The able-bodied male population of the Vagciriku were therefore targeted for extermination because for years they had been perceived as murderers of white people without due punishment. These genocidal intentions by Kgosi Sekgoma on the Vagciriku were once again revealed and elaborated upon in 1903 when he once again offered to assist a British-planned punitive expeditionary force against the Vagciriku and the Vashambyu. In this case, together with Homba Mbambangandu of the Vashambyu, Homba Nyangana was again reported to have killed a family of German traders, namely Paasch and Aarndt. Thus, echoing Kgosi Sekgoma's extermination strategy against the Vagciriku in 1894, the Magistrate of Ngamiland Marwyn Williams motivated to the Resident Commissioner of Bechuanaland as follows:

When these petty chiefs are attacked, it will have to be very carefully managed, otherwise the whole affair will be a failure because when a force however small goes to attack them, they will simply scatter and hide till things are quiet. And, then return and carry on just the same as before. Sekgoma has promised (us his) assistance and seek permission that if supplied with ammunition to accompany me than I put matters straight. It would be quite laughable to only capture the chief offenders, Njangana and Bamangandu (i.e, Mbambangandu I) when all the rest of the tribe are simply murderous of many years standing and have committed unspeakable crimes for years (hundreds of murders of both whites and black).<sup>66</sup>

By this motivation, it becomes clear why in 1894 it was also deemed essential to disarm all the Vagciriku men and attack them in cold blood. This was because the whole tribe was simply deemed guilty for the so-called murders of white men and thus a careful management of how to achieve their complete defeat and punitive lesson was therefore warranted.

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<sup>65</sup> BNARS, file no. HC 144, A statement dated 04/09/1894 sent by Sekhome, Chief of the BaTawana, Lake Ngami to Bathoen, Chief of the Banwaketsi, p. 2-4.

<sup>66</sup> BNARS, file no. RC 10/8, A letter communication dated 23/11/1903 by Marwyn William, Magistrate of Ngamiland, Tsau to the Resident Commissioner, Mafeking.

## The women experiences in post-Lishora Massacre of 1894

The order to the Vagciriku by Kgosi Sekgoma to be assembled in one place at Shantjefu where they would to be treated with a magical bullet-proof medicine was given to only the men. Even though some curious women tried to follow their husbands, sons, and other relatives to witness the so-called *peku* or *shimbaranganyi* treatment, they were generally excluded from the attack. For this reason, if any, there were less deaths and wounded casualty amongst the ranks of Gciriku women. However, the whole massacre directly affected the Gciriku and Shambyu women in many ways. To begin with, the whole lot of Gciriku and Shambyu women became widows at once as their husbands perished in the attack and massacre. Secondly, after the attack on the Malyo Island and Shantjefu, the place of the massacre, Kgosi Sekgoma of the BaTawana ordered that all women and children were gathered in one place and then driven into captivity in Ngamiland. Even though Vagciriku and Vashambyu's oral tradition regarding the aftermath of the attack at Malyo and the massacre at Shantjefu is silent on how the women were treated as captives, it still emerges in subtle ways that mass-rape of the women was committed by Sekgoma's men. The silence on this aspect of Sekgoma's attack at Malyo and the Lishora Massacre's history is perhaps due to the cultural prescripts of their traditional society that attaches shame to the crime of rape. For this reason, in a traditional society such as the Vagciriku's, direct and indirect victims of rape rarely open up to talk about these traumatic experiences. This must be understood in the context that the overwhelming majority of survivors of the Lishora Massacre were women who happened to have been direct and indirect victims of rape. Due to their cultural framework that frowns upon such open discussion on sexual violence and abuse of women, women narrators left out this traumatic and shameful aspect of what happened to them or their forbearers whenever they re-narrated their experiences in the aftermath of the Malyo attack and the Lishora Massacre. Instead, in order to explain such painful, shameful and short of reliving the traumatic experiences of the crime of rape, the tellers of the accounts rather chose their society's acceptable notions of marriage with BaTawana men while in captivity. We, however, argue that due to the unequal and abusive nature of the relationship that existed between the captors and their captives, a proper marriage between the Vagciriku women and the BaTawana men was impossible. For example, during the time of their BaTawana captivity in Ngamiland, one of Hompa Nyangana's daughter, Shirudi, is said to have been married to Kgosi Mathiba, who was the BaTawana's heir apparent. Ironically, instead of castigating the BaTawana perpetrators for killing their men in cold blood and for rape and other abuses, the Gciriku women tellers of the Lishora Massacre blamed Hompa Nyangana for inviting such trouble on them. This is perfectly in line with their own socio-cultural practice called *kulilita*. *Kulilita* is practiced by the Bantu, including the Vagciriku whenever dealing with a traumatic event such as death or any other unexplained calamity, whereby the traumatized, mostly women, accuse or blame a family member (s), for being the cause of their suffering or the calamity in the family. Against the evidence in the different oral accounts by the victims regarding the causes of the Lishora Massacre, it looks almost certain that the *kulilita* notion was



at play when the women narrators recounted the story about the massacre and its aftermath to their audience. Thus, it becomes plausible why Hompa Nyangana who it appears from the available contemporary written sources to have been an equally hapless victim of the Lishora Massacre, is depicted in these local oral narratives of the Vagciriku and Vashambyu as the main villain and scoundrel. This kulilita aspect of the local people's culture shapes the character of memory, context and recitation of the oral accounts. It also underlines the fact that oral sources move beyond formal recitation and that the narrative can change over time. Thus, scholars of history, such as Vansina and Tonkin, acknowledge the effects the present might have on the past and warned that researchers have to bear in mind that human beings are social beings and hence, the construction of history is a social process influenced by a social present.<sup>67</sup>

Indirectly, it had however emerged that rape as a war crime was indeed committed against the Vagciriku and Vashambyu women. For instance, in my conversation in 2006 with Mushingwa waMuhako, a third generation of the Lishora Massacre, she mentioned an incident where women were subjected to rape by the BaTawana men. And that for pleasure they even tried to force the captive Hompa Nyangana to participate in such acts. To this effect, the historian, Karl Peter Shiyaka Mberema, informed me (Shiremo) during one of our routine history conversations that his earlier sources informed him that Hompa Nyangana threatened to rather commit suicide by for example jumping into the Kavango River to drown. The fact that women were subjected to mistreatment and abuse as mere spoils of war and for pleasure by Kgosi Sekgoma's men, can also be picked in the account of the aftermath of the Lishora Massacre by the BaTawana's themselves. For instance, when Kgosi Sekgoma suggested that Hompa Nyangana be shot, one of his men who advised him against it, giving reasons that Nyangana was needed alive by the whites in Ngamiland, was rewarded handsomely with the captive Gciriku and Shambyu women. For that piece of good advice, Kgosi Sekgoma rewarded Chaune as his portion of the spoil five women and four oxen.<sup>68</sup> While in BaTawana captivity, women were forced into sex slavery and made to do other type of domestic and agricultural work for their BaTawana masters.

In the long run, women continued to suffer from trauma as a result of the Lishora massacre. Even after some more that 1200 were released from the BaTawana captivity in 1898 by the British Magistrate at Ngamiland,<sup>69</sup> women were left without the support of their men and thus suffered from poverty. It took many years to recover and many of the Gciriku and Shambyu women indeed never really recovered from such a big loss. To determine the full extent to which the Lishora Massacre of 1894

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<sup>67</sup> Cited in Martha Akawa: *The Gender Politics of the Namibian Liberation Struggle*, Basel, Basler Afrika Bibliographien, 2014, p. 11.

<sup>68</sup>BNARS, file no. HC 144, A statement dated 04/09/1894 sent by Sekhome, Chief of the Batawana, Lake Ngami to Bathoen, Chief of the Banwaketsi, p. 4.

<sup>69</sup> Gibson et al.: *Kavango Peoples*, p. 164.

impacted on the Vagciriku and Vashambyu women, further research, especially by women themselves, is called for.

## Conclusion

The chapter outlined and examined the various accounts and versions on the causes of the Vagciriku-Lishora Massacre. The accounts were laid out as they were propagated by the tellers and through methods of source criticism, with questions and observations that can undermine their reliability raised, more so with the oral accounts and versions about the Lishora Massacre provided within the region. These were cross-checked with written accounts that emanated from the BaTawana, who were the perpetrators of the massacres, and contemporary colonial records regarding the killing of the two European traders in 1892 and the subsequent actions that were taken against the alleged offender, Hompa Nyangana and his people in 1894.

It has been shown that the massacre must be remembered more as a colonial affair against Hompa Nyangana and his people than anything else. By showing the intention of Kgosi Sekgoma and his army and the extermination strategies that they used in killing off an abled-body male population of the Vagciriku, an argument has been laid out that the Vagciriku-Lishora Massacre was indeed a genocide of the 19<sup>th</sup> century.

Lastly, the traumatic experiences of women in the aftermath of the massacre in as far as mass rape is concerned, was provided. However, an attempt to explain the intricacies that come with the memory of traumatic and shameful events by direct victims and their descendants which manifests in the Vagciriku and Vashambyu women about their memories regarding the aftermath of the Malyo Island Raid and the Lishora Massacre at Shantjefu in 1894, remains to be explored further.

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# The Nama-German War – an integral part of a complex trajectory of large-scale violence

Reinhart Kössler

## Introduction

For some time, the term Namibian War or Namibian-German War have gained currency for denoting the armed struggles of anti-colonial resistance and violent confrontations that shook the foundations of German colonial rule in what is today central and southern Namibia from 1903 to 1908. As will be shown presently, there are sound reasons for this usage. However, such a terminology also raises questions. At first sight, the events under discussion might also be understood as a sequence of fragmented and frequently quite small-scale violent conflicts. Still, such an appearance should not block insight for a complex process which has been marked by numerous shifts between agent groups and theatres, by partly dramatic changes in conflict constellations, by clearly divergent timeframes, and by quite diverse dynamics of violence. At the same time, as can be gauged even from the titles of relevant monographs, the Nama-German war has drawn much less attention than the fate of the Ovaherero. This is remarkable also, given the much longer duration of what happened in southern Namibia and its impact on the history of both countries – Namibia as well as Germany.

The decisive reason to insist on a term which overarches all differences in this trajectory, is the character of the Namibian War as an overall process. This overarching context is borne out above all when we consider the colonial power which was attacked and at times, shattered in its foundations. Still, this structural dimension alone would not be sufficient, as is borne out by a glance at the level of agency and the numerous, if fragmented forays into anti-colonial primary resistance that filled the decade before the war. The trajectory that unfolded from 1903 up to 1908 differs clearly from that picture. In this case, diverse African polities and communities moved to the foreground at various times, but at the same time, and once again in diverse ways, were connected with each other – through attempts at building alliances with various measures of success, or by accommodating and absorbing dispersed people and fugitives. A further aspect concerns an interest in a view of history that transcends ethnic boundaries which would take in such connections and alliances, seeing them

as steps on the way towards a national nexus. Despite undeniable fragmentation,<sup>1</sup> this can be seen as a move towards gradually establishing overarching commonalities and identifications on a territory that has, originally, been brought together in the course of establishing colonial rule, even though such advances may have been quite brittle.

In the following, I consider the Nama-German war particularly from the viewpoint of connections between the various Nama groups, but in some cases also taking in Ovaherero. A further interest concerns differences between the Nama-German and the Ovaherero-German wars, in particular various instances of negotiations between the warring parties. The fate that awaited the Nama groups after capitulating to the colonial power also points towards an overarching unity of the relevant trajectories, as ascertained by more recent commemorative practice.

### The Nama-German War: fragmentation and unity of a trajectory

A first aspect that binds together the entire process of war concerns the beginnings of the Namibian War. The conventional setting of this initial date as January 12, 1904, appears problematic if only an account of the routine pointer to the absence of the main force of the *Schutztruppe* (colonial army) in Central Namibia, because they were tied down in the far south-east of the territory. This circumstance had a background which can demonstrate linkages between events in various parts of the territory.

At the turn of 1903/04, the main force of the *Schutztruppe* were massed in the south-east to break the resistance of Bondelswarts (!Gami-ǀnūn). An open confrontation with this group had flared up when the Warmbad district chief, Lieutenant Walter Jobst, overstepped his rights as enshrined in the protection treaty. He interfered into a quarrel about a supposedly stolen goat and during the resulting melee he shot Kaptein (*gaob*) Jan Abram Christiaan. The *Kaptein's greatmen immediately retaliated by shooting the lieutenant*.<sup>2</sup> This action added acrimony to prior conflict. The brief war that followed may be considered as the decisive point of a long series of military confrontations that had characterised the 1890s throughout the consolidation of

<sup>1</sup> On this, see Reinhart Kössler: 'Facing a Fragmented Past. Memory, culture and politics in Namibia', in: *Journal of Southern African Studies*, 33, 2007, pp. 261-382.

<sup>2</sup> For an extensive oral history, see Memory Biwa: 'Stories of the Patchwork Quilt. An oral history project of the Nama-German war in Southern Namibia', in: André du Pisani, Reinhart Kössler and William A. Lindeke, (eds.): *The Long Aftermath of War. Reconciliation and Transition in Namibia*, Freiburg im Breisgau, Arnold-Bergstraesser-Institut, 2011, pp. 350-355; also Casper W. Erichsen: "What the Elders Used to Say". *Namibian perspectives on the last decade of German colonial rule*, Windhoek, Namibian Institute for Democracy, 2008, pp. 22f.; Andreas Heinrich Bühler: *Der Namaaufstand gegen die deutsche Kolonialherrschaft in Namibia 1904-1913*, Frankfurt am Main, Verlag für Interkulturelle Kommunikation, 2003, pp. 97-199.

colonial rule.<sup>3</sup> At the same time, this episode opened the last and most violent phase of primary anticolonial resistance in Namibia, the Namibian War.

The murder of Kaptein (Captain) Jan Abram Christiaan marked the beginning of a drawn-out conflict that threaded throughout the Namibian War and attests to the particular perseverance of Bondelswarts. In the initial phase of these engagements between the Bondelswarts and the colonial power, a major part of the available Schutztruppe force was concentrated in the extreme southeast of Namibia. Governor Leutwein himself also was present in this war theatre when news reached him that war against Ovaherero had begun in the centre of the territory. Hastily initiated negotiations yielded an accord whose terms were far less favourable to the German power than the colonial officials had hoped for, but which provided for the disarmament of Bondelswarts<sup>4</sup> and released the Schutztruppe for action further north.

Even a few months before, attempts to subject indigenous communities to colonial control had led to broadly similar armed conflict in the extreme north of Namibia, present-day Kavango. The connection has been noted by contemporaries and later in the British Blue Book of 1919, but largely disregarded later on. Arguably, this conflict was not followed up by the colonial power on account of the heavy challenges it faced in the South and shortly later, in the centre of the territory.<sup>5</sup>

It may remain a moot point whether the immediate trigger for the Ovaherero-German War on January 12, 1904 lay in the hardly disputable plans of leading Ovaherero,<sup>6</sup> or rather in the conduct of the station commander of Okahandja, Lieutenant Zürn.<sup>7</sup> However, there is little doubt that regardless of the considerable problems of

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<sup>3</sup> Cf. Horst Drechsler: *“Let Us Die Fighting”. The Struggle of the Herero and Nama against German Imperialism (1884-1915)*, London, Zed Press, 1980, pp. 103-15, 106-11.

<sup>4</sup> Cf. Bühler: *Namaaufstand*, p. 100.

<sup>5</sup> A. Seidel: ‘Die Unruhen in Deutsch-Südwestafrika’, in: *Deutsche Kolonialzeitung*, 46 (20), 1903, pp. 459-460; a map shows the ‘insurgent territories of the Ovambos [Kavango] and Bondelzwarts’ (sic), *ibid.*, p. 406; Jeremy Silvester, Jan-Bart Gewalt: *Words Cannot Be Found. An Annotated Reprint of the 1918 Blue Book*, Leiden, Brill, 2003, p. 231; Shampapi Shiremo: ‘The 1903 Kavango Uprising against the German Imperial Government. A forgotten historical episode in Namibia’s anti-colonial resistance historiography’, in: Marius Kudumu, Jeremy Silvester, (eds.): *Resistance on the Banks of the Kavango River*, Windhoek, Museums Association of Namibia, 2016, pp. 9-28; For an extensive account of the episode see Andreas Eckl: *Herrschaft, Macht und Einfluß. Koloniale Interaktionen am Kavango (Nord-Namibia) von 1891 bis 1921*, Köln, Köppe, 2004, pp. 41-53, 117-157; thanks to Shampapi Shiremo for alerting me to this connection.

<sup>6</sup> Cf. Gerhard Pool: *Samuel Maharero*, Windhoek, Gamsberg Macmillan, 1991, pp. 200-202.

<sup>7</sup> See Jan-Bart Gewalt: *Herero Heroes. A socio-political history of the Herero of Namibia, 1890-1923*, London, Currey, 1999, pp. 142-161.

coordination the Ovaherero had to grapple with,<sup>8</sup> the strategic situation at the beginning of the war was largely influenced by the concentration of the Schutztruppe in the far Southeast of the territory, which left open the centre of the territory.<sup>9</sup>

Further aspects point clearly towards a context that went beyond what was then Hereroland. On the one hand, there were efforts to reach an alliance with Aawambo in the North;<sup>10</sup> what is more, Samuel Maharero directed letters to Kaptein Hermanus van Wyk of the Rehoboth Basters and Kaptein Hendrik Witbooi, two decisive leaders in the South, with an appeal to unite against the Germans. Samuel Maharero motivated this i.a. with the unity that had been reached, with considerable effort, amongst Ovaherero.<sup>11</sup> These letters were turned over to the colonial authorities by van Wyk.<sup>12</sup> Samuel Maharero's attempt to forge such an alliance at a point when the war had already commenced, is reminiscent of efforts by Hendrik Witbooi a decade and a half earlier to overcome ancient divisions and create a common defensive front in the face of the fledgling German colonial power.<sup>13</sup>

However, when the Ovaherero-German War began, the frontlines were quite different. Along with other Nama groups, /Khowesen (Witbooi) were obliged to render ancillary military service to the Germans under the protection treaty of 1894/95. Hendrik Witbooi had also participated in person in the campaign against the Bondelswarts which had just been cut short.<sup>14</sup> Thus, the possibility that Nama might block the Schutztruppe from proceeding from the South to the centre of the territory did not materialise.<sup>15</sup> In fact, up to the beginning of the Nama-German War, more than 100 Nama, including numerous /Khowesen (Witbooi), served in the German military as ancillaries. After the battle of Ohamakari (Waterberg), 19 /Khowesen managed to escape and make their way to Gibeon. It seems that their reports about the conduct of the war by the Germans motivated Hendrik Witbooi to revert to armed resistance; there were also continuous rumours about the impending disarmament of

<sup>8</sup> Cf. Pool: *Maharero*, pp. 206-208; Matthias Häussler: *The Herero Genocide. War, Emotion, and Extreme Violence in Colonial Namibia*, New York, Berghahn, 2021, pp. 52-55.

<sup>9</sup> Cf. Pool: *Maharero*, pp. 196f.

<sup>10</sup> Cf. *ibid.*, p. 215.

<sup>11</sup> Cf. Drechsler: *Fighting*, pp. 143f.

<sup>12</sup> Cf. Pool: *Maharero*, pp. 203-205.

<sup>13</sup> Cf. Brigitte Lau, (ed.): *The Hendrik Witbooi Papers*, second rev. and enl. ed., Windhoek, National Archives of Namibia, 1995, pp. 50-53, 93-97, 103-106, 108-118, 124-125; Werner Hillebrecht: 'Hendrik Witbooi and Samuel Maharero. The ambiguity of heroes', in: Jeremy Silvester, (ed.): *Re-Viewing Resistance in Namibian History*, Windhoek, UNAM Press, 2015, pp. 38-54 (43-45).

<sup>14</sup> Werner Hillebrecht: 'The Nama and the war in the south', in: Jürgen Zimmerer, Joachim Zeller, (eds.): *Genocide in German South-West Africa. The Colonial War of 1904-1908 and its Aftermath*, London, Merlin, 2008, pp. 143-158 (147).

<sup>15</sup> Helmut Bley: *Namibia under German Rule*, Hamburg, LIT, 1996, p. 144.

the Nama and a spirited public campaign to this effect among German settlers.<sup>16</sup> Immediately upon the news about the beginning of the war in the South, the commanding General Trotha ordered to disarm and imprison the Nama serving in the Schutztruppe. In November 1904, 119 Nama were deported to the German colony of Togo, of whom only 49 had survived after half a year. After being transported further to Cameroon, 42 of these former ancillary soldiers finally returned to Namibia in June 1906.<sup>17</sup>

## The beginning of the Nama-German War: Marengo and Witbooi

As already noted by Horst Drechsler, the widespread equivocation of the beginning of the Nama-German War, with the effective declaration of war by Hendrik Witbooi and the opening of hostilities in the area around Gibeon on October 4, 1904, is misleading. Jacob Marengo<sup>18</sup>, who had already taken a vital role in the resistance of Bondelswarts in 1903/04, had evaded repression in Namibia and returned from the Northern Cape in July 1904. Even his enemies recognised his brilliance in guerrilla warfare and, given widespread discontent among especially the younger generations of Nama, he readily succeeded to expand his originally small band to some 400 followers.

As a person, Marengo may stand for the complexity that characterised the situation in Southern Namibia and beyond. It is usually pointed out that his father was Omuherero and his mother Nama. Importantly, however, through his father Marengo belonged to the Orlam group<sup>19</sup>, who had returned to Namibia from the Northern Cape and even today trace their origins to Ovaherero who had been scattered during the wars of the 19<sup>th</sup> century and made their way into the Cape.<sup>20</sup> Like many groups

<sup>16</sup> Cf. Drechsler: *Fighting*, p. 182; Jon M. Bridgman: *The Revolt of the Hereros*, Berkeley, University of California Press, 1981, pp. 134-136.

<sup>17</sup> Cf. Drechsler: *Fighting*, p. 185-186; Werner Hillebrecht, Hennig Melber: 'Von den Deutschen verschleppt. Spurensicherung', in: Nangolo Mbumba, Helgard Patemann and Uazuvara Katjivena, (eds.): *Ein Land, eine Zukunft. Namibias Weg in die Unabhängigkeit*, Wuppertal, Hammer, 1988, pp. 132-150; Israel Goldblatt: *History of South West Africa from the Beginning of the 19th Century*, Cape Town, Wynberg, 1971, pp. 184-186.

<sup>18</sup> The name is rendered in diverse ways, as 'Marenga', 'Marink', as well as 'Morenga' (s. the seminal novel by Uwe Timm: *Morenga*, München, Autoren Edition, 1978); I keep to the form used on the memorial stone unveiled in 2008 at Warmbad, s. Reinhart Kössler: *Namibia and Germany. Negotiating the Past*, Windhoek, University of Namibia Press, 2015, pp. 221-222.

<sup>19</sup> This should not be confused with the term 'Oorlam' for the groups who immigrated to Great Namaqualand from the Northern Cape in the course of the 19<sup>th</sup> century.

<sup>20</sup> Cf. Jeremy Silvester: 'Assembling and Resembling. Herero history in Vaalgras, Northern Namibia', in: Michael Bollig, Jan-Bart Gewald, (eds.): *People, Cattle and Land. Transformations of a pastoral society in Southwestern Africa*, Köln, Köppe, 2000, pp. 473-495; Sarafina Biwa: 'The History of the Vaalgras People of Namibia', paper presented at the conference 'Public history: forgotten history', University of Namibia, Windhoek, 22.-25. August 2000; further,



who migrated from the Northern Cape to Great Namaqualand, the Orlam, too, so-journed first to Warmbad, the Bondelswarts traditional centre. In this case, a particularly close, symbolically underwritten relationship was formed which is important until the present day because of the history of 1904-1907. Later, the Orlam group was settled on the farm of Vaalgras to the north-east of Keetmanshoop. Even today, they consider themselves as Nama speaking Ovaherero. In this way, Marengo represented a bridge between the two ethnic groups who were the most important exponents of the anticolonial resistance war.<sup>21</sup>

However, following the appeals Hendrik Witbooi entrusted to messengers in early October 1904, armed anti-colonial resistance formed, which encompassed the substantial majority of Nama groups. Apart from some time lags, these appeals met a broad response. Exceptions were the Rehoboth Basters whose Kaptein Hermanus van Wyk once again refused to join the resistance, in particular Kaptein Johannes Christian Goliath of Berseba (*/Hai-/khauan*) and further, Kaptein Paul Fredericks of Bethanië (*/Aman*), besides the group of Tseib (*/Kara-oan*) at Keetmanshoop. In Bethanië, the community effectively split into two, and a large faction under the leadership of Cornelius Frederiks participated actively in the war. Immediately after the commencement of the war, large sections of the Bondelswarts were interned in Warmbad. Likewise, the Nama groups living in north-western Namibia, the Sesfontein Topnaar and Swartbooi, were interned right away.<sup>22</sup>

The reasons why Hendrik Witbooi renewed armed resistance after a period of ten years have been much debated. Certainly, land alienation over the preceding years, heated agitation amongst settlers, and apparent plans to disarm and further expropriate Nama, as well as the fate of Ovaherero were important.<sup>23</sup> The Rhenish Missionary Society who considered Witbooi, formerly a model convertite, now an apostate, along with others also saw spiritual reasons. From this vantage point, but also by Governor Leutwein, the influence of the prophet Sheperd Stuurman was held responsible for the religious insanity they observed in Witbooi.<sup>24</sup> Certainly, Witbooi unmistakably displayed a strong, also millenarist sense of mission, clad in biblical language. This was linked to his claim of divine grace. In particular, according to statements made by leading */Khowesen* later on in captivity, Stuurman was in Hendrik Witbooi's orbit from June 1904 and at least temporarily wielded considerable

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observation by the author during the commemoration in 2008, cf. Reinhart Kössler: 'Vaalgras, 6. Mai/Vaalgras, 6 May', in Evelyn Annuß (ed.): *Stagings made in Namibia. Postkoloniale Fotografie*, Berlin, b\_books, 2009, pp. 234-237.

<sup>21</sup> Cf. Kössler: *Namibia and Germany*, pp. 221-223.

<sup>22</sup> Cf. Bühler: *Namaaufstand*, pp. 212f.

<sup>23</sup> Cf. Drechsler: *Fighting*, pp. 181-183; Bühler: *Namaaufstand*, pp. 157-174.

<sup>24</sup> Cf. Drechsler: *Fighting*, p. 183; Bühler: *Namaaufstand*, pp. 174-181; Gustav Menzel: *"Widerstand und Gottesfurcht". Hendrik Witbooi – eine Biographie in zeitgenössischen Quellen*, Köln, Köppe, 2000, pp. 196-198; Günther Reh: *Hendrik Witbooi. Ein Leben für die Freiheit. Zwischen Glaube und Zweifel*, Köln, Köppe, 2000, pp. 59-62.

influence. However, due to his military incompetence and cowardice, his influence faded as soon as the war moved on.<sup>25</sup> As far as “Stuurman influenced Hendrik Witbooi’s decision not to wait until the Germans disarmed his people”<sup>26</sup>, this decision was obviously motivated decisively by moves on the side of the colonial power which must have appeared as exceedingly menacing. In fact, Witbooi’s own utterings in the context of the onset of war in 1904 fit much more into a bitter taking stock of the Ten-Year War,<sup>27</sup> during which he was obliged to take part, as an ancillary of the colonial power, according to the protection treaty of 1894, in the ruthless suppression of African resistance. Thus, he wrote to Leutwein:

As you point out, I have for ten years stood in your law, under your law, and behind your law – and not I alone, but all the chiefs of Africa. For this reason, I fear God the Father. All the souls which have for the last ten years perished from al[!] the nations of Africa and from among all its chiefs, without guilt or cause, without the justification of warfare in times of peace, and under treaties of peace, accuse me.<sup>28</sup>

This is certainly religiously-tinted language, but clearly distinct from the exalted utterings reported of Stuurman. Consequently, it would be problematic to over-estimate Stuurman’s influence.<sup>29</sup> Statements made by /Khowesen in captivity<sup>30</sup> may have been motivated by a wide range of considerations. Apparently, the issue was also a reason for factionalism which became more pronounced after the first military defeats: At least in retrospect, leading /Khowesen such as *Onderkaptein* Samuel Isaak and Hendrik Witbooi’s successor as Kaptein, his son Isaak, held Stuurman’s incompetence and cowardice responsible for these early set-backs.<sup>31</sup> While religious motives were certainly not absent at the start of the war, this should not lead us to de-politicise Witbooi’s stand, which clearly took into account the trajectory of the colonial power.

Altogether, by the end of 1904, between 1,000 and 2,000 fighters had been mobilised on the side of the Nama, with some 1,000 rifles of greatly diverse quality at their disposal. In the course of the war, while the numerical strength of the Nama decreased slowly, they faced up to 15,000 soldiers of the Schutztruppe.<sup>32</sup> Initially though, the Schutztruppe was still largely bound up with fighting the Ovaherero. Re-

<sup>25</sup> Tilman Dederling: ‘The Prophet’s “War against Whites”. Shepherd Stuurman in Namibia and South Africa, 1904-7’, in: *The Journal of African History*, 40 (1), 1999, pp. 1-19 (10, 12); Bühler: *Namaaufstand*, pp. 174-181, 222, 236f.

<sup>26</sup> *Ibid.*, p. 9.

<sup>27</sup> Hillebrecht: ‘Hendrik Witbooi’, p. 47.

<sup>28</sup> Witbooi to Leutwein, 03.11.1904, Lau, *Witbooi Papers*, p. 193.

<sup>29</sup> See also Tilman Dederling: ‘Hendrik Witbooi, the Prophet’, in: *Kleio*, 25 (1), 1993, pp. 54-78 (70-72).

<sup>30</sup> Cf. Dederling: ‘The Prophet’s’, p. 12.

<sup>31</sup> Cf. *ibid.*, pp. 6, 8-10, 12f.; Dederling: ‘Hendrik Witbooi’, pp. 72f.

<sup>32</sup> Cf. Bühler: *Namaaufstand*, pp. 181-188; Drechsler: *Fighting*, p. 184.

enforcements from Germany were dispatched from October onwards. It has to be considered that the logistical problems for the Schutztruppe in the South were even greater than during the Ovaherero-German war. In particular, as at first there was no railway, and the vast distances in this arid area, as well as its remoteness from Windhoek, meant even longer supply lines and a constraint to guard these lines.<sup>33</sup> Further, the proximity of the Cape border afforded, on the one hand opportunities for retreat for the Nama and in particular safe havens for women and children; on the other hand, this proximity resulted in a dependence of the German colonial power and its war making, since for the most part, supply lines went across the Northern Cape (Little Namaqualand).<sup>34</sup> As a consequence, it was therefore completely illusory for the Schutztruppe to encircle their adversaries,<sup>35</sup> and it faced additional problems of supply.<sup>36</sup> Even Trotha initially saw himself forced to limit the numbers of reinforcements sent to the South under such constraints.<sup>37</sup>

### Trajectories of the war

During the Nama-German War, military engagements focused consecutively on confrontations of the Schutztruppe with central military and political leaders and their followers. For these groups, personal allegiance which was close to a political movement centred around the leader, took precedence over ethnically motivated loyalty. Conceptions focusing on tribes rooted in kinship relations do not capture a reality where individual persons or entire groups repeatedly changed over to another polity to which they pledged their allegiance. Thus, Samuel Isaak, who was active during the war as *Onderkaptein* of the /Khowesen, had, because of a conflict around the succession of the Kaptein, withdrawn from Berseba and joined the /Khowesen.<sup>38</sup> Also, as we have seen, some polities such as Bethanië split at the commencement of the war,

During the first year of the war, Hendrik Witbooi was the central figure. Receiving reinforcements from other Nama groups, he pursued a highly effective tactics of guerrilla warfare. Witbooi thus availed himself of his strategic advantages, such as intimate knowledge of the area, as well as mobility. Importantly, women and children

<sup>33</sup> Cf. Bühler: *Namaaufstand*, p. 245.

<sup>34</sup> Cf. Tilman Dederig: 'War and Mobility in the Borderlands of South Western Africa in the Early Twentieth Century', in: *The International Journal of African Historical Studies*, 39 (2), 2009, pp. 275-294 (281-283).

<sup>35</sup> Cf. Isabel Virginia Hull, *Absolute Destruction. Military culture and the practices of war in Imperial Germany*, Ithaca, Cornell University Press, 2005, p. 67.

<sup>36</sup> Cf. Bühler: *Namaaufstand*, pp. 195-199.

<sup>37</sup> Cf. *ibid.*, p. 222.

<sup>38</sup> Cf. Archiv Vereinigte Evangelische Mission/Rheinische Missionsgesellschaft, file 1.700: Personalakte Hegner, Hermann (1840-1915), vol. 2, Stand der Gemeinde [Berseba] am Ende des Jahres 1894, Berseba, 22.01.1895.

were, in contradistinction to the Ovaherero-German war, kept separate from the active fighters, "so the opportunities even for individual atrocities were very limited."<sup>39</sup>

At the beginning of the war, the centres of the Witbooi group (/Khowesen) formed focal points – Gibeon, the traditional capital, and Rietmont, east of present-day Mariental, where Hendrik Witbooi had mostly stayed during the preceding years. Similarly to the first days and weeks of the Ovaherero-German War, the Nama, too, succeeded rather quickly in controlling the countryside outside the most important German stations. During these moves, murders of German men occurred, while women and children were given the chance to find refuge in the stations of the colonial power. As before, transgressions against settlers were blown up by German propaganda.<sup>40</sup> Especially the shooting of the district chief (*Bezirkshauptmann*) of Gibeon and of an artisan working for the missionary society were scandalised.<sup>41</sup> The /Khowese attempt to capture Gibeon, which was fortified by a citadel, failed at the very beginning of the war. During these fights, the Schutztruppe blew up the church and the nearby house of Hendrik Witbooi, ostensibly for strategic reasons.<sup>42</sup>

During the weeks and months after the commencement of hostilities, neighbouring groups such as Simon Cooper (Fransman ne, !Kara-gai-khoïn), Red Nation (Gai-/khaun) and Veldschoendragers (/Hawoben) joined the war with various delays. This trajectory is at clear variance with the Ovaherero-German War, where a unification of a large number of the various groups had preceded the beginning of the war. This highlights the stronger autonomy of the individual groups amongst the Nama; later, too, such groups frequently acted on their own.

The colonial power succeeded to hold on to most of its stations south of Gibeon – the region where it faced an enhanced menace by Marengo. In particular, control of the regional centre of Keetmanshoop appears to have been endangered for a time, when Marengo stood towards the East, while fighters from Bethanië under Cornelius Frederiks moved in from the North. Initial German advances then dislodged the /Khowesen from the region around Gibeon and Rietmont, and the fighting moved in an easterly direction towards the Auob valley. From there, Nama under Hendrik Witbooi's leadership retreated, after heavy battles during January/February 1905, into the relative safety of the Kalahari. Apparently, this hatched the plan on the side of the Germans to create a similar barrier towards the Kalahari as before against Ovaherero towards the Omaheke, and thus to starve out the Nama.<sup>43</sup>

The following foray by Marengo resulted in a defeat of the Nama in the battle of Narudas to the east of the Karasberge, on March 11, 1905. This failure resulted in a

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<sup>39</sup> Hull: *Destruction*, p. 67.

<sup>40</sup> Cf. Drechsler: *Fighting*, pp. 184f.; Bühler: *Namaaufstand*, pp. 218ff.

<sup>41</sup> Cf. Bühler: *Namaaufstand*, pp. 218-220; Menzel: "*Widerstand*", pp. 187-196.

<sup>42</sup> Tagebuchblätter des Miss. Spellmeyer aus Gibeon, *Berichte der Rheinischen Missionsgesellschaft*, 62 (1905), p. 43.

<sup>43</sup> Cf. Bühler: *Namaaufstand*, p. 234.

splintering of Marengo's followers. During the following months, pursuit of these small bands proved even more difficult and costly for the Schutztruppe than confronting a unified force had been before. Responsibility for this development was attributed to the regional commander Deimling who ostensibly had been moving too hastily,<sup>44</sup> while Trotha as the chief commander had planned first to draw together a sufficient number of troops and to then force a decisive stroke to annihilate his enemies.<sup>45</sup>

Shortly thereafter, Trotha himself assumed command of the troops in the South. Immediately upon his arrival in Gibeon, on April 22, 1905, he issued a proclamation to the Nama which is justly seen as a parallel to the one which had been directed at the Ovaherero on October 3, 1904, and is often referred to as the annihilation order. Quite similarly to his pronouncement half a year earlier, Trotha again demanded capitulation in exchange for the mercy of lives spared. The text makes explicit reference to the fate of the Ovaherero and just as the earlier proclamation posits an alternative to either submit or leave the territory of the German colony. Further, high bounties were promised for turning in leading Nama, however leaving out Marengo.<sup>46</sup> The proclamation certainly underlined the objectives and the approach of Trotha, but it failed as far as its intention was to intimidate Nama from pursuing the war. In fact, only shortly after, the Bondelswarts who had been in detention before, joined the war under their Kaptein Johannes Christiaan.<sup>47</sup>

## Pursuit and negotiation

During the ensuing campaigns, the Germans were constrained to turn against small fighting bands individually, while the others had a chance for a breather. Adroit guerrilla leaders such as Cornelius Frederiks managed to time and again extricate themselves from the pressure and thus in turn, to thin out the energies and resources of their pursuers in the face of massively concentrated campaigns. The campaign against Frederiks in May 1905 was also meant to secure the supply line from Lüderitz and was thus of particular strategic importance. At first, however, an additional feature surfaced here which, besides its duration and strategic differences, sets off the Nama-German War from the Ovaherero-German War: In order not to waste further time and resources in hemming in the danger that emanated from Cornelius Frederiks, while not being able to move against Witbooi and Marengo, Trotha turned to peace negotiations. This is in stark contrast to his approach to the Ovaherero,

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<sup>44</sup> Cf. *ibid.*, pp. 237-241.

<sup>45</sup> This corresponds to the overarching pattern that can be traced back to Prussian military doctrine, cf. Hull: *Destruction*.

<sup>46</sup> Großer Generalstab, Kriegsgeschichtliche Abteilung I: *Die Kämpfe der deutschen Truppen in Südwestafrika, vol. 2, Der Hottentottenkrieg*, Berlin, Mittler u. Sohn, 1907, p. 186.

<sup>47</sup> Cf. Bühler: *Namaaufstand*, p. 244.

where he emphatically rejected any such moves or suggestions.<sup>48</sup> Repeated attempts for negotiations may have been occasioned in particular by the military situation after Narudas. Now any chance for a decisive battle had evaporated. Negotiations could be linked with the perspective to further splinter up the individual Nama groups, while pursuing one main aim at a time with full force. In the concrete case, negotiations failed, because due to an apparent misunderstanding, the negotiator, a nephew of Trotha, was shot under circumstances that never were cleared up.<sup>49</sup> After further fighting with the Germans, the groups of Cornelius Frederiks and Marengo united; the pattern of initiating peace negotiations on account of a mutual lack of perspectives and exhaustion, however further shaped decisive conjunctures in the war.

After the engagement at Narudas, Trotha had also started peace negotiations with Marengo, which were at an advanced stage when they were thwarted by an attack by a German detachment on the Nama. After further fighting, negotiations between Marengo and the Germans were once again taken up, and the Germans dragged them out on purpose in order to be able to focus fully on the confrontation with Hendrik Witbooi.<sup>50</sup>

The group around Witbooi succeeded in June 1905, likely driven by lack of water during the severe drought of 1904/05, to pass unnoticed through the German barrier along the Auob and proceed once again toward the West, finally arriving in the region around Gibeon. By early August, Witbooi saw himself constrained to move the majority of his fighters once more towards the East.<sup>51</sup> In the West, there remained a group of /Khowesen in the Schwarzrand and Achab mountains. They linked up with a group of Ovaherero who before had fought in the region of Otjimbingwe. This united group was eventually worn off by German troops in September 1905, while some were forced to cross over into Walvis Bay, that is, British territory.<sup>52</sup>

After his return to the East and following further skirmishes along the Auob, Hendrik Witbooi's supplies grew ever more precarious. Here, the Schutztruppe denied any help to desperate women and children as long as the fighters would not capitulate<sup>53</sup> – harking back to the treatment of Ovaherero a year before.

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<sup>48</sup> See also the article by Matthias Häussler in this volume.

<sup>49</sup> Cf. Bühler: *Namaaufstand*, 247.

<sup>50</sup> *Ibid.*, pp. 254f.

<sup>51</sup> Cf. *ibid.*, pp. 255-259, 261-262. As reported by leading /Khowesen, Hendrik Witbooi repudiated several peace offers during this period, cf. Reinhart Kössler: 'From Hailing the "English Flag" to Asking for UN Control. Witbooi petitions and appeals under South African rule, 1919-1956', in: *Journal Namibia Scientific Society*, 47, 1999, pp. 41-65 (p. 50); according to Drechsler: *Fighting, 189-90*, attempts may have been involved to explore the position of /Khowesen forces.

<sup>52</sup> Cf. Bühler: *Namaaufstand*, pp. 259f.

<sup>53</sup> Cf. *ibid.*, p. 262-263.

In the course of an attempt to ambush a German transport near Vaalgras in an effort to improve his supply situation, Hendrik Witbooi died in action on October 29, 1905.<sup>54</sup> His demise meant the loss of a towering leader for the Nama, and seems to have demoralised large numbers of Witbooi's followers. Whereas his son Isaak was named as his successor, already by late November 1905, Onderkaptein Samuel Isaak along with the Kaptein of the Veldschoendragers, Hans Hendrik, capitulated in Berseba. This was by no means an unconditional surrender. Peace negotiations commenced with Kaptein Johannes Christian Goliath of Berseba, who had kept out of the war, as an intermediary. On the German side, Trotha's return to Germany immediately upon the news of Hendrik Witbooi's death also created a new constellation. From now on, the military high command and the office of the governor, which Trotha had combined, were once again separated. The actual negotiations were conducted by Colonel Carl Dame, while Governor Friedrich von Lindequist formally provided directives. However, the military and the civil administrations were pursuing different objectives. Dame was bent on reaching an early peace which would demonstrate the possibility of surrender to other Nama groups as well, and at the same time save the Schutztruppe from the embarrassment of a long, drawn-out war against a grossly inferior foe. This constellation implied concessions such as assurances that after disarmament, the /Khowesen would not be treated as prisoners of war but would be personally free and given the opportunity to return to their home, even though under strict surveillance and under a forced labour regime with rations only. Cattle were granted to support women and children. In contradistinction to that, Lindquist called for the /Khowesen to be held as prisoners of war at least temporarily and be deported to the vicinity of Windhoek. Dame however had already created a situation from which the Germans could no longer backtrack. Further, Samuel Isaak was working actively and with some success to persuade additional groups of /Khowesen to surrender. In the end, the German assurances were not kept. Quite according to the plans of Lindequist and as with other Nama groups, the /Khowesen were first deported to Windhoek and eventually to the concentration camp on Shark Island in the harbour of Lüderitz, where the overwhelming majority perished.<sup>55</sup> After the elimination of the /Khowesen from the war, the Schutztruppe first turned against Cornelius Frederiks, who in March 1906, was exhausted and capitulated.<sup>56</sup> He died on Shark Island less than a year later.

For some time, the Bondelswarts availed themselves of the thinning-out of the Schutztruppe in the South. As long as the colonial army was bound up by Hendrik Witbooi, they assaulted, with intermittent success, stations and transports.<sup>57</sup> From March 1906, Germans fielded more systematic operations, after intense battles at the border along

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<sup>54</sup> Cf. Drechsler: *Fighting*, pp. 188f.; Bühler: *Namaaufstand*, pp. 262-270, also for the following paragraph. The factual account is corroborated from the perspective of leading /Khowesen in a petition directed in 1919 to the South African military administration, cf. Köbler: 'Hailing', pp. 50f.

<sup>55</sup> Cf. Köbler: 'Hailing', p. 51.

<sup>56</sup> Cf. Drechsler: *Fighting*, pp. 192f.; Bühler: *Namaaufstand*, pp. 291-294.

<sup>57</sup> Cf. Bühler: *Namaaufstand*, pp 270-276.

the Orange River (!Garib), to bar fighters from crossing over to South Africa.<sup>58</sup> This approach was radicalised when a Schutztruppe detachment attacked Marengo's group, which had withdrawn across the border, on British territory and killed off most of them. Marengo managed to escape. At first, he was imprisoned in the Cape Colony and later was given asylum, likely on account of the border violation by the Germans which had also led to a diplomatic tangle.<sup>59</sup>

Up to the end of 1906, Bondelswarts and members of other Nama groups continued a small war against the Germans in the Southeast.<sup>60</sup> Early in October 1906, the newly installed commander in chief Deimling, apparently seeing no possibility to improve a situation fraught with losses and potentially embarrassment, initiated peace negotiations with the Catholic missionary Johannes Malinowski, who was stationed on Bondelswarts territory, as a mediator. After two months, the Christmas peace of Ukamas was reached. Bondelswarts had to give up their weapons and to recognise an obligation to work, but in turn were accorded a territory to the West of Warmbad as well as an entitlement to reside in a part of the town, their traditional centre. To secure their livelihood, they further received small stock as a loan. This is to be seen as a success for the Bondelswarts and a clear expression of the strong interest of the military to bring the fighting to an end. Deimling seems to have conducted a kind of secret diplomacy,<sup>61</sup> which once again confronted Lindequist and the Imperial Government with a fait accompli. After heated controversy, the treaty was finally approved both in Windhoek and in Berlin.

Not all Bondelswarts however adhered to the peace treaty. In August 1907, Marengo crossed the border once again and moved towards uniting with the group of Simon Cooper who still held out in the Kalahari. This time, the authorities in South West Africa and the Cape worked hand in hand and on September 20, 1907, Marengo was shot by the Cape Police near Upington.<sup>62</sup>

The last Nama groups who had not yet surrendered or been annihilated had retreated deep into the Kalahari in the territory of Bechuanaland. In this case, too, the Schutztruppe ventured an advance on British territory. After a costly battle however, this foray, while tolerated by the British side, was unsuccessful. Eventually, the British brokered a peace deal, under which the group was settled in Bechuanaland and the Germans agreed on secret payments to Simon Cooper to keep him quiet.<sup>63</sup>

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<sup>58</sup> Cf. *ibid.*, pp. 277f.; Dederling: 'War', however, gives the impression of a porous boundary and of episodic co-operation between the two colonial powers, even though this was not free of tensions.

<sup>59</sup> Cf. Bühler: *Namaaufstand*, pp. 278-285; Drechsler: *Fighting*, pp. 194f.

<sup>60</sup> Cf. Drechsler: *Fighting*, pp. 195f.

<sup>61</sup> Drechsler: *Fighting*, p. 196; cf. Bühler: *Namaaufstand*, pp. 296-310.

<sup>62</sup> Cf. Drechsler, *Fighting*, p. 203; Bühler: *Namaaufstand*, pp. 310-318.

<sup>63</sup> Cf. Drechsler: *Fighting*, pp. 203-207; Bühler: *Namaaufstand*, pp. 318-326.



There was an epilogue to the Nama-German War, that is, activities by Bondelswarts who evaded the forced labour which had been ordained by the peace of Ukamas. After the state of war had formally been terminated on March 31, 1907, the Cape government much more readily rendered fugitives from Namibia back to the German colonial authorities, and these cases were treated under criminal law. In most cases, this meant the death sentence. In particular among the Bondelswarts, a tradition of resistance stayed alive – right up to the rising of 1922, which occasioned the first aerial raid by the South African air force.

### **The wider context**

Overall, the story of the war thus presents a web of activities of resistance that partially went parallel to each other and partially in temporal succession. They were connected through relationships between leading personages as well as alliances that were repeatedly re-assembled, and also through the amalgamation of actively fighting groups. These connections between various phases and conflicts, which together constituted the Nama-German-War, were clearer and closer than those that can be discerned in the relationship between the Ovaherero-German War and the Nama-German War. The participation of Nama ancillary troops in the German campaign against Ovaherero adds a further contradiction, but still forms part of the overall trajectory. All said, there are good reasons to speak of a complex, and certainly contradictory unity of the Namibian War. These reasons consist in the displacement of the primary theatres of war from the extreme Southeast of the territory into the centre and back again into the South, again with changing focal areas. In addition, the fledgling alliances that turned up after the commencement of the Nama-German War need to be considered, both in the form of absorption of dispersed Ovaherero by Nama groups, and in the highly symbolic figure of Marengo.

Further, the Nama-German War brought out the regional dimension of the Namibian War with particular clarity. This applies in particular to the stance taken by Great Britain and the Cape government, which at times bordered on collaboration amongst colonial powers,<sup>64</sup> but above all also to the linkages between Nama groups, especially Bondelswarts who lived on both sides of the border.<sup>65</sup> On a different level, the regional nexus refers to the dependence of both warring parties on supplies via the Cape, and consequently, in contradictory relations with the Cape government. While the latter saw reason to factor in sentiments amongst indigenes in the Northern Cape

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<sup>64</sup> Cf. Dederig: 'War' pp. 280-821, 283, 291; Daniel Grimshaw: 'Britain's Response to the Herero and Nama Genocide, 1904-07. A realist perspective on Britain's assistance to Germany during the genocide in German South-West Africa', MA Thesis, Hugo Valentin-Centrum, Uppsala Universitet, 2014.

<sup>65</sup> Cf. Dederig: 'War', p. 285-287; Biwa, Memory: "'Weaving the Past With Threads of Memory". Narratives and commemorations of the colonial war in Southern Namibia", PhD, Cape Town, University of the Western Cape, 2012, p. 107.

with their close relationships to the regions beyond the !Garib, solidarity among the colonial powers eventually prevailed.

The strained relationships between these two powers were largely predicated by infrastructural constraints, and these were to be resolved by the construction of the Southern Railway in Namibia. To be sure, this link was completed only in June 1908, when the war had officially already ended for more than a year.<sup>66</sup> Even though railway construction came too late to impact seriously on the course of the war, it still had important repercussions in terms of the realignment of the German party system, where the Reichstag elections of 1907 (dubbed as Hottentott Elections) marked a decisive turn to the right.<sup>67</sup> At the same time, the construction of the railway already signalled problems in the recruitment of the necessary work force, which may at least in part be attributed to the genocide. Labour recruitment was now redirected towards the northern regions of Namibia, but also towards South Africa.<sup>68</sup>

Overall, the Cape government responded with much greater sensitivity to the Nama-German War than it had dealt with the former confrontation of the German colonial power with Ovaherero. Obviously, this was due to a perception of a much more immediate danger to the Cape's own interests of security and dominance. Here, the impact of events in Namibia among the indigenes in the Cape as well as in the wider regions of South Africa should be factored in. Ten years later, perceived risks at the Northern frontier were one important motive to secure territorial control of Namibia for the Union of South Africa, at least in the form of a League of Nations mandate, if not by the desired outright annexation.

## Unity in remembrance on Shark Island

A narration highlighting the unity of anti-colonial resistance was articulated with great force in February 2007 when a commemoration of the 100<sup>th</sup> anniversary of the death of Cornelius Frederik on Shark Island was formally extended to address the Nama-Damara-Ovaherero- und San (Bushman) Genocide 1904-1908, with the particular participation of a large number of traditional leaders of Nama, and Ovaherero Ombara Otjambi Kuaima Riruako.<sup>69</sup> Shark Island and the largely areas on the close-by mainland where the victims of Shark Island and other concentration camps are buried in

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<sup>66</sup> Cf. Klaus Dierks: *Chronologie der namibischen Geschichte von der vorgeschichtlichen Zeit bis zur Unabhängigkeit*, Windhoek, Namibia Wissenschaftliche Gesellschaft, 1999, p. 104.

<sup>67</sup> Cf. Kössler: *Namibia*, p. 60.

<sup>68</sup> Cf. William Beinart: "'Jamani". Cape workers in South-West Africa 1904-1912', in: William Beinart, Colin Bundy, (eds.): *Hidden Struggles in Rural South Africa. Politics and Popular Movements in the Transkei and Eastern Cape, 1890-1930*, London, University of California Press, 1987, pp. 166-190.

<sup>69</sup> Biwa: 'Weaving', pp. 231-239; idem: 'Enchanting Paths of Healing. The !Aman commemoration of the Shark Island concentration camp', unpubl. working paper, 2007; cf. Kössler: *Namibia*, pp. 269-271.

unmarked graves, offers a particularly clear lead to publicly enact and consolidate the unity of these groups. Bringing together formerly divided and sometimes even antagonistic groups, at least on the level of important leading personages, 100 years after the traumatic events to which the commemoration and the ensuing campaign for recognition of the genocide and for reparations from Germany referred, became possible in the face of convergence of the various strands of the Namibian War at these sites of horror. Whereas captured Ovaherero had been brought to Lüderitz and Shark Island from mid-1905 already, various groups of Nama followed with certain time lags, according to the course of the war. Thus, surrender of the /Khowesen had been predicated on conditions that foresaw settlement in Gibeon, but this was followed by deportation first to Windhoek and then to Shark Island which spelt death for the overwhelming majority.<sup>70</sup> Other Nama groups met a similar fate. Even though there were separate, closed-off camps on Shark Island for Ovaherero and Nama,<sup>71</sup> they were still part of the same terrible situation of extremes. It is therefore precisely the horror of this locus of "annihilation by neglect" (Jürgen Zimmerer) that attests beyond all fragmentation in individual events and trajectories, the unity of the anti-colonial war of resistance as well as of the catastrophic experience of genocide.

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<sup>70</sup> Cf. Casper W. Erichsen: *'The Angel of Death Has Descended Violently Among Them'. Concentration Camps and Prisoners of War in Namibia, 1904-1908*, Leiden, African Studies Centre, 2005, p. 101ff.

<sup>71</sup> Ibid.

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# A Visual Narrative of Genocide?

## Lothar von Trotha's photo album as seen against the backdrop provided by his diary

Andreas Eckl

### Context

It was a windy and rainy morning when the steamer *Prinzregent* arrived in Hamburg harbour at 4 a.m. on 14 December 1905 and moored at Shed 28 of Petersenquai. The most prominent passenger on board: Lieutenant General Lothar von Trotha, who was returning from a year and a half of warfare in German South West Africa (GSWA). At dawn, all the ships in the harbour were flagged to welcome the *Prinzregent* and its prominent passenger. At 8.30 a.m. – the rain had subsided – the band of the regiment *Hamburg* arrived at the shed, and around 9 a.m. the reception committee was also present. Among others, the mayor of Hamburg, Burchhard, and Lieutenant General von Bock und Polach with his staff attended the reception. From Berlin, the Chief of Staff of the *Schutztruppen* (colonial army), Colonel Ohnesorg, and Major Puder had arrived. Bock und Polach gave a short speech to Lothar von Trotha, Colonel Ohnesorg pinned the Order *Pour le Mérite* on the General. The speech ended with a triple cheer: "Excellency v. Trotha, all those who have returned with him and all those who are still standing before the enemy, hoch! hoch! hoch!" Trotha thanked in all brevity and form and concluded in his turn with a triple *Kaiserhoch*. The short ceremony was over.<sup>1</sup>

For Trotha, this marked the end of a one-and-a-half-year episode in his life, the course and outcome of which he had certainly expected to be quite different. When the Kaiser personally offered him the supreme command of the *Schutztruppe* in GSWA in May 1904, against the advice of all those around him<sup>2</sup> – Trotha had no support in the relevant circles – he had entrusted Trotha with a task that must have been one of the most coveted in the history of the German Empire. The militaristic empire had not been involved in a serious military conflict since its foundation in 1871, for more than 30 years – a whole generation – there had been no opportunity for the military to face the enemy in war and to win laurels. The only notable military conflict in which

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<sup>1</sup> Anonym: 'Generalleutnant v. Trotha in Hamburg', in: *Hamburger Correspondent*, 15 December 1905.

<sup>2</sup> The Bavarian Plenipotentiary in Berlin, Enders, reported that Trotha had been entrusted with the command "against the objection of the Reich Chancellor, the Minister of War, the Chief of the General Staff and the Colonial Director" (BayHStA/Abt. IV, MKr. 803, K.B. Bevollmächtigter in Berlin (Endres) an K. Kriegsministerium, Berlin, 10.05.1904).

the Empire did its best to excel, the so-called Boxer Rebellion in China in 1900, had already ended in terms of military action by the time the German commando, which numbered close to 20,000 men in all, arrived. The Germans had come too late, the supreme command over the Allied Forces in China was but a small consolation.

The revolt in GSWA, which by May 1904 had long since grown into a full-scale war, was Trotha's opportunity to crown his military career with one last glorious deployment. This was his third tour of duty in the colonies: he had already served from 1894 to 1897 as commander of the *Kaiserliche Schutztruppe für Deutsch-Ostafrika* (Imperial colonial army for German East Africa) and in 1900 and 1901 as commander of the *1. Ostasiatische Infanteriebrigade* (1st East Asian Infantry Brigade) in China. "The 3rd departure for a distant country and an uncertain future", thus is the very first entry in his diary, which he kept from 20 May 1904 to 14 December 1905.<sup>3</sup> Trotha's expectations for the future were probably not quite so 'uncertain' as he noted. With his East African experience, he saw himself well prepared for the war in South West Africa. Even during the three-week crossing, he did not consider it necessary to delve deeper into the conditions in the colony, which was unknown to him; he devoted his free time on board to reading novels of no relevance which have since fallen into oblivion. For Trotha, there must have been no doubt that it would not be too difficult to succeed where Governor Leutwein had failed: dealing a crushing defeat to the Ovaherero. On sober and objective, even critical examination, one could confidently assume that this task was absolutely solvable. Surely, Leutwein had certainly thought so, too. But for such a self-absorbed character as Trotha, it was obvious that the reason for the failure, on the one hand, lay partly in Leutwein's personal shortcomings. Trotha was possessed by an ego that led him to place himself above his fellow men – no wonder he later rejected all advice from the 'old Africans'. Yet Trotha was no better a military strategist than Leutwein. Rather, his greatest advantage was that he was able to approach the task much more thoroughly than Leutwein: with long-range planning and a powerful military apparatus, with a disproportionately higher contingent of soldiers, equipment and weapons.<sup>4</sup> With all the means at hand, a quick and decisive victory over the Ovaherero seemed beyond question. And yet everything turned out differently. A year and a half later, on his journey to Lüderitz Bay, where he would board the steamer *Prinzregent*, he noted: "I

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<sup>3</sup> All quotations from Trotha, unless indicated otherwise, refer to his diary; translations are mine. Trotha's diary as well as his portfolio (ed. by this author and Matthias Häussler) are published as *Lothar von Trotha in Deutsch-Südwestafrika, 1904–1905. Band I: Das Tagebuch. Band II: Das Fotoalbum* by de Gruyter, Berlin 2024 (hard cover). A paperback edition of Trotha's diary has been published by Welwitschia 2024, Bochum: *Lothar von Trotha: Tagebuch aus Deutsch-Südwestafrika, 1904-1905*.

<sup>4</sup> While Trotha in his diary at first deemed Leutwein's conduct of war as a "haphazard wandering in the area east of Okahandja. Reconnaissance nil. Scouts vacant" (22.05.1904) he later revised his damning verdict in parts: "All in all, without the professional development of the stage line, Leutwein could not have done anything. Beat them once more, yes, and push them in a certain direction, but crush them, never" (22.07.1904).

leave this *shitty country* with my visor open" (10.11.1905, own emphasis). His very last diary entry on South West African soil ends with the words "washed all the dust of Africa from body and soul. Basta!" (17.11.1905).

## Trotha's diary

Two sources from Trotha's time as commander-in-chief of the *Schutztruppe* for German South West Africa from May 1904 to November 1905 have survived: his personal war diary and an album or photo folder<sup>5</sup> with 206 photographic images, entitled *Bilder aus dem Krieg in Südwestafrika von Generalleutnant v. Trotha*. The outstanding value of the original diary for the historiography and evaluation of the first genocide of the 20<sup>th</sup> century, for the history of present-day Namibia, and indeed German colonial history, and the history of the German Empire is evident. Trotha's diary provides information about his acts as commander-in-chief and thus about the escalation of the wars<sup>6</sup> and the unleashing of genocidal violence.<sup>7</sup> In addition, however, the diary also provides insights into the commander-in-chief's private thoughts and feelings. Trotha may be trying to present himself in his diary as an "old, sober-thinking African" (11.05.1904), as a cool-headed and calculating person. "Someone who had read one of my earlier diaries said: 'it is written so impersonally!' Yes! Only 17-year-old girls write personal diaries. If I had wanted to write down all my thoughts in the last 7 months or 8! Alas! No that's better not!" as he noted on 08.01.1905. And yet the diary also reveals, nolens volens, the personality and state of mind of Trotha, and the longer he stayed the more they came to the surface. The diary allows us insights into Trotha's subjective evaluation of the events and their remembrance and thus forms an explanatory framework for the narrative of the picture book. There are many ways to read and interpret his diary. Inter alia, his writing can well be read as a document of disappointments, injured pride, failure, resignation, and finally bitterness.<sup>8</sup> It is not the place here to recount this narrative in full. A few

<sup>5</sup> If an 'album' refers primarily to a prefabricated product and a 'photo book' to a printed product, 'photo folder' would be the most appropriate term in this case. I will however use all three terms synonymously in the following.

<sup>6</sup> The use of the plural form 'wars' is appropriate because to consider the battles against Herero and various Nama-Oorlam groups as just one war does not do justice to historical events – at least not from an African perspective, see Andreas Eckl, Matthias Häussler: 'Dekolonisieren heißt differenzieren. Die komplexe Vernichtungsgeschichte der OvaHerero und Nama', in: *Blätter für deutsche und internationale Politik*, 10, 2021, p. 113-120.

<sup>7</sup> Cf. Matthias Häussler: *The Herero Genocide. War, Emotion, and Extreme Violence in Colonial Namibia*, New York, Berghahn, 2021.

<sup>8</sup> My reading of Trotha's writings is based on an understanding of diaries not only as a medium of "self-reflections and interpretations of the world", but precisely also as a "medium of self-constitution and creation of the world" (Janosch Steuwer, Rüdiger Graf: *Selbstreflexionen und Weltdeutungen. Tagebücher in der Geschichte und der Geschichtsschreibung des 20. Jahrhunderts*, Göttingen, Wallstein, 2015, p. 10). "Such an understanding of diaries", according to Depkat and Pyta, "makes it possible to elicit subject constituents in dependence on political



descriptions may suffice to outline the context within which the interpretation and evaluation of his portfolio of photos will subsequently take place.

For Trotha, the conduct of war, like that of life, was less art than craft: "Music and poetry is nothing, arithmetic is everything." (31.05.1904) The conditions must be clear, the prerequisites known, then the rest is a simple calculation, war ultimately a craft, learnable, predictable, plannable and calculable. That's Trotha's world: everything has its place, anything that does not find its place in it, that falls outside of order has no right to exist: "Whoever cannot live must die" (01.03.1905). His "arithmetic" is a symbol of how he perceived the world, how he wanted it to be structured and ordered. Temperature measurements at fixed times every day in the morning, at noon and in the evening, that was his routine. On the crossing, he noted the miles covered each day and calculated an earlier arrival in Swakopmund than the captain did (who was, of course, to be proved right) and complained that the ship's bell was "operated rather carelessly" (08.06.1904). Landing in GSWA, he moved into his headquarters in the railway station building in Okahandja. During the first weeks he was busy organising troops and stages for a decisive battle. Everything seemed to be in order. Almost everything. There is this little episode in Okahandja, two days after his arrival there, which in retrospect seems very symbolic and which may have given Trotha a premonition that the conditions in GSWA were special after all. Trotha noted, "I also bought a hat with blue trim on much and energetic coaxing from the others. They claim that it would be impossible for me to wear the golden hat in the field" (15.06.1904). The renunciation of the golden hat, an attribute of his status as a general and symbol of what he had lived his life for until then, was obviously very difficult for Trotha. He always attached great importance to etiquette and protocol and to honours due to him. Every time he arrived in a new locality or at railway stations, he meticulously noted who had turned up for his reception and who had not; The latter were then summoned. Honours were indispensable to him as a general; renouncing the golden hat, symbol of his status, was tantamount to giving up part of his (military) identity. Only very reluctantly "on much and energetic coaxing" did he bow to this necessity, simply because he could not escape it: he would have exposed himself to unnecessary risks with it. One can see in this a first capitulation to the South West African circumstances.<sup>9</sup>

Meanwhile, mobilisation and preparations were going according to plan. Trotha's biggest worry in the first months was that the Ovaherero, who had gathered at the

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or social events more precisely and, above all, to make processes of individual appropriation transparent" (Volker Depkat, Wolfram Pyta: 'Briefe und Tagebücher zwischen Literatur- und Geschichtswissenschaft', in: Volker Depkat, Wolfram Pyta, (eds.): *Briefe und Tagebücher zwischen Text und Quelle*, Berlin, Duncker & Humblot, 2021, pp. 7-14 (14).

<sup>9</sup> Another detail of his uniform identified Trotha as a general: the red stripes on his trousers. Apparently, he felt compelled to reveal them as well: "Prisoners had testified that they wanted to go to Leutwein and make peace. It wouldn't work with the new major with the red trousers, he shoots too roughly. I can be prepared for something nice in the next battle. Maybe my other trousers will already be there" (31.08.1904).

Waterberg, could still avoid a fight at the last second. They did not. For on 11.08.1904 at 6 a.m. Trotha gave orders for a concentric attack. In a front length of about 80 km, Deimling's battalion attacked from the west, Heyde's battalion was to advance from the east, and located in the middle of the front, at Hamakari, facing the enemy's main force, was the battalion Müller (then Mühlenfels) and Trotha with his headquarters. From that day on, or to be more precise, from the night of 10 to 11 August, when Heyde's force had already lost its way on the approach to the Waterberg and later turned northwards instead of southwards, not much went according to plan. After a day of fierce fighting with an unclear overall situation, in the course of which Trotha even feared the worst,<sup>10</sup> the Ovaherero withdrew eastwards during the night past the Heyde Division, which was unable to move as a result of the fighting.<sup>11</sup> The worst of all scenarios from Trotha's point of view had come to pass: The Ovaherero were not crushed but avoided further fighting. From then until the end of his stay in GSWA, Trotha was literally chasing, for the most part he could only react. He pushed the Ovaherero further and further into the largely waterless semi-desert of the Omaheke and to a miserable fate – but he had lost control, he no longer held the reins of action in his hands. Trotha seems to have had doubts about the possible success of the pursuit from the very beginning: "We have nothing to eat, but it will be done" (12.08.1904). And one day later, when the first pursuit – in the course of which the headquarters even came under fire by the advancing Mühlenfels Division who thought it was an Ovaherero position – he noted: "Now we can or must start all over again, or rather it is over. Now, at the most, we must prevent them from setting up again in the area. Encircling is no longer possible" (13.08.1904). And he showed the first signs of resignation: "It seems as if it is getting too much for me" (13.08.1904). "Without anything to eat, it is not possible to race after them and possibly catch them somewhere from the side" (14.08.1904). Later on, there was hope that the Ovaherero could still be defeated in a battle – but it did not come to pass. Most of the people remained out of reach to the German soldiers:

At night Otjinene. Mühlenfels is encamped there 10 kil[ometres] from the enemy, who is to be attacked by surprise, with a hundred blazing fires, and Estorff has his arrival marked by signal blowing, and a Ltnt. of Mühlenf[els] rode forward yesterday against Epata and is driving away cattle. Then the people shall still sit there. Eh bien c'est égal. (27.09.1904)

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<sup>10</sup> "For a while I was under the impression that this division and the headquarters were lost. [...] The night was terrible" (11.08.1904).

<sup>11</sup> This withdrawal was by no means planned, as is sometimes claimed. Heyde had lost his way during the night, then marched north briefly following cannon fire, contrary to Trotha's explicit orders, and then became embroiled in a battle, so that he could not advance on Hamakari as planned.

Just at the moment when Trotha finally had to admit the impossibility of further persecution and, with the proclamation to the people of the Ovaherero<sup>12</sup>, transformed the conflict from a war of movement into a war of position, news come from the south of the revolt of the Nama.

After many weeks in the field camp, Trotha went to Windhoek, where he made himself at home for five months from 24.10.1904 to 21.03.1905. When Leutwein left the colony in November 1904, Trotha also took over the governorate business. He entrusted the conduct of the war in the South to Deimling, whose abilities he initially valued: "The Southern Cross. Doesn't matter, he is ruthless against himself and others" (02.12.1904). Trotha could not bring himself to take over the leadership of the war in the South for quite some time: "I am doubtful whether I must go down, or whether I may. What should I do there? Put myself in personally? Keeping the machine going is a matter for the leadership. Basta!" he noted on 06.01.1905. As governor, and in order to direct the ongoing military actions in the northern parts, he needed a telegraph connection with Windhoek, which was not yet completed.<sup>13</sup> It almost sounds like an excuse. In the end, he did march, setting up his headquarters mainly in Gibeon (21.04. to 29.05.) and later in Keetmanshoop (03.06. to 18.08. and 21.09. to 09.11.), from where he then set off on his return journey to Germany. The war in the south, that is not his war, that was not what he (and no one) had in mind when he took the command over the *Schutztruppe*, that war was not what the Kaiser had sent him to the colony for.

Military operations in the arid, barren expanses of the south were even more difficult than in the north: In addition to immense logistical problems in the conflict with an extremely mobile enemy acting in variable combat units, the lines of communication were hopelessly inadequate and unreliable and thus there was a permanent lack of clarity on the overall situation. While he first questioned, "where have the Her[ero] gone?" (19.11.1904), it is now with regard to the enemy in the south that he noted, "where are they?" (22.10.1905). Permanent ambiguities existed not only with regard to the enemy's position, Trotha also repeatedly lost track of his own troop units: Entries such as "Where is Lengerke again?" (06.01.1905), "Herr Kamptz where are you?" (20.05.1905), "Estorff has not arrived in Kosos. Where? Unknown" (04.09.1905) or "Where are you Mr von Semmern?" (17.10.1905) are significant. Reports to the high command often failed to materialise, were contradictory or so vague that Trotha couldn't form a picture of them: "Unclear reports are always the sign that something is wrong" (10.05.1905).<sup>14</sup> The most striking expression of the chaotic

<sup>12</sup> For the original text of the proclamation, see Andreas Eckl, Matthias Häussler and Jekura Kavari: 'Oomambo wandje komuhoko wOvaherero. Lothar von Trotha's 'Words to the Ovaherero people'', in: *Journal of Namibian Studies*, 23, 2018, pp. 125-133.

<sup>13</sup> "As soon as the wire lies after Gibeon, headquarters will go there. I cannot get away from the wire. With heliographs the long cipher dispatches are impossible" (12.01.1905).

<sup>14</sup> Due to the rudimentary proximity of the headquarters in Keetmanshoop, Trotha had the opportunity to confer with his officers from time to time and to instruct them personally, but he still had to rely on means of telecommunication to direct the war effort.

conditions – “Nothing but confusion!” (17.05.1905) – were the circumstances of the death of his own nephew Thilo von Trotha on 14.06.1905, who was in Cornelius Frederiks’ camp for peace negotiations in Kanibes when it was attacked by a *Schutztruppe* detachment who obviously had not been informed about the ongoing negotiations.<sup>15</sup>

With the military blunders and the lack of military successes (as these are different things), tensions and discord were also growing at all levels. Not only was the criticism of these wars and thus also of Trotha’s conduct becoming more and more blunt, but Trotha’s confidence was also on the wane, his displeasure at how events were unfolding, which he might have imagined to be so very different, was turning into war-weariness and resignation, while the old lust for war flared up only rarely and briefly out of stubbornness and defiance. There were the tensions in the headquarters itself. When the chief of the general staff at Trotha’s side, Lieutenant Colonel Chales de Beaulieu, gave up his post because of heart trouble after the unsuccessful battles at the Waterberg, Trotha noted, “Bon! I am glad when he is gone. [...] I don’t think it is illness, but I don’t care” (24.08.1904). At the end of January 1905, the position of Beaulieu’s successor, Major Quade, was also no longer tenable: “Decided today to send Quade home in any case. He has collapsed again, is drunk all the time, probably because he can only maintain himself through alcohol. It can’t go on like this” (31.01.1905).<sup>16</sup> The conflict with Governor Leutwein, which had been smouldering from the beginning, finally escalated over the question of alleged offers of submission. Telegrams to Berlin went back and forth, Trotha was able to assert himself and noted with satisfaction “that I have won, am omnis potens for the next time, and that Lindequist will then become governor” (11.11.1904). A change in Trotha’s attitude becomes obvious in connection with this conflict. He had endured the hardships of war and camp life – Trotha was almost 56 years old when he landed in GSWA – with soldierly discipline. He noted, for example, that it was “stupidly hot”, noted a “blistering sandstorm”, regularly recorded “morbid” headaches, colds, coughs and fevers, “enormous lassitude” and “general ill-health”, “powerful pains in shoulders, neck and head”, a “witch’s foot”, “indigestion” and “painful blisters” as a result of a sunburnt scalp and the like. But he did not complain, he did not moan. The only exception perhaps concerned poor provisions during the prosecution in the Omaheke, from which he suffered like everyone else: “Corned beef [...] I can no longer see, let alone enjoy” (20.10.1904). “The eternal pea sausage is soon enough” (21.10.1904). He openly questioned the point of his activity for the first time, however, in connection with the conflict with Leutwein; the resigning of his command and thus resignation are expressed for the first time:

Still no answer from Berlin. It is quite incomprehensible. Do they want to cause a conflict! If they want to spare L[eutwein], they may recall me,

<sup>15</sup> For an account of Thilo von Trotha’s death, albeit unreliable in parts, see C. N. L. van Huysstenn: *The Lonely Grave in the Fish River Canyon*, Pretoria, CUM, 1983.

<sup>16</sup> Redern became Chief of Staff in place of Quade. Redern seems to have been the only one in Trotha’s environment who came close to the role of a confidant.

which I have expressly asked them to do. I cough on the whole pie. I give away the last years of my life to be treated recklessly here. (08.11.1904)

He reacted similarly to Berlin's rejection of the construction of a railway line to the south: "Shall the war be brought to an end or not. I have no interest in it. Bon! But without a railway, and with pulmonary disease and horse sickness, I cannot fight a war over 2,000 kilometres if means of transport fail" (29.12.1904).

Trotha was not on good terms with the leading figures in Berlin anyway. For Alfred Graf von Schlieffen, Chief of the General Staff of the Army in Berlin, Trotha had only mockery to offer:

A telegram from Alfred at noon today. According to reliable news, strong Herero band would be in the Kaokofeld. Alfred! Alfred! Go to a monastery or a cold water bath. That's downright childish. News of the enemy from Berlin. *Risum teneatis amici!* (10.01.1905).<sup>17</sup>

Elsewhere he refers to Schlieffen as a "desolate warrior" (19.01.1905 and 20.01.1905) or as "Monocle Alfred" (07.03.1905). He called the director of the Colonial Department of the Foreign Office, Oscar Stübel, "that miserable coward" (30.06.1905), because the latter had said that he had only known about the proclamation from hearsay. Perhaps more serious than the conflicts with Berlin was the fact that his officers turned their back on him. "Mühlenfels very good, Heyde apparently useless" noted Trotha for 11.08.1904. "His battle reports are a mishmash of headlessness and dramatic pomposity. It must have been a real mess" (09.09.1904). Later Trotha even tried to have Heyde court-martialed for his failure on 11.08.1904. Following the pursuit into the Omaheke, he noted a general war weariness: "Tresckow ill, Krempelhuber, Horn the last officer of Deimling's staff, older officers will soon no longer be here. Mühlenfels telegraphs that he has no rations. Everything is war-weary" (16.11.1904). "Outrageous wimp" was his verdict on Major Lengerke (02.11.1904). Heydebreck no longer wanted to support Trotha's conduct of the war: "Heydebr[eck] also no longer wants to make Orlog. Fine, away with harm!" (05.11.1904). Mühlenfels, who was still stationed in the east in the Omaheke, also turned away from Trotha: "[Mühlenfels] requests to be relieved because he can no longer take responsibility for the troops due to rations and illness [...]. It remains with my orders and that's that!" (07.12.1904). The real reason for the latter's wish to be relieved is revealed a few days later: "Mühlenfels suddenly wants to stay there again after receiving the news that a pact will be made with the gang. Strange!" (11.12.1904).<sup>18</sup> Much more serious were the worsening quarrels with Deimling, whom

<sup>17</sup> "Hold back the laughter, friends!"

<sup>18</sup> On the other hand, there is no mention in the diary of an open conflict with Estorff, who in his memoirs, written after Trotha's death, presents himself as a great critic of Trotha's politics. Trotha himself had only known Estorff as a compliant officer. Only one passage testifies to different views: "He [Estorff] wants to negotiate. No, my friend, nothing will come of it. We will fight as long as we can. He only wants to negotiate because he wants to become governor.

Trotha had entrusted with the command of the war in the south: "Various reports from Deimling and an eternal nagging that I should leave him his independence. I have written him a clear letter" (01.03.1905). "In the evening a long telegram arrives from Deimling, which gives nothing about the enemy, but does reveal that he no longer wants [...]. Bad ending, Colonel!" (18.03.1905). And a few days later, "Deimling continues his operations which are incomprehensible to me" (23.02.1905). Trotha notes laconically on 03.04.1905: "Nothing else special, except that Deimling is leaving." Deimling had left the colony and from then on Trotha was in charge of operations in the south himself, but criticism of Deimling continued to run through the diary in the form of ironic-rhetorical questions to "Herr" (Mister) Deimling: "Yes, Herr Deimling, with your *veni vidi vici* tactics it is not done" (08.04.1905), "Herr Deimling! Completely shattered!" (11.04.1905) or "These are the destroyed Morenga people, Herr Deimling!" (18.06.1905). The failures in the south led to Trotha's growing resignation: "I'm so fed up!!" (07.09.1905) or "May the devil wage war there" (11.10.1905).

And there is another dimension or front, over which Trotha had hardly any power, even as commander-in-chief: that is public opinion, criticism of the conduct of the war, of the proclamation, of his person – Trotha always studied various newspapers very carefully, even in the field. He could decree censorship, was in dispute with the newspaper *Windhuker Nachrichten*, and finally imposed a news boycott on them – they judged his policy as not sufficiently protecting the interests of the settlers – but he could not prevent the criticism. And it hit him hard: "The newspapers again bring some fierce attacks against me" (30.06.1905), "Windh[uker] Nachr[ichten] brings a fulminant article against me" (24.07.1905). "The last newspapers, especially Berliner Tageblatt fall outrageously upon me" (11.10.1905). The climax in the critical reporting on his person was reached when the proclamation became known in Germany at the beginning of 1905. The social democratic press in particular showered him with harsh criticism: "Away with Trotha!" echoed through the press.<sup>19</sup> Even years later, his bitterness at having been abandoned with his warfare, which even in retrospect he still saw as having no alternative, is clearly evident: "I am not the cruel rager that Messrs. Bebel and Ledebour painted me as on the wall of the Reichstag, from where I walked undefended through my fatherland's printing ink."<sup>20</sup> Trotha still saw himself as a victim: he had done what he saw as necessary, and was dropped for it. In a budget speech in the *Reichstag*, Bülow took pains to play down the significance of

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Everything will be shot to death! – Basta!" (23.09.1904). Cf. Ludwig von Estorff: *Wanderungen und Kämpfe in Südwestafrika, Ostafrika und Südafrika 1894-1910*, Wiesbaden, Kutscher, [1968].

<sup>19</sup> Andreas Eckl: 'Fort mit Trotha!' A series of articles in the *vorwärts* in August 1905 on Lothar von Trotha's edict "words to the Ovaherero people" also known as "extermination order", in: *Journal of Namibian Studies*, 26, 2019, pp. 109-118. For critical coverage of Trotha, cf. Frank Oliver Sobich: *"Schwarze Bestien, rote Gefahr". Rassismus und Antisozialismus im deutschen Kaiserreich*, Frankfurt am Main, Campus, 2006, pp. 73-111.

<sup>20</sup> Lothar von Trotha: 'Politik und Kriegführung', in: *Berliner Neueste Nachrichten*, 03.02.1909.

the proclamation. When Trotha read about it in the newspapers, he seriously considered challenging the Reich Chancellor to a duel after his return:

The big post brings many newspapers, among other things, also the wording of the Reich Chancellor's budget speech. It reads 'we are neither so cruel nor so foolish as to want to end the Herero uprising by shooting down the nation'. Letter to Hülsen that I reserve the right to deal with this personal insult after my return, unless he, Hülsen, deems an immediate All-Highest decision appropriate. I will not put up with anything from society. Let what may come of it. (15.01.1905)<sup>21</sup>

Trotha saw Bülow's statement as a personal affront. For this was precisely his policy on warfare, and Bülow knew it. Trotha therefore saw "foolish" as a reference to his own person. His request for a duel with Bülow had to be stopped by the Emperor himself.

Finally, his relationship with Kaiser Wilhelm II. The feeling that he had been abandoned by 'his' emperor, who had personally offered him the command, was extremely hard for Trotha. The first signs of discord became apparent immediately after the battles of 11.08.04: "Many telegrams, some of them very old. One from the Kaiser. End: "Please express my imperial thanks to your officers and staff". Not a word about me. Bon!" (17.08.1904).<sup>22</sup> By withdrawing Trotha's proclamation, the Kaiser had stabbed him in the back; to Trotha it may have seemed like a betrayal. When a telegram informed him of the Emperor's decisions in this regard, he was literally at a loss for words. Stammering, he noted in English: "Bluff! I'm bluffed at the least!" (09.12.1904). From then on, at the latest, he thought only of retreat: "If only I knew a reason to give up the whole thing without illness. With illness I could do it immediately" (12.12.1904). His balance sheet at the end of the year, "1904 is coming to an end! The strangest year of my life despite East Africa." And he closed the entry with the words, "I will hand in my farewell tomorrow." Having slept on it for a night, he then revised his decision: "Tore up the farewell petition" (01.01.1905). But it shows: he no longer had any desire or energy to conduct war. Trotha and with him Berlin searched for a way out of the situation, for the possibility of a retreat in which he could save face as much as possible.<sup>23</sup> But it took until the end of the year before

<sup>21</sup> The passage from Bülow's speech of 5 December 1904 reads: "We are neither so cruel nor so foolish as to see the only possibility of restoring orderly conditions in mercilessly gunning down the half-starved and thirsty bands of Hereros now pouring out of the deserts of the sandfield" (StBR, 105<sup>th</sup> session of 5 December 1904, p. 3376a).

<sup>22</sup> The wording of this telegram in the official account of the Grand General Staff differs here from Trotha's notation. Cf. Großer Generalstab, Kriegsgeschichtliche Abteilung I: *Die Kämpfe der deutschen Truppen in Südwestafrika. Band 1: Der Feldzug gegen die Hereros*, Berlin, Mittler u. Sohn, 1906, p. 195.

<sup>23</sup> Trotha's willingness to negotiate with Nama (Oorlam) may also have been due to his search for a way out. While he rejected negotiations with Herero until the end, he even tried to initiate himself negotiations with Nama-Oorlam. Cf. the letter by missionary Christian Spellmeyer

Trotha could hand over to Lindequist as new Governor and finally leave the colony. To preserve his reputation, he was finally awarded the *Pour le Mérite* by the Kaiser. But even this gesture brings out a bitter note, "In the evening telegram that Meister and Franke also receive the p.l.m. and Mühlenfels and Estorf, R.O.A. 3. Decided on a trio of Hülsens to give me a better retreat background. Meister probably didn't deserve it, but man must have luck" (07.11.1905).

Together with the medal *Pour le Mérite*, the Emperor had also issued instructions regarding the transfer of business, with which Trotha did not agree. Defiantly, he showed his determination to even refuse the Kaiser's order on this issue if necessary. In this short note alone, the whole dramatic extent of the discord with the Emperor becomes clear: "The order says I am to hand over the business to the eldest officer on the 18<sup>th</sup>. I hand them over on the day the governor arrives. Basta!" (03.11.1905). Trotha is a calculating man. He does not always act soberly and objectively, but always with deliberation. It speaks volumes when in one sentence he literally equates Samuel Maharero with "Seine Majestät" – S.M. (His Majesty) the Kaiser. When it comes to Kaiser Wilhelm II, Trotha in his diary referred 15 times to him as "Kaiser", 17 times he used the abbreviation S.M.; with regard to Samuel Maharero, Trotha wrote "Samuel" every time he mentioned him in the diary, a total of 52 times. Only once did he use the initials S.M. instead of "Samuel" and this in a sentence with S.M. the Emperor. This notation seems to have been worded exactly as follows on purpose: "I have telephoned Bülow that now that S.M. has become an English subject, I consider it politically impossible, and as a soldier I will not give my hand to this without a direct order from S.M." (05.03.1905).<sup>24</sup> A more pronounced criticism of the Emperor was simply not possible, even in a private diary.

With these experiences in his luggage – lack of success, disappointment, in some ways also powerlessness and ultimately bitterness – Trotha finally landed in Hamburg on 14 December, 1905 and had to endure the official reception. Trotha would have liked to avoid the procedure and would have preferred to enter Germany by train from Antwerp without any public notice. Yet, the Emperor had ordered by telegram (12.12.1905) his arrival in Hamburg by ship. Following the ceremony and a breakfast on board, Trotha went ashore at around 11 a.m. and drove to the hotel *Hamburger Hof*, where his two sons were waiting for him – significantly, they had not come to the official welcoming on Petersenquai.<sup>25</sup> From then on, Trotha disappeared from the scene. Did the Kaiser receive him later in Berlin? When Trotha arrived, the Kaiser had not yet issued an order to that effect. Trotha had little inclination to speak in the Reichstag about his South West African experiences, as a reporter let his readers

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dated 9.6.1905 in Rainer Tröndle: *Briefe von Else und Christian Spellmeyer aus !Gochas und Gibeon, Deutsch-Südwestafrika, 1899 – 1913*, Bochum, Welwitschia, 2023, p. 131.

<sup>24</sup> Trotha speaks out here against the acceptance of an alleged offer to extradite Samuel Maharero, who had fled to British Bechuanaland, for 10,000 pounds.

<sup>25</sup> One of the two sons, First Lieutenant Thilo von Trotha, had served for a long time as "Commandant of the Headquarters" and had returned from GSWA only shortly before his father due to illness.



know.<sup>26</sup> That war had lasted too long, it had been too costly, it had claimed too many lives (on all sides), the military successes had been too few, the effects on the economy of the colony too drastic and last but not least, Trotha's conduct of the war has been so contrary to all maxims of humanity – that war clearly had damaged the military reputation of the German Empire, and above all, of Trotha himself. Trotha avoided the public eye henceforth.<sup>27</sup> The command in GSWA was not the crowning glory of his military career, but notwithstanding the *Pour le Mérite*, its ruin. A few months after his return, in May 1906, he retired from active service. Trotha was done with the wars in South West Africa. At least for the time being. At this point the photo album becomes relevant.

### Trotha's photo album

When Trotha left for South West Africa, he did not have a camera. But a certain Constable Stürmer, who had been assigned to him as a geographer, did. Dissatisfied with Stürmer's performance, Trotha transferred him to the stage troops without further ado. But he kept the camera. "I will learn it," as he noted (14.07.1904). From then on, Trotha took photos himself. For Trotha, as a passionate collector of birds<sup>28</sup> and plants, photography offered both the possibility of documentation, as well as the associated form of appropriation. Trotha made use of the camera, not because he had to, but because he was interested in the possibilities it offered. His openness moved him to use the new medium and to see what it could be useful for. Trotha's photographs sometimes have a playful, unfinished character. He took photographs not only for the sake of the result, but also for the sake of the process, that is to learn it. The experimental nature of his practice however, does not mean that the motif was not consciously chosen. Quite unmistakably, the subject is in the foreground of his photographs: Yet his aspirations were not professional; he was not interested in taking particularly 'good pictures', but in being able to take pictures at all.

A total of 206 photographs have survived. The value of these *Photos from the War in South West Africa by Lieutenant General v. Trotha* as a historical source may at first glance seem less evident than that of the diary, especially since written sources are usually attributed far greater importance for the reconstruction of the past than visual sources. Traditionally, photographs have been (and still are) used by historians – the historiography of the wars in GSWA being no exception – only to illustrate the past reconstructed from other sources.<sup>29</sup> On the level of the single image, a direct

<sup>26</sup> Anonym: 'Ein Interview mit General Trotha', in: *Hamburger Correspondent*, 15 December 1905.

<sup>27</sup> It was not until years later that he was to speak out again in a lengthy newspaper article defending his conduct of the war. Cf. von Trotha, 'Politik'.

<sup>28</sup> The Museum of Nature in Berlin alone lists 240 taxidermy specimens and 430 bird skins with provenance v. Trotha.

<sup>29</sup> Literature on colonial imagery in South West Africa deals almost exclusively with individual images or photo collections, but not with photo albums and their pictorial narratives.

correspondence between diary and photo album is given where text and image can be brought into relation with each other; in this case, photographs illustrate the text, and texts annotate the photographs. Trotha's diary and album are also complementary in the sense that the text and photos contain information that cannot be found in the other source. My focus here, however, is not on the single photograph, but on the album as such.

Over the last three decades, photographs as historical sources have found their way into the historical sciences under the term 'visual history'. However, the focus of analysis is still on the single image as the bearer of historical meaning,<sup>30</sup> while photo albums as an independent source genre have hardly been studied by historians so far. A picture is more than just an illustration, and a photo album is more than just a chronicle of events in pictures. For the analysis of single pictures, Wolfgang Kemp's striking formulation may be appropriate: "Pictures show, *they show, don't tell*".<sup>31</sup> A photo album, however, is fundamentally to be regarded as something other than just an arbitrary number of single pictures: The photos of an album are not arbitrary, and they represent a sequence and thus – unlike single pictures – also depict a chronological sequence. In other words: they tell a story. "The album is also a construction, 'a script with syntax and ideology.'" It is a matter of reading and understanding this writing," as Petra Popp stated.<sup>32</sup> As a pictorial narrative, the album is above all an expression and a carrier of the interpretation of the past, which is thus assigned a specific place in memory.<sup>33</sup> What view of the events during his time in South West Africa does Trotha offer us with his picture portfolio? What version of history does he tell and by what means? What narrative, understood as a meaningful narration, does Trotha construct with the album? And finally: How does one (re-)construct a visual narrative? The first step to be taken here is an analysis on a structural level; the design and structuring of the photo album are in focus here. This includes the context of its creation, the material composition, the arrangement of the photos and para-visual

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Pioneering and ground-breaking: Wolfram Hartmann, Jeremy Silvester and Patricia Hayes, (eds.): *The Colonising Camera. Photographs in the making of Namibian History*, Windhoek, Out of Africa, 1998; Wolfram Hartmann, (ed.): *Hues between white and black. Historical photography from colonial Namibia 1860s to 1915*, Windhoek, Out of Africa, 2004.

<sup>30</sup> Pioneering: Rainer Wohlfeil: 'Das Bild als Geschichtsquelle', in: *Historische Zeitschrift*, 243 (1), 1986, pp. 91-100.

<sup>31</sup> Wolfgang Kemp: 'Erzählen in Bildern', in: Martin Huber, Wolf Schmid, (eds.): *Grundthemen der Literaturwissenschaft: Erzählen*, Berlin, De Gruyter, 2018, pp. 472-482 (479), orig. emphasis.

<sup>32</sup> Petra Bopp: *Fremde im Visier – Fotoalben aus dem Zweiten Weltkrieg*. Begleitband zur gleichnamigen Ausstellung, Bielefeld, Kerber, 2009, p. 71.

<sup>33</sup> Analysing the narrative of an album can only be meaningful if a narrative can be assumed, that is, if the portfolio is not merely a random collection of photographs, but a consciously created work. The mere fact that the album was produced in at least five identical copies as well as various aspects of the materiality and design of the portfolio leave no doubt that Trotha wanted to create a certain narrative with his album.

elements such as chapter headings and captions. In a second step, I will then turn to the analysis on a visual level by asking about subjects or motif complexes in the portfolio.

Trotha's 206 photographs have not been passed on as single pictures, but as part of a photographic album that he made after his return in at least five copies and apparently gave to former companions.<sup>34</sup> Although the photographs it contains were all taken in 1904/05, we know nothing about the exact date of the portfolio's creation. A letter of thanks from one of the recipients, the district commander (*Bezirksamtmann*) Karl Schmidt, in whose house Trotha had stayed in Keetmanshoop in 1905, is dated 14 August 1908.<sup>35</sup> We can therefore assume that the album was created in the first half of 1908, that is, more than two years after Trotha's return. It seems very plausible that Trotha was inspired by similar picture books as models to create his own album. By 1907, there were four similar, large-format photo books about the wars in South West Africa, which Trotha was certainly familiar with. Friedrich Lange's work *Deutsch-Süd-West-Afrika. Kriegs- und Friedensbilder* was a popular picture book at that time; in G. Lange's *Erinnerung an den Herero-Aufstand 1904 in Deutsch-Süd-West-Afrika* a full plate is dedicated to Trotha. Burger's photo book *Aus dem Kriegsleben in Südwest-Afrika* even features Trotha's portrait on the cover. And for the picture book by the former soldier Constable Rau, *Deutsch-Süd-West-Afrika. Bilder aus den Kriegen gegen die Hereros und Hottentotten*, Trotha even wrote a foreword dated 12.09.1907.<sup>36</sup>

Inspired by these role models, Trotha may have seen in the creation of his own picture book a way to tell his version of the story, or, more accurately, to tell the version of the story he wanted to be remembered. Trotha was a calculating man – "Arithmetic is everything!" – as a member of an old noble family, he knew that parts of his estate

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<sup>34</sup> One album is in the possession of the Sam Cohen Library in Swakopmund, Namibia. A second album is to be found in Tsumeb Museum, Namibia, a third in the estate of Paul von Lettow-Vorbeck, who served as adjutant to the headquarters in GSWA. A fourth is in my own possession, a fifth is in unknown collector's hands. Single, cut-out pictures from the album are also still in the von Trotha family archive, so there was at least a sixth folder.

<sup>35</sup> In his letter of thanks to Trotha (kept in the Sam Cohen Library, Swakopmund) Schmidt apologises for the late reply due to a business trip, so the album may have arrived in Keetmanshoop as early as mid-July. If one calculates about four weeks for delivery and assumes that the album was also sent out quickly after completion, then one can in any case assume the first half of 1908 as the time of production.

<sup>36</sup> Friedrich Lange: *Deutsch-Süd-West-Afrika. Kriegs- und Friedensbilder*. 100 Original-Aufnahmen des Verfassers in Windhuk. Windhuk, Rohloff, 1907; G. Lange: *Erinnerung an den Herero-Aufstand 1904 in Deutsch-Süd-West-Afrika*, Swakopmund, Lange, [1905]; A. Burger: *Aus dem Kriegsleben in Südwest-Afrika*. Zusammengestellt nach Originalaufnahmen der Herren Oberleutnant Stuhlmann, Oberleutnant Freiherrn von Fritsch und Herrn Wulff-Gibeon. Berlin, Greve, 1906; Georg Rau: *Deutsch-Süd-West-Afrika. Bilder aus den Kriegen gegen die Hereros und Hottentotten*. Mit einem Geleitworte Sr. Excellenz des Generalleutnants z.D. von Trotha. Berlin, Stern & Schiele, 1907. Note the use of the plural here in 'wars' (cf. note 6).

would be preserved and kept in the family archives. His calculation with regard to the photo album may have been no different: By distributing at least five copies of it he could be sure that it would stand the test of time and thus record his version of events.

Trotha did not primarily want to create a mere personal memory album,<sup>37</sup> but rather a quasi-official narrative. He uses a broad repertoire for this purpose. He did not resort to prefabricated empty albums that only needed to be filled with pictures but made his own picture portfolio. Obviously, he attached great importance to a personal, individual and thus unique arrangement, thus underlining the value he attached to this work. Doing without a prefabricated album had a number of advantages: for one thing, it allowed him to determine the size of the panels – Trotha choose a large format with 30 x 40 cm carriers – and thus also how many photos he could fit on a single page. The number of pictures per panel varies up to nine. The format of the pictures also varies, usually around 11 x 8 cm, but there are also a few pictures in the size 15 x 8 cm, or 24 x 8 cm, then in landscape format. Another advantage is that he could also freely determine the number of panels and thus ensure that no blank pages remained at the end, avoiding the impression that the story he is telling had an open ending. The 206 photos are distributed on one side and glued to 35 loose plates on black cardboard. Finally, the lack of a prefabricated album gave him a free hand in the design of the cover. Trotha choose hardboard for this, decorated with prints of three of the photographs contained in the album. The title *Photos from the War in Southwest Africa by Lieutenant General v. Trotha* lends the overall work the aura of an objective work.

Unlike the diary, which only has the date as a structuring paratext, the photo album, as a retrospectively designed work, is structured by various paratextual elements. Each panel is numbered and titled in gold print; As a rule, each picture is also provided with a typewritten caption. The numbering in the original is based on the plates and not on the chapters, which usually extend over several plates. The chapters with number of plates, page number and number of photographs in brackets read: (1) From Swakopmund to Hereroland (one plate, p. 1, four pictures); (2) Herero campaign (one plate, p. 2, eight pictures); (3) Waterberg - Hamakari (one plate, p. 3, five pictures); (4) Otjosundu (one plate, p. 4, four pictures); (5) Windhuk (three plates, pp. 5-7, 21 pictures); (6) Headquarters (three plates, pp. 8-10, 21 pictures); (7) Headquarters on the March (two plates pp. 11-12, 13 pictures); (8) Kub and Gibeon on the Fish River (three plates, pp. 13-15, 15 pictures); (9) Keetmanshoop (three plates, pp. 16-18, 20 pictures); (10) Horse pictures (three plates, pp. 19-21, 18 pictures); (11) Great Brukaros (one plate, p. 23, five pictures); (12) Bethany campaign (three plates, pp. 23-25, 15 images); (13) March to Lüderitzbucht (four plates, pp. 26-29, 20 images); (14) Homeward journey (three plates, pp. 30-32, 19 images); (15) Individual pictures (two plates, pp. 33-34, ten images); (16) The General (one plate, p. 35, eight images).

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<sup>37</sup> That the picture folder is also a private memory album is most clearly demonstrated by a number of photographs whose context and meaning are not readily apparent to the uninvolved viewer.

Chronology serves as the primary criterion of order, which is however not marked with dates, but primarily with place names. Although the chronological order is implied by the sequence of different place names, the correspondence of the sequence with Trotha's places of stay is only recognisable through knowledge of the context. Hence, chapter headings serve primarily as a means of order and are not always related to the content of the motifs depicted: So, while photographs in the chapter "Bethany campaign" relate to this very campaign, photographs in the chapter "Keetmanshoop", for example, do not necessarily identify Keetmanshoop as the motif, but were just taken during Trotha's stay there. Only a few chapters fall outside chronology and are primarily arranged according to thematic aspects: the chapter "Horse pictures" and the last two chapters "Individual pictures", and "The General".

Plate 35: "Der General"



The album's structure as marked by the headings expresses the claim to tell the story of his stay in GSWA from beginning to end, implicitly accompanied by a claim to completeness. To maintain this impression, the album author – hidden from the

viewer's gaze – on some plates violated the chronology with regard to the creation of the photographs. From the diary we know that Trotha, who landed in Swakopmund on 11.06.1904 and set off for Okahandja by train on the very next day, did not seize the camera until 14.07. The photographs presented as the first chapter, "From Swakopmund to Windhuk", were not actually taken at the beginning of his stay – as the album suggests – but only on the occasion of a later visit to Swakopmund. At this point it becomes clear that the picture folder has its own chronology, which does not necessarily correspond to the chronology of the moments when the photographs were taken. Apparently, however, it was important to Trotha to tell the story of his stay chronologically from beginning to end, starting in Swakopmund and ending on the journey home with the last photographs before Las Palmas (plate 32). The chronological narrative of the picture portfolio ends here. The last two chapters fall outside the chronology and form a kind of appendix to the picture narrative: the album closes with the chapter, "The General", displaying eight shots of Trotha himself. These photographs could easily have been inserted chronologically into the preceding chapters, but the fact that Trotha instead devoted a separate chapter to his person alone may be due to his vanity. At the same time, however, he thereby marks the main protagonist of the narrative and the narrator at the same time. And he covers the whole spectrum of his roles by staging himself as governor in civilian clothes, as commander-in-chief in Owikokorero and Kub, and also as a private person indulging his passion for hunting. Again, one may question whether it is coincidence that the portfolio ends with eight shots of Trotha: The last impression is well known to be the most enduring.

The penultimate chapter, "Individual pictures", is different, featuring various shots of people, mostly women. These shots, too, could easily have been inserted into the chronology of the preceding chapters. The fact that Trotha adds these pictures as an appendix instead may have two meanings: On the one hand, that he did not want to do without these shots, he considered them an important part of his memories. On the other hand, and this is decisive, this appendix makes it clear that Trotha wanted to create a very specific narrative with the creation of the picture portfolio, for which these photographs obviously did not 'fit'. If Trotha had only been interested in presenting his memories in chronological order, he could have easily inserted these pictures into the chronology of his picture narrative according to the date they were taken. Yet Trotha was eager to give the impression of a self-contained, coherent, and above all 'objective' narrative, whose apparent authenticity and completeness is not only suggested by the chronology, but also underlined by the fact that Trotha's – unlike in many memoir albums of the time – does not make use of any purchased photos or postcards, but only photographs he took himself. Trotha uses yet another means to make his presentation appear objective: That of de-subjectification, as already expressed in the choice of title, which reads *Pictures [...] by Lieutenant General v. Trotha*, and not 'my pictures'. Trotha consistently maintained the means of de-subjectification in all the captions, which lack any personal reference: They do not say

'my son'<sup>38</sup>, but only "First Lieutenant (Oblt.) v. Trotha", there is no mention of an 'I', but of the "General at work", and so on.

Which kind of subjects and motif clusters are presented in the album? What is shown and, just as importantly, what is left out? What statement, what message is linked to it? The identification of motif clusters is an interpretative act. By 'cross-reading' a picture book (in the sense of 'reading' pictures in a non-immediate sequence), it is possible to construct the "complex patterns of perception, interpretation and memory" inherent in a photographic album.<sup>39</sup> The narrative of an album emerges in the process of viewing the album (not only the single photographs). It is the outcome of communication between the viewer and the album. Neither the author of the photographs (photographer) nor the author of the album is directly involved in this communication, even though they have a decisive influence on what the viewer gets to see. And yet it is the viewer alone who constructs the narrative. For reconstructing a narrative, authorship is irrelevant – the recipient's perspective, on the other hand, is everything. This means that we can make out a narrative of an album even if the author is unknown to us. But it also means that where the author is known to us, our knowledge of the author and the context of the album, and how it came about not only influences our perception of the album as a recipient, but that we can quite explicitly ask, on the basis of contextual knowledge, about the possible intended narrative that the author wanted to express with the picture portfolio. Just like the diary, the album thus provides us with the opportunity to thematise Trotha's view of his time in South West Africa and his interpretation and memory of it.

But is it at all possible to transfer a story in pictures into a text story? Can a visual narrative be adequately captured in text? In my opinion, only to a very limited extent. Describing what is shown on a photograph is not the same as seeing it. Seeing, looking at, is in many ways much more than can be expressed in words. Many aspects matter here: aesthetics, cropping, nuances, the nature of the images, their qualities, and how they affect the viewer and 'speak' to him or her, what associations, feelings, moods, and so forth they evoke. The pictorial narrative, it can only be rudimentarily recounted with language. What Silke Betscher notes with regard to the interpretation of single pictures applies even more to a narrative of a photo album:

... the polyvalence of images and their associative effects – consistently thought – requires being open to alternating interpretations. This is in contradiction to a conservative understanding of historiography that aims

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<sup>38</sup> One of his two sons, First Lieutenant Thilo von Trotha, served as "Commandant of the Headquarters" and had returned from GSWA only shortly before his father due to illness.

<sup>39</sup> Cord Pagenstecher: 'Private Fotoalben als historische Quelle', in: *Zeithistorische Forschungen*, 6 (3), 2009, pp. 449-463 (463).

solely at the validity of unambiguous statements that can be proven by sources.<sup>40</sup>

An analysis of the photos with regard to subjects or motif clusters could have the following result: Headquarters, soldiers, everyday life and living conditions, military infrastructure, hospitals, horses, heroic deaths and graves, places, landscapes, portraits and people shots of civilians, hunting, excursions and pleasures, the return journey, and self-portraits. The portfolio is thus conventional in large parts and provides the photos appropriate to the genre of 'war pictures' we are familiar with from other wars,<sup>41</sup> especially with a view to the shots of the headquarters or living conditions and everyday scenes.<sup>42</sup>

This is not the place to go into detail about each of the clusters. But a few may be singled out as examples. The heroic death of a soldier, which Trotha stages on plate 13 from the deathbed to the grave,<sup>43</sup> is just as much in the order of war as the burial of the fallen soldiers in a proper grave: heroic death and graves are highly relevant to war. As pictures of war par excellence, they are definitely to be expected in the album. In the foreground of the shots on the complex 'heroic death', however, is not the death, the fallen soldier, but rather the grave, and thus the order of death. Soldiers die in war, that is nothing remarkable, it's decisive however to bury them with all honours and to give meaning to their death. Images of fallen or injured soldiers, on the other hand, have a disturbing effect, they stand for chaos and disorder, and these images are completely absent. In the case of Donner's death (who is chosen arbitrarily as a soldier and person and is not mentioned at any point in the diary outside of his dying), it is not so much the death that is visually thematised as the process of dying, under the most orderly circumstances, taken care of by a nurse and in his own bed. Close to the thematic complex of soldier death is another complex: that of injuries and illness. Injuries, however, are hardly a theme in the album; only one photograph shows an officer with a bandaged arm.<sup>44</sup> In contrast, the many pictures of military

<sup>40</sup> Silke Betscher: 'Bildsprache. Möglichkeiten und Grenzen einer Visuellen Diskursanalyse', in: Franz X. Eder, Oliver Kühschelm and Christina Linsboth, (eds.): *Bilder in historischen Diskursen*, Wiesbaden, Springer VS, 2014, pp. 63-83 (81).

<sup>41</sup> Cf. Bopp, *Fremde im Visier*, idem, "'Die Kamera stets schussbereit". Zur Fotopraxis deutscher Soldaten im Ersten und Zweiten Weltkrieg', in: Gerhard Paul, (ed.): *Das Jahrhundert der Bilder. Vol. 1*, Göttingen, Vandenhoeck & Ruprecht, 2009, pp. 164-171.

<sup>42</sup> It is remarkable that Africans are repeatedly depicted in Trotha's environment, while their presence at the headquarters and in Trotha's wider environment is largely omitted from the diary.

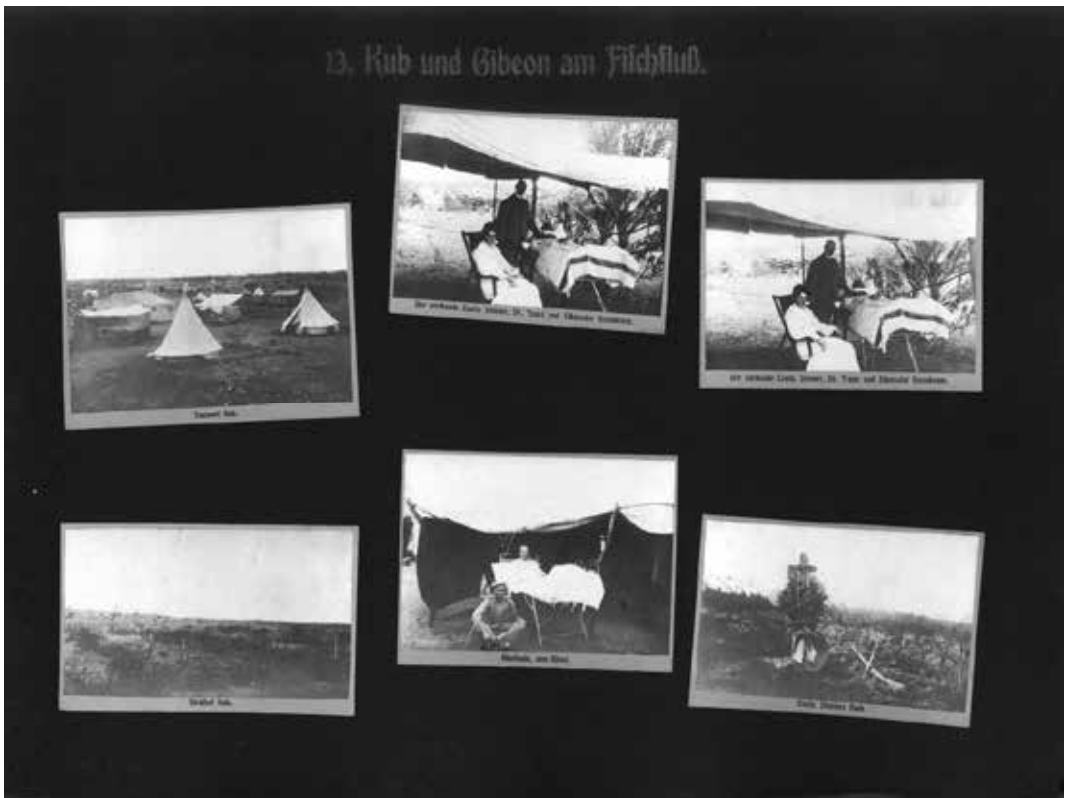
<sup>43</sup> The captions of the six photos on plate 13 read: Military hospital Kub / The dying Leutn. Donner, Dr. Franz and nurse Kerseboom / The dying Lieut. Donner, Dr. Franz and nurse Kerseboom / Kub churchyard / Oberleut. von Kleist / Leutn. Donner's grave

<sup>44</sup> The caption reads: "Major von Kamptz after Gr. Karrasbergen". Significantly, this is a photograph that is not chronologically arranged in the events of the war but finds its place on plate 33 under "Individual pictures". Another photograph showing injured soldiers, entitled "Hospital wagon after the Hamakari battle" on plate 3 is clearly assigned not to injuries but



hospitals, another complex of motifs, are conspicuous in connection with illness. The special interest Trotha shows in hospitals in the diary as well as in the photo album has various dimensions: On the one hand, one might recognise the duty of care of the supreme commander towards his soldiers, and this includes health care, especially in wartime. This was of particular importance in GSWA, when at least as many soldiers died of disease, and typhus in particular, as did in the immediate fighting. Trotha himself recorded corresponding statistics in his diary. At the same time, however, military hospitals, infirmaries and medical care centres are also an expression of order.

Plate 13: "Kub und Gibeon am Fischfluß"

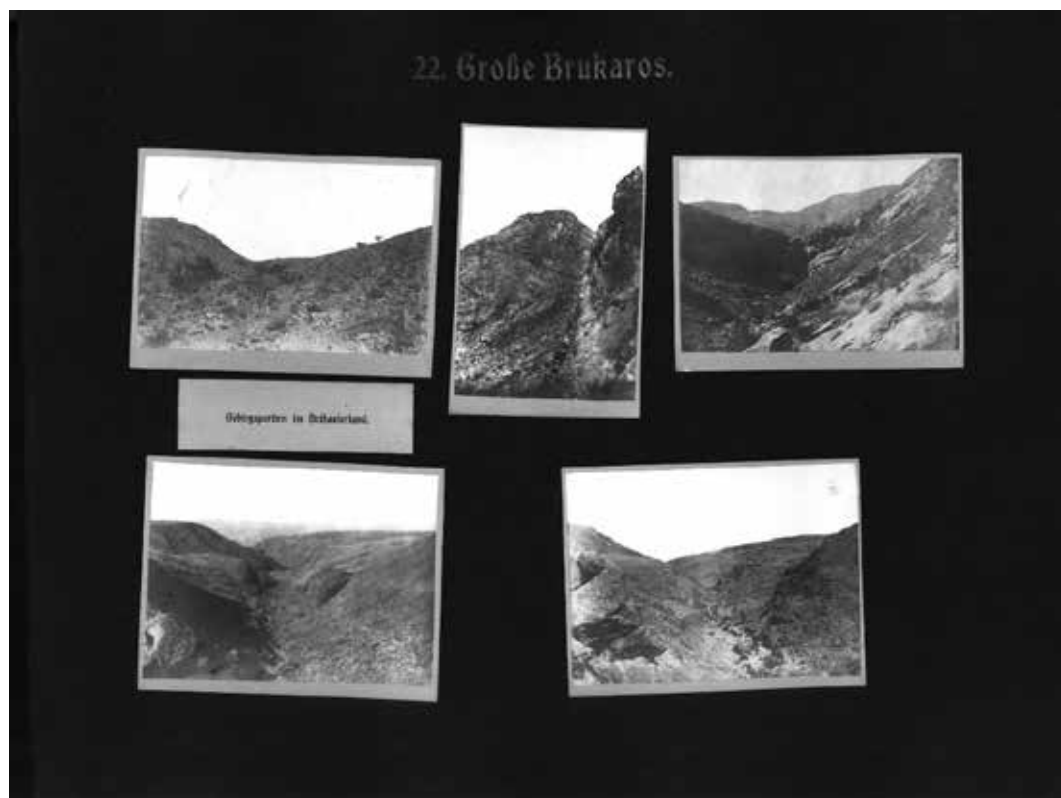


The shots presented in the album are only unusual where they are exotic because of the special circumstances and where they seem to transgress the conventions appropriate to the genre of war pictures, such as in the abundance of landscape shots.

to the subject of 'military hospital', not only according to the caption, but also according to the photograph itself.

The latter, however, can very well and with good reason be seen as war pictures in GSWA, especially since they conditioned the conduct of the war for both the enemy and the German troops; the course of the war in GSWA was determined in a decisive way by the landscape.<sup>45</sup>

Plate 22: "Große Brukaros"



The same applies to the horse pictures, to which three panels are dedicated, which are presented here as a cluster in their own right, but which could very well be subsumed under infrastructure. In the vast country where the theatres of war were far from the only railway line, horses were indispensable for mobility and thus a

<sup>45</sup> For example, Major Maercker, who took part in the war, concluded: "The enemy that had to be defeated was not only the people, but above all the immense distances of a huge, uncultivated country. [...] I mentioned earlier that our greatest and most difficult enemy to defeat in the protectorates is infinite space. We must overcome it." (Georg Maercker: *Unsere Kriegsführung in Deutsch-Südwestafrika*, Berlin, Paetel, 1908, p. 70).

fundamental prerequisite for warfare in general. Tens of thousands of horses from East Prussia, Argentina and the Cape Colony were shipped to GSWA on steamships.<sup>46</sup>

Plate 20: "Pferdebilder"



The soldier's special relationship to his horse, to which he often owes his life, runs through the entire memorial literature.<sup>47</sup> A special 'exotic' element of the military infrastructure is strikingly depicted in the album: These are the signal towers for solar mirrors (heliographs) and light signals by means of acetylene lamps. Regardless of the technical equipment, the signal stations naturally had to be positioned on elevated

<sup>46</sup> From January 1904 to May 1907, 30,962 horses and 33,844 mules were in the service of the *Schutztruppe*. The mortality rate for horses was 81 percent, that of mules 66 percent (Maximilian Bayer: *Mit dem Hauptquartier in Südwestafrika*, Berlin, Weicher Marine- u. Kolonialverlag, 1909, p. 278).

<sup>47</sup> One of the participants in the war, Joachim von Winterfeld-Damerow, dedicated a booklet of his own to this subject: *Wir und unsere Pferde. Eine Kriegsfahrt über See (Deutsch-Süd-West-Afrika)*, Langensalza, Beltz, [1933].

points, which, however, were not always naturally available. "Frequently, the signalling apparatus were set up in the swaying crowns of tall trees on an improvised platform", as Bayer noted.<sup>48</sup> It is the efforts to establish order that create the signal towers in the first place. Their particular construction is exotic: but this exoticism is order-giving in that it enables communication and thus the transmission of information and commands to establish order.

The inherent theme of the single subjects and the message they convey is always: Everything is in order. At times unusual, yes, but not out of order. The subject of the picture portfolio is not so much the war but above all the time of war. Thus, war is conceptualised much more comprehensively than viewers today expect. Our horizon of expectation, our mental map of a war and its images is much narrower than it apparently was for Trotha. The sole purpose and reason for his stay was exclusively in the context of war: and thus, all his experiences are also "photos from the war" as the title reads. All in all, the core of the visual narrative of the album can be reflected as: everything in order, special incidents: none. However, this narrative of the album only works by foregrounding certain areas of experience and excluding others altogether. I would therefore like to conclude by focusing on another complex: on the photos that are not present, on the gaps and missing parts of the album.

I claimed at the beginning and tried to show that Trotha's diary can also be read as a document of disappointments, injured pride, failure, resignation and finally bitterness. However, in his album, Trotha omits any reference to chaos, confusion and disorder, to grievances and failures. More than that, there are no shots of the enemy at all in the entire 206-photo portfolio: This is all the more astonishing since an enemy is constitutive of war. The topos of the invisible enemy pervades the entire memoir and remembrance literature on the wars. This is true not only with regard to the position of the enemy (see above), but above all with regard to the individual warriors in battle: at best – if at all – their position could only be guessed from the clouds of smoke that appeared when the rifle was fired. The enemy, especially the one fighting, remains largely invisible. In Trotha's portfolio, however, the 'invisible opponent' takes on a special dimension: There are no pictures of killed, wounded or captured Ovaherero or Nama-Oorlam, not a single picture from the time of the two-and-a-half-month pursuit into the Omaheke, no shots of the Ovaherero returning from there, closer to death than to life, no pictures of the surrendered Nama-Oorlam women and children, no photos of the prisoners of war crammed into the camps, no pictures of prisoners in the field or their execution, not even battle photos or pictures of the battlefields after the fighting.

Trotha's own experiences of the fighting enemy were rare. One occasion was when an inspection ride on the eve of the Battle of the Waterberg went wrong. The vanguard unintentionally came into contact with the enemy resulting in a small

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<sup>48</sup> Bayer: *Hauptquartier*, p. 274. The total signal lines in DSWA spanned a length of 2,560 kilometres in July 1905 (ibid.)

skirmish, during which however, Trotha probably did not see the enemy.<sup>49</sup> And then on 11.08.1904 when Trotha himself was forced to take up his rifle. Trotha had no other contact with the fighting enemy. Unlike the old Africans such as Leutwein or Estorff, Trotha knew his wartime opponents Hendrik Witbooi or Samuel Maharero only from photographs. He never had any contact with them or came anywhere near them. When surviving Ovaherero returned from Omaheke after the Kaiser had withdrawn the proclamation, Trotha was far away from the scene. However, he repeatedly had to deal with prisoners of war whom he sentenced to death,<sup>50</sup> he inspected the battlefield of Hamakari on 12.08.04 and counted and estimated the Ovaherero warriors killed, he must certainly have encountered corpses in pursuit in the Omaheke and come into direct contact with surrendering Nama-Oorlam women and children. And finally, the concentration camp on Shark Island near Lüderitzbucht? Trotha was in Lüderitzbucht on the return journey. What did he do there for two days in a place that consisted of only a few buildings? Trotha's notes in the diary end with his arrival in Lüderitzbucht on 17.11.1905. He continues the diary only on 19.11. with the short entry: "From L'bucht 12<sup>o</sup> at night." Even if Trotha did not set foot on the island himself during the two days, these prisoners of war were by no means overlooked.<sup>51</sup>

The omission of any recordings of the consequences of his genocidal warfare, of atrocities and extermination is without question systematic and did not happen by chance: Arithmetic is everything! However, Trotha cannot completely omit the actual wars without losing credibility. But the wars are not the theme of his visual narrative, they are only dealt with en passant and, as it were, relegated to a side show: for example, only one panel (number 2) is explicitly entitled "Herero campaign", the two following panels "Waterberg – Hamakari" and "Otjosondou" can also be assigned to the war against Ovaherero. Together, these are just three out of 35 plates with a total of 17 of 206 photographs.<sup>52</sup>

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<sup>49</sup> Most detailed on this: Erich von Salzmänn: *Im Kampfe gegen die Herero*, Berlin, Reimer, 1905.

<sup>50</sup> Atrocities and deaths appear in the diary at least in some places, although many of them remain blurred, are not formulated or not narrated to the end. We are often kept uninformed about the outcome.

<sup>51</sup> Cf. Eckl, Andreas / Häußler, Matthias: Bericht über eine Reise nach Lüderitzbucht. August Kuhlmann's account of his visit of the concentration camp on Shark Island in July and August 1905, in: *Journal of Namibian Studies* 32, 2022, pp. 131-141.

<sup>52</sup> The accompanying captions are: 2. Herero campaign: Radio station / Radio station with balloon / Field post office direction / Headquarters wagon / Headquarters kitchen / Headquarters driving staff / Headquarters water wagon / Camp at Ombuatjipiro. 3. Waterberg – Hamakari: Otjorotjontju signal station / Hospital wagon after the Hamakari battle / Knausob and Ganjerib with dispatches to Okahandja / Hamakari mass graves / Hamakari mass graves. 4. Otjosondou: Otjosondou hospital / Otjosondou position gun / Otjosondou mountain signal station / Otjosondou churchyard.

## Plate 2: "Hererofeldzug"



The situation is no different with respect to the war in the south, titled "Bethanierfeldzug" (Bethany campaign) by Trotha as a counterpart to the "Herero campaign": three plates (numbers 23 – 25) with a total of 15 pictures are devoted to this.<sup>53</sup> Moreover, the chapter headings give the impression of illustrating what they say: the "Herero campaign", for example, showing the "Herero campaign". In fact, however, this is not true, the photographs were taken at only a few moments. They are singular snapshots from the time of the Herero campaign, but not pictures documenting the "Herero campaign". The same is true with regard to the "Bethany campaign". The *Photos from the War in South West Africa* are not pictures of the war, but pictures

<sup>53</sup> Here the captions are as follows: 23. Bethany Campaign: House of the District Chief Bethany / House of the District Chief Bethany / Monkey in Bethany / Church Bersaba / Provision Magazine Bersaba / Mission Bersaba. 24. Bethany campaign: Chamis rock section / Signal mountain near Chamis / II. Feld Comp. cleaning horses / Orlog with the goat / VII. Feld Comp. before marching off. 25. Bethany campaign: Orlog and Boos / Signal section of headquarters / Hauptmann Salzer and Oberleut. v. Dewitz with Waldi / Colonel Trench in his tent.

from the time of the war, just as the title reads: Pictures *from* the war, and not: Pictures *of* the war.

Plate 25: "Bethanierfeldzug"



## Conclusion

The genesis of texts necessarily involves a verbal-thought process that is omitted in photography. Pictorial documents such as albums – unlike text documents like diaries – are not created exclusively by means of conscious coding; Photographs are therefore more immediate than text sources. In this sense, they are better suited to the reconstruction of patterns of perception and interpretation since they also depict their unconscious (in the sense of non-verbal) dimension. The essential difference between the diary as a textual source and the photo album as a visual source, however, lies primarily in the positioning of the author, that is, the author's position in relation to what is narrated/presented at the time of narration/presentation. While the diary author does not know the future and the further course of events at the moment of

writing, the author of the album knows the course of events in the past at the time of creating the album (not the pictures). The moment-bound recording of a picture is indeed comparable to the daily notation in a diary. But while the single notations in the diary are fixed, the album is only created retrospectively at a later point in time and with the knowledge of the end of a special episode.<sup>54</sup> While the diary – with all the necessary source-critical scepticism and caution – primarily shows what ‘is’, the picture book shows what ‘was’. A narrative is formed by arranging single pictures into a self-contained album, photos are retrospectively compiled into a picture narrative and photographs of singular moments are thus brought into a meaningful context. The album can thus be analysed as a narrative in the sense of a meaningful narrative and with a view to the “patterns of perception, interpretation and memory” it contains.<sup>55</sup> Due to the shared ‘content’ of diaries and picture books that both relate to the same events and time, both sources complement each other in the best possible way: The diary is illustrated and made comprehensible in parts by the picture portfolio, just as, conversely, the picture portfolio is contextualised and made comprehensible in parts by the diary. Beyond the correspondence between notations and pictures, however, it is above all the divergences between texts and pictures that have a high expressive and insightful value, whereby the divergences primarily refer to what is not present in the respective other source. The greatest gain in the case of a diary and album that relate to each other lies in the fact that through comparison gaps and missing parts, of which one would not have become aware without the other source, become apparent.

Usually, historiography is based on written sources which are considered far superior to visual sources in reconstructing the past. In terms of reconstructing historical events, however, both types of sources – diaries and photo albums – prove to be similarly problematic. Both consist essentially of gaps, only loosely held together by a few contextualising points of reference. Trotha’s diary raises infinitely more questions than it answers,<sup>56</sup> and the 206 photographs refer to thousands of photographs that do not exist. Realities are at all times indescribably complex; they defy description and documentation. Diary notes, like photographs, are the result of a highly selective process. The absolute majority of observable reality is not recorded, neither in writing,

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<sup>54</sup> In this sense, picture books are comparable to autobiographies. Unlike author biographies, however, which may be based on written notes but are still freely formable at the time of writing, picture books are bound to photographs that are in principle unchangeable. Nevertheless, the author of a photo album also has considerable creative possibilities, above all through selection, arrangement and the use of paratextual elements such as titles and annotations.

<sup>55</sup> Pagenstecher: ‘Private Fotoalben’, p. 463.

<sup>56</sup> “The diary does not always have to be discursive, to solicit understanding, to seek transitions. The diary can narrate, but may also remain silent”, as noted by Michael Maurer: ‘Tagebücher als Quellen der Geschichtswissenschaft’, in: Volker Depkat, Wolfram Pyta, (eds.): *Briefe und Tagebücher zwischen Text und Quelle*, Berlin, Duncker & Humblot, 2021, pp. 57-74 (61).



nor in pictures. Nevertheless, I think both – notations and pictures – follow a certain logic, and it is no coincidence which aspects and subjects are excluded in diaries and picture books, and which are made the subject of observation. This logic is fed by different sources: 1) what is appropriate to the genre (such as camp and everyday life, infrastructure), 2) what corresponds to one's own inclinations and interests (which, conversely, can be carved out in this way on the basis of diaries or picture books), and finally 3) from the motivation and intention behind the creation of a diary or album. Remarkable and revealing in this respect are not only the notations and pictures that are present, but perhaps even more so the gaps and empty spaces, and here especially those that seem astonishing because they are unexpected. These gaps can be explained by one of the points made: Something is not noted, not photographed, because it is alien to the genre, because it does not meet with personal interest, or because it runs counter to the intentions of the work. The gaps in Trotha's picture portfolio can most plausibly be explained by the latter.

Given the inherent characteristics of each type of source – verbal reflection versus immediacy – and the different modalities of creation – small-scale (day by day) and immediate recollection (at the end of a day) versus retrospective shaping of memory from a greater temporal distance with knowledge of the outcome – it is not surprising, that both sources express different readings and perspectives and that the narratives that can be (re)constructed on their basis can be very different, even though they share the same timeframe, the same external circumstances, events and experiences. Trotha's album provides a completely different narrative to the diary. In his picture portfolio, Trotha shows what he wanted to show, what he wanted to be remembered. The chaos, the disorder, the uncontrollable is completely absent here, on the contrary: everything seems to be in order.

The retrospective creation of a visual narrative certainly also carries an element of self-assurance, as is constitutive of diaries. As a meaningful narrative, it constitutes Trotha as a person with his personal actions, activities and experiences as well as Trotha as an institution, as the commander-in-chief, and can be seen as an attempt to counter the "fragmentation and fragility of disparate world experience"<sup>57</sup>, although the fragmentation and fragility refer less to Trotha's own perceptions, but rather are disparate in comparison with the 'reality' of the wars in GSWA and the (public) perception and evaluation of his actions. The album shows Trotha's version of the war as he wished it to be and as he wanted it communicated to others: Everything is fine! That's the narrative. No need to criticise. That's the message. And Trotha achieved this by completely omitting essential aspects. From a portfolio of pictures in the context of the first genocide of the 20<sup>th</sup> century, we may certainly expect images of corpses, of those killed, hanged, murdered, mutilated, of misery, suffering and death. None of this, however, can be found in the recordings. Indeed, not even shots of the enemy

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<sup>57</sup> Andreas Albrecht, Wolfgang Pyta: 'Die Tagebücher des Dr. phil. Joseph Goebbels. Überlegungen zu Schreibprozess, Überlieferungsabsicht und Literarizität', in: Volker Depkat, Wolfram Pyta, (eds.): *Briefe und Tagebücher zwischen Text und Quelle*, Berlin, Duncker & Humblot, 2021, pp. 121-143 (123).

are included in the *Photos from the War*. It is the empty spaces in the album, the non-existent shots, to which this work owes its specialness. A comparison with the diary shows that a massive reshaping of memory has taken place in the album, which cannot be explained by referring to a transfiguring nostalgia alone. The intention to reshape memory must be different, and it is to be sought in the disparities mentioned at the beginning. Created against the background of the criticism levelled at him, his person and his conduct of the war – explicitly and publicly, for example in the newspapers, implicitly and internally through a lack of backing and the hanging and dropping of him by his officers and authoritative bodies in Berlin and by the Kaiser himself – the album and its narrative might be seen as Trotha's attempt to come to terms with his experiences and to 'correct' and refute the criticism, and thus also to justify his person and his conduct of the war. For this, he used a broad repertoire to make himself disappear as the author and to objectify the narrative of his album, so that it seems that it is not he who justifies himself with the album, but the other way round, it is the album that justifies him. This is only possible through a rigorous selection and the fading out of all those elements and aspects that could contradict this narrative. Trotha's *Photos from the War in South West Africa* strives to make the wars appear as 'normal' wars without any special incidents. In the tension between personal memories and 'official' documentation, Trotha presents us with a history of the wars, not as it was and as he experienced it, but as he wanted it to be remembered. Von Trotha's picture portfolio can thus be seen as the beginning of a long and extremely shameful tradition that denies genocide by simply blanking it out and banishing it from memory.

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# “Race Warrior?”

## Lothar von Trotha in German South West Africa (1904–1905)

Matthias Häussler

### Introduction

Imperial Germany waged war against the Ovaherero and (Oorlam-) Nama between 1904 and 1909, in the territory it then claimed as German South West Africa (GSWA).<sup>1</sup> This series of campaigns, according to Wolfgang Eckart, was “the first to be conceived, planned, and realized as a race war”; its intended and ultimate outcome was “not the subjugation of rebels, but instead their genocidal annihilation.” According to Eckart, these campaigns thereby ushered in a “racist tradition of German warfare”, “which cruelly culminated in the Wehrmacht’s war of extermination in the occupied Soviet Union, and in the National Socialist regime’s war of extermination against the European Jews.”<sup>2</sup> Other authors, too, have used the term ‘race war’, raising parallels or even continuities between Imperial Germany and the Third Reich.<sup>3</sup> A key point of reference is Lieutenant General Lothar von Trotha, who commanded the Imperial German forces in GSWA between May 1904 and November 1905, and who is rightly considered the person most responsible for the first genocide of the twentieth century. In a much-cited passage from a report to Chief of Staff Alfred Schlieffen, Trotha described the 1904 “uprising” of the Ovaherero as the “beginning of a race war.”<sup>4</sup>

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<sup>1</sup> In contrast to the conventional dating of these wars, I place their endpoint in 1909, when Simon Kooper, the last recognised leader of a warring group, laid down his arms.

<sup>2</sup> Wolfgang U. Eckart: ‘Medizin und kolonialer Rassenkrieg: Die Niederschlagung des Herero-Nama-Aufstandes im Schutzgebiet Deutsch-Südwestafrika (1904–1907)’, in: Wolfgang Wette, Gerd Ueberschär, (eds.): *Kriegsverbrechen im 20. Jahrhundert*, Darmstadt, Primus, 2001, pp. 59-71 (59).

<sup>3</sup> David Olusoga, Casper W. Erichsen: *The Kaiser’s Holocaust: Germany’s Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber and Faber, 2010, p. 142; Jürgen Zimmerer: ‘Rassenkrieg und Völkermord: Der Kolonialkrieg in Deutsch-Südwestafrika und die Globalgeschichte des Genozids’, in: Henning Melber, (ed.): *Genozid und Gedenken: Namibisch-deutsche Geschichte und Gegenwart*, Frankfurt. Brandes & Apsel, 2005, pp. 23-48 (29-31); Reinhart Kössler, Henning Melber: ‘Der Genozid an den Herero und Nama in Deutsch-Südwestafrika 1904–1908’, in: Irmtrud Wojak, (ed.): *Völkermord und Kriegsverbrechen in der ersten Hälfte des 20. Jahrhunderts*, Frankfurt, Campus, 2004, pp. 37-75 (46f.).

<sup>4</sup> BArch. R1001/2089, Trotha to the General Staff, Okatarobaka (4 October 1904), 6.

What Trotha meant by 'race war' is not entirely clear, since he otherwise did not use or elaborate on the concept. Schlieffen effectively stated that such a conflict could be concluded "only by annihilation or the utter subjugation of one party."<sup>5</sup> The more fortunate side would prevail, and the inferior party would be completely subdued, expelled, or exterminated. According to this situational definition, there was no middle ground – a peace settlement, or any kind of mutual coexistence on equal footing, was out of the question. This chapter is less concerned with how historical actors like Trotha and Schlieffen once used the term, and more with what contemporary scholars now associate with the concept of 'race war'. Can we consider Trotha a 'race warrior', to the extent that he "conceived, planned, and realised" his campaigns by seeking to exterminate his indigenous opponents from the start? Was Trotha driven by an exterminatory racism?

I have already offered part of the answer in a full-length study, which shows how Trotha's campaign against the Ovaherero only gradually crossed the threshold into a campaign of extermination, contingent upon unexpected turns of events. Genocidal escalation was not the realisation of an originally exterminatory plan; it was, instead, the result of plans that failed.<sup>6</sup> The following remarks proceed in a new direction and examine the 'race war' thesis with respect to the campaigns against the (Oorlam-) Nama, which became Trotha's main focus after October 1904.

Eckart's assumptions are problematic, beyond the question of when the campaign against the Ovaherero turned into a campaign of extermination. Current research suggests that it is questionable, at the very least, whether or not the hostilities against the (Oorlam-) Nama were exterminatory in nature. Andreas Heinrich Bühler's *Der Namaufstand gegen die deutsche Kolonialherrschaft in Namibia von 1904–1913*, still the only academic monograph on these wars, provides little direct evidence in support of this thesis.<sup>7</sup> Scholarly references to the exterminatory nature of the hostilities have tended to be incidental and based on analogy. So, for example, Jürgen Zimmerer asserts that "the German side responded also to the Nama with a strategy of annihilation, systematically occupying watering holes so that the opponent would die of thirst, as in the Omaheke" [the strategy used against the Ovaherero, beginning in October 1904, MH].<sup>8</sup> However, even when similar measures were adopted, their

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<sup>5</sup> BAArch. R1001/2089, Schlieffen to Bülow, Berlin (23 November 1904), 4.

<sup>6</sup> Matthias Häussler: *Der Genozid an den Herero: Krieg, Emotion und extreme Gewalt in Deutsch-Südwestafrika*, Weilerswist, Velbrück Wissenschaft, 2018, pp. 144-232. For the English translation, see: *The Herero Genocide: War, Emotion, and Extreme Violence in Colonial Namibia*, trans. by Elizabeth Janik, New York, Berghahn, 2021, pp. 115-198.

<sup>7</sup> This is not to say that there was no genocide of the (Oorlam-) Nama groups, but instead that it was perpetrated through means such as deportation, internment, or 'native policy'. See Matthias Häussler: 'Fetisch der Herrschaft: Zur "Pazifizierung" von Witbooi und Bondelswart (1904–1915)', in: *Zeitschrift für Genozidforschung*, 20 (1), 2022, pp. 9-36; Andreas Heinrich Bühler: *Der Namaufstand gegen die deutsche Kolonialherrschaft in Namibia von 1904–1913*, Frankfurt, Verlag für Interkulturelle Kommunikation, 2003.

<sup>8</sup> Zimmerer: 'Rassenkrieg', p. 35.

context was different – as with Trotha's proclamation to the 'Hottentot people' on 22 April 1905, which followed his proclamation to the Ovaherero on 3 October 1904.<sup>9</sup> Although Trotha presented the (Oorlam-) Nama with the prospect of the same fate that had already befallen the Ovaherero, upon closer observation there is a significant difference in his approach to the two groups. Trotha threatened the (Oorlam-) Nama to encourage their surrender – a path of conflict resolution that he had specifically denied to the Ovaherero, refusing them amnesty or even the chance of coexistence on South West African soil. For this reason, the 'Proclamation to the Herero People' is rightly considered a central document of the genocide. With the (Oorlam-) Nama, unlike the Ovaherero, the path of capitulation was specifically *not* blocked.<sup>10</sup> Thus, hostilities against the (Oorlam-) Nama had a different strategic horizon.

Assessing Trotha's actions thereby raises a more fundamental problem, which is not limited to the case of GSWA. The genocidal escalation of the campaign against the Ovaherero – which, in my view, was a gradual process – has tacitly affected how Trotha's later and earlier campaigns are interpreted. In his highly regarded study *Südwestafrika unter deutscher Kolonialherrschaft*, the historian Horst Drechsler has asserted that Trotha was already known for "resorting to ruthless methods in suppressing popular uprisings in East Africa (notably the Wahehe rising in 1896) as well as the Boxer Rebellion in China in 1900–01." However, Drechsler refers his readers merely to Trotha's entry in the *Kolonial-Lexikon*, which – unsurprisingly – does not mention "ruthless methods".<sup>11</sup> The German colonisers certainly used 'ruthless methods' to assert power in East Africa and China, and it is within the realm of possibility that Trotha's own contribution was especially brutal. It is, however, problematic that neither Drechsler, nor subsequent authors who have concurred with his assessment, seem to have taken the trouble to investigate Trotha's role more closely and to support this assumption. An allegation does not gain validity through constant repetition.<sup>12</sup> The broader argument appears to be circular: Trotha's exceptional brutality toward the Ovaherero makes it plausible to assume that he must have

<sup>9</sup> 'Hottentot' was a derogatory, non-emic label for the (largely) Khoisan-speaking Nama and Oorlam groups.

<sup>10</sup> On the differences between the proclamations, see Matthias Häussler: "'Auf dass wieder Ruhe und Ordnung herrscht": Proklamationen im deutschen Feldzug gegen die OvaHerero (1904/05)', in: *Historische Zeitschrift*, 314 (3), 2022, pp. 599-629 (619).

<sup>11</sup> Horst Drechsler: *Südwestafrika unter deutscher Kolonialherrschaft: Der Kampf der Herero und Nama gegen den deutschen Imperialismus (1884–1915)*, 2nd ed., Berlin, Akademie-Verlag, 1966, p. 180; Heinrich Schnee: *Deutsches Kolonial-Lexikon*, vol. 3, Leipzig, Quelle & Meyer, 1920, pp. 543-544. The English translation of this quotation is from Horst Drechsler: *"Let Us Die Fighting": The Struggle of the Herero and Nama against German Imperialism (1884–1915)*, trans. by Bernd Zöllner, London, Zed Press, 1980, p. 153. Pertinent historical studies indicate that Trotha played a lesser role in putting down the 'Wahehe rising' in 1896. See John Iliffe: *A Modern History of Tanganyika*, Cambridge, Cambridge University Press, 1979, pp. 107-116.

<sup>12</sup> Zimmerer writes, without further attribution, that Trotha "acquired the reputation of an especially merciless military officer in colonial conflicts in German East Africa (1894–1897) and



acted similarly vis-à-vis earlier or later opponents overseas; conversely, his supposed behaviour in other places makes the escalation of violence toward the Ovaherero seem that much more plausible and – apparently – explicable.<sup>13</sup> The underlying assumption has an irresistible logic: As a purported ‘race warrior’, Trotha must have had an ideologically fixed mindset and deep-seated attitudes and convictions, which he could not just set aside; indeed, independent of the given circumstances, he must have been predisposed, if not predestined, to act in a certain way. This seems all the more plausible since Trotha did not set foot on colonial soil until he was already forty-six years old.

As we will see, Trotha did proceed early on with striking ruthlessness toward the Ovaherero, and in this campaign he pursued a very narrow strategic programme. He sought to deal the Ovaherero an existential defeat, whatever the cost, and he categorically rejected a negotiated peace (2.). Nevertheless, in the campaigns against the (Oorlam-) Nama, which occupied the final two-thirds of his command, Trotha proved to be much more open to different paths of conflict resolution. He did not reject negotiations but initiated them himself (3.). This is all the more surprising, since the falling-out with the (Oorlam-) Nama seemed to affirm the ‘race war’ thesis, which he had preemptively used to justify the extermination of the Ovaherero in October 1904. Trotha’s motives and strategic horizon were evidently more diverse than is usually assumed. Just because he was racist (and he certainly was), he did not automatically turn to exterminatory solutions. I offer at least a hypothetical explanation for this discrepancy in this essay’s final section (4.).

## Trotha’s stance toward the Ovaherero

Raids by the Ovaherero in January 1904 created an uproar in the metropole. Observers called for nothing less than a war of annihilation, which would, at a minimum, eradicate the Ovaherero as independent political entities. Because the long-serving colonial governor, Colonel Theodor Leutwein, was unwilling or unable to meet this demand, he was dismissed from the command of the Imperial German forces in GSWA in May 1904. Trotha was a candidate for a strategic programme that had been set long before, and it was Kaiser Wilhelm II who entrusted him with this command

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China (1900). That was his recommendation.” (Zimmerer: ‘Rassenkrieg’, p. 29; Jeremy Sarkin: *Germany’s Genocide of the Herero: Kaiser Wilhelm II, His General, His Settlers, His Soldiers*, Cape Town: UCT Press, 2011, pp. 192-193; Hendrik Lundtofte: “‘I believe that the nation as such must be annihilated...’: The Radicalization of the German Suppression of the Herero Rising in 1904”, in: Steven L. B. Jensen, (ed.): *Genocide: Cases, Comparisons and Contemporary Debates*, Copenhagen, Danish Center for Holocaust and Genocide Studies, 2003, pp. 15-53 (49).

<sup>13</sup> Only the historian Christoph Kamissek has seriously examined Trotha’s career. See “‘Ich kenne genug Stämme in Afrika’: Lothar von Trotha – eine imperiale Biographie im Offizierkorps des deutschen Kaiserreiches”, in: *Geschichte und Gesellschaft*, 40 (1), 2014, pp. 67-93.

– "against the objections of the Imperial Chancellor, the Minister of War, the Chief of the General Staff, and the Director of the Colonial Department."<sup>14</sup>

On 22 June 1904, Trotha mentioned a meeting with Leutwein in his diary. Leutwein's "descriptions about the beginning of the war" – that "murder and manslaughter" had been a daily occurrence and "Sunday afternoon entertainment for the settlers" – did seem "plausible" to Trotha, but he was not interested in investigating possible causes. He sought, instead, to fight back and wage a "remorseless war against the mob." Trotha rejected the "merciful warfare" that Leutwein had championed.<sup>15</sup>

On 13 July 1904 Trotha commented on a telegram from the officer Ludwig von Estorff, who informed the top command that, according to prisoners' statements, the Ovaherero chief Salatiel Kambazembi did "not want to participate anymore", and "refused to fight" for Samuel Maharero, paramount chief of the Ovaherero. Trotha dismissed this opportunity to divide his opponents before the anticipated battle at the Waterberg: "This won't help him [Salatiel] at all – caught together, hanged together (*mit gefangen, mit gehangen*)."<sup>16</sup>

On 23 September 1904 Trotha mentioned a conversation with Estorff, who commanded one of the sections that was pursuing the fleeing Ovaherero into the Omaheke: "He [Estorff, MH] wants to negotiate. No, my friend, nothing will come of this. We'll fight as long as we can. He only wants to negotiate because he wants to become governor. Everything will be shot dead! – Basta!" Although Estorff repeatedly emphasised that the Ovaherero had been "punished enough", he could not deter Trotha from his course.<sup>17</sup>

On 9 December 1904 Trotha received a telegram from the Great General Staff, urging him to withdraw his 'Proclamation to the Herero People' of 3 October. Although Trotha immediately ordered Estorff to announce this "supreme act of mercy for the mob", he simultaneously wired the Imperial Chancellor that "immediately sending a new governor was absolutely essential", as his own position had not changed: "I don't negotiate with the mob."<sup>18</sup> Trotha saw no reason for compromise, even though his course of action had ultimately failed, and the Ovaherero had already suffered tens of thousands of casualties.

This ruthlessness was an integral component of the first genocide of the twentieth century. Regardless of whether one believes that the actual intent of Trotha's proclamation was to expel the Ovaherero people from the German colony, or that its stated

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<sup>14</sup> BayHStA/Abt. IV, MKr. 803, K.B. Bevollmächtigter in Berlin (Endres) an K. Kriegsministerium, Berlin, 10 May 1904.

<sup>15</sup> TA 122/15, 22 June 1904.

<sup>16</sup> TA 122/17, 13 July 1904.

<sup>17</sup> TA 122/17, 23 September 1904; Ludwig von Estorff: *Wanderungen und Kämpfe in Südwestafrika, Ostafrika und Südafrika 1894–1910*, ed. by Christoph-Friedrich Kutscher, 2nd ed., Windhoek, von Goetz, 1979, p. 117.

<sup>18</sup> TA 122/16, 9 December 1904.

intent was “camouflage”<sup>19</sup>, this much is surely uncontroversial: Once the troops could go no further, and “the Ovaherero” – who had long since been decimated, and were merely fighting for survival – could no longer be caught, defeated, and pressed into some kind of a dictated order, any kind of coexistence between Germans and Ovaherero was fully out of the question for Trotha. From this point forward, he only wanted to make the Ovaherero disappear, whether spatially or physically. The ‘Proclamation to the Herero People’ expatriated them and declared them “fair game”.<sup>20</sup> The last remaining exit strategy, unconditional surrender, was now officially off the table, and no quarter would be given to surrendering enemies.

If we seek to explain this cruelty, which Trotha himself even occasionally acknowledged,<sup>21</sup> we inevitably come to his own efforts to justify his course of action to Leutwein and Schlieffen. In a report from 4 October 1904, which also contains the text of the proclamation, Trotha informed Schlieffen: “My precise knowledge of so many central African tribes (Bantu and others) has convinced me in all cases that the Negro will not bow to any treaty, but only raw force.”<sup>22</sup> In a letter to Leutwein dated 5 November 1904, he defended his own policies:

I know enough tribes in Africa. They all think the same way, yielding only to force. Exercising this force with blatant terrorism, and even with cruelty, was and is *my* policy. I will annihilate rebellious tribes with streams of blood and streams of money.<sup>23</sup>

It goes without saying that these demeaning and generalised views of Africans were racist.<sup>24</sup> This typecasting was so coarse that it contradicted the “precise knowledge” that Trotha claimed, and thus might be better understood as a refusal to engage with the opponent at all. Given Trotha’s own justification for his direction of the war effort in the report to Schlieffen (“This uprising is and remains the beginning of a race war”), there is reason to view racist ideology as a key motivator and Trotha as a “race warrior”.

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<sup>19</sup> Zimmerer: ‘Rassenkrieg’, p. 32.

<sup>20</sup> Kössler, Melber: ‘Genozid’, p. 49; Häussler, ‘Ruhe’, pp. 613-620.

<sup>21</sup> BArch. R1001/2089, Trotha to Leutwein, Windhuk (5 November 1904), p. 100.

<sup>22</sup> BArch. R1001/2089, Trotha to Schlieffen, Okatarobaka (4 October 1904), pp. 5-6.

<sup>23</sup> BArch. R1001/2089, Trotha to Leutwein, Windhuk (5 November 1904), p. 100.

<sup>24</sup> According to Trotha’s own depiction, this view was not limited to Bantu-speaking groups like the Ovaherero, but also extended to the Khoikhoi- or Afrikaans-speaking (Oorlam-) Nama: ‘In Africa, all tribes with the material and political right to exist live among one another in a constant state of war. The most superficial study of the history of the Hottentots and the migrant Bantu teaches us that this was the case here, too. They never enter into treaties, and only violence decides.’ See ‘Das Ende des Hererokrieges’, in: *Trierische Zeitung*, 146, no. 55, 3 February 1905, p. 2.

## The campaigns in the south

Hendrik Witbooi, the most influential chief (*kaptein*) among the (Oorlam-) Nama, did not side with the Germans' opponents in January 1904, but instead supported them with troops in their fight against the Ovaherero. Nineteen of these fighters deserted and returned to Witbooi's headquarters in Gibeon in August 1904. At first Witbooi was dismayed that they had broken their obligations to an ally. But once he learned that German soldiers had told them that they would be next in line after the Ovaherero, he also declared war on the Germans.<sup>25</sup> He urged the other *kapteins* to do the same, although not all heeded his call to arms. Enough (Oorlam-) Nama leaders joined the fight to cause substantial difficulties for the Germans, who had to launch multiple campaigns against the various opponents who fought independently of one another. And so Trotha made his proclamation to the "Hottentot people" on 22 April 1905, urging the rebellious (Oorlam-) Nama to surrender, and threatening them with the fate of the Ovaherero should they not obey his call.<sup>26</sup>

The Bondelswart military chief Jacob Marenke<sup>27</sup> was one of the Germans' most nimble opponents in GSWA. In fact, the Germans failed to catch him with military means. He was ultimately killed on British territory with the cooperation of British security forces in 1907. On 11 March 1905 a larger skirmish took place in the IlKaras Mountains between his forces and the Germans, ending in a stalemate. Marenke was wounded and retreated to a remote hiding place in the mountains,<sup>28</sup> where he also learned that the Germans were ready to negotiate for peace. The Great General Staff's report made this sound as if the initiative had come from Marenke,<sup>29</sup> but, according to a French cleric named Jean-Marie Simon, apparently Trotha took the first step: "The General asked Father [Malinowski] to go to Marenka, and to assure the Chief that if he surrendered he would not be punished but treated with dignity and generosity".<sup>30</sup>

On 24 April 1905 Marenke entered into talks with Captain von Koppy and Father Malinowski. However, Marenke was dissatisfied by the "conditions stipulated by [German] headquarters for his surrender", and he ultimately broke off the negotiations.<sup>31</sup> Shortly thereafter Koppy received Trotha's authorisation "to conclude the

<sup>25</sup> National Archives of Namibia (NAN), ZBU D.IV.m.1, missionary Wandres to the colonial government in Windhuk (31 December 1904), p. 7.

<sup>26</sup> Der Große Generalstab: *Die Kämpfe der deutschen Truppen in Südwestafrika*, vol. 2, Berlin, Mittler u. Sohn, 1907, p. 186.

<sup>27</sup> Marenke was also known by the names 'Marengo', 'Morenga', and 'Marenka'. My own use of 'Marenke' in this essay derives from a handwritten letter to Trotha (although the handwriting was not Marenke's own). See Matthias Häussler, Andreas Eckl: "'Met Duizend Groete": Jacob Marenke's letter to Lothar von Trotha, 8 May 1905', in: *Journal of Namibian Studies*, 30 2021, pp. 155-164.

<sup>28</sup> This was the skirmish at the Narudas Ravine on 11 March 1905. See Große Generalstab: *Kämpfe*, vol. 2, pp. 80f.

<sup>29</sup> *Ibid.*, p. 136.

<sup>30</sup> Quoted in Bühler: *Namaaufstand*, p. 249.

<sup>31</sup> Große Generalstab, *Kämpfe*, vol. 2, p. 137.

negotiations with Morenga under the conditions initially suggested by Major v. Kamptz and Captain v. Kopyy – that is, leaving our remaining cattle to the rebels”, but it was already too late.<sup>32</sup> Trotha would have been ready to offer Marenke better conditions to win his support for the peace settlement.

The General Staff’s report omitted that the talks had been interrupted by a German raid.<sup>33</sup> It seems unlikely that Trotha knew about this, especially since he had apparently favoured a peace settlement. Communication between the levels of command was difficult, particularly in the southern theater of the war; lines of communication were fragile across the vast distances. Ambitious officers could easily use these difficulties as a pretense for ignoring inconvenient orders. Colonel Berthold Deimling is even said to have cut telegraph lines, “in order to avoid orders from Windhuk (Windhoek) that did not fit with his plans.”<sup>34</sup> Central coordination of movements was extremely difficult, which meant that the top command not infrequently had to respond to a *fait accompli*.

The Germans were generally reluctant to compromise with indigenous ‘rebels’. Civil servants (such as the colonial governor, Friedrich von Lindequist, in 1907) categorically rejected peace treaties because these were not “acts of mercy, one-sided in nature”, but instead agreements that accredited the opposing side as a contractual partner and potential equal.<sup>35</sup> German peace efforts often harboured a certain ambivalence, and Marenke sensed this. In a letter to Trotha he accused the German commander of speaking about peace, while simultaneously allowing his opponent’s emissaries to be shot, and peace talks to be sabotaged by raids.<sup>36</sup> Other German officers were also reluctant to negotiate, even when they personally hoped for peace. Anything more than a short-lived ceasefire was never again possible between Marenke and the Germans.

Trotha also worked actively to engage in peace talks with the Bethanie (!Aman) leader Cornelius Fredericks. Captain Maximilian Bayer, who was part of the top command and involved in its decision-making processes, wrote in his memoirs:

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<sup>32</sup> Ibid., p. 138.

<sup>33</sup> Bühler: *Namaaufstand*, p. 249.

<sup>34</sup> Ibid., p. 241.

<sup>35</sup> See the Colonial Department’s stance toward the Ukamas peace treaty, which German officers, on their own initiative, had negotiated with the Bondelswart leaders in BArch. R1001/2140, p. 35.

<sup>36</sup> On 14 May 1905 Trotha noted that Marenke had offered to surrender while also complaining that he did not understand the proclamation. Marenke’s original letter of 8 May 1905 has survived. In this letter Marenke repeatedly expresses ‘fear’, underscoring his lack of faith in the Germans’ sincerity and their efforts for peace. The minimum degree of trust for cooperation and believing each other’s promises was evidently missing on both sides. Surrendering and laying down arms called for an extension of trust that was not yet justified, especially since the Germans’ behavior was ambiguous. See Häussler, Eckl: ‘Groete’.

*Cornelius*, too, seemed inclined toward peace in June 1905! The [German] commander-in-chief wanted to do everything that could lead to a speedy, favorable conclusion of the hostilities. This is why he sent his nephew, Lieutenant d. Res. v. Trotha, to the Bethanie camp.<sup>37</sup>

The initiative did not come from Trotha's nephew, who apparently had doubts about the success of this undertaking, as he knew Fredericks personally and did not believe the Bethanie leader would accept a peace offer that involved giving up weapons.<sup>38</sup> The first overtures may have come from Fredericks. In any event, Lothar von Trotha mentioned in his diary on 15 May 1905 that Fredericks was reportedly war-weary, and that he had asked "whether he could count on mercy." Trotha did not let this opportunity slide and sent his nephew to Fredericks with a letter, which his diary mentions only in passing. Trotha noted on 5 October 1905: "Cornelius lost his packhorse along with his saddlebag. Many letters inside, including the one from me that Thilo delivered."<sup>39</sup> Unfortunately, neither the letter nor its content have been preserved.

The negotiations had failed because they were interrupted by a German patrol, and then Thilo von Trotha had been killed in the subsequent firefight near Kanibes on 14 June 1905. The events recall Marenke's broken negotiations with Malinowski and Kopyy. In this case, we can presume that unlucky circumstances were at play, as it seems unlikely that Trotha would have intentionally exposed his nephew to this danger.

The diary of the missionary Christian Spellmeyer recounts a further effort by Trotha to initiate peace talks, in this case with the Witbooi-Oorlam. Spellmeyer recalled his meeting with Trotha in Gibeon at the end of March 1905:

I came to an agreement with him right away; that is, in the following days he wanted me to join a troop that was supposed to go to Goamus. The proclamation had already been made public possibly [it was] already in the people's hands. But it was evidently unsuccessful. So I was supposed to go along, to speak with Samuel Isaak if necessary. Unfortunately that didn't happen, because in Goamus we didn't meet a single Hottentot.<sup>40</sup>

This attempt to make peace also failed. There are a variety of reasons why no peace settlement came to be. We do not know what conditions Trotha was prepared to offer Fredericks or Isaak, but we do know that, in Marenke's case, Trotha was quite prepared to accommodate the Bondelswart leader's demands, in order to keep the

<sup>37</sup> Maximilian Bayer: *Mit dem Hauptquartier in Südwestafrika*, Leipzig, Spamer, 1909, p. 259.

<sup>38</sup> *Ibid.*

<sup>39</sup> The author C. N. L. Huysteen quotes another letter, ostensibly from Thilo von Trotha to Fredericks, but this may be entirely fictional. See C. N. L. Huysteen: *Das einsame Grab im Fish River Canyon*, Pretoria, CUM, 1984, pp. 47f.

<sup>40</sup> RMG 1.648c, B/c II 75: Christian Spellmeyer papers, vol. 6, pp. 37f.

peace settlement from falling apart. This was a form of negotiation that he categorically denied to the Ovaherero.

### **The Kaiser's general**

If we look at Trotha's entire period of service from May 1904 to November 1905, encompassing the wars against the Ovaherero and the (Oorlam-) Nama, there is an evident discrepancy between the arenas of combat and his approaches. While Trotha refused to negotiate with Ovaherero to the very end, he sought to initiate talks with (Oorlam-) Nama himself.

This is surprising in multiple respects. Trotha advocated for the exterminatory escalation of violence against Ovaherero because this conflict represented the "beginning of a race war." The outbreak of further hostilities in October 1904 might have seemed to confirm his prediction, entailing similarly harsh measures against (Oorlam-) Nama. After Ovaherero "began" the war, (Oorlam-) Nama took arms when German soldiers let them know that they would be next in line. The "race war" that Trotha had predicted seemed to be erupting across the colony.

There is no reason to think that Trotha drew a meaningful distinction between the two ethnic groups, viewing 'Hottentots' more favourably than Ovaherero. In general, the Germans' aversion to Nama and Oorlam was even more pronounced. While Ovaherero were valued for their labour (which, of course, did not protect them from extermination), 'Hottentots' were regarded as an "unnecessary burden" in peacetime and a "direct danger" at war.<sup>41</sup> The extermination of the (Oorlam-) Nama was therefore seen as opportune.<sup>42</sup> At least from the perspective of the later colonial governor, Friedrich von Lindequist, the (Oorlam-) Nama were, "of all the natives that took up arms against the German government . . . most reprehensible" because of their desertion.<sup>43</sup> Put another way, they had even fewer German defenders than the Ovaherero. Even so, in his engagement with the (Oorlam-) Nama, Trotha was prepared to draw from a wider spectrum of measures, and even to consider certain compromises.

The outbreak of war in the south fundamentally changed the overall situation. From then on, the Germans had to fight on different fronts. This did not seem to bother Trotha unduly, and he even sneered about the timing of Witbooi's defection: "4 months ago would have been the moment to make things difficult for us, but now at this time . . .", he noted in his diary on 9 October 1904.<sup>44</sup> Even the prospect of a long

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<sup>41</sup> Schlettwein, 'Zur augenblicklichen Lage', *Deutsch-Südwestafrikanische Zeitung* (DSWAZ), 5 January 1904, p. 2.

<sup>42</sup> 'Der Aufstand: Swakopmund, 9.12.1904', DSWAZ, 14 December 1905, p. 2.

<sup>43</sup> 'Aus dem Schutzgebiet: Aus Windhuk', DSWAZ, 8, no. 13, 28 March 1906, p. 2. See also George Steinmetz: *The Devil's Handwriting: Precoloniality and the German Colonial State in Qingdao, Samoa, and Southwest Africa*, Chicago, University of Chicago Press, 2007, p. 177.

<sup>44</sup> TA 122/17, 9 October 1904.

war could not dissuade Trotha from measures he deemed appropriate. The occupation of watering holes on the western edge of the Omaheke marked the transition from a war of movement to a war of position, which also meant that – as Schlieffen immediately recognized – the Germans would not be able to claim victory in the foreseeable future.<sup>45</sup> German troops were posted by the watering holes indefinitely, in order to stop the Ovaherero from returning. Beyond the fact that provisioning was so tight that the troops continued to suffer heavy losses, this tactic tied up the Germans' "strong military forces" indefinitely, without a prospect for victory.<sup>46</sup> Nevertheless, Trotha underscored his determination to drown his opponent in "streams of blood and streams of money", in order to end the war *on his terms*.<sup>47</sup>

The longer the war dragged on, the greater the surprise and even disappointment in Imperial Germany, where observers had counted on quick, clear victories. Willingness to sacrifice waned, and political opposition to the unsuccessful campaign grew increasingly bitter.<sup>48</sup> War weariness also affected the soldiers, and Trotha was no exception. And yet: If he did seek – by whichever means – to end this unpopular war, then obviously he was also prepared to set aside ideological perspectives and convictions in favour of other priorities.

So what was different about the campaigns in the south? An important difference is that Trotha had been appointed as commander to subdue the *Ovaherero*, and it was for *this* campaign that the Kaiser had personally entrusted him to achieve certain goals. Trotha had been in South West Africa for months before the wars in the south erupted, so he could not have received specific instructions about them.

In a letter to Leutwein from 5 November 1904, Trotha justified his course of action, which had been exterminatory for some time, by referring to his conversation with Kaiser Wilhelm II:

Upon my appointment as commander in S. W. A., I received no instructions or directives. His Majesty, the Kaiser and King, told me only that He expected I would put down the uprising with all means and inform Him later about the causes of the revolt.<sup>49</sup>

Paradoxically, in this context, "with all means" did not imply *any* means (such as negotiations) that could have helped to end the war quickly. Instead, Trotha seems to have understood the Kaiser to mean that he, Trotha, should not be squeamish in selecting these means, that he should wage a remorseless war against the Ovaherero,

<sup>45</sup> BArch. R1001/2089, Schlieffen to Bülow, Berlin, 23 November 1904, pp. 3f.

<sup>46</sup> Estorff: *Wanderungen*, p. 117.

<sup>47</sup> BArch. R1001/2089, Trotha to Leutwein, Windhuk, 5 November 1904, p. 100.

<sup>48</sup> Criticism in the Reichstag grew louder, culminating in the rejection of a requested budget amendment for GSWA in 1906. The subsequent dissolution of the Reichstag led to new elections, which went down in history as the 'Hottentot' elections. See Frank Oliver Sobich: *"Schwarze Bestien, rote Gefahr": Rassismus und Antisemitismus im deutschen Kaiserreich*, Frankfurt am Main, Campus, 2006.

<sup>49</sup> BArch. R1001/2089, Trotha to Leutwein, Windhuk, 5 November 1904, p. 100.



and that negotiations were out of the question. Trotha also told Schlieffen that, "without the explicit direction of His Majesty, the Kaiser and King", he did not see that he was authorised to initiate negotiations with the Ovaherero. Unless commanded otherwise by the Kaiser, Trotha understood that negotiations were not desired.<sup>50</sup>

This did not even need the Kaiser's *explicit* prohibition. Shortly after the war began, Leutwein was rumoured to have sought contact with Samuel Maharero, inciting a torrent of outrage in the colony and in Germany. The "mood in the country" demanded that "the Hereros must immediately be dealt a crushing defeat, and that negotiations "could be introduced *only* on the basis of unconditional surrender."<sup>51</sup> Leutwein admitted to seeking this contact, but he emphasised that he had engaged not in actual, but only "apparent", negotiations (*Scheinverhandlungen*), so that he could determine the enemy forces' position and strength.<sup>52</sup> But the German press interpreted any engagement as a "slap in the face",<sup>53</sup> and declared that "peace negotiations with the rebels [were] *impossible*."<sup>54</sup> Even "apparent" negotiations were unacceptable, as these meant accrediting the opponent as a legitimate warring party. Soon thereafter, Leutwein was ordered "to abstain from all bilateral negotiations with Hereros, and to demand unconditional surrender"; under no circumstances could he initiate talks without the "approval of His Majesty".<sup>55</sup> Thus, anyone following the news (as Trotha surely had) would have understood that negotiations were out of the question.

Within the framework of mission-type tactics (*Auftragstaktik*), subordinate commanders received broader goals from their superiors but chose their own means to realise these ends, in light of their better overview of circumstances on the ground. Trotha may have received "no instructions or directives" in a narrower sense, but the Kaiser had given him general goals and guidelines that he was expected to abide by.<sup>56</sup> If, as Trotha reported to Schlieffen in early October 1904, he had "on his own responsibility, undertaken and executed" the change in strategy, then this meant that he had chosen his own path to meet the assigned goals, responding to circumstances as they arose. Trotha emphasised in this context that his choices were limited, as negotiations seemed out of the question "without the explicit direction of His Majesty, the Kaiser and King."<sup>57</sup>

<sup>50</sup> BArch. R1001/2089, Trotha to Schlieffen, Okatarobaka, 4 October 1904, pp. 5f.

<sup>51</sup> 'Aus dem Schutzgebiet: Aus Windhuk', DSWAZ, 16, 19 April 1906, p. 2.

<sup>52</sup> BArch. R1001/2113, Leutwein to the Colonial Department, Windhuk, 23 February 1904, pp. 89f.

<sup>53</sup> *Tägliche Rundschau*, 6 March 1904, BArch., R1001/2112, p. 169.

<sup>54</sup> *Tägliche Rundschau*, 9 March 1904, BArch., R1001/2112, p. 188.

<sup>55</sup> BArch. R1001/2112, p. 25.

<sup>56</sup> BArch. R1001/2089, Trotha to Leutwein, Windhuk, 5 November 1904, p. 100.

<sup>57</sup> BArch. R1001/2089, Trotha to Schlieffen, Okatarobaka, 4 October 1904), pp. 5f.

Trotha quite evidently did not shy from making even thorny decisions, and he was also prepared to assume responsibility for them.<sup>58</sup> He later acknowledged that he had been a "cruel leader of war."<sup>59</sup> He was incensed to be "attacked by the press in the most unprecedented way", and to be defended by "no one" in Berlin,<sup>60</sup> possibly because he was prepared to assume responsibility for *his* actions, but not necessarily others' decisions. He spoke about the Kaiser's will when he explained why negotiations with Ovaherero were out of the question, which suggests that he felt bound to precepts he could not override.<sup>61</sup> To be sure, he repeatedly described his intended measures in reports and telegrams, and he inquired whether "His Majesty, the Kaiser and King, is in agreement with continuing the war as I plan," but he never received a response.<sup>62</sup> "*Qui tacet, consentire videtur*. I therefore had to assume that my approach was approved at the highest level," Trotha bitterly wrote to the Imperial chancellor on 6 January 1905.<sup>63</sup>

Trotha subsequently wore himself out in conflicts with Schlieffen and Bülow; he ridiculed Schlieffen in his diary and challenged Bülow to a duel over a minor affront. These conflicts were essentially "proxy wars", triggered by a breach of promise by the Kaiser, who, as "supreme warlord", was exempt from any criticism that was all too direct. In a letter to Hülsen-Häseler in early December 1904, Trotha complained that he had recently received orders from Bülow, even though the Kaiser had given him the "utmost assurance" in Strasbourg that he would have "nothing to do with the Imperial Chancellor."<sup>64</sup> In fact, Bülow sought closer oversight of the situation in GSWA after learning about the 'Proclamation to the Herero People'. The Kaiser had backed down and withdrawn his engagement – whether he was ashamed for breaking a promise, or disappointed about the course of the war. In any case, the Kaiser distanced himself from Trotha and placed him underneath a 'civilian'. The

<sup>58</sup> On 16 July 1904 (TA 122/17) he noted: 'Today I renewed the order not to enter into any negotiations with the murderous gang (*Mordbande*). I know how they'll attack me afterward, but it's the same to me.'

<sup>59</sup> 'Aus Deutschland', DSWAZ, 28 July 1906, p. 2.

<sup>60</sup> TA 315, vol. 2a, attachment 33/1, Trotha to Hülsen-Haeseler, 7 December 1904.

<sup>61</sup> This is evident in how Trotha immediately relayed the order of 8 December 1904, even though he felt snubbed and personally rejected it. On 10 December 1904 he wrote that, despite his own misgivings, he could not contradict 'the supreme order . . . So I will execute it.' TA 315, vol. 2a, Anhang 33/2-3, Trotha to Hülsen-Häseler, 10 December 1904.

<sup>62</sup> On 9 November 1904 he wrote to Schlieffen: 'Your Excellency, following up with my earlier reports, I would again like to request that I not be left without clarity as to whether my course of action has the approval of His Majesty. I need this all the more, as . . . voices are already being raised in the Protestant mission, who are outraged by the cruel actions against the Herero.' TA 315, vol. 2a, attachment 22/1f (copy).

<sup>63</sup> TA 315, vol. 2a, attachment 47/1 (copy).

<sup>64</sup> TA 315, vol. 2a, attachment 33/1, Trotha to Hülsen-Haeseler, 7 December 1904. Trotha must have met Kaiser Wilhelm on May 12, 1904 in Strasbourg, where he talked to him for a 'longer time', see 'Das Kaiserpaar in Strassburg', *Strassburger Post*, 13 May 1904.

otherwise loquacious Trotha did not dare criticize the Kaiser too openly. "He largely carried on in silence, and took much upon his shoulders as a servant to his kings, who, even in his final days, still occupied his thoughts," his widow Lucy wrote in the preface to his diary, which she wanted to publish after his death to dispel the "lie of colonial guilt".<sup>65</sup> Trotha grew increasingly resigned over the course of 1905, as evident, not least, by the shorter and less descriptive entries in his diary. After he returned to Germany, he was honoured at a celebration in Berlin, where he opened his speech with a familiar proverb: "Gentlemen! Lack of gratitude is the world's reward! (*Undank ist der Welten Lohn!*)" In response, the attending Hohenzollern princes are said to have stood up and left the hall.<sup>66</sup> Awarded the highest honours, Trotha took his leave. After his retirement he was promoted to general of the infantry, but no subsequent photos show him in uniform ("the king's garment", or *des Königs Rock*) – an astonishing circumstance for a career officer and exponent of militaristic Wilhelmine society.<sup>67</sup>

## Conclusion

Trotha's different approaches to the Ovaherero and the (Oorlam-) Nama demand explanation. A key discrepancy is that the Kaiser personally assigned Trotha certain goals with respect to the Ovaherero, but not to the (Oorlam-) Nama – and the wars in the south did not erupt until Trotha had already been in the colony for months.

In his 'Hun Speech' (*Hunnenrede*) of 27 July 1900, Kaiser Wilhelm II bade farewell to the East Asian Expeditionary troops as they embarked for China, setting the tone for a merciless struggle in which no quarter would be given. The speech thereby suggests how, in a *personal*/conversation, Wilhelm might have dispatched Trotha overseas after the Ovaherero had killed not just one German, but more than one hundred. In any case, Trotha's later statements, which were also intended for an audience in Berlin, indicate that he adopted such a hard line against the Ovaherero because he believed the Kaiser expected this; after following up repeatedly, he had received no contradictory instructions. His outrage at being made a lone scapegoat suggests that he had not felt entirely free in his actions. He did not shy from making decisions, or from taking responsibility for even the most controversial ones. Even in retrospect, he showed no remorse and saw no reason to whitewash or justify his actions. Most of all, he was indignant to be held responsible for circumstances that were not at his sole discretion.

Even if we presume that Trotha began to consider alternative paths of conflict resolution only because he – and incidentally, others in Berlin – had grown weary of the perennial state of war, then this also suggests that he did not see "race war" as so

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<sup>65</sup> TA 315, vol. 1a, preface.

<sup>66</sup> NAN Private Accessions, AACRLS.233, Georg Wasserfall diaries, pp. 303-304. Wasserfall also remained in touch with Trotha in Germany.

<sup>67</sup> Drechsler: *Südwestafrika*, p. 180.

urgent that he could not favour other priorities. There is no doubt that he was a racist, but this does not automatically mean that he was driven by an exterminatory racism, or that this determined his actions as commander. Depending on time and context, other considerations could take precedence.

Perhaps our historical assessment of Trotha has been shaped by the idea, or even the hope, that “only someone who is downright evil, wholly one-dimensional and unambivalent” can be capable of such deeds.<sup>68</sup> Unfortunately, this is not so. Although it is not scholars’ role to judge good and evil, Trotha was not a “wholly one-dimensional” officer. This admission does not make his deeds any less grievous, but it clears the way for a more complete, politically and legally relevant assessment of the facts. The German atrocities in GSWA cannot be dismissed as the aberrations of a lone fanatic.<sup>69</sup> Trotha regularly and thoroughly informed authorities in Berlin about his decisions, measures, and broader intentions, seeking to ensure that his course of action had been “approved at the highest level”. There is some evidence that the Kaiser was not merely instructed about events, but urged the escalation himself, and that Trotha pushed on because he believed it was the only way to meet the Kaiser’s expectations. This observation is relevant – not to exculpate the commander, who openly acknowledged his brutality, but to underscore the responsibility of Imperial Germany and its successor states for what transpired in GSWA.

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<sup>68</sup> Ulrich Herbert: *Wer waren die Nationalsozialisten?*, 3rd ed., München, Beck, 2021, p. 39.

<sup>69</sup> Seeking to refute the case for genocide, Christian W. Zöllner has recently cited Jon Bridgman’s and Leslie J. Worley’s observation that the violence against the Ovaherero did not resemble a conscious government policy so much as a massacre perpetrated by a local commander. See Jon Bridgman and Leslie J. Worley: ‘Genocide of the Hereros’, in: Samuel Totten, (ed.): *Century of Genocide: Eyewitness Accounts and Critical Views*, New York, Garland, 1997, pp. 3-40 (3). Zöllner neglects that Bridgman and Worley nevertheless speak of ‘genocide’ themselves. See Christian W. Zöllner: *Deutsch-Herero-Krieg 1904: Eine Betrachtung unter dem Aspekt Völkermord*, Kiel, Lorenz-von-Stein-Institut für Verwaltungswissenschaften, 2017, p. 115.

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## **II. THE ENDING OF WAR AND ITS AFTERMATH**





# The Herero and Nama War in German South West Africa (1904-1907) in Newspaper Reports

Tilman Dederling

## Introduction

When the Herero opened armed hostilities in German South West Africa in January 1904, the white community was shocked by the unexpected outbreak of violence. The murders of more than 100 settlers shattered the prevalent delusion that the indigenous population could be, somehow, quietly coaxed into accepting their loss of independence and their degrading transformation into colonial subjects.<sup>1</sup> During the first weeks and months of the fighting the shock was compounded by the discovery that the Hereros were well armed and often proved to be dangerous and tactically astute combatants.<sup>2</sup>

The purpose of this article is not to make another contribution to the discussion of the political and military decision-making processes that escalated the war against the Herero and the Nama to the level of appalling mass violence.<sup>3</sup> A substantial body of scholarly studies has recently produced a diversity of insights and ideas. The debates

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<sup>1</sup> Andreas Eckl, Matthias Häussler: 'Reflections on the causes of the OvaHerero's anti-colonial resistance. Jakob Irle's article in *Der Reichsbote*, 22 March 1904', in: *Journal of Namibian Studies*, 31, 2022, pp. 125-133 (126).

<sup>2</sup> For example 'Der Aufstand', *Deutsch-Südwestafrikanische Zeitung*, 14 September 1904, p. 1.

<sup>3</sup> The controversial debates about the causes, course, aftermath and recent political repercussions of the war have by now produced a substantial body of literature on German colonial history which in the last years has been continuously supplemented by a number of important books and journal articles. To mention only a few: Klaus Bachmann: *Genocidal Empires. German Colonialism in Africa and the Third Reich*, Berlin, Peter Lang, 2018; Sebastian Conrad: *German Colonialism. A Short History*, Cambridge, Cambridge University Press, 2012; Matthias Häussler: *The Herero Genocide. War, Emotion, and Extreme Violence in Colonial Namibia*, Oxford, Berghahn Books, 2021; Reinhard Köbler, Henning Melber: *Völkermord – und was dann? Die Politik deutsch-namibischer Vergangenheitsbearbeitung*, Frankfurt am Main, Brandes and Apsel, 2017; Jonas Kreienbaum: *A Sad Fiasco. Colonial Concentration Camps in Southern Africa, 1900-1908*, New York, Berghahn, 2019; David Olusoga, Casper W. Erichsen: *The Kaiser's Holocaust: Germany's Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber, 2010; Jürgen Zimmerer, Joachim Zeller, (eds.): *Genocide in German South-West Africa: the Colonial War of 1904-1908 and its Aftermath*, Monmouth, Merlin, 2008.

have focused on a range of questions, such as the extent of genocidal premeditation in both the military campaigns and the ensuing treatment of the captives, as well as the scholarly application of the term genocide to a historical period that had not yet anchored the concept in law and public discourse.<sup>4</sup> Instead, this article intends to explore how observers in South West Africa, South Africa and in other African territories tried to make sense of the large-scale violence that engulfed the German colony and led to the unprecedented devastation of indigenous Namibian communities. This article probes the views of observers through the lens of local German and English language newspapers during and after the war until the 1940s. It is important to keep in mind that such a narrow range of sources – during the war there were only two settler newspapers in South West Africa, the *Deutsch-Südwestafrikanische Zeitung* and the *Windhuker Nachrichten* – covers only a part of white opinion, even though these newspapers reflect ideas about colonial rule that were hardly uncommon in settler circles. Moreover, these publications were obviously biased and not interested in the perceptions of indigenous observers and participants. However, by directing the spotlight on newspapers some recurring themes emerge in the public narratives surrounding the war. In this medium, opinions were often presented in a more unfiltered and emotional manner reflecting concerns and anxieties that agitated people at a moment of crisis. At a time when settlers in the German colony were faced with an outbreak of terrifying anti-colonial violence, newspapers became platforms for discussions of the implications of the war for the consolidation of colonial rule and racial supremacy. This is not to argue that we can draw a direct line between radicalised racist sentiment and the gradual escalation of the war into a genocidal campaign. But it will be shown that the mass death of the Herero and the Nama occurred in a cultural and psychological environment where extreme violence against Africans was explicitly defended and became increasingly thinkable. In the public space provided by German colonial newspapers, the consequences of such uncompromising rhetoric were often left unspoken until the total annihilation of indigenous communities was later tempered by economic self-interest. How did German settlers respond to and engage with their situation as an embattled racial minority at a moment of great uncertainty about the colonial project while the violence disrupted the colonial society? What were the views of foreign observers, in neighbouring South Africa and elsewhere, when the war in Namibia brought up questions about the repercussions of the conflict for colonial rule on the continent? Moreover, how was the memory of mass violence in the German colony preserved, if at all, after the colonial war had ended and later, after the defeat of Germany in the Great War terminated German colonial rule once and for all?

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<sup>4</sup> See also the detailed source analysis and historiographical critique of Andreas Eckl: 'The Herero Genocide of 1904: Source-Critical and Methodological Considerations', in: *Journal of Namibian Studies*, 3, 2008, pp. 31-61.

## The war

The *Deutsch-Südwestafrikanische Zeitung* (DSWAZ) was an outspoken mouthpiece of the interests of traders and farmers. After the war had erupted, various contributors to the newspaper lamented what they viewed as two major problems that stunted the German colonial system. First, they believed that the motherland showed a regrettable lack of interest in the settlers' struggle to consolidate colonial rule on the ground.<sup>5</sup> This conviction fired the settlers' campaign to receive economic compensation from the German government for damages suffered. Secondly, the imperial administration in the colony was accused of having carelessly encouraged African resistance through half-hearted interventions in the affairs of indigenous communities that merely served to diminish the authority of the colonisers. The editor Georg Wasserfall regularly lambasted the soft attitude of the colonial administration that reputedly had mollycoddled (*verhättschelt*) Africans instead of treating them with the necessary severity.<sup>6</sup> Being largely left to their own devices, the paper frequently opined, the Herero would not reconcile themselves to their loss of freedom for the next two or three generations. Until then, "only violence and armed force" instead of "misunderstood Christian teachings" – this being a thinly veiled attack on the missionaries – could effectively subjugate the Herero.<sup>7</sup> The propagators of a more heavy-handed approach conceded that this would aggravate the hatred of the indigenous population, but this was merely par for the course.<sup>8</sup> The objective was the destruction of the traditional social structures in order to force Africans into a subjugated low-wage working class.

The unexpected belligerence of the Herero generated increasingly shrill demands for a more aggressive response from the colonial regime. As previous expectations of an effective gradual infiltration of indigenous power structures had been shattered, violence was frequently pronounced to be a common element of colonisation.<sup>9</sup> Indigenous resistance had to be accepted as a natural corollary in the history of European expansion.<sup>10</sup> Ostensibly accepting the chasm of unbridgeable interests

<sup>5</sup> DSWAZ, 'Zur Entschädigungsfrage', 8 June, p. 1; 'Einiges über die Fischfluss-Expedition und den Hereroaufstand', 28 September 1904, pp. 2f..

<sup>6</sup> Corinna Schäfer: 'The German Colonial Settler Press in Africa, 1898-1916: A Web of Identities, Spaces and Infrastructure', PhD thesis, University of Sussex, 2017, pp. 59-63. On the distribution and availability of German colonial newspapers in Germany and their influence on public opinion in the motherland, *ibid.*, pp. 71-79.

<sup>7</sup> DSWAZ, 23 February 1904, p. 3.

<sup>8</sup> *Ibid.*

<sup>9</sup> *Ibid.*, 'Das Nächste', 5 April 1904, p. 1. See also Asher Lubotzky: "'Ja, es musste sein!'" German settler perceptions of violence during the Herero and Nama War (1904–1907)', in: *Journal of Namibian Studies*, 24, 2018, pp. 7-31 (28).

<sup>10</sup> DSWAZ, 'Aus Südafrika. Zur Eingeborenenfrage', 13 July 1904, p. 2. See also Erik Grimmer-Solem: 'The Professors' Africa: Economists, the Elections of 1907, and the Legitimation of German Imperialism', in: *German History*, 25 (3), 2007, pp. 313-347.

between European settlers and Africans implied that white supremacy could only be secured by force. Whites acted in a justifiable manner by responding to radicalised African combativeness with the escalation of violence. Writing brute force into the matrix of colonialism allowed settlers to deflect critical questions about the ultimate causes of the war, especially when the Social Democrats in Germany accused them of having brought the situation on themselves through their arrogant and oppressive behaviour.<sup>11</sup> Branding indigenous resistance as natural, and therefore inevitable, made a truthful and self-critical inspection of the explosive dynamics of colonial penetration unnecessary. A recurring rhetorical pattern in settler circles was to argue that it was not constructive to air dirty laundry at a moment of existential crisis.<sup>12</sup> However, normalising African militancy as the logical outcome of a clash of cultures and between superior and inferior races remained a somewhat abstract discursive exercise in the face of the ongoing unrest. Striking a tone of stoic realism was difficult to sustain while the settler community was continuously being fed with disturbing news about the war. The violence experienced by many settlers was real, but the news often tended to exaggerate the scale of atrocities by depicting Africans as “unhinged black savages and cannibals.”<sup>13</sup> Such views were often accompanied by references to historical conflicts among the different Namibian population groups, which purportedly proved their innate cruelty. The casualties among the troops were reported in minute detail and by mentioning the names of individual soldiers. The injuries were painstakingly listed in the different categories of “dead”, “seriously wounded”, and “slightly wounded”.<sup>14</sup> The relentless coverage can only have fostered the settlers’ self-perception as hapless victims of an unwarranted onslaught. A linguistic argument even contended that the Herero were racially biased and refused to acknowledge whites as genuine human beings.<sup>15</sup>

Paradoxically, the portrayal of African anti-colonial resistance as a natural and predictable response to the acknowledged “menace of the [German] yoke”<sup>16</sup> did not exempt Africans from the accusation that they had risen against the colonisers

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<sup>11</sup> See Helmut Walser Smith: ‘The Talk of Genocide, the Rhetoric of Miscegenation: Notes on Debates in the German Reichstag Concerning South West Africa, 1904-14’, in: Sara Friedrichsmeyer, Sara Lennox and Susanne Zantop, (eds.): *The Imperialist Imagination. German Colonialism and its Legacy*, Ann Arbor, University of Michigan Press, 1998, pp. 107-123.

<sup>12</sup> For example *DSWAZ*, ‘Eingesandt. Erklärung’. 18 May, p. 2. In his reader’s letter the Rhenish missionary Carl Wandres tried to shore up the reputation of the missionaries by arguing that mission work in Namibia had been too short “to tame the animal in the human being”.

<sup>13</sup> *Ibid.*, ‘Der deutsche Reichstag und das südwestafrikanische Schmerzenskind’, 11 May 1904, p. 2. On allegations of cannibal rituals among the Herero also see *ibid.*, ‘Der Aufstand’, 22 June 1904, p. 1.

<sup>14</sup> *Ibid.*, ‘Der Aufstand’, 14 September 1904, p. 1; *ibid.*, ‘Totenliste II’, 28 December 1904, p. 1.

<sup>15</sup> The *DSWAZ* claimed that the Herero word for whites, ovirumbu, meant ‘yellow things’ (*gelbe Dinger*) and amounted to a racist jibe, *ibid.*, ‘Rassegefühl’, 3 May 1904, pp. 1f.. See also *ibid.*, ‘Deutscher Reichstag’, 12 April 1905, p. 5.

<sup>16</sup> *Ibid.*, ‘Das Nächste’, 5 April 1904, p. 1.

“without any reason.”<sup>17</sup> Many German commentators bluntly admitted that the objective of colonial penetration was the disempowerment and impoverishment of indigenous communities, but the recalcitrant subjects were still stigmatised as “disloyal and dishonest.”<sup>18</sup> In an angry comment on the vociferous anti-colonial critique raised by the Social Democrats in the German parliament, the *DSWAZ* insisted that the Herero “hypocritically proclaimed friendship and peace but deviously murdered, raped, robbed and destroyed.” Thus, the Herero were guilty of refuting another natural and implicitly superior impulse behind colonisation, which was the expansionist drive (*Expansionstrieb*) of the white race.<sup>19</sup>

The Social Democrats and other critics argued that harsh trade practices had enticed Africans into debt that forced them to sell their land, which eventually incited the desperate Herero to turn to violence.<sup>20</sup> Despite sporadic and reluctant acknowledgments that isolated acts of callousness might have happened, these accusations were ritually deflected as overblown. Settler opinion encountered such charges by rejecting any criticism as the uninformed judgement of outsiders who possessed no insights into the reality of colonial relations at grassroots level.<sup>21</sup> The common belief to speak from an unrivalled authentic position as experienced practitioners of colonial rule was not without more contradictions. After the Nama leader Hendrik Witbooi unexpectedly terminated his uneasy position as an auxiliary of the Germans and entered the war in October 1904, this turn of events did not shatter the smug assertion that the settlers possessed superior knowledge of Africans and the volatile colonial environment. The breakdown of Witbooi’s relations with the Germans was described as further proof of the enigmatic character of Africans and their unbearable cheekiness (*Frechheit bis zur Unerträglichkeit*). In a farewell speech for the departing Governor Leutwein, Wasserfall echoed the conventional view that this was “not the place and the time” to discuss the causes of the war. Leutwein responded by referring to Witbooi’s break with the Germans as a completely absurd and unpredictable decision that could not possibly have arisen from justified complaints about any injustices. The German annexation of the territory was based on treaties with indigenous leaders, he argued, and was therefore legitimate. The Nama leader’s abandonment of the brittle alliance with the Germans proved that the

<sup>17</sup> As claimed by Governor Lindequist in a condescending lecture delivered to Herero survivors, *ibid.*, ‘Der Besuch der Hererowerft’, 29 November 1905, p. 13.

<sup>18</sup> *Ibid.*, ‘Die Zukunft Deutsch- Südwestafrikas’, 8 March 1904, p. 1.

<sup>19</sup> *Ibid.*, ‘Der deutsche Reichstag und das südwestafrikanische Schmerzenskind’, 11 May 1904, p. 2.

<sup>20</sup> The first South African newspaper that was mainly published in isiZulu noted (in English) that “the trouble arose out of ill-treatment of the natives at the hands of the Germans”, *Ilanga Nase Natal*, ‘The Herero Rebellion’, 27 May 1904, p. 4.

<sup>21</sup> *DSWAZ*, 19 October 1904, p. 2.

white and black races could not live equally side by side. Only the white race could be master.<sup>22</sup>

The failed attempt by the German commander, General Lothar von Trotha, to defeat the Herero on the battlefield, led to the escape of the survivors from the Waterberg area into the waterless Omaheke desert in August 1904 where many of them perished. It is difficult to find in the German colonial newspapers undiluted references to the large-scale devastation experienced by the Herero as the consequence of unrestrained violence. Von Trotha's open threats to annihilate the Herero initiated debates in South West Africa and in Germany about the repercussions for the colonial economy that could not afford to lose the much-needed cheap labour force. But more often than not, the reality of the fate of the Herero was mentioned by vague allusions to horrible circumstances that apparently were akin to a natural disaster. After the so-called *Battle of the Waterberg*, the *Windhuker Nachrichten* pleaded for dropping the rhetoric of annihilation but referred to the mass death of Hereros after the battle in hushed tones: "What had to happen, happened on 11 and 12 August at the Waterberg and during the pursuit of the enemy, who was in a state of complete dissolution."<sup>23</sup> The agency of the German military in the destruction of indigenous communities and the calls for reckless retribution that emanated from settler circles during the war were belittled or entirely glossed over. The *DSWAZ* pondered the economic future of the colony and calmly stated, "We do not know the numbers of the Herero that are still around."<sup>24</sup> In the same detached tone, *Südwest* calculated years after the war had ended, "These days, there may be three quarters of the Herero and half of the Hottentots [Nama] less in the country."<sup>25</sup> As late as 1914, the *Lüderitzbuchter Zeitung* was more outspoken. The paper skirted any reflective discussion of the past but tersely defended Von Trotha who reputedly was compelled to annihilate (*vernichten*) the Herero in the Sandveld in order to spare his own soldiers.<sup>26</sup>

<sup>22</sup> *Ibid.*, 'Der Aufstand', 7 December 1904, p. 2.

<sup>23</sup> *Windhuker Nachrichten*, 'Ein Schritt näher zum Ziel', 24 December 1904, p. 2. The paper argued that it would be political and economic folly to apply 'Vernichtung' as the physical extermination of the people instead of the destruction of the social structures of the Herero.

<sup>24</sup> *DSWAZ*, 'Keine Reservate!', 1 November 1905, p. 1. An advert for the 'suitable Christmas present' of a 'highly elegant' photo album with sixty pictures 'in memory of the Herero uprising 1904 in German South West Africa' indicates that the historical memory of the war was quickly commercialised (and surely sanitised), *ibid.*, 8 November 1905, p. 11.

<sup>25</sup> 'Zur Frage der Schutztruppen-Verminderung', *Südwest*, 30 August 1912, p. 1.

<sup>26</sup> 'Darf die Schutztruppe vermindert werden oder nicht?', *Lüderitzbuchter Zeitung*, 31 July 1914, pp. 13-14.

## Civilising the natives

Jürgen Osterhammel has argued that the trope of a European civilising mission “came to be seen as increasingly hypocritical in the decades around 1900.”<sup>27</sup> Such ideas had not lost their currency in South West Africa and were repeatedly vented during the colonial war. There were frequent hints at cultural work (*Kulturarbeit*) as the trademark of German colonialism. Cultural work was however a misnomer because it did not imply that German colonial rule in South West Africa aimed at elevating traditional African cultural patterns to a more advanced level, which was obviously measured according to European norms and values.

The idea of cultural work reverberated with European concepts of a global hierarchical racial and cultural order that legitimated white supremacy.<sup>28</sup> In effect, however, this concept was desiccated to a utilitarian notion of coerced work.<sup>29</sup> As Sebastian Conrad has pointed out, “‘Educating to work’ was an ubiquitous element of German colonial policies.”<sup>30</sup> The shallow claims to uplifting Africans through culture contact with a higher civilization grated with the inherent contradiction that the assimilation of Africans to European standards threatened to blur the racial hierarchy. Schäfer has made the important point that the concept of cultural work was therefore beset by settler “anxiety as a constantly underlying notion.”<sup>31</sup> Work was associated with instilling subordination, not merely with creating profit to the benefit of whites.

Africans earned reprimanding and contemptuous comments if they were suspected of adopting selected patterns of European culture.<sup>32</sup> During the war, the German author Alexander Kuhn published a book that praised the work of Booker T. Washington’s assimilationist strategy of improving the lives of black Americans through hard work and education, and Kuhn recommended his approach as viable for South West Africa.<sup>33</sup> In a damning review in his paper, editor Wasserfall was apoplectic. Kuhn’s prediction that indigenous Namibians would one day live in decent housing like members of the burgeoning black American middle class was received

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<sup>27</sup> Jürgen Osterhammel: *The Transformation of the World. A Global History of the Nineteenth Century*, Princeton, Princeton University Press, 2014, p. 828.

<sup>28</sup> German settlers may have been comforted by the fact that even their harshest critics in the Social Democratic Party agreed that the Herero were situated “at the most inferior stage of cultural development”, as stated by the party leader, August Bebel, in a parliamentary debate, ‘Für die weisse Farbe’, *DSWAZ*, 19 April 1904, p. 1.

<sup>29</sup> See also Andrew Zimmerman: *Alabama in Africa: Booker T. Washington, the German Empire, and the Globalization of the New South*, Princeton, Princeton University Press, 2010, p. 198.

<sup>30</sup> Conrad, *German Colonialism*, p. 93.

<sup>31</sup> Schäfer, ‘Settler Press’, p. 99.

<sup>32</sup> Zimmerman, *Alabama in Africa*, pp. 127f.

<sup>33</sup> Alexander Kuhn: *Zum Eingeborenenproblem in Deutsch-Südwestafrika. Ein Ruf an Deutschlands Frauen*, Berlin, Reimer, 1905.



with horror.<sup>34</sup> Wasserfall declared himself speechless at the mere attempt of picturing Africans living in comfortable Western-style homes. The education of Africans had to be exclusively designed to put them to menial work for whites, not to better their own lot.<sup>35</sup> In a letter to the *DSWAZ*, the farmer Schlettwein explained that dehumanising Africans actually meant to humanise them. The loss of economic independence was beneficial to Africans, he argued, because impoverishment forced them into the service of German settlers. Only then was an African “entitled to be called a human.”<sup>36</sup> Unemployed Herero could be farmed out to the South African mines.<sup>37</sup>

Such views did not go completely unchallenged among the different layers of white colonial society. The war had generated vociferous accusations against the Rhenish missionaries for their reputedly naïve assumption that an inferior race with a primitive culture was capable of understanding the Evangelical message. Some missionaries tried to defend the mission against the claim that their work undermined the colonial project.<sup>38</sup> But their detractors described school education, which was in the hands of the mission societies, as containing the seeds of anti-white solidarity.<sup>39</sup> This view was articulated in its most unambiguous form by the member of the settler deputation, Erdmann-Haris, that had visited Berlin to lobby the government for the financial compensation for war damages. In a speech at the *Hotel Kronprinz* in Windhoek, Erdmann-Haris argued that the missionaries had not succeeded in civilising the Africans. A converted African was not really a Christian, he declared, but “a perverted version of Christianity.” Moreover, civilising Africans was dangerous because instead of producing docile subjects it implanted “undigested and confused ideas of equality and human dignity” in their minds which turned them into security risks for the white settlers.<sup>40</sup> His audience repeatedly rewarded his comments with applause.<sup>41</sup>

## The view from outside

German settlers occasionally expressed the suspicion that the South African neighbour might take advantage of their distress because African refugees could drain

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<sup>34</sup> *DSWAZ*, ‘Zur Frage der Erziehung der Eingeborenen’, 26 July 1905, p. 2.

<sup>35</sup> *Ibid.*

<sup>36</sup> Cited in Schäfer, ‘Settler Press’, p. 142.

<sup>37</sup> *DSWAZ*, ‘Die Zukunft Deutsch-Südwestafrikas’, 8 March 1904, p. 1.

<sup>38</sup> See Eckl and Häussler, ‘Reflections’.

<sup>39</sup> *DSWAZ*, ‘Zur Eingeborenenfrage’, 8 November 1905, p. 1.

<sup>40</sup> *Ibid.*, ‘Vortrag des Herrn Erdmann-Haris’, 8 June 1905, pp. 2-3, 5-7. Erdmann’s lecture was also reported in the *Windhuker Nachrichten*, see Matthias Häußler: “Kultur der Grausamkeit” und die Dynamik “eradierender Praktiken”. Ein Beitrag zur Erforschung extremer Gewalt”, in: *Sociologus*, 63 (1/2), 2013, pp. 147-169 (162-163).

<sup>41</sup> *DSWAZ*, ‘Vortrag des Herrn Erdmann-Haris’, 8 June 1905, p. 7; ‘Zur Missionsfrage’, 2 August 1905, pp. 1f.

their labour and livestock from the German colony.<sup>42</sup> This fed into the view that South Africa as a more experienced coloniser could benefit from a dissolution of German power in South West Africa. The *DSWAZ* declared that world history had held court and judged the South African way of unambiguous domination of the indigenous population as the correct one.<sup>43</sup> From a white South African perspective, however, the troubles of the German neighbour raised concerns about the conflict spilling over across the colonial border to incite unrest among both indigenous and Afrikaner communities. The area along the lower Orange River had been badly shaken up during the South African War (1899-1902). The South African government nervously eyed the combination of a massive influx of soldiers into the German colony, the considerable numbers of disaffected Afrikaners working as transport riders for the Germans, and the trans-border movements of Africans as a potential security risk.<sup>44</sup> In January 1904, in the early stage of the Herero War, white South African observers expressed their hope that the Germans would succeed in the quick suppression of indigenous resistance in the neighbouring colony. News of African combatants threatening to get the upper hand of European soldiers could not have but worried white South African readers.<sup>45</sup> The *Rand Daily Mail* warned that a defeat of the numerically inferior German troops meant the humiliation of all whites in southern Africa, irrespective of the ethnic and political fault lines dividing British, Afrikaner and German settlers.<sup>46</sup> Such gloomy forecasts did not completely silence criticism of the Germans when reports of their severe methods emerged during the later course of the war. Initially, however, critical voices in South Africa often focused on the reputedly hostile behaviour of the German colonial authorities towards white British and South African subjects who were accused of selling firearms and ammunition to the rebels.<sup>47</sup> Such concerns were soon overtaken by reports that the Germans themselves had provoked the uprising with their unnecessarily harsh treatment of their African subjects. Before long the Germans were rumoured to deal "summarily

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<sup>42</sup> *Ibid.*, 1 March 1904, p. 1.

<sup>43</sup> *Ibid.*, 'Der deutsche Reichstag und das südwestafrikanische Schmerzenskind', 11 May, p. 2.

<sup>44</sup> Tilman Dederig: 'The Ferreira Raid 1906. Boers, Britons and Germans in Southern Africa in the Aftermath of the South African War', in: *Journal of Southern African Studies*, 26 (1), 2000, pp. 43-60; 'War and Mobility in the Borderlands of South Western Africa in the Early Twentieth Century', in: *International Journal of African Historical Studies*, 39 (2), 2006, pp. 275-294.

<sup>45</sup> "They are better armed, bolder in their attacks, and above all more clever in their tactics than was expected", reported the *Rand Daily Mail*, 7 May 1904, p. 10. Apprehensions about African resistance in the German colony as constituting a serious challenge to all white settlers "of whatever nationality" were also raised by *The Times*. The paper expressed its "sympathetic concern" and the hope that "a serious disaster to the German colonists" could be avoided, *The Times*, 19 January 1904, p. 7.

<sup>46</sup> 'The World's Press', *Rand Daily Mail*, 19 January 1904, pp. 6f. See also 'Damara Rising. Germans in Difficulties', *ibid.*, 14 March 1904, p. 7.

<sup>47</sup> 'Attitude of Germans', *ibid.*, 29 February 1904, p. 8.

with their prisoners by hanging them promptly on the trees."<sup>48</sup> Censorious remarks about the Germans echoed long-standing views of them as woefully inept colonisers in contrast to their better skilled British rivals.<sup>49</sup> The *Rand Daily Mail* frequently privileged, however, reports of the violence that Africans committed against the settler community in the colony.<sup>50</sup> After the brief period of the Hereros' surprisingly strong armed resistance to colonial rule had been broken by the reinforced German military, the newspaper mentioned Von Trotha's proclamation that threatened the Nama with annihilation in April 1905 but did so without further discussion of its prediction of unrestrained violence.<sup>51</sup>

Focusing on British humanitarians, Zimmermann has stated that before the First World War the campaign against the Herero and Nama provoked occasional critical remarks on German methods but more in terms of an "unfortunate outcome of colonial warfare, rather than a sign of Germany's special brutality."<sup>52</sup> More or less vague allegations of German brutality were not, however, completely absent during the colonial war. The *Bulawayo Chronicle* in Southern Rhodesia referred to "serious allegations about horrible butchery" in 1906,<sup>53</sup> and the same paper reported a year later that Von Trotha made an enthusiastic statement about violence as a given feature of colonial rule.<sup>54</sup> During the First World War, papers in other African territories would occasionally raise accusations of exceptional German cruelty. In 1915, the *Gold Coast Leader* wanted to see "the expulsion of Germany from Africa" because of their harsh colonial methods.<sup>55</sup> In the same year, the South African *Imvo Zabantsundu* stated in a somewhat ambiguous manner that the German colonial government had "set itself

<sup>48</sup> 'Arrested by Germans', *ibid.*, 10 March 1904, p. 8. On German accounts of indiscriminate hangings see for example Hartmut Bartmuß: 'Josef Bendix: Briefe und Feldpostkarten aus Deutsch-Südwestafrika Oktober 1903 bis März 1904', in: *Journal of Namibian Studies*, 19, 2016, pp. 109-122 (119).

<sup>49</sup> A good example of British ambiguous views is the benevolent assessment of German colonial endeavours as being "not of the first order" but showing "promise" by C. T. Hagberg Wright: 'German Methods of Development in Africa', in: *Journal of the Royal African Society*, 1 (1), 1901, pp. 23-38 (36).

<sup>50</sup> 'More Horrors', *Rand Daily Mail*, 19 November 1904, p. 9.

<sup>51</sup> 'Extermination? A Threat to the Namaqua. Von Trotha's Proclamation. The Fate of the Hereros', *ibid.*, 9 May 1905, p. 7. In his proclamation von Trotha asked: "Where are the Herero now?", and he demanded the capitulation of the Nama unless they were prepared to suffer the same fate. Cited in Jürgen Zimmerer: 'Krieg, KZ und Völkermord in Südwestafrika. Der erste deutsche Genozid', in: Jürgen Zimmerer, Joachim Zeller, (eds.): *Völkermord in Deutsch-Südwestafrika. Der Kolonialkrieg (1904-1908) in Namibia und seine Folgen*, Berlin, Links, 2003, pp. 45-63 (54f.).

<sup>52</sup> Zimmermann, *Alabama in Africa*, p. 178.

<sup>53</sup> 'German W. Africa. The Herero Rising. Serious Allegations about Horrible Butchery', *The Bulawayo Chronicle*, 4 August 1906, p. 5.

<sup>54</sup> 'Von Trotha Enthusiastic. A Glowing Picture', *ibid.*, 12 January 1907, p. 7.

<sup>55</sup> 'Africa and the Great War', *Gold Coast Leader*, 19 June 1915, pp. 4-5.

to a policy of extermination" against the Herero, but the paper conceded that indigenous Namibians were "a truculent and thieving race" which needed "a strong hand."<sup>56</sup> The *Bulawayo Chronicle* mentioned in 1917, albeit in a rather unemotional tone, that the Germans had decimated the indigenous population in their colony.<sup>57</sup>

After Germany lost its colonies, however, and South West Africa was handed over to the Union as a League of Nations mandate, newspapers on the African continent referred to the war in the German colony in less ambiguous terms. It is hardly surprising that English-language colonial newspapers discussed German colonial rule in very critical tones after 1918, even though they did not couch their criticism in the terminology of genocide or mass violence that defines current scholarship.

Now "Teutonic ferocious methods" came under the spotlight.<sup>58</sup> The term extermination became more widely associated with the destruction of the Herero and Nama. "It will be a long time, probably generations, before the name "Trotha" will be forgotten in SWA", stated the *Al-Moghreb Al-Aksa Tangier Chronicle and Morocco Gazette*.<sup>59</sup> The paper referred to the Blue Book as a reliable source on the brutality of the German colonisers. This report, an official documentation compiled by officers of the South African armed forces after their conquest of South West Africa, was intended to disqualify Germany as a colonial power.<sup>60</sup> The *Beira News and East Coast Chronicle* also reported on the extermination of the Herero documented in the Blue Book.<sup>61</sup> At the same time, the *Gold Coast Leader* stated that the "climax of savagery was Trotha's order for the extermination of every Herero."<sup>62</sup> The *Rhodesia Herald*, which had used a more circumspect language in its pre-First World War editions,<sup>63</sup> now openly criticised Von Trotha for his policy of extermination.<sup>64</sup> The *Uganda Herald* summarised the disappointment in Germany's colonial policies by saying that Bismarck's initial reluctance to acquire colonies had been regrettably unheeded in the 1880s. Germany's lack of civilised standards brought shame on European colonialism: "It is not always possible to distinguish, and it is inevitable that something of this

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<sup>56</sup> 'Natives and Germans', *Imvo Zabantsundu*, 7 September 1915, p. 5.

<sup>57</sup> 'German Colonies and the War', *The Bulawayo Chronicle*, 22 June 1917, p. 3.

<sup>58</sup> 'German Colonial Methods', 6 July 1918, pp. 1f., *Al-Moghreb Al-Aksa Tangier Chronicle and Morocco Gazette*.

<sup>59</sup> *Ibid.*

<sup>60</sup> 'Press Reports', *ibid.*, 6 October 1918, p. 3. On a critical evaluation of the Blue Book see Eckl, 'The Herero Genocide', pp. 36-38.

<sup>61</sup> 'German Rule in South West Africa. Blue Book Revelations', *Beira News and East Coast Chronicle*, 22 November 1918, p. 3.

<sup>62</sup> 'The Beast We are Fighting', *Gold Coast Leader*, 16 November 1918, p. 2.

<sup>63</sup> For example, 'General Von Trotha. Says Every White Nation is Interested in German Struggle', *Rhodesia Herald*, 29 June 1906, p. 5.

<sup>64</sup> 'Kultur and Colonies', *ibid.*, 8 November 1918, p. 11.

disgrace, which belongs to Germany alone, should attach itself to all the white peoples."<sup>65</sup>

When the Union of South Africa took over the former German colony as a League mandate, the Smuts government was more concerned to integrate the remaining German settlers into the dispensation rather than alienating them by reviving the memories of their genocidal war against the indigenous communities. When Governor-General of South Africa, Lord Buxton, visited the mandated territory for the first time in 1919, he told African residents at Keetmanshoop to "forget" the past and "think of the future" instead.<sup>66</sup> In 1926, the *Rand Daily Mail* referred rather coyly to "the Herero disturbances of 1903-1906."<sup>67</sup>

References to the historical memory of the colonial war adopted a sharper tone again when the rise of Nazi Germany began to disrupt international relations. The South African government, which joined the war on the side of the British and their allies against the resistance of the nationalist Afrikaner opposition, acted against Nazi activities in the mandate. Now the war against the Herero and Nama became again a reference point in South African newspapers. The memory of Von Trotha's terrible *Vernichtungs-Befehl* was resuscitated.<sup>68</sup> Concerns about the influence of Nazi propaganda on nationalist Afrikaner circles also caused anxieties that pro-German Afrikaners could indoctrinate black South Africans by painting a rosy picture of the benefits for indigenous communities under Nazi rule. After the Second World War erupted, stories about Africans as targets of Nazi propaganda made headlines. An example was the report about an Afrikaner train conductor who reputedly praised "the 'great benefits' which would accrue to the native population if only the good, kind Mr. Hitler were in control of this country."<sup>69</sup> The *Rand Daily Mail* sighed that "unfortunately, there is no one to tell him [the African person] what the benign Germans did in the way of wiping out practically the entire Herero population in South-West Africa."<sup>70</sup> At a time when a spy mania swept through the Union and thousands of German residents were interned as enemy aliens, visceral white fears of losing control of the black majority became more pronounced. South African magistrates worried about rumours among black people that claimed that Nazi Germany was winning the war.<sup>71</sup> Administrators were alerted to the importance of

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<sup>65</sup> 'Bismarck Was Right. No Colonies for the Germans', *Uganda Herald*, 19 July 1918, p. 20.

<sup>66</sup> 'Hottentots and Hereros. Lord Buxton Meets Them At Keetmanshoop. Striking and Picturesque Ceremony', *Rand Daily Mail*, 2 October 1919, p. 6.

<sup>67</sup> 'To Serve Rather Than Govern. S.-West Africa's Progress', *Rand Daily Mail*, 24 February 1926, p. 7.

<sup>68</sup> 'Germany and the Mandates II. South-West Wants Union Rule', *Rand Daily Mail*, 30 November 1938, p. 15.

<sup>69</sup> 'Nazifying the Natives', *Rand Daily Mail*, 1 December 1939, p. 11.

<sup>70</sup> *Ibid.*

<sup>71</sup> 'Subversive propaganda: Pinetown District', M.G. Fannin, Magistrate Pinetown, to Chief Magistrate Durban, 30 May 1940, National Archives of South Africa, Pretoria (NASA).

monitoring their African communities.<sup>72</sup> A livestock inspector was shocked to hear from some irate African farmers “that the Germans had us on the run until we were destroyed, then Africa would belong to the Germans and we natives would be freed from the white man like you, castrating all our bulls and interfering with our rights.”<sup>73</sup> Native Commissioners addressed huge crowds and held out the destruction of the Herero as a warning against any assumptions that the Germans could be expected to treat Africans better than the Union government. Displaying the Blue Book to his audience, a commissioner informed his listeners that “the Germans chased 60,000 Hereros into the desert to die, and to-day you can go there and see their bones.”<sup>74</sup> The author of a book on the history of German colonialism that was reviewed by the *Rand Daily Mail* was cited as confessing that “until shortly before the outbreak of this war he believed, with many other British and Americans, that the Germans were normal human beings.” But after studying German colonialism in Africa, the author claimed, he realised the extent of “the disease of German rottenness” as it manifested itself in German barbarism in South West Africa.<sup>75</sup>

## Conclusion

This article has argued that the newspapers in German South West Africa resonated with statements that reflected a propensity among settlers for extreme violence against Africans. These comments may not have called for outright mass killings. They often were dressed up in more cautious references to the need for “pushing back the black element to the benefit of whites” and were sprinkled with remarks on violence as the unavoidable by-product of colonialism.<sup>76</sup> Once the resistance of the Herero and the Nama had been broken, many observers argued in favour of oppressive measures that would not result in the counterproductive mass deaths of Africans. Häussler has insisted that the genocidal violence unfolded gradually and was not premeditated from the very beginning of the war.<sup>77</sup> Being vague about the reality of the consequences of the reputedly natural violence of colonial relations meant that the horrific implications for Africans did not have to be spelled out. But the frequent pronouncements on the need for a harsher response to African resistance reflected and created a mental space where a gradual escalation of unprecedented violence became possible – instead of drawing a clear line that should not be crossed. The genocidal

<sup>72</sup> Secretary for Native Affairs, circular ‘To all Native Commissioners throughout the Union’, 3 June 1940, *ibid.*

<sup>73</sup> J. Pedlar, Live Stock Officer, Bizana, to Magistrate, Bizana, 8 June 1940, *ibid.*

<sup>74</sup> ‘Proof of German Brutality. Photographs Shown to Natives’, *Rand Daily Mail*, 9 February 1940, p. 5.

<sup>75</sup> ‘Story of Black German Record in Africa’, *Rand Daily Mail*, 10 August 1942, p. 6. The book is: Michael Vane, *The Hun in Africa. The Aims and Methods of German Imperialism*, Johannesburg, Libertas, 1942.

<sup>76</sup> *DSWAZ*, 23 February 1904, p. 3.

<sup>77</sup> Häussler, “‘Kultur der Grausamkeit’”, pp. 147-169.

escalation of the war in 1904 could not be denied however and motivated Chancellor Bülow to insist that German methods could not involve the extermination (*Ausrottung*) of Africans.<sup>78</sup>

After German colonial rule was terminated in South West Africa, South Africa's interest in consolidating and legitimating its takeover of the territory under League supervision was reflected in the compilation of settler atrocities in the Blue Book. At the same time, the Union's own endeavours in stabilising white supremacy in South West Africa and in South Africa did not encourage too critical an exploration of the genocide in the former German colony. Searching for traces of the historical memory of the colonial war in settler newspapers, as this article has tried to do, it is difficult to argue that there was a noticeable interest in the topic after the First World War. Moreover, many of the ideas about colonial rule and white supremacy that German settlers expressed during the colonial war, continued to have currency during the post-war period. Britain went through a phase of an intensified reconstitution of its colonial empire, and this period saw South Africa grappling with its own problems of internal unrest and domestic political struggles. Some European observers continued to propagate the idea that violence in the colonies was by definition of exceptional intensity. In 1923, the military writer and historian J.F.C. Fuller declared that war against uncivilized nations "must be more brutal in type."<sup>79</sup> It was not before another world war erupted that the memory of the genocide in German South West Africa, this time openly described in terms of wholesale extermination, again became a reference point in the Union of South Africa.

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<sup>78</sup> 'Der Reichskanzler über Südwestafrika', *DSWAZ*, 18 January 1905, p. 2.

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Rand Daily Mail

Rhodesia Herald

Südwest

The Bulawayo Chronicle

The Times

Uganda Herald

Windhuker Nachrichten

# The Concentration Camp on Shark Island near Lüderitz

## Chances and perspectives of archaeological surveys in colonial structures

Katja Lembke

### Introduction

In Germany, concentration camps are usually associated with the persecution of the Nazi regime during the 1930s and 1940s. Yet the first concentration camps on the African continent were established in South Africa, where the British commander Lord Kitchener ordered the internment of thousands of Boer women and children during the Second Anglo-Boer War from 1899 to 1902.<sup>1</sup> The German word *Konzentrationslager* was first mentioned in a telegram from Reich Chancellor von Bülow to Lothar von Trotha, the governor of what was then German South West Africa, on December 11, 1904 to designate internment and collection camps for the indigenous population.<sup>2</sup> They were installed for control, to prevent uprisings, for education, to civilise Africans, and for labour recruitment. In the concentration camps, prisoners were forced to do hard, mostly unpaid work without regard to age, gender or physical constitution. A large number of the internees did not survive the camps.

In 2022, a cooperative project of the Landesmuseum Hannover and the Institute for Geosciences at Kiel University was dedicated to the concentration camp of the first German *Schutzgebiet* (protectorate).<sup>3</sup> Lüderitz was founded in 1884 and is still characterized by buildings from the colonial era. A memorial near the harbour pays tribute to the founder Adolf Lüderitz, a merchant from Bremen. The negative side of German rule, on the other hand, is not visible at first glance: And yet, on Shark Island, located directly in front of the town and connected to the mainland first by a bridge and since 1908 by a dam, a concentration camp existed during the colonial period, in which Herero and Nama were crammed into a very small space. Due to exceedingly

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<sup>1</sup> Elizabeth van Heyningen: *The Concentration Camps of the Anglo-Boer War: A Social History*, Auckland Park, Jacana, 2013; Jonas Kreienbaum: *'Ein trauriges Fiasko'. Koloniale Konzentrationslager im südlichen Afrika 1900-1908*, Hamburg, Hamburger Edition, 2015.

<sup>2</sup> Kreienbaum: *Fiasko*, pp. 74-75.

<sup>3</sup> For a detailed publication in German see Katja Lembke, (ed.): *Die Haifischinsel. Das erste deutsche Konzentrationslager*, Oppenheim am Rhein, Nünnerich-Asmus, 2023.

poor hygiene and inclement weather conditions, up to 3,000 people died there.<sup>4</sup> Some of the human remains, especially skulls, were brought to Germany for research purposes.<sup>5</sup>

The task of finding out more about the structure of the camp on Shark Island, declared a National Heritage Site of Namibia in 2019, and to study its history in an interdisciplinary project with archaeologists, geophysicists, and historians, was the starting point for investigations, which included a survey at the site from May 29 to June 13, 2022. Today, there is a campsite in the northern part of the peninsula and the harbour in the southeast. Intensive development has been taking place along the Inselstrasse (island street) since the turn of the millennium, which is why some buildings from the colonial period in the southern part of the island are probably irretrievably lost.

Until recently Shark Island did not get much public attention as a *lieu de mémoire* (Pierre Nora).<sup>6</sup> But on April 22, 2023, the anniversary of Lothar von Trotha's proclamation to the Nama in 1905, a memorial for the Nama and Herero who died in the concentration camp was finally erected. This event also received a lot of attention in Germany.<sup>7</sup>

## Research to date

The history of the first concentration camps in former German South West Africa has only come into the public eye in recent years. In 1966, the GDR historian Horst Drechsler was the first German to refer to the camps, but he only mentioned that many people had died there.<sup>8</sup> The scientific reappraisal of the camp on Shark Island

<sup>4</sup> Kreienbaum calculates that 1203 interned Nama died between mid-September 1906 and March 1907 alone, (Kreienbaum: *Fiasko*, p. 126). According to Erichsen, there were at least 2907 prisoners who died on Shark Island (Casper W. Erichsen: *'The angel of death has descended violently among them': Concentration camps and prisoners-of-war in Namibia, 1904-1908*, Leiden, African Studies Centre, 2005, p. 132).

<sup>5</sup> Christian Fetzer: 'Rassenanatomische Untersuchungen an 17 Hottentottenköpfen', in: *Zeitschrift für Morphologie und Anthropologie*, 16 (1), 1913, pp. 95-156; for the postcolonial discussion cf. Holger Stoecker, Andreas Winkelmann: 'Skulls and skeletons from Namibia in Berlin: results of the Charité Human Remains Project', in: *Human Remains and Violence*, 4 (2), 2018, pp. 5-26 and Claudia Andratschke: 'Geschenkte Schädel. Menschliche Überreste aus Namibia im Provinzialmuseum Hannover', in: Katja Lembke, (ed.), *Die Haifischinsel. Das erste deutsche Konzentrationslager*, Oppenheim am Rhein, forthcoming. Lars Kraume's movie *Der vermessene Mensch* (Germany, 2023) also focuses on the acquisition of skulls for racial research in former German South-West Africa.

<sup>6</sup> For the role of Shark Island in Namibia's remembrance history cf. Fabian Lehmann: 'A Place of Eclectic Remembrance: The Former German Concentration Camp on Namibia's Shark Island', in: *Journal of Namibian Studies*, 26, 2019, pp. 29-50.

<sup>7</sup> E.g. Tagesschau, 22. April 2023, <https://www.youtube.com/watch?v=IFLMk4cyqZ8>.

<sup>8</sup> Horst Drechsler: *Südwestafrika unter deutscher Kolonialherrschaft: Der Kampf der Herero und Nama gegen den deutschen Imperialismus (1884-1915)*, Berlin, Akademie, 1966; idem:

began after the turn of the millennium with Casper W. Erichsen.<sup>9</sup> His publications were primarily based on, challenging research into, documents in the Namibian archives.<sup>10</sup> Also fundamental to the project were the research results of Jonas Kreienbaum.<sup>11</sup> He focussed on the comparison of the concentration camps in British South Africa and in German South West Africa, but he also corrected Erichsen's theory of *Kaiser's Holocaust*<sup>12</sup>: According to Kreienbaum, an extermination of the Herero and Nama was intended by individuals such as, above all, Lothar von Trotha, the commander of the *Schutztruppe* in 1904/05, but could not be generalised.<sup>13</sup>

Fig. 1: Ercan Erkul, Erman Lu and Simon Fischer during radar measurements in the beach area. (Photo: K. Lembke, 2022)



*Aufstände in Südwestafrika. Der Kampf der Herero und Nama 1904 bis 1907 gegen die deutsche Kolonialherrschaft*, Berlin, Dietz, 1984.

<sup>9</sup> Casper W. Erichsen: 'Zwangsarbeit im Konzentrationslager auf der Haifischinsel', in: Jürgen Zimmerer, Joachim Zeller, (eds.): *Völkermord in Deutsch-Südwestafrika: Der Kolonialkrieg (1904–1908) in Namibia und seine Folgen*, 3rd ed., Berlin, Links, 2016, pp. 80-85; Erichsen: *Angel*, pp. 65-145; Casper W. Erichsen, David Olusoga: *The Kaiser's Holocaust. Germany's Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber & Faber, 2010, pp. 207-230. The term 'Todesinsel' (island of death) was coined by Johannes Spiecker in a letter to the president of the Nama Mission of the Rhenish Missionary Society, Tobias Fenchel, on 8 May 1905, cf. Kreienbaum: *Fiasko*, p. 126.

<sup>10</sup> 'The task was not straightforward, however, because files dealing with the administration of the concentration camps, a task that befell the German Army, no longer existed' (Erichsen: *Angel*, p. XVI).

<sup>11</sup> Kreienbaum: *Fiasko*.

<sup>12</sup> Erichsen, Olusoga: *Holocaust*.

<sup>13</sup> Kreienbaum: *Fiasko*, pp. 65-69; 121-132.

## Method

Unlike previous studies, which were based on the evaluation of text material, this project was primarily aimed at documenting the remains on Shark Island itself. In Germany and Austria, archaeology has been increasingly used as a tool for analysing the culture of remembrance in recent years, for example in the former concentration camps of Bisingen, Sachsenhausen, Mauthausen, or Columbia.<sup>14</sup> In southern Africa, however, investigating the concentration camps with archaeological methods is a new experience.

Measurements were taken using ground-penetrating radar (GPR) to map [building] structures below the surface (fig. 1). This method allows the non-destructive exploration of a site without extensive excavation. It was carried out especially on the shallow subsoil of the campsite. In the rocky area of the island, the structures still visible above ground were surveyed with GPS (fig. 2).

Fig. 2: Wolfgang Rabbel and Katja Lembke measuring the first lighthouse from 1903 with GPS. (Photo: Erman Erkul, 2022)



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<sup>14</sup> Reinhard Bernbeck: *Materielle Spuren des nationalsozialistischen Terrors. Zu einer Archäologie der Zeitgeschichte*, Bielefeld, transcript, 2017.

The open areas between the rocky humps of Shark Island, where the prisoners lived, are now covered by a 1 to 2 m thick layer of sand and gravel, on which the campsite's pitches, paths, and buildings are located. In order to obtain clues about camp remains and the former topography, all open spaces and paths were surveyed closely with ground penetrating radar in a close-mesh method, that is, the areas were covered with measuring profiles at 30 cm intervals in order to also record smaller structures such as fireplaces or small cairns. 1850 profiles with a total length of 37 km were surveyed. A GSSI dual-frequency radar apparatus with 300 and 800 MHz main frequencies was used for the measurements. The structural resolution of the radar images from the bottom and from inside the sand layer is 10 cm. A total of 11.5 gigabytes of measurement data were recorded. Initial quality checks on site revealed that numerous structures can be identified, but their possible meanings still need to be clarified through more detailed analyses and image comparisons.

Other important tools for locating and mapping the buildings were photographs and maps from the colonial period as well as a British sketch map of the native hospital from 1915 or later.<sup>15</sup> Within the framework of this project, the photo album of the German Lieutenant von Düring in the Sam Cohen Library in Swakopmund was also analysed<sup>16</sup>; He visited Shark Island in October or November 1905 as part of Lothar von Trotha's entourage.

## Short description of the site

Shark Island, the former Haifischinsel, is situated in Lüderitz Bay (fig. 3). The island's first European name was Star Island. This was the name given by British Captain Alexander when he came to this stretch of land on an expedition in 1795. Early reports recorded that the sea at this spot was full of sharks, from which the name, still in use today, is derived. It is a small rocky island with a length of about 1,700 metres and a maximum width of 330 metres. Its area of less than 32 hectares stretches from north to south. In 1908, the Germans connected it to the mainland with a causeway to prevent it from falling into British hands, which claimed all the islands for themselves.

Surrounded by sea on all sides, Shark Island provided an ideal place to control the rebellious Herero. The waters of the Atlantic Ocean are no warmer than 15 degrees, even in summer, which made escape by sea impossible; Moreover, the internees came from the hinterland and were not able not swim. But the rocks offered little protection from wind and weather: A stiff and cold breeze from the sea sweeps over the island all year round (fig. 4). Another unpleasant aspect is the sea mist, which settles into clothing with its moisture and leads to hypothermia. In addition, there was no possibility of growing food or keeping livestock on the barren rocks.

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<sup>15</sup> Many documents were researched and made available to the project by Emma Haitengi (UNAM). We owe further information to Werner Hillebrecht.

<sup>16</sup> Many thanks go to Nadine Kohlstädt and Martin Amedick for their kind cooperation.

Fig. 3: A panoramic photograph in the Lüderitz Museum from 1905 showing Shark Island in the background. (Photo: K. Lembke, 2022)



Fig. 4: View over the northern part of the island where the concentration camps for Herero and Nama were located between 1905 and 1907. (Photo: K. Lembke, 2022)



Between 1905 and 1907, the German colonists established a concentration camp on the 'Haifischinsel', initially only for Herero, but later also for Nama people. The northern part of the island, that is, the area where the prisoners were housed, is today occupied by a campsite. On the south side of this camping area is a memorial to German soldiers with a stone monument to Adolf Lüderitz, who acquired the first German *Schutzgebiet* in 1884 (fig. 5). It was donated by the Senate of the Free Hanseatic City of Bremen in 1953. There is also a small undated plaque for the first pioneer Heinrich Vogelsang, who signed the contract of sale of Angra Pequena, as the bay was then called, with the Nama leader Joseph Fredericks on behalf of Lüderitz on May 1, 1883. Lüderitz hoped that the acquisition would lead to the discovery of mineral resources. He was not to live to learn that he had actually bought one of the richest diamond deposits on earth, for in 1886 he disappeared on an expedition to the Orange River.<sup>17</sup> In the same year, the settlement was renamed Lüderitzbucht in his memory.

Fig. 5: Where the Nama camp once stood, there are now memorials to the founder of Lüderitz and to German soldiers who died in Lüderitz. A memorial stone for Cornelius Fredericks and his extended family indicates that hundreds of Nama died at this place. (Photo: K. Lembke, 2022)



<sup>17</sup> It was not until 1908 that the railway worker Zacharias Lewala found the first diamond, which led to an enormous boom in Lüderitz.



The memorial to the German soldiers comprises several gravestones with the individual names arranged in a semicircle (fig. 5). These are the “Gebeine der Toten vom alten Friedhof Nautilus” (bones of the dead from the old Nautilus cemetery), which were transferred to this site in 1976, as indicated by another inscription on a stone monument with a cross in the uppermost area of the site.<sup>18</sup> To the south near the entrance of the campsite, finally, there is a memorial to Cornelius Fredericks, who died here along with 167 Nama men, 97 women, and 66 children (fig. 5).<sup>19</sup>



Fig. 6: The map of Lüderitz, published in 1910, was compiled over a long period of time. The information is mainly based on the situation in 1905 and 1906.

Source: National Archive of Namibia inv. no. MAP06207

<sup>18</sup> During the reburial there had been great unrest and refusal to work among the natives, reported Gisela Schmidt (personal communication to Katja Lembke, 6.6.2022): The bodies of the Germans had been mummified by the high salt content, i.e. hair, beards as well as the bodies themselves had been preserved very well and appeared lifelike. Even the fingernails had grown back, which added to the horror.

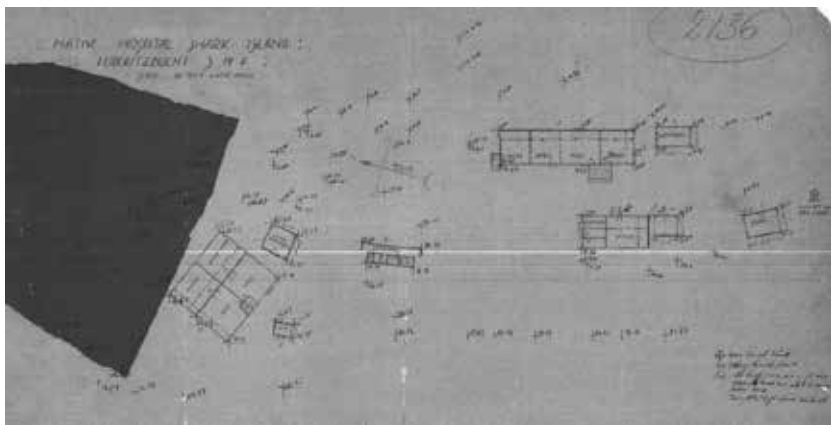
<sup>19</sup> This list was reported by Edward Fredericks, Joseph’s son; cf. Erichsen: *Angel*, pp. 121-122.

Only one map of the area is known from the time of the concentration camp, which was published in 1910 (fig. 6). It proved to be unreliable, however, because neither the outlines of Shark Island correspond to the actual conditions nor is the extent of the camp correctly indicated. Apparently, the cartographer was unable to enter the restricted military area on the island at the time in order to survey it in detail.

Following the conquest of Lüderitz by the British shortly after the outbreak of the First World War, a detailed survey of the native hospital on the island was carried out (fig. 7). Its exact location, however, was not indicated. During the survey in 2022, the remains were documented for the first time. Obviously, the northern area of Shark Island had not been used until the campsite was established. In the southeast, the harbour was built on alluvial land. Also in the south, a hospital was built in 1911/12, which is now used by the Ministry of Fisheries.

Since 2003 there has been increased construction activity on Shark Island, especially in the west and south of the island, which is why the project probably offered a last chance to document structures from the colonial period.

Fig. 7: This scaled plan of the native hospital was probably made shortly after the conquest of Lüderitz by British troops. Obviously, the buildings were still very well preserved. In addition, the naming of the individual rooms indicates that they were still in use after the concentration camp was abandoned in 1907 (Source: National Archive of Namibia inv. no. MAP02913).



## The installation of the concentration camp

The first references to the concentration camp and to a major prisoner transport from Keetmanshoop date back to March 1905, only a few weeks after the order from Berlin

to establish such camps.<sup>20</sup> At that time, Germany was in a state of war with the Herero in the north. There were several reasons for sending the rebels and their families to this inhospitable place far from their tribal lands: On the one hand, it was about cheap labour to be used in the port of Lüderitz, but on the other hand, it was also about controlling the Herero, because here they had no support from their fellow tribesmen.

Already in the first months it became clear how fatal the decision had been to set up a camp at this location.<sup>21</sup> At the end of May 1905, missionary Heinrich Vedder reported that 59 men, 59 women and 73 children had died on Shark Island. Probably 400 to 500 people were living here at that time. Nevertheless, the flow of deportees did not stop: In June 1905, another 280 Herero arrived in Lüderitz. When the missionary August Kuhlmann visited the island at the end of July 1905, he was received by Samuel Kariko – a so-called evangelist, as the local staff of the Rhenish Missionary Society were called – and led to 487 captured Herero living at the northern tip of the island. Another transport reached Shark Island in December, when the first preparations for the construction of the southern railway from Lüderitz to Keetmanshoop began.

To get an idea of what the Herero suffered on the island at that time, the report written by August Kuhlmann for the Rhenish Missionary Society on August 10, 1905 is suggested.<sup>22</sup> Not only adults, but also children were forced to work all seven days of the week. The German overseer expected young girls to perform sexual acts, and if they refused, they were made to do heavier work. The prisoners' accommodation was particularly poor:

Die ganze Insel besteht nur [aus] kompakten Felsmassen, die nur hin und wieder eine dünne Schicht von Sand u. Erde aufweisen. Den Leuten ist somit die Möglichkeit genommen, Stangen oder Bretterabfälle zur Herichtung einer Hütte in die Erde zu arbeiten. Man findet daher nur hin u. wieder eine notdürftige Hütte, deren Stützen lose zusammengestellt, bei stärkerem Wind umgeworfen werden. Aus diesem Grunde legen sie meist etliche Holzstücke schräg an die Felswand, die sie dann mit Säcken bedecken. Letztere stehen ihnen aber nicht genügend zur Verfügung u. so bieten die Hütten einen mehr als trostlosen Anblick. Andere wohnen sogar unter freiem Himmel in der ihnen ganz ungewohnten naßkalten Seeluft, deren nachteilige Wirkung auf die notdürftig bekleideten Körper durch scharfe kalte Winde noch erhöht wird. Wieder andere betten sich zwischen die Felsspalten. Als Unterlage haben sie meist einen Sack u. zur Bedeckung wird ihnen – eine Decke geliefert! Dies alles war für die im Kriege abgehetzten und abgemagerten Herero zu viel, zumal man von Swakopmund, wie man in L Bucht [i.e. Lüderitzbucht] sagt, die schwächsten geschickt hatte. Die Folge war ein furchtbares Sterben, im Anfang

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<sup>20</sup> Ibid., p. 73.

<sup>21</sup> Ibid., pp. 73-75.

<sup>22</sup> Eckl, Häussler: 'Bericht'.

sind (...) in jeder Woche 25, 20, 15 Gefangene gestorben. Begraben wurden die Toten von den Soldaten u. die Hereros wußten nicht, an welchem Ort. (...) Bei der mangelhaften Kleidung, den traurigen Wohnungs- u. Schlafverhältnissen mußten die Leute auch zugrunde gehen. Dazu die schwere Arbeit, die vielfach herzlose Behandlung von Seiten der Aufseher u. die schlechte Versorgung der Kranken, um die sich kein Mensch kümmerte, ja der Aufseher soll ihnen oft Wasser u. Kost verweigert haben. (...) Die große Sterblichkeit wurde auch noch durch einen andern Umstand begünstigt. Das ist die furchtbare Unreinlichkeit an den Wohnstätten der Kranken, die fast ausschließlich an starker Verdauungsstörung leiden. Im Anfang der Krankheit entfernen sich die Leidenden bei den Verrichtungen ihrer Bedürfnisse genügend weit, dies ist bei der zunehmenden Schwäche aber nicht mehr möglich u. so bleibt all der Unrat in dem Lager. Der intensive Geruch in dem unterem Teil des Lagers wirkte bei meinem ersten Besuch der Kranken derart auf die Nerven u. weiter auf mein Inneres, dass ich gleich ein großes Unbehagen im Körper empfand u. mich gezwungen sah, meinen Besuch abubrechen. (...) In einer solchen Pestluft liegen nun die Kranken u. mit ihnen auch Gesunde. Von einer unbedingt notwendigen Desinfizierung ist absolut keine Rede.<sup>23</sup>

The missionary was deeply shocked by the following impressions:

Diese letzte Mitteilung ist erschreckend, aber was ich an dem Ort der isoliert wohnenden Pockenkranken sah, übersteigt alles Gesagte, und übersteigt die Grenzen der Vorstellung für einen, der es nicht selbst schaute. Mir krampfte sich buchstäblich das Herz zusammen. Von dem Lager der übrigen Gefangenen kommend, übersteigt man erst eine kleine Felswand, dann folgt eine Senkung, durch die bei Flutzeit das Meerwasser spült u. alsdann schlecht passierbar ist. Dann folgt wieder eine kleine Felserrhöhung. Hier wohnen die Pockenkranken, bei der Flut hart von den Wellen umspült; unter sich den nackten harten Felsen, über sich den freien Himmel. Als Lager haben sie einen Sack u. zur Bedeckung eine ! Decke. Ein Anblick zum Erbarmen u. zum Ergrimmen zugleich.<sup>24</sup>

The corpses of the smallpox patients were burned, much to the displeasure of the missionary, while:

Leichen anderer Toten hin u. wieder der Kopf abgetrennt werden mußte u. zu wissenschaftlichen Zwecken nach Berlin gesandt würde. (...) Hier will ich nun kurz die Ursachen des furchtbaren Sterbens aufführen 1) die Strapazen im Kriege u. die Abmagerung in demselben. 2) Es wurden von S'Mund [i. e. Swakopmund] fast ausschließlich die Schwächsten gesandt. 3) das ungewohnte Klima, die naßkalte Luft. 4) ungenügende Kleidung.

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<sup>23</sup> Ibid., pp. 135-136.

<sup>24</sup> Ibid., p. 137.

5) ungenügende Wohnungen. 6) ungenügendes Nachtlager (eine Decke, nach Bestimmung). 7) die ungewohnte schwere Arbeit. 8) Unreinigkeit des Platzes u. die verpestete Luft. 9) fehlende Pflege der Kranken.<sup>25</sup>

This report, as horrifying as it is to read, is both detailed and informative. We learn not only about the miserable conditions the internees suffered, but also about the topography of the camp. The smallpox patients were apparently housed on a rock at the northernmost point of the island (fig. 8). The isolation arrangement was correct as the disease was highly contagious. But a vaccine against this illness existed already in the 19<sup>th</sup> century.<sup>26</sup> Equipped with only a sack and a blanket, however, the infected could hardly recover on the small spot surrounded by water and strongly exposed to the wind, so that many prisoners died from this comparatively harmless disease. We also learn from Kuhlmann's report that in 1905 there was neither an infirmary nor a lavatory in the camp, although people suffered from severe stomach upsets and diarrhea.

Fig. 8: On the small offshore island to the right, the infected were isolated without protection in 1905. At low tide it was directly connected to the Herero camp. (Photo: K. Lembke, 2022)



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<sup>25</sup> Ibid., p. 138.

<sup>26</sup> The vaccination was mandatory in the German Reich since 1874, cf. Silvia Klein, Irene Schöneberg and Gérard Krause: 'Vom Zwang zur Pockenschutzimpfung zum Nationalen Impfplan. Die Entwicklung des Impfwesens vom Deutschen Kaiserreich bis heute', in: *Bundesgesundheitsblatt*, 55, 2012, pp. 1512-1523 (1512-1513).



Fig. 9 (left): The beacon with keeper's house was built by the Germans in 1913 shortly before the First World War and restored in 2022. (Photo: K. Lembke, 2022)

Fig. 10 (right): With the support of the Gerda Henkel Foundation, the archaeological remains were recorded in June 2022. This was a cooperative project between the Landesmuseum Hannover and the Institute for Geosciences at the University of Kiel under the direction of Katja Lembke and Wolfgang Rabbel. Numerous underground and above-ground structures were measured and photographically documented. (Map: W. Rabbel)



The island was under military control, which strictly limited access to the camp. Only a few missionaries managed to get permission to visit. Therefore, there are hardly any other sources that describe or depict life in the concentration camp. A report of a transport driver from spring 1905 shows, however, how the prisoners were treated outside the camp:

I have seen women and children with my own eyes at Angra Pequena [i.e. the original name of Lüderitzbucht], dying of starvation and overwork, nothing but skin and bone, getting flogged every time they fell under their heavy loads. I have seen them picking up bits of bread and refuse food thrown away outside our tents (...) ... most of the prisoners, who compose the working gangs at Angra Pequena, are sent up from Swakopmund. There are hundreds of them, mostly women and children and a few old men... When they fall they are sjamboked by the soldier in charge of the gang, with his full force, until they get up. (...) The women had to carry the corpses and dig the hole into which they were placed. They had no burial ceremony of any kind ... The corpse would be wrapped in a blanket and carried on a rough stretcher... I have never heard one cry, even when their flesh was being cut to pieces with the sjambok. All feeling seemed to have gone out of them (...) At the end, when they untied [an unnamed Kaptein] ... they made him totter for a mile to the hill where he was to be hanged. There is a big iron beacon there, on which they had made a platform. They put a rope over the beacon, he climbed up, put the noose round his neck himself and jumped off... Practically the whole town turned out to see his execution. You could see it from a long way off, as it took place on the hill. A lot of people went out into the bay in boats to see it. And that was the end of him. This is only a sample of what is going on at Angra Pequena.<sup>27</sup>

An execution is described here, for which the beacon of Shark Island served as gallows. Built in a prominent position on the northernmost of three hills, the terrible spectacle could also be seen from Lüderitzbucht. However, it was not identical with the stone building of today (fig. 9). The first lighthouse was already built in 1903 before the installation of the concentration camp. It was made of iron and had a height of 32.80 m above sea level. This beacon did not have a keeper's house. During the survey in June 2022, the base of this building was documented for the first time (fig. 10).

How did the prisoners get to the island and where did they come from? Several photographs in the Sam Cohen Library Swakopmund show the embarkation of captured Herero to Lüderitzbucht (fig. 11). While neither the date of the photographs nor the names of the photographers are known, they clearly show that not only rebellious men, but also many women and children were taken to Shark Island. Rumours had already spread in Swakopmund about the disastrous conditions in the

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<sup>27</sup> Erichsen: *Angel*, pp. 78-79.

camp, so there was fear and panic when the destination of the trip became known. The missionary Heinrich Vedder described such a scene among a group of prisoners lined up for deportation on the beach at Swakopmund.<sup>28</sup> Shortly after they were told that they were to be sent south, one of the Herero fell to the ground and bled profusely from the neck. According to Vedder, the prisoner had put his fingers in his throat to take his own life instead of going to Lüderitz.<sup>29</sup> Others tried to escape to avoid the terrible fate on Shark Island.

Fig. 11: This photo shows the embarkation of captured Herero in Swakopmund. Their destination was the concentration camp on Shark Island. (Source: Sam Cohen Library Swakopmund, inv. no. A-00H-1192)



Besides the pictures from Swakopmund, only a few shots of the concentration camp itself still exist today. They come from the photo album of Lieutenant Arbogast von Düring, who visited the island at the end of 1905 in the entourage of the outgoing governor Lothar von Trotha.<sup>30</sup> But unlike the missionary Kuhlmann, who had been deeply moved by the terrible conditions on the island, Düring's pictures show the view

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<sup>28</sup> Ibid., p. 76.

<sup>29</sup> Ibid.

<sup>30</sup> The album is now in the Sam Cohen Library Swakopmund, for the reproductions and publication permission I thank Nadine Kohlstädt and Martin Amedick warmly.



of a superior master race: Women are forced to pose naked in front of the camera; men, women and children squat or lie on the ground like cattle, probably Düring himself standing among them (fig. 12). One picture is particularly insightful (fig. 13): On the one hand, it shows that the visit of missionary Kuhlmann had obviously had an effect and that the people were now provided with several blankets and that the living conditions had thus improved somewhat. Additionally, the picture gives us clues about the position of the Herero camp. It was located in the north of the island where people were somewhat protected from wind and weather. Today, this area is part of the campsite (fig. 14). Another picture (fig. 15) shows some Herero on the beach. The topographical situation of this picture was also reconstructed in June 2022 (fig. 16).

Fig. 12: In the pose of a "Herrenmensch", a German soldier, probably Lieutenant Arbogast von Düring, is photographed in the midst of some Herero POW's covering on the ground. (Source: Sam Cohen Library Swakopmund, Düring album, inv. no. PA 08/139)

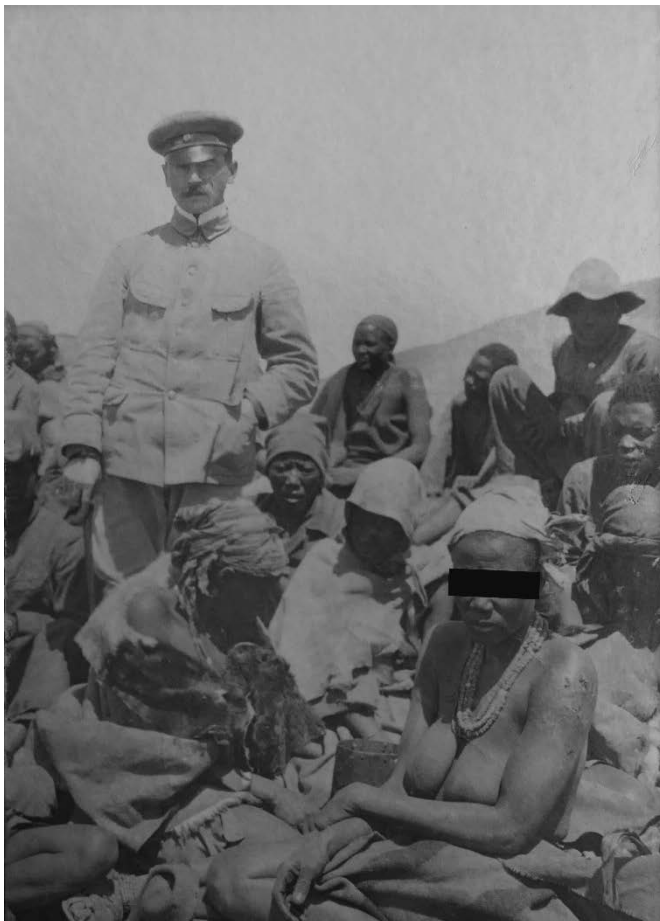


Fig. 13: A photograph taken during Lieutenant von Düring's visit to Shark Island shows the situation of the Herero camp at the end of 1905. (Source: Sam Cohen Library Swakopmund, Düring album, Inv. Nr. PA 08/143)



Fig. 14: The area where the Herero camp was located between 1905 and 1907 is now part of a campsite. (Photo: K. Lembke, 2022)



Fig. 15: Another photograph from the Düring album shows Herero who have erected tents on the beach with a few blankets and wooden stakes. (Source: Sam Cohen Library Swakopmund, Düring album, inv. no. PA 08/141)



Fig. 16: During the 2022 survey, the location of the photograph in fig. 15 was reconstructed. (Photo: K. Lembke, 2022)



In the first year of its existence, the situation on Shark Island may be described as the continuation of genocide by other means. Although Lothar von Trotha had been ordered by the Kaiser from Berlin to rescind his extermination order of the Herero, there was no question of humanity in the camp on Shark Island. Rather, one gets the impression that the people were abused as labour and then left to their doom. On November 19, 1905, Lothar von Trotha left German South West Africa for good. This also marked the beginning of a new era in the camp on Shark Island.

### **The camp under Friedrich von Lindequist**

On December 1, 1905, the new governor Friedrich von Lindequist called on the Herero to surrender "ehe es zu spät ist" ('before it is too late').<sup>31</sup> His main intent was peace, but the concentration camps continued to play an important role to reach this goal. As a consequence: no abolition of the camps, but better living conditions for the internees. They now received a small compensation ("eine kleine Belohnung"), for their work, and the living conditions were also improved. The results of this new policy can still be observed at site.

Fig. 17: After the outbreak of the war against the Nama, another concentration camp was established on Shark Island, separated from the Herero who were enemies with them. A photo, probably from 1906, shows the overcrowded situation. (Source: National Archive of Namibia inv. no. 09780)



<sup>31</sup> German Federal Archive R 1001/2119.

A picture from 1906 shows another camp (fig. 17). The location is south of the Herero camp photographed by Lieutenant von Düring in November 1905, that is, roughly in the area of the monuments to the founder of Lüderitz and the deceased German soldiers (fig. 5). A map that the missionary Emil Laaf sketched of Lüderitzbucht and Shark Island in October 1906 helps to identify this area as the Nama camp (fig. 18).<sup>32</sup> The Herero continued to be housed on the northern tip of the island, and in the southern part of the island Laaf noted Lazarette (hospitals). The map also shows that the Germans were careful to separate the hostile Herero and Nama. Probably the establishment of two camps, just as in Windhoek, was intended to achieve "Friedensarbeit" (peace work).<sup>33</sup>

Fig. 18: On a sketch the missionary Emil Laaf recorded the topography of the town in October 1906. It shows that there were three areas on Shark Island, separated from each other: in the north the Herero camp, south of it the Nama camp and in the southern part of the island several military hospitals. (Source: Erichsen 2005, 110 fig. 2.1)



Even though the conditions had improved only somewhat, the prisoners were now provided with proper tents instead of the poorly blankets thrown over a wooden pole. In the background of fig. 17 there are some barracks, which were probably dwellings made of corrugated iron, as wood was scarce in this region. It is also striking that, unlike the photographs of Lieutenant von Düring, almost only men are visible due to

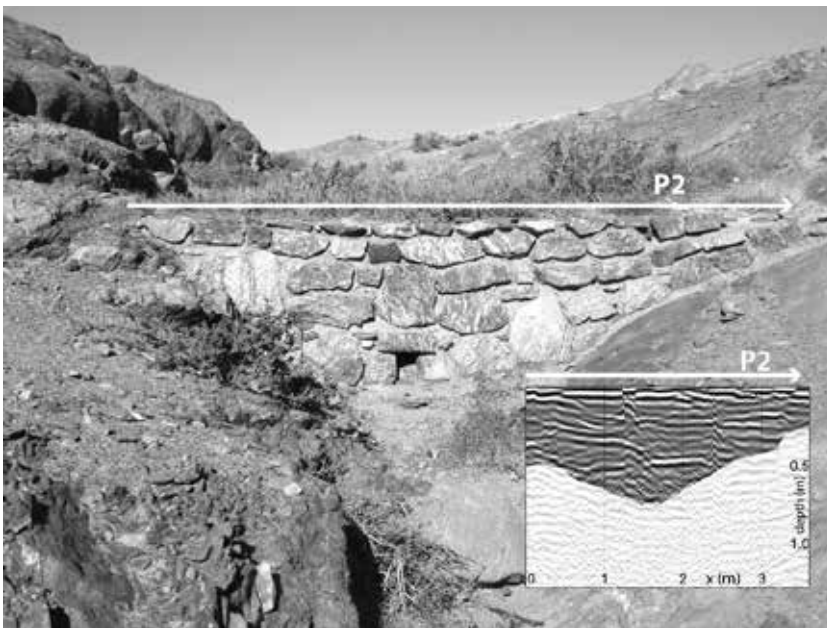
<sup>32</sup> Erichsen; *Ange*, p. 110 fig. 2.1.

<sup>33</sup> *Ibid.*, p. 34.

the different treatment of the internees: While the Herero had to do labour service on the mainland, the Nama men were not allowed to leave the island; women and children, however, were forced to work in Lüderitz or in railway construction.

A major challenge was the water supply for at times more than 1,000 people who were interned on the island at the same time. The Herero had the possibility to supply themselves with water while they were working, but among the Nama only the women were allowed to fetch water from the mainland.<sup>34</sup> In the photo of the Nama camp (fig. 17), however, there are jerry cans stored in the east of the island, and some men descend into a ravine with them. But where did they get the water from?

Fig. 19: During the 2022 survey, several dams were discovered and documented. Obviously, they were used to collect rainwater (fig. 10). With the help of GPR, their depth and capacity could be determined. However, rainfall in this region is low and mainly in spring, so the reservoirs are unlikely to have covered the basic supply. (Photo and GPR section: W. Rabbel)



In June 2022, we found the source: On the eastern side of the island, there are still remains of several dams, with the help of which the rainwater could be collected in basins (fig. 19). Even though Lüderitz has an average of only about 6 rainy days with less than 50 mm of rainfall per year, the construction of dams seems to have proved its worth, for there is also a large basin in the town next to the Protestant church

<sup>34</sup> Kreienbaum: *Fiasko*, p. 136.

(fig. 20). Since August Kuhlmann did not report such facilities in 1905, it can be assumed that they became necessary with the internment of numerous members of the Nama. The dams were probably erected at the beginning of the rainy season in 1906.

Fig. 20: Another large dam was built next to the Protestant church of Lüderitz, as this postcard dating to 1912-1914 shows. (Source: W. Rabbel)



Around the same time, the construction of the southern railway line from Lüderitz to Seeheim began so as to counter the supply difficulties in the interior, especially the lack of fresh water. The rails came directly from Germany and were brought into the country via the port of Lüderitz. Some of them were also used to build a fence to the south of the concentration camp on Shark Island (fig. 10).

A map of Lüderitz published in 1910 gives further clues to the topography (fig. 6): No. 1 indicates a *Gefangenenkraal* (prison kraal) at the northern tip of Shark Island. This can only be the Herero camp, so the situation corresponds to the status in 1905. The same applies to the wooden bridge (no. 6): Since 1908, a dam connects Shark Island with the mainland. No. 43 is a *Gestrandeter Engl. Dampfer* ('stranded English steamer'); this refers to the HMS Dunbeth, which was shipwrecked near Lüderitz on June 6, 1906 – so the entry was made after this date. Further clues result from the entries *Bahnhof Lüderitzbucht* ('Lüderitz station') (No. 35) and the *Bahn n. Kubub*, that is, the railway line to Aus, the operation of which commenced on November 1, 1906. Finally, the *Zukünftige Kaianlage* (future quay) (No. 39) is mentioned for the first time on September 26, 1906, around the same time as the arrival of a larger

group of prisoners of the Nama people.<sup>35</sup> Thus, information from different years is included and compiled in the map.



Fig. 21: During the survey in June 2022, the southern fencing of the camp was documented for the first time. It consisted of railway tracks embedded in a low cement embankment. (Photo: K. Lembke, 2022)

Fig. 22: Today, only two posts of the fence are still standing upright. An original height of about 2.5 metres can thus be reconstructed. (Photo: K. Lembke, 2022)



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<sup>35</sup> Erichsen: *Angel*, p. 115.



Because of the conditions in the camp, the prisoners sought every opportunity to escape. It's probably for this reason that a high fence was erected in the south of the island, of which only a few posts remain in place today. Although several written sources report on it, this fence was at first documented during the survey in June 2022 (figs. 21-22). It consisted of railway tracks set vertically into a low cement embankment, connected by mesh and barbed wire. This fence had a height of about 2.5 metres. Obviously, the rails arrived here as part of the railway project from Lüderitz to Keetmanshoop. Dating the fence to 1906 during the construction of the railway is therefore very likely.

The fence runs much further south than the Herero and Nama camps, whose area corresponds to today's campsite. The reason for the extension is probably due to forced labour in the harbour area: The Nama men were not allowed to leave the island but could work inside the fence on the construction of a new quay, which is marked on missionary Laaf's map (fig. 18).

The main route to the camp was the Inselstrasse in the west, which is still the access road to the actual campsite (fig. 10). Unfortunately, due to increasing building development in recent years no traces of the main gate exist, neither above nor below ground. Most of the rails were sawn off at the base after the camp was abandoned, only two at the western end stand upright in the water today (fig. 22).

Fig. 23: In front of the entrance to the "native hospital" (left) there is still a cement-filled barrel in which a flagpole was embedded during the German colonial period. (Photo: K. Lembke, 2022)



The most important innovation in the camp area was undoubtedly the establishment of an infirmary and quarantine station for the POWs, which August Kuhlmann had already called for. Until recently, there was only an unpublished and unlocated map of a native hospital drawn by the British shortly after the capture of Lüderitz (fig. 7).<sup>36</sup> The buildings are accurately measured, and the sketch also indicates the different functions of the rooms. It is therefore important evidence for the interpretation of the remains still on site.

Fig. 24: To the west of the station was a building with sickrooms and a pharmacy. (Photo: K. Lembke, 2022)



To the east of the Inselstrasse, there was another path that led to the native hospital. In front of the gate stood a flagpole, the barrel of which is still in place (fig. 23). Today, the only evidence of the gate itself is a pile of stones and the opening in the fence. A few metres away was a store, of which only a few traces can be seen today. The path continued uphill to a complex of four buildings. To the west was an infirmary with a pharmacy (fig. 24), to the south of which was a building with no further designation, perhaps a room for the doctor or the nursing staff. Opposite was another building with four rooms, also designated as an infirmary in the British map. Each room had its own access. The mortuary chamber was located to the south of this wing, of which hardly any traces remain today. Further north was a latrine with a urinal and five separate cubicles. Today, only the rock that formed the back wall remains (fig. 26).

<sup>36</sup> We owe the information about the map to Werner Hillebrecht.

Fig. 25: Opposite was a complex with four sickrooms, each with its own entrance from the street. (Photo: K. Lembke, 2022)



Fig. 26: Further north was the latrine. Only the rock that formed the back wall remains today. (Photo: K. Lembke, 2022)



Further uphill, there was a bath building, of which only a cairn bears witness today. To the east, the last buildings of the native hospital extend: To the far north was a building with one room each for the infected and the dying, the floor of which is still preserved (fig. 27); both had their own courtyard with a privy. The entrances were in the north, probably to prevent the *Pestluft* (plague air) reported by August Kuhlmann from entering the infirmary. A local attendant had to guard the sick people from escaping and infecting other internees.

Fig. 27: Of the isolation ward, the floor of the sickrooms still exists, on the left for the infected, on the right for the dying. Both rooms had an unpaved courtyard with a privy. On the right in the background, the few remains of a building for the “local attendant” can be observed. (Photo: K. Lembke, 2022)



The discovery of the native hospital shows how much had changed in the camp since Kuhlmann's visit in mid-1905. Instead of leaving the infected alone on the lonely cliff top in the north, there was now a separate infirmary. Attention was also paid to hygiene by separating the bathroom and latrine from the shelters. Obviously, the camp management tried to keep the prisoners alive – a decisive step forward compared to 1905, when under Lothar von Trotha, internment on Shark Island was still tantamount to a certain death sentence.

Nevertheless, the situation of the prisoners was disastrous: The highest mortality rate was recorded in the Swakopmund camp in mid-1905<sup>37</sup>, in Windhoek in September

<sup>37</sup> Erichsen: *Angel*, p. 26 note 96.

1906<sup>38</sup>. But while the situation in the other concentration camps gradually improved, it deteriorated dramatically on Shark Island between November 1906 and January 1907. This was mainly due to the hard work the prisoners were forced to do. Between January 1906 and June 1907, 2,014 POWs were used for railway construction, of whom 1,359 died during the construction work, according to figures from the German colonial administration. Another reason was malnutrition, which is also indicated by the anthropological studies at the Charité.<sup>39</sup>

Even the new infirmary did not improve the situation for the POWs. Staff physician Hugo Bofinger established a laboratory in the town as early as 23 April 1905, even before a hospital existed on Shark Island.<sup>40</sup> Soon after, he started cutting off the heads of the deceased to send them to Berlin, as August Kuhlmann described. After the construction of the native hospital on the island, Bofinger worked in the immediate vicinity of the prison camp. He was interested in the disease scurvy, one of the reasons for the high mortality on the island. He also published an essay about it after his return to Germany.<sup>41</sup>

But while other doctors had already recognised in the 18<sup>th</sup> century that scurvy was caused by a lack of vitamin C and could be treated with fresh fruit and vegetables, he resignedly stated in 1910: "What substances must be desired in the diet to prevent the outbreak of scurvy has not yet been decided."<sup>42</sup> He suspected the "complete lack of their accustomed milk food" as the cause of the mass deaths.<sup>43</sup> Bofinger did not even rule out the possibility that scurvy was an infectious disease! He experimented on the prisoners with arsenic, opium and lemon juice, but failed to recognise the real reason for the high mortality: the hard work with poor care – and his own incompetence.

## The end of the concentration camp

Sickness and death meant that of the 1,600 Nama who were supposed to be available as labourers for the Port Authority on October 6, 1906, only 30 to 40 men were still fit for work by Christmas.<sup>44</sup> At the end of January 1907, the project to build a new quay on Shark Island was abandoned. By March 1907, according to official German

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<sup>38</sup> Ibid., p. 49.

<sup>39</sup> Stoecker, Winkelmann: 'Skulls'.

<sup>40</sup> Presumably it is no coincidence that the laboratory was opened the day after the proclamation against the Nama.

<sup>41</sup> Dr. Bofinger: 'Einige Mitteilungen über Skorbut', in: *Deutsche militärärztliche Zeitschrift*, 39 (15), 1910, pp. 569-582. Cf. Erichsen, Olusoga: *Holocaust*, pp. 225f.

<sup>42</sup> Bofinger: 'Mitteilungen', p. 578. "Welche Stoffe in der Nahrung gewünscht werden müssen, um dem Ausbruch des Skorbutus vorzubeugen, ist bisher noch nicht entschieden."

<sup>43</sup> Ibid., pp. 579-580. "gänzlichen Mangel ihrer gewohnten Milchnahrung"

<sup>44</sup> Erichsen; *Angel*, p. 117-118.

statistics, 1,203 out of a total of more than 2,000 Nama prisoners had died in the camp, including 496 men, 460 women, and 274 children.<sup>45</sup>

One of the last to die on Shark Island was the Nama war hero Kaptein Cornelius Fredericks from Bethanie. His death at only 43 was reported on February 16, 1907. Unlike other prisoners, he received a proper burial and even a large funeral procession. A photograph shows such a ceremony (fig. 28). It was probably Fredericks' burial, as at hardly any other time were so many internees allowed to leave the camp. The cemetery was located in Radford Bay south of Lüderitz. No burial place has yet been identified on Shark Island itself, even though it is reported in texts. Fredericks and his extended family are commemorated by a memorial on the island (fig. 5). It was not until 2022 that Lüderitzstrasse in the African quarter of Berlin-Wedding was renamed Cornelius-Fredericks-Strasse.

Fig. 28: Cornelius Fredericks died in the Shark Island camp on 16 February 1907, aged only 43. Unlike other prisoners, he received a proper burial and even a large funeral procession. This photo shows such a ceremony at Radford Bay south of Lüderitz. It is probably the burial of Fredericks. (Photo: National Archive of Namibia inv. no. 06405)



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<sup>45</sup> *Ibid.*, pp. 60. 125.

About two months later, after Fredericks' death, the camp was finally closed. Major Ludwig von Estorff, who was appointed the new commander-in-chief of the *Schutztruppe* at the beginning of 1907, was responsible for this decision. Accompanied by Governor Lindequist, Estorff became an eyewitness to the actual situation on Shark Island. After weeks of negotiations with the Colonial Department in Berlin, he finally ordered the closure of the concentration camp.<sup>46</sup> Around the same time, on March 31, 1907 the end of the war against the Nama was officially declared. The surviving prisoners were transferred to a camp on the mainland, and most of them were transported to Swakopmund on September 23, 1907.<sup>47</sup>

### **Shark Island until the beginning of the First World War and the conquest by British troops.**

After the dissolution of the concentration camp, the island became quiet. It is unknown when the dismantling of the fencing and the few buildings such as the infirmary began. Staff doctor Hugo Bofinger returned to Germany in July 1907. Since the native hospital was still being documented in detail by the British around 1915, it may have continued to be used.

It is striking that the area of the former camp was not built on for many decades; Only with the establishment of the campsite after the independence of Namibia in 1990 did the area come into new use. During the German colonial period, only one new building was erected in the area of the former concentration camp: the lighthouse with residential building from 1913, which still stands today, replaced the iron lighthouse erected in 1903 (fig. 9).

Outside the area of the former concentration camp a hospital was constructed on Shark Island (fig. 29). Today, the building houses a branch of the Ministry of Fisheries. Missionary Emil Laaf's sketch of October 21, 1906 (fig. 18) already indicates a row of barracks in the south of the island, which he described as *Lazarette* (hospitals) (fig. 30). It can therefore be assumed that even during the active period of the camp, the isolated location of the island was used for sick people, probably soldiers as well as civilians. The hospital built in 1911/12 therefore only replaced the older buildings.

### **Conclusion**

What are the chances and perspectives of archaeological surveys in former concentration camps in Namibia? As we have seen, many structures are still preserved on Shark Island, including several that are not mentioned in the texts. Of course, it was known that a fence surrounded the camp, but it was only during the survey that it could be

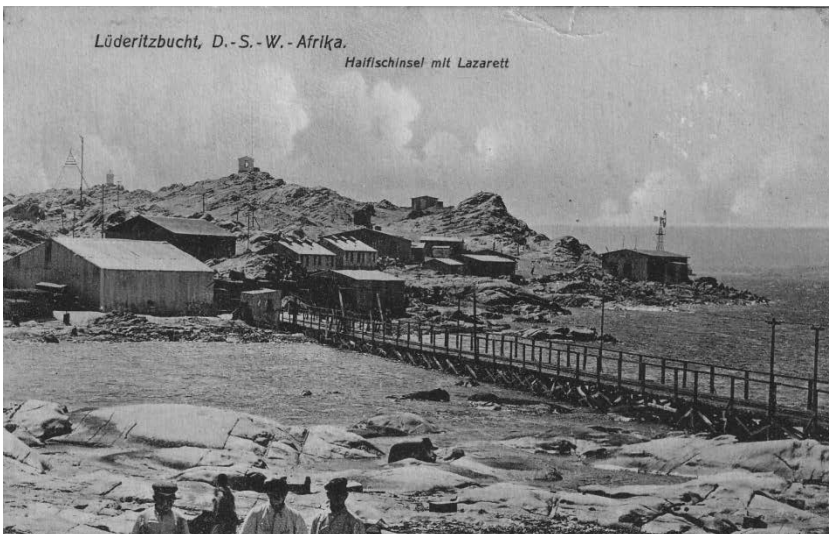
<sup>46</sup> Jürgen Zimmerer: 'Krieg, KZ und Völkermord. Der erste deutsche Genozid', in: Jürgen Zimmerer, Joachim Zeller, (eds.): *Völkermord in Deutsch-Südwestafrika: Der Kolonialkrieg (1904–1908) in Namibia und seine Folgen*, 3<sup>rd</sup> ed., Berlin, Links, 2016, pp. 45-63 (58).

<sup>47</sup> Erichsen: *Angel*, pp. 128-130.

Fig. 29: The former hospital from 1911/12 now serves as a branch of the Ministry of Fisheries. (Photo: K. Lembke, 2022)



Fig. 30: This postcard shows the "Lazarette" (hospitals) in the southern part of the island outside the camp fence, which can be seen in the background. (Source: W. Rabbel)





documented. It turned out that it was situated much further south than the camps themselves and was apparently built so that Nama men, who were not allowed to leave the island, could be used as labourers in the construction of a quay. The existence of a hospital for the internees was already known as well, but only the survey made it possible to determine its exact location. This revealed a very different picture from that in Swakopmund, where the *Eingeborenen Lazarette* were part of the general infirmary, but were housed between the horse stable and the poultry yard.<sup>48</sup> On Shark Island, on the other hand, they belonged to the concentration camp, but were separated from it. The Herero and Nama areas were also separated, so that the hostile groups did not fight each other. In this way, archaeological research can supplement the written sources and provide important information about the function and significance of the concentration camps in Namibia.

Was the camp on Shark Island an extermination camp, did the Germans intend a genocide there?<sup>49</sup> There is no doubt that the living conditions were entirely inhumane and that the establishment of a camp on this island is therefore ethically highly dubious. In early 1905 the death of the prisoners may also have been accepted as a not unwelcome, in effect as a continuation of Trotha's extermination order by other means. From the end of 1905, however, efforts seem to have been made to improve conditions, to provide at least better accommodation in tents and to treat the sick in a separate native hospital. Nevertheless, the situation continued to deteriorate. At the beginning of 1907, shortly before the camp was abandoned, the missionary Hermann Nyhof reported:

Die Sterblichkeit unter den H\*\*\* [note: we avoid the German racist term for the Nama, no longer in use today] ist entsetzlich. Durchschnittlich sterben 8 pro Tag, es kommen aber Tage vor an welchen 18-20 sterben. Die Herero sind scheinbar etwas widerstandskräftiger, sind auch wohl schon mehr acclimatisiert. Die allgemeine Todesursache ist Skorbut! Die deutsche Regierung thut was sie kann. Ein Stabsarzt hat das Lazarett für Eingeborene unter sich und ein Sanitätsunteroffizier ist fast den ganzen Tag dort um Medizin und geeignete Nahrung zu verabreichen, aber alles umsonst, die Leute sterben hin.<sup>50</sup>

Also, the missionary attested Hugo Bofinger's great efforts to help the sick. But how are his experiments with various agents such as arsenic or opium to be interpreted? Superficially, they are reminiscent of the human experiments carried out by the infamous camp doctor Josef Mengele in the Auschwitz-Birkenau concentration camp. However, caution is needed here against such a comparison: On the one hand, the layout of the hospital on Shark Island indicates that efforts were made to care for the

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<sup>48</sup> Ibid., p. 55, map 1.3.

<sup>49</sup> Cf. also the discussion in Jonas Kreienbaum: "'Vernichtungslager" in Deutsch-Südwestafrika? Zur Funktion der Konzentrationslager im Herero- und Namakrieg (1904–1908)', in: *Zeitschrift für Geschichtswissenschaft*, 58 (12), 2010, pp. 1014-1026.

<sup>50</sup> Cited after Casper W. Erichsen: 'Zwangsarbeit', p. 84.

sick, at least superficially, by isolating infected people and spatially separating the latrine and bathroom from the ward; On the other hand, Bofinger's misjudgement in mistaking scurvy for an infectious disease points to his low qualifications. Perhaps, like Mengele, he was looking for opportunities to raise his scientific profile, but his attention was focused solely on treating the disease prevalent in the camp, not, as with Mengele, on research independent of disease, or even surgical procedures without anaesthesia. A medically intended genocide is therefore not to be assumed on Shark Island; the presumption of medical incompetence is closer.

The concentration camp on Shark Island led to mass deaths. Initially, in 1905, members of the Herero people were interned here far from their tribal area in the north, which required considerable climatic adaptation. The Nama, who were also forcibly gathered here in 1906, did not fare much better. Although they originated from southern Namibia, their habitat was preferably inland. Unprotected from the strong wind and the cold, they also suffered from hypothermia. Another problem was malnutrition, because the German troops lacked a concept of how to feed such a large number of people in a small space. There was also a lack of fuel for cooking and baking, which exacerbated the food crisis.<sup>51</sup>

If we follow the hypothesis of Caspar W. Erichsen, an intentional genocide took place on Shark Island. As a result of the survey, however, we come to the more differentiated conclusion that since the end of 1905 the mass deaths were not deliberately brought about. There are two arguments against such an intention: Firstly, the hostile Herero and Nama were not interned together in one place, but in separate areas. This was obviously done to avoid violent conflicts in the camp. Secondly, the Germans tried to nurse the sick back to health in the native hospital.<sup>52</sup> If genocide had really been the intention, these facilities could have been dispensed with. Anyhow, it was not about a humanitarian act towards the people, but about future exploitation as cheap labour, as Jonas Kreienbaum has already argued.

The establishment of these camps constituted a political course correction: The German commander-in-chief Lothar von Trotha had conducted the war against the Herero that had broken out in January 1904 as a war of extermination, which today is regarded with valid arguments as genocide. But this conduct of the war had met with resistance in Berlin. Therefore, Reich Chancellor von Bülow ordered the establishment of *Konzentrationslagern für die einstweilige Unterbringung & Unterhaltung der Reste des Herero-Volkes* (concentration camps for the temporary accommodation and maintenance of the remnants of the Herero people). The camps were thus primarily a military means to end a protracted colonial war: Through the concentration, the main aim was to ensure that the POWs would not flee and re-join the insurgents. The

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<sup>51</sup> Kreienbaum: *Fiasko*, p. 234-247.

<sup>52</sup> Such 'native hospitals' are also documented in Windhoek and Swakopmund, cf. Erichsen: *Angel*, pp. 54-56; Kreienbaum, *Fiasko*, pp. 230-232. Both were established by missionaries at the end of 1905. A German map is known of the infirmary in Swakopmund, cf. Erichsen: *Angel*, p. 55 fig. 1.3.

Rhenish Missionary Society, which had already been active in southern Africa since 1829, participated in this goal. Thus, by interning the opponents in camps, the de facto end of the war was to be achieved.

The photos from Lieutenant von Düring's album of Trotha's entourage are images of power, of an alleged master race vis-à-vis people who are denied any humanity.<sup>53</sup> But General von Trotha was anything but uncontroversial: He undoubtedly pursued the extermination of the Herero and Nama, but his orders were not only contradicted, he was also recalled in November 1905.<sup>54</sup> He fell out of favour with the Emperor and no longer held an important position. In the government of the *Kaiserreich* – unlike during the Third Reich – there were clear disapprovals about those who advocated genocide.

Despite the somewhat better accommodation in tents and the establishment of a hospital for the internees, thousands continued to die on Shark Island, which was hostile to life. The dissolution of the camp in the spring of 1907 was therefore a necessary step to end the "sad fiasco".<sup>55</sup>

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<sup>53</sup> Erichsen: *Angel*, pp. 88-94.

<sup>54</sup> On Berlin's interventions against Trotha's extermination policy, cf. Kreienbaum: *Fiasko*, pp. 70-75.

<sup>55</sup> This is how Sir Alfred Milner described the establishment of the South African concentration camps in 1901, cf. *ibid.*, p. 7.

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# **“This country is hell for the white man!”**

## **Land dispossession and resilience 1906-1914**

### **Wolfgang Werner**

#### **Introduction**

Until 1897 the Ovaherero were described as “the unchallenged masters of the country.” Very little actual dispossession of land had taken place as indigenous chiefs resisted selling land outright to Europeans. Intent on establishing a German settler colony, the German colonial authorities saw two options: either to give up their efforts to colonise the country; or to “order a war of annihilation against the latter.” The latter was done with devastating effect during the 1904-1907 war. Proposals after the war to provide the surviving Ovaherero with some land to support themselves were consistently rejected in favour of the outright expropriation of all their land and livestock. The war also brought settler agriculture to its knees. While financial compensation from the Imperial government was immediately forthcoming, the potential labour force required for rebuilding settler agriculture had been annihilated. The Native Regulations, which sought to establish absolute control over African communities, could not be enforced effectively and provided colonised people with opportunities to resist some of the worst excesses on farms by vacillating between wage employment and subsistence in the bush. Many settlers responded to this by using violence to discipline workers instead of creating appropriate conditions of service to attract and keep workers. Violence, mistreatment, and poor remuneration fuelled desertions and hence perpetuated the labour shortage until the end of German colonial rule.

#### **Ehi rOvaherero (Hereroland)**

The pre-colonial history of South West Africa was characterized by intermittent struggles primarily between the Ovaherero and Nama groups over the control of pastures, water, and trade routes. The scarcity and unpredictability of the reproduction of pastures required Ovaherero and Nama pastoralists to disperse over a wide territory in small groups to use these resources. A high level of mobility and flexibility was required to adjust to the unpredictable distribution of grazing and water, leading to the description of Ovaherero as leading a “constantly nomadic life.”<sup>1</sup> Nama communities in the first half of the 19<sup>th</sup> century were similarly described as scattered,

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<sup>1</sup> Hugo Hahn as cited in Wolfgang Werner: *‘No One Will Become Rich’. Economy and Society in the Ovaherero Reserves in Namibia, 1915-1946*, Basel, Schlettwein, 1998, p. 28.

nomadic people with no permanent settlements.<sup>2</sup> They occupied an area “from the Orange River to the upper reaches of the Fish River in a checkerboard fashion”, but individual sub-groups do not appear to have enjoyed exclusive rights to specific tracts of land. “Notions of territory were ... typically characterised by incorporation rather than mutual exclusion.”<sup>3</sup>

Exclusive ownership rights to land and water in a European sense did not exist. “Individuals could occupy and use the ground as long as they were actually on it, but when they left, it fell back to the tribe.”<sup>4</sup> This also applied to the Rhenish Mission for example, which could never buy land in Hereroland but was regarded as the owner of the land allocated to it for as long as it made use of it. After abandoning a place, the land reverted to the community.<sup>5</sup>

Access to land was controlled by rights over water. Pastoralists who either came upon good water or invested labour in procuring it by digging wells, for example, could exercise limited control over access to such water although did they not own it.<sup>6</sup> Similar tenure rules applied among the Nama. Where the Nama cultivated (tobacco, pumpkin, mealies etc) the “first comer retained the rights to the soil cultivated, which he generally fenced in.”<sup>7</sup> Such rights were frequently contested, giving rise to conflicts. “Claims to resources might be asserted or reasserted at particular historical moments, as land was abandoned or (re)occupied.”<sup>8</sup>

Until the mid-1800s “there was no leadership beyond the individual homestead, which was headed by an *omuini* or homestead owner.” Homesteads were basically nomadic herding units, each politically autonomous.<sup>9</sup> Wealthy individuals could acquire some power over other herd owners and those without livestock, by controlling natural resources and in particular access to water. For as long as grazing land was relatively abundant, such control was rather weak. Households which were dissatisfied with the actions and demands of a particular owner of water could always move away and join another household. Consequently, there was no homogenous and united Ovaherero tribe to speak of.

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<sup>2</sup> Brigitte Lau: *Namibia in Jonker Afrikaner's Time*, Windhoek, Namibia: National Archives, Department of National Education, 1987, pp. 5-6.

<sup>3</sup> *Ibid.*, p. 7.

<sup>4</sup> National Archives of Namibia (NAN), KCO 66, Statement of Revd. Wilhelm Eich, Chief of the Rhenish Mission, 27.4.1920.

<sup>5</sup> Wolfgang Werner: ‘An Exploratory Investigation into the Mode of Production of the Ovaherero in Pre-Colonial Namibia to ca. 1870’, unpubl. Thesis, B Soc Sc (Honours), University of Cape Town, 1980, p. 30.

<sup>6</sup> Vivello as cited in Werner: *Economy*, p. 33

<sup>7</sup> Jeremy Silvester, Jan-Bart Gewald: *Words Cannot Be Found. German Colonial Rule in Namibia. An Annotated Reprint of the 1918 Blue Book*, Leiden, Brill, 2003, p. 137.

<sup>8</sup> Marion Wallace: *A History of Namibia*, Auckland Park, Jacana, 2011, p. 47.

<sup>9</sup> Vivello as cited in Werner: *Economy*, p. 28.

The process of turning land into a commodity gradually developed as local communities became increasingly integrated into regional trade networks. Access to arms and ammunition facilitated the emergence of what were to become chiefs under colonial rule. Lau has shown how increasing trade and access to arms and ammunition under the influence of the Oorlam led to the emergence of "highly stable, territorially-based polities ... which had not existed before in this form." They were "characterised by mutual exclusion and a much more definite demarcation of group boundaries" and the acquisition of "new concepts of private property, of competition for resources and commodities."<sup>10</sup>

Similar processes of centralisation occurred among the Ovaherero after the death of Jonker Afrikaner in 1861. Central in these developments was Kamaherero, who aspired to become the paramount chief (*omuhona*) of the Ovaherero, a process that was contested by other *omuhona* such as Zeraua, Kambazembi, Kahimemua, and others.<sup>11</sup> One outcome of these processes was that by the late 1860s Hereroland or ehi rOvaherero had crystallised.<sup>12</sup> Notions that big men held jurisdiction over large tracts of land which they could dispense with emerged. The first documented case of this occurred in 1876 when Chief Maharero had proposed to make sufficient land for the establishment of 400 farms available in Hereroland and to set the remainder aside as a reserve in return for British protection.<sup>13</sup> Although this never materialized, it was the first time that an aspiring chief considered alienating land for settlement and exploration by Europeans to consolidate his power and buttress his fledgling hegemony over central Namibia.

Formal, private ownership rights to land thus did not exist. Where indigenous people received money from European settlers for land this was regarded as a kind of tribute for rights of usufruct, which did not impact on the rights of the original owners, but, on the contrary, confirmed them.<sup>14</sup> European settlers, on the other hand, regarded the land they paid for as their property, leading to conflicts between settlers and local communities. This notwithstanding, there was no *terra nullius* as many settlers believed. Even the *Deutsches Kolonialblatt* acknowledged in 1892 that there was no land that was not possessed temporarily by one group or another due to the "nomadic" nature of land utilisation.<sup>15</sup> The future of a German colony depended on

<sup>10</sup> Lau: *Namibia*, p. 32.

<sup>11</sup> Dag Henrichsen: *Herrschaft und Alltag im vorkolonialen Zentralnamibia*, Basel, Basler Afrika Bibliographien, 2011, p. 238ff.

<sup>12</sup> *Ibid.*, pp. 14, 20.

<sup>13</sup> William Coates Palgrave: *Report of W. Coates Palgrave, Special Commissioner to the Tribes North of the Orange River*, Cape Town, Solomon, 1877, pp. 40-42; Ian Goldblatt: *History of South West Africa from the Beginning of the Nineteenth Century*, Cape Town, Wynberg, 1971, p. 56.

<sup>14</sup> Hermann Hesse: *Die Landfrage und die Frage der Rechtsgültigkeit der Konzessionen in Südwestafrika. Ein Beitrag zur wirtschaftlichen und finanziellen Entwicklung des Schutzgebietes*, Jena, Costenoble, 1906, vol. 1, pp. 14f.

<sup>15</sup> Cited in Hesse: *Landfrage*, vol. II, p. 14.



transferring this land from lazy (*arbeitsscheue*) Indigenous communities to Europeans. Leutwein left no doubt how this was to happen: if the Ovaherero were not prepared to respect the property rights of white settlers and fail to reduce their livestock herds, the German colonial authorities were left with two options: either to give up their efforts to colonise the country; or to "order a war of annihilation against the latter." He anticipated that the decision would probably be for the last option.<sup>16</sup>

## Creating Crown land

Until 1903 the German imperial Government itself did not want to get directly involved in land settlement.<sup>17</sup> It believed that the colony should be developed by traders and land companies specifically the *Deutsche Kolonialgesellschaft für Südwestafrika*, which was established in 1885 by private financiers to take over Lüderitz' possessions.<sup>18</sup> Of the eight concession companies four acquired territorial and mining rights directly from tribal chiefs, while the remainder got concessions from the colonial government.<sup>19</sup> A total of 295,000 km<sup>2</sup>, more than one third of the colony, was under the control of concession companies in the 1890s.<sup>20</sup> There was no economic pressure to sell land as they had obtained the land free of charge and were not required to pay taxes or other duties for as long as the land remained undeveloped.<sup>21</sup> Low land sales by concession companies soon earned them the reputation of being a hindrance to settlement to an extent that at least one writer argued that "the land question in

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<sup>16</sup> Host Drechsler: *Aufstände in Südwestafrika. Der Kampf der Herero und Nama 1904-1907 gegen die Deutsche Kolonialherrschaft*, Berlin, Dietz, 1984, p. 37. "Wollen sie aber gutwillig dies nicht tun, dann bleiben nur zwei Möglichkeiten: Entweder die deutsche Regierung gibt das Kolonisieren unter den Ovahereros als aussichtslos auf oder sie befiehlt den Vernichtungskampf gegen dieselben. Wahrscheinlich wird die Entscheidung für die letztere Möglichkeit fallen."

<sup>17</sup> NAN ZBU 1059 L.II.a.3 Kolonialabteilung to Gouverneur, Windhoek, 28.10.1903, p. 149.

<sup>18</sup> Horst Drechsler: *Let us die Fighting. The struggle of the Herero and Nama against German Imperialism (1884-1915)*, London, Zed, 1980, pp. 29f.

<sup>19</sup> Goldblatt: *History*, p. 115.

<sup>20</sup> Hesse: *Landfrage*, p. 29; Max Robert Gerstenhauer: *Die Landfrage in Südwestafrika. Ihre Finanzpolitische und außerpolitische Seite. Ein Beitrag zu der Frage: Wie machen wir Deutsch-Südwestafrika rentabel?*, Berlin, Süsserott, 1908, p. 5; ZBU 1853 U IV B1 Band 2; Hans Oelhafen von Schöllnbach: *Die Besiedlung Deutsch-Südwest-Afrikas bis Zum Weltkrieg*, Berlin, Reimer, 1926, p. 73; Gerhardus Pool: *Die Herero-Opstand 1904-1907*, Pretoria, Hollandsch Afrikaansche Uitgevers Maatschappij, 1979, p. 12.

<sup>21</sup> NAN ZBU 1058 L.II.a.1 Band 1, Denkschrift über die Besiedelung Deutsch-Südwestafrikas, n.d. [September 1906] 9.1.1906, folio 76. See also Dr Rohrbach' report to the Government, dated 25.7.1906, folio 108.

South West Africa is primarily a land company question".<sup>22</sup> The colonial government therefore had to create Crown land over which it had control.

To protect its interests for future colonial purposes the colonial government concluded protection treaties with several Indigenous groups. These did not involve any alienation of land to the German Colonial Government but prohibited chiefs from ceding "territory or portions thereof to any other nation or members thereof without the approval of the German government."<sup>23</sup> The colonial government thus acquired authority over land allocation. While these treaties assumed that Indigenous tribes were ruled by chiefs who had the power to administer tribal land, specific areas of jurisdiction were not properly defined.<sup>24</sup>

The colonial administration began to limit access to customary land by negotiating boundaries. In December 1894 Samuel Maharero signed a treaty with Leutwein which determined the southern boundary of Hereroland. It was formed by the White Nossob from its origins to where it turned southwards.<sup>25</sup> Land that fell outside the boundary was considered Crown land that could be allocated to white settlers by the colonial government.<sup>26</sup>

Samuel Maharero signed the treaty without consulting other chiefs. "For Samuel Maharero it was a necessary step to secure his position both in Okahandja and vis-à-vis the Germans. He subsequently withdrew from his obligation to supervise the frontier with Lindequist, to avoid direct confrontation with the Chiefs Kahimemua and Nikodemus."<sup>27</sup> The treaty was disputed by Nikodemus and Kahimemua in the east, as Samuel had no jurisdiction over land that fell under them. Consequently, the boundary had to be amended in 1895 to a line between the White Nossob and Seis River.<sup>28</sup> In terms of the agreement, Maharero was responsible for its enforcement and for this and other tasks was paid an annual salary of RM 2,000 "which he may draw half-yearly."<sup>29</sup>

In August 1895, another treaty between Leutwein and Samuel Maharero was signed at Grootfontein to determine the northern boundary of Hereroland. This treaty served to ensure the separation of the Ovaherero and Ovambo and created more crown

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<sup>22</sup> Gerstenhauer: *Landfrage*, p. 5. "Die Landfrage in Deutsch-Südwestafrika ist in der Hauptsache Landgesellschaftsfrage".

<sup>23</sup> Drechsler: *Fighting*, p. 27; Pool: *Herero-Opstand*, pp. 5f.

<sup>24</sup> Hermann Hesse: *Die Schutzverträge in Südwestafrika. Ein Beitrag zur rechtsgeschichtlichen und politischen Entwicklung des Schutzgebietes*, Berlin, Süsserott, 1905, p. 12.

<sup>25</sup> Pool, *Herero-Opstand*, p. 23.

<sup>26</sup> Drechsler: *Aufstände*, pp. 34-35; Hesse: *Schutzverträge*, pp. 15, 66f.

<sup>27</sup> Helmut Bley: *South West Africa under German Rule*, London, Heinemann, 1971, pp. 51f.

<sup>28</sup> Pool: *Herero-Opstand*, p. 24.

<sup>29</sup> Bley: *South West Africa*, p. 51.

land.<sup>30</sup> It would deprive Ovaherero farmers from seasonal grazing.<sup>31</sup> Other boundaries established in 1895 included the boundary between Samuel Maharero and Manasse and Zacharias and between Manasse and Zacharias.<sup>32</sup> Drechsler<sup>33</sup> concluded that through these boundary treaties the German colonial administration confined the Ovaherero to approximately half of their original grazing areas, turning the remainder into Crown land.

In the south, the colonial administration turned tribal land into Crown land through a mixture of treaties, expropriation, and the enforcement of court sentences. In this way land was taken from the Khauas people after the 1896 revolt, areas east of Hoachanas and Gochas, and land of the Bondelswarts, and elsewhere.<sup>34</sup>

At the same time settlers accumulated large numbers of cattle in a relatively brief time through rapacious field trade. In the absence of money as currency, local people paid for goods bought in livestock. Prices were determined by settler traders. Trader Gustav Voigts, for example, bartered goods at the following rate: tin basins, a shirt or hat for one whether (*Hamme*); a suit for one five-year-old ox; a saddle or a roll of canvass or big metal pot taking 14 gallons for 3 oxen. One goat bought 6 pounds of sugar and a three-year-old ox a pair of boots.<sup>35</sup> At the same time he sold a cow to an Ovaherero man for RM 40.<sup>36</sup> According to oral evidence, traders appropriated livestock "at such a rate that we felt it was intended to reduce us to pauperism. The Germans took sacred cattle and private cattle, quite regardless of our customs and organisation. We protested and complained bitterly, but the Germans took no notice."<sup>37</sup>

The unchallenged position of power enjoyed by the Ovaherero and their reluctance to sell land outright to Europeans received an irreversible blow by the *Rinderpest* (cattle plague) in 1897. A malaria epidemic followed in 1898 causing about 10,000 deaths among both Ovaherero and Nama.<sup>38</sup> The following year a locust plague,

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<sup>30</sup> Drechsler: *Aufstände*, p. 36.

<sup>31</sup> NAN KCO 66, Statement of Revd. Wilhelm Eich, Chief of the Rhenish Mission, 27.4.1920, p. 2; Office of the President: The Commission of Inquiry into Claims of Ancestral Land Rights and Restitution registered an ancestral land claim by the Ondonga Traditional Authority over Grootfontein, Tsumeb and Otavi areas (former Republic of Upingtonia), Windhoek, Office of the President, 2020, p. 207.

<sup>32</sup> J. H. Esterhuysen: *South West Africa 1880-1894. The Establishment of German Authority in South West Africa*, Cape Town, Struik, 1968, p. 228.

<sup>33</sup> Drechsler, *Aufstände*, p. 46.

<sup>34</sup> Hesse: *Landfrage*, p. 30; Pool: *Herero-Opstand*, p. 10.

<sup>35</sup> Hans Grimm: 'Aus Gustav Voigts' Leben', in: Hans Grimm, *Das Deutsche Südwest-Buch*, Lippoldsberg, Klosterhaus-Verlag, 1984, p. 66.

<sup>36</sup> *Ibid.*, p. 84.

<sup>37</sup> Silvester, *Gewald: Words*, pp. 84f.

<sup>38</sup> Bley: *South West Africa*, p. 125; Winfried Nachtwei: *Namibia: von der antikononialen Revolte zum nationalen Befreiungskampf. Geschichte der ehemaligen deutschen Kolonie Südwestafrika*, Mannheim, Sandler, 1976, p. 39; Henning Melber: 'Das doppelte Vermächtnis der

followed by severe drought, destroyed what little agricultural production the Ovaherero had started.<sup>39</sup> These calamities effectively broke their resistance to white land alienation. While between 50 and 95% of settler stock was saved by timely inoculations, an estimated 95% of Ovaherero stock died.<sup>40</sup> Coinciding with the Rinderpest, the construction of the railway linking Swakopmund and Windhoek in 1897, and the construction of a harbour in Swakopmund in 1898 brought many settlers into the country.<sup>41</sup>

The high losses of cattle not only increased the dependence of the Ovaherero on European goods but reduced their ability to pay in livestock. Land itself became the object of business transactions.<sup>42</sup> Field trade increased. In Windhoek district alone trading licenses increased from 53 in 1898 to 100 in 1900.<sup>43</sup> According to one missionary about 50 traders were active in Hereroland in 1904, to which could be added about an equal number of settlers who were farmers by now but had started off as field traders.<sup>44</sup>

From 1897 on Samuel Maharero started to sell land on a large scale, a development that met with dissatisfaction from some big men such as Assa Riarua.<sup>45</sup> Samuel Maharero in turn tried to assuage such concerns by promising that he would get the land he had sold back later.<sup>46</sup> Governor Leutwein feared that the Ovaherero would simply take the land which they had sold to German traders back by force once they had built up their herds again. This would have had “very obvious political consequences” and the army would have to protect land bought by Europeans, particularly land that was not occupied yet.<sup>47</sup>

Perturbed by these developments, the colonial administration issued the credit regulations on January 1, 1899. These were intended to slow the pace of land losses

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Geschichte: Nationswerdung, Kolonisierungsprozeß und deutsche Fremdherrschaft in Namibia (ca. 1800–1914)’, in: *Diskurs. Bremer Beiträge zu Wissenschaft und Politik*, 6, 1982, pp. 35-124 (90); Drechsler: *Fighting*, p. 98.

<sup>39</sup> Melber, ‘Vermächtnis’, p. 90; Pool: *Herero Opstand*, p. 25.

<sup>40</sup> Drechsler: *Fighting*, p. 98; see also Pool, *Herero Opstand*, p. 25; E. L. P. Stals: ‘Die Geschiedenis van die Beesteelt in Suidwes-Afrika Tydens die Duitse Tydperk 1884-1915’, in: *Archives Yearbook for South African History*, XXV, Pretoria, Publications Branch of the Office of the Director of Archives, 1963, pp. 146-149 (146f.).

<sup>41</sup> Oelhafen von Schöllnbach: *Besiedlung*, p. 28; Fritz Wege: ‘Zur Entstehung und Entwicklung der Arbeiterklasse in Südwestafrika während der Deutschen Kolonialherrschaft’, unpubl. Ph.D., Halle, Martin-Luther-Universität, 1966, pp. 49f., 68-78.

<sup>42</sup> Bley: *South West Africa*, p. 135.

<sup>43</sup> O. von Weber, ‘Von den Ursachen des Großen Aufstandes in Südwestafrika 1904-1907’, in: *Afrikanischer Heimatkalender*, 1969, p. 78.

<sup>44</sup> Pool: *Herero-Opstand*, pp. 36f.

<sup>45</sup> Drechsler: *Aufstände*, pp. 46f.

<sup>46</sup> Pool: *Herero-Opstand*, p. 23.

<sup>47</sup> Bley: *South West Africa*, p. 135.

through unscrupulous trade practices “by forcing Africans to deal in cash.” In addition, Leutwein proposed to establish reserves to limit the amount of tribal land that chiefs could sell.<sup>48</sup> However, the colonial administration was not prepared to settle the reserve question for the entire Hereroland unless the alienation of Ovaherero land were to threaten the very existence of the tribe. For this there were no signs yet.<sup>49</sup> Instead, it gave instructions that areas should be identified that could be used for the establishment of reserves, should the need arise. The guiding principle in identifying possible native reserves was that it should not prevent the settlement of whites in the Protectorate. These areas, therefore, should not be too big, not include areas with traffic infrastructure, were settled already, or lent themselves for future white settlement.<sup>50</sup> Otjimbingwe could be declared a reserve because the existing railway line had already determined the plan for future development.<sup>51</sup>

A strong feeling prevailed among Ovaherero leaders that government proposals for reserves would drive a nail into their coffin. “The negotiations for native reserves were seen as a preliminary to a general expropriation of the tribes ...”<sup>52</sup> A prominent Ovaherero leader told Missionary Eich at Waterberg that the Germans wanted to drive the Ovaherero up to the Omuramba and leave them with a small piece of land. The land that they held until then, would be lost. They also resented the fact that they were not included in discussions about reserves. Missionary Diehl believed the reserve question had contributed to the war, but was not decisive (*ausschlaggebend*), as it was not prominent enough at the outbreak.<sup>53</sup> The land question, now in the form of the reserve question, became a major cause for revolt.<sup>54</sup>

Only four reserves were established before 1904: a reserve in the Bondelzwarts area which Captain Willem Christian had allocated to the Mission in 1896; the area of Rietmont and Kalkfontein of approximately 120,000 ha for the Witboois, and a reserve in Hoachanas of approximately 50,000 ha in 1902.<sup>55</sup> With the exception of Otjimbingwe no reserves were established for the Ovaherero before the war.

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<sup>48</sup> Ibid., p. 136.

<sup>49</sup> NAN ZBU 450.D.IV.I.1 Band 1, Denkschrift über Eingeborenen-Politik und Ovahereroaufstand in Deutsch-Südwestafrika, No 518 Reichstag 11. Legislaturperiode. 1. Session 1903/1905, 29.11.1904, p. 15.

<sup>50</sup> Ibid., p. 80.

<sup>51</sup> Ibid., p. 79.

<sup>52</sup> Bley: *South West Africa*, p. 143.

<sup>53</sup> NAN ZBU 450.D.IV.I.1 Feldzug gegen die Hereros 1904-1906, Band 1, Governor Leutwein, ‘Die historische Entwicklung des Schutzgebietes und deren Zusammenhang mit dem Hereroaufstande’, p. 49.

<sup>54</sup> Bley: *South West Africa*, p. 143; Pool: *Herero Opstand*, pp. 50f.

<sup>55</sup> NAN ZBU 450.D.IV.I.1 Band 1, Denkschrift über Eingeborenen-Politik und Hereroaufstand in Deutsch-Südwestafrika, No 518 Reichstag 11. Legislaturperiode. 1. Session 1903/1905, 29.11.1904, Appendix 34, pp. 76-77.

By contrast, white settlement continued at an accelerated pace. By 1904 settlers had acquired a total of 3,684,500 ha: 2,200,000 hectares of land from Indigenous communities compared to only 1,160,000 hectares from the state, and 324,500 hectares from concession companies. The colonial state and land companies laid claim to another 49,900,000 ha.<sup>56</sup> If the claim of the latter is adjusted by deducting the 10,5 million ha land claimed by the *Kaoko-Land und Minengesellschaft* mostly in Kaokoveld, the total amount of land claimed by the colonial state and concession companies in former Ovaherero- and Namaland amounts to 39,400,000 ha. The total settled area and land claimed by concession companies and the colonial government thus adds up to a total of 43,1 million hectares of land over which the original owners had lost control by 1904.

While the exact size of Hereroland and Namaland before German occupation is not known exactly, it can be assumed that it corresponded broadly to what has become known as the Police Zone in SWA. Its size was estimated to be 52,189,770 ha and excludes Kaokoveld.<sup>57</sup> As Table 1 below shows, 12% of this land was considered uninhabitable. The amount of land either settled or claimed by the colonial state and concession companies in the entire Police Zone thus amounted to over 83%. If only the uninhabitable areas are considered – 45,882,310 ha – the loss of control becomes even larger, rising to 89%.

Table 1: Estimated uninhabitable land in the Police Zone (Source: Adapted from NAN KGR South West Africa First Report of the General Rehabilitation Enquiry Commission 1946, p. 16.)

		Ha	Sub-total (Ha)	%
Desert and diamond areas	Namib Desert (excl. game reserves and diamond areas)	358,060		
	Diamond areas	5,949,400	6,307,460	12
Uninhabitable areas	Uninhabitable areas	44,202,058		
	Game reserves 2 and 3 (Etosha, Waterberg East)	1,680,252	45,882,310	88
Total estimated size of PZ			52,189,770	100

<sup>56</sup> Hesse: *Landfrage*, p. 31.

<sup>57</sup> The name was derived from proposals in 1907 to confine settlement to those areas where police protection could be provided: the railway line and main roads. The area under police protection expanded as the police force and demand for settlement increased and its boundaries and size were never defined exactly. NAN KGR, 'South West Africa First Report of the General Rehabilitation Enquiry Commission relating to the Desirability or otherwise of shifting back the Police Zone, and Matters relating thereto', Windhoek, 1946, pp. 8-13, 16.

Against this background it is easy to understand why the first settlement commissioner in SWA, Dr. Paul Rohrbach, observed that the main reason for the dislike (*Abneigung*) of the Germans was the land question. This cause for dissatisfaction crystallised everything else: excesses of traders, collection of stock debt, killing of Ovaherero by whites, and so forth.<sup>58</sup> According to him, a group of farsighted (*den Weiterblickenden unter den Eingeborenenen*) Ovaherero, which he referred to as the war party (*Kriegspartei*), realised that while direct dispossession was minimal, the general trend was clear.<sup>59</sup> He referred to the 1904 war as a war of liberation against the German colonial regime which, looked at from the vantage point of the Ovaherero, was moving away from the original protection treaties to their complete expropriation.<sup>60</sup>

### The land question after the 1904-1907 war

The fact that the colonial administration and concession companies laid claim to most of Hereroland did not mean that they were in full control of the land and its original population. They had to contend with centres of power among the Ovaherero who were still occupying much of this land. To establish themselves as the undisputed rulers of SWA, the Germans had to subjugate the Ovaherero completely by undermining their independence and ability to collectively resist German occupation. "... the aim was to eliminate the adversary and destroying them as an independent political entity."<sup>61</sup>

This was done with devastating effect during the 1904-1907 war. Of an estimated 80,000 Ovaherero before the war, only 20,000 survived. "The number of the Namas who survived the actual campaigning is not ascertainable" but of an estimated 17,000-31,000 before the war, their number had decreased to 9,781, as counted in the 1911 census. The corresponding number for Damaras was 30,000 before the war and 12,831 in 1911.<sup>62</sup> Large numbers of the remaining Ovaherero livestock died of

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<sup>58</sup> Paul Rohrbach: *Deutsche Kolonialwirtschaft. Band 1, Südwest-Afrika*, Berlin, Hilfe, 1907, p. 332.

<sup>59</sup> *Ibid.*, p. 339; Bley: *South West Africa*, p. 143.

<sup>60</sup> Rohrbach: *Kolonialwirtschaft*, p. 353. "...als einen Befreiungskampf gegen die deutsche Herrschaft, die sich, vom Standpunkt der Eingeborenen aus gesehen, nach Form und Wesen immer mehr von den ursprünglichen Abmachungen in den Schutzverträgen entfernte und auf das Ziel, das die Hereros fürchteten, ihre allmähliche Expropriation, mit Unabwendbarkeit lossteuerte."

<sup>61</sup> Matthias Häussler, 'From Destruction to Extermination: Genocidal Escalation in Germany's War against the Ovaherero, 1904', in: Wolfram Hartmann, (ed.): *Nuanced Considerations. Recent Voices in Namibian-German Colonial History*, Windhoek, Orumbonde, 2019, pp. 133-156 (142).

<sup>62</sup> Goldblatt: *History*, pp. 200-201; Mattheus Johannes Olivier: 'Inboorlingbeleid- en administrasie in die mandaatgebied van Suidwes-Afrika', unpubl. Ph.D., Stellenbosch, University of Stellenbosch, 1961, p. 13.

thirst during the war and those that survived were confiscated by German troops for own consumption or distribution to German settlers. Dr. Rohrbach, the settlement commissioner, noted that the large cattle numbers of the Ovaherero were reduced to tabula rasa. Their herds were largely destroyed.<sup>63</sup>

Von Trotha disagreed with those who saw the Ovaherero as an "essential labour force" and therefore did not want to see their complete destruction, arguing "that the Ovaherero must be destroyed as a nation."<sup>64</sup> The great uprising of 1904-1907 had transformed the Ovaherero and Nama "from cattle herders into penniless proletarians."<sup>65</sup>

Settler agriculture also incurred major losses because of the war.<sup>66</sup> An economic catastrophe threatened as debts could no longer be serviced due to a lack of cash and cattle.<sup>67</sup> The state was quick in responding to provide financial support to settlers by appointing a compensation commission (*Entschädigungskommission*), which sat for the first time in July 1904. Apart from capital, settlers needed cheap labour to rebuild their farms. Yet the potential labour force had been just about destroyed during the war, causing a serious labour shortage.

## The land question: reserves vs expropriation

The objective of Native Policy after the war was to address the labour shortage among white settlers<sup>68</sup> by placing a prohibition on the dispossessed owning the most important means of production: land and livestock. The slightest semblance of independence from wage labour had to be thwarted. Mission Inspector, Dr. Schreiber, believed that it was the aim of most settlers for all land to change from Black people to whites and that the former had to enter service of the whites or retreat to reserves. The Ovaherero also had to be eliminated as competitors as they were able to produce cattle more cheaply than settlers by undermining their subsistence base and independence.<sup>69</sup> This was the single most important reason why settlers and the colonial administration in SWA consistently opposed the granting of land to the defeated

<sup>63</sup> As cited in Stals: 'Geschiedenis', p. 95.

<sup>64</sup> Bley: *South West Africa*, pp. 163-164.

<sup>65</sup> Drechsler: *Fighting*, p. 231.

<sup>66</sup> Franz Erdmann: *Die Ursachen des Herero-Aufstandes und die Entschädigungsansprüche der Ansiedler. Dargestellt von der Ansiedler-Abordnung*, Berlin, Baensch, 1904, p. 13.

<sup>67</sup> Rohrbach: *Kolonialwirtschaft*, p. 346.

<sup>68</sup> Fritz Emil Radel: 'Die Wirtschaft und die Arbeiterfrage Südwestafrikas. Von der Frühzeit bis zum Ausbruch des Zweiten Weltkrieges', unpubl thesis, Stellenbosch, University of Stellenbosch, 1947, p. 74.

<sup>69</sup> NAN ZBU 450.D.IV.I.1 Band 1, Denkschrift über Eingeborenen-Politik und Ovaherero-aufstand in Deutsch-Südwestafrika (No 518 Reichstag 11. Legislaturperiode. 1. Session 1903/1905, 29.11.1904) Anlage 26, p. 67, referring to an article in the *Deutsch-Südwestafrikanische Zeitung*, 2.1.1902.



Indigenous communities. It was in stark contrast to British colonies, where native reserves were created to reproduce labour, reducing the cost of labour to the settler economy.

The idea to create reserves for the Ovaherero was raised as early as May 1904 when missionary "wanted to see an end to the war in favour of "grouping the Herero in reserves and locations"<sup>70</sup> but this was rejected. Instead, in May 1905 the Colonial Department in Berlin called on the colonial administration in Windhoek to draft conditions under which "the moveable and immoveable property of the natives (could) be confiscated for the benefit of the South West African Treasury."<sup>71</sup> In a detailed report Deputy Governor Tecklenburg argued that "it would be a sign of weakness, for which we would have to pay dearly, if we allowed the present opportunity of declaring all native land to be Crown territory to slip by." Expropriation of land would also deprive Africans of the possibility of raising cattle. He continued that ownership of livestock should not be permitted "because they cannot be conceded the grazing lands required for this purpose." He even proposed that the reserves that were established in 1898 be expropriated. Natives should be settled "on individual *werfs* in proximity to the places of residence of whites. Those living on such werfs will serve as labourers to individual farmers." Werfs in remote areas that could not be controlled by the police should not be tolerated as they "would only provide a nucleus keeping alive memories of the tribal system and land ownership."<sup>72</sup>

This notwithstanding, Rhenish missionaries requested the German government in Berlin again in September 1905 to establish reserves at Otjihaenena and Okazeva to enable the Ovaherero to recover. This was rejected again.<sup>73</sup> Governor von Lindequist did not regard the creation of reserves as a necessity. Instead, the leaderless people first had to become accustomed to their status as proletarianized workers, metaphorically referred to as the new dispensation, under the supervision of German officials.<sup>74</sup> A resolution submitted to the Reichstag "to allow the Ovaherero sufficient land and cattle to be economically self-sufficient was overruled." The colonial authorities argued that the Ovaherero, having lost all their cattle during the war, were unable to run "an independent economy' and hence did not need any land. More pertinently, the state needed to expropriate land "to meet settlers' demands for compensation."<sup>75</sup>

The land question was finally decided against the dispossessed when the German Emperor signed an order of expropriation of "the entire moveable and fixed property" of the Ovaherero, that is, cattle and land, on December 26, 1905. All ancestral land of the Ovaherero, Swartboois, and Topnaars in the northwest became Crown land on

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<sup>70</sup> Bley: *South West Africa*, p. 170.

<sup>71</sup> Drechsler, *Fighting*, p. 214.

<sup>72</sup> Tecklenburg as cited in *ibid.*, p. 215.

<sup>73</sup> Pool: *Herero-Opstand*, p. 266.

<sup>74</sup> *Ibid.*, p. 281.

<sup>75</sup> Bley: *South West Africa*, p. 184.

August 8, 1906.<sup>76</sup> A similar order regarding the expropriation of the Nama came into effect on September 11, 1907.<sup>77</sup>

This legalized expropriation of land and cattle was followed by a series of regulations in 1906-1907 which were designed to destroy any possible economic strengths Africans may have had and "forcing them to work for the Europeans." Natives could only obtain land and land rights with the permission of the Governor, which was never granted during German colonial rule. The regulations limited the number of people allowed to live on a single plot to 10 families or individual labourers to preclude larger associations of dispossessed people and minimize the risks of mobilization.<sup>78</sup> Exceptions were only made in cases where an enterprise needed more than 10 native families. The Governor needed to give his approval where the number exceeded 20.<sup>79</sup> District chiefs were called upon to monitor the size of congregation on settler farms.<sup>80</sup>

The Native Regulations of 1906-1907 reduced African mobility to a minimum by introducing passes and travel permits, required to leave a particular district. A service book complemented the normal pass and recorded labour contracts. "Those without labour contracts were without any legal rights. They could be punished as vagrants."<sup>81</sup> While the service book provided some basic rights to African workers, these provisions were hardly ever enforced.

The colonial administration was intent on clearing rural areas of people who sought refuge there and force them into wage labour. Dr. Rohrbach, the settlement officer, noted that thousands of Ovaherero probably never fled to the Sandveld but hid in remote areas of Hereroland<sup>82</sup> where they eked out a precarious existence. Without cattle they depended on veld foods, berries, bulbs, roots, and meat obtained from hunting. When a hunt failed, they lived off ants, caterpillars, and mice. Their clothes were in a sad condition.<sup>83</sup> Those arriving at Otjosongombe collection centre were described as "utterly neglected", many of them only skin and bones.<sup>84</sup>

In December 1905, the Governor called on all Ovaherero who were still living in the veld and mountains to lay down their weapons and surrender, promising that their villages would no longer be visited and destroyed. He encouraged them to come to Omburo and Otjihaenena mission stations where they would be allowed to keep their

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<sup>76</sup> Pool: *Herero-Opstand*, p. 280f.

<sup>77</sup> Bley: *South West Africa*, p. 171f.

<sup>78</sup> *Ibid.*, p. 172.

<sup>79</sup> NAN ZBU 2044 W.III.a.1 Band 1, Kaiserlicher Gouverneur to Kaiserliche Distriktsämter, 18.8.1907, folio 57.

<sup>80</sup> NAN ZBU 2045 W.III.b.4 Band 1, Kaiserlicher Gouverneur to Kaiserliche Bezirks-(Distriktsamt), 20.1.1912, folio 2. Individual district reports on folios 4-22.

<sup>81</sup> Bley: *South West Africa*, p. 173.

<sup>82</sup> Rohrbach: *Kolonialwirtschaft*, p. 356.

<sup>83</sup> Pool: *Herero-Opstand*, p. 270.

<sup>84</sup> *Ibid.*, p. 275; Drechsler: *Fighting*, p. 207.

small stock to sustain their wives and children.<sup>85</sup> Altogether four collection centres were established and run by missionaries. Otjihaenena and Omburo were closed in August 1906 after having completed their activities of collecting Ovaherero.<sup>86</sup> Otjosongombe ceased activities in October 1906 and Okomitombo in March 1907. In total 12,500 Ovaherero were assembled in these four centres and transferred to prisoner of war camps at military stations by missionaries. 622 guns were surrendered.<sup>87</sup> Apart from that German colonial troops had captured 8,889 men, women and children as prisoners of war by January 1906.<sup>88</sup> These were sent to "concentration camps to accommodate and maintain temporarily what remained of the Ovaherero people."<sup>89</sup>

Clearing the vast unsettled areas of dispossessed groups of people proved impossible, as the colonial state "consisted of little more than a loosely connected 'rag rug' of islands of colonial power." Control was limited to "colonial towns, police stations and military outposts."<sup>90</sup> Regular police patrols had limited success in rounding up people who had sought refuge in the bush, referred to in colonial parlour as vagrants. Often successful interventions were quickly reversed. Grootfontein district, for example, was reported to have been cleared of all "Herero gangs" in 1905, permitting farming to resume,<sup>91</sup> but two years later many Ovaherero were still in the bush, although their settlements could not be found.<sup>92</sup> In 1908 a large number of Ovaherero were still living near Osondema along the Omuramba u Omatako. They were not registered or

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<sup>85</sup> Rohrbach: *Kolonialwirtschaft*, p. 356; Pool: *Herero-Opstand*, pp. 268-269; Gesine Krüger: *Kriegsbewältigung und Geschichtsbewußtsein: Realität, Deutung und Verarbeitung des deutschen Kolonialkriegs in Namibia 1904 bis 1907*, Göttingen, Vandenhoeck & Ruprecht, 1999, p. 173.

<sup>86</sup> NAN ZBU 154 A.VI.a.3 Band 14 Jahresbericht [für das Jahr 1906/07] typescript, folio 60.

<sup>87</sup> NAN ZBU 154 A.VI.a.3 Band 14 W. Eich: Bericht über die Missionstätigkeit der Rheinischen Mission-Gesellschaft im Hererolande vom 1.4.1906-31.3.1907, folio 145. Published version: NAN ZBU AP 1/3/3/1 Jahresbericht über die Entwicklung der deutschen Schutzgebiete in Afrika und der Südsee im Jahre 1906/07, Anhang: Missionsberichte p. 58. Rohrbach put this figure at 15,000. Rohrbach, *Kolonialwirtschaft*, p. 362.

<sup>88</sup> Pool: *Herero-Opstand*, p. 278.

<sup>89</sup> Jonas Kreienbaum: "'Extermination Camps' in German South West Africa? On the Role of Concentration Camps during the Ovaherero and Nama Wars of 1904-1908", in: Wolfram Hartmann, (ed.): *Nuanced Considerations. Recent Voices in Namibian-German Colonial History*, Windhoek, Orumbonde, 2019, pp. 172-186 (172).

<sup>90</sup> Jakob Zollmann: 'Communicating Colonial Order: The Police of German South-West-Africa (c. 1894-1915)', in: *Crime, History & Societies*, 15 (1), 2011, pp. 33-57 (38).

<sup>91</sup> NAN ZBU 153 A.VI.a.3 Band 12 Jahresbericht für das Jahr 1905/06 Grootfontein, 28.5.1906 folio 74-75.

<sup>92</sup> NAN ZBU 155 A.VI.a.3 Band... Jahresberichte 1907/08 Jahresbericht Grootfontein für das Jahr 1907 folio 226.

provided with passes and eluded control.<sup>93</sup> In 1907 an estimated four to five hundred natives in Karibib district had not been registered and were roaming in the bush and living in inaccessible hideouts.<sup>94</sup>

The inability of the colonial police to control the vast areas of land provided dispossessed communities with “some degree of agency regarding their choice of workplace.”<sup>95</sup> It enabled them to vacillate between their places of employment and subsistence in the bush. It was common for farm workers to leave their employment for the bush during the rainy season, returning to wage employment during the dry season. Some came back to their employers; others were captured by police patrols and taken back to the farms. One farmer in Okahandja district asserted that in his three years on the farm some of his and his neighbours’ workers had left their employment 4 to 5 times. They were in the bush for about 2 years and had worked one year. The reason for this was that it was difficult to keep them on the farms. He had given them some small stock and garden land, goats and pigs with little success.<sup>96</sup>

Weak controls over large tracts of land allowed contracted farm workers to escape harsh working conditions on farms. Such desertions were frequent as mistreatment and inadequate rations (*unsachgemässe Behandlung und unzureichende Verpflegung*) were common.<sup>97</sup> The district chief in Gobabis ascribed the poor treatment of African workers and inadequate rations to the fact that especially the *Schutztruppenfarmer*, that is, former soldiers of the Schutztruppe, did not have much to offer their labourers as they had nothing themselves. Several factors including creditors wanting their money made them nervous and lead them to physical excesses (*tätliche Ausschreitungen*) leading to dissatisfaction and desertion.<sup>98</sup> Given their poor economic positions, many settlers were unable to pay cash wages and tried to save on labour costs by reducing rations. In the absence of uniform standards for rations, amounts differed across farms. The district chief in Outjo observed that the cups used for measuring food changed dramatically across farms, “from miniature to normal

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<sup>93</sup> NAN ZBU 2044 W.III.a.3 Band 1 Kaiserliche Bezirksamt Grootfontein to Kaiserliche Gouvernement, 24.10.1908 folio 44.

<sup>94</sup> NAN ZBU 155 A.VI.a.3 Jahresberichte 1907/08 Band 17 Jahresbericht des Bezirksamts Karibib für das Etatsjahr 1907 folio 74.

<sup>95</sup> Marie Muschalek: *Violence as Usual. Policing and the Colonial State in German South West Africa*, Windhoek, University of Namibia Press, 2020, p. 148.

<sup>96</sup> NAN ZBU 2045 W.III.b.5 Band 2 Bayha, farm Okonjete to Kaiserliches Gouvernement, 31.1.1914, folio 17. See also NAN ZBU 2044 W.III.a.3 Band 1 Kaiserliches Distriktsamt Okahandja to Kaiserliche Gouvernement, 26.10.1908 folio 26.

<sup>97</sup> NAN ZBU 2054 W.III.r.2 Band 1 Kaiserliches Distriktsamt Omaruru to Kaiserliche Gouvernement, 12.1.1908 folio 5-6.

<sup>98</sup> NAN ZBU 2024 W.II.B.2 Kaiserliches Distriktsamt Gobabis to Kaiserliche Gouvernement, 30.3.1913 folio 101-102

size and that the size of the thumb which the person distributing food sticks into the cup has a significant influence on the content of the cup."<sup>99</sup>

When workers became unwilling or unruly on account of not having received rations that were commensurate with their work performance, many settlers resorted to floggings and other forms of mistreatment.<sup>100</sup> This was referred to metaphorically as paternal chastisement (*väterlichen Züchtigungsrecht*).<sup>101</sup> It was understood as akin to a father disciplining his child with a gentle hiding. Sjamboks were "available on all farms and generally used" for this purpose.<sup>102</sup> Streitwolf, who observed in 1912 that the right of chastisement was made use of very often, believed that it was only natural that an African who had done something wrong deserved a hiding (*Tracht Prügel*).<sup>103</sup> That this form of disciplining workers had little to do with a gentle hiding is clear from observations by the Deputy Governor, Hintrager, in 1912 that it was repeatedly observed that flogging had caused considerable wounds which harmed the health of workers for longer periods. This was contrary to the law and was impermissible under any circumstances. He noted that in recent times the inappropriate shackling of African workers laid bare their wrist and ankle bones causing serious illness, especially when ox thongs were used. It was the duty of district chiefs to avoid such abuses taking place under any circumstances and he implored district offices to focus more on money fines than floggings.<sup>104</sup> So general was mistreatment, that the Governor feared that if it was not addressed, feelings of hatred would lead to an uprising and

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<sup>99</sup> NAN ZBU 2044 W.III.a.1 Band 1 Kaiserliche Bezirkshauptmannschaft Outjo to Kaiserliche Gouvernement Windhoek, 27.5.1907 folio 23.

<sup>100</sup> NAN ZBU 2062 W.IV.e.1 Band 1 Kaiserliches Bezirksamt Rehoboth to Gouverneur Windhoek, 21.10.1912 folio 3. "...die vielen Züchtigungen scheinen nur da notwendig, wo der Eingeborene nicht entsprechend seiner Arbeitsleistung zu essen erhält und wo er infolgedessen unwillig und widerspenstig ist und sein muss. Da eine solche Stimmung unter einem gossen Teil der Eingeborenen für das Schutzgebiet von schweren Folgen sein kann, sollte die Regierung dieser Frage baldigst nahetreten." Muschalek: *Violence*, p. 152.

<sup>101</sup> This translation is used in Drechsler: *Fighting*, p. 235. It was translated as "fatherly right of correction" in Silvester, *Gewald: Words*, p. 260.

<sup>102</sup> Bley: *South West Africa*, p. 262.

<sup>103</sup> NAN ZBU 2037 W.II.k.1 Band 3 Bereisung des Ambolandes Juli bis August 1912 durch Hauptmann Streitwolf, folio 101-102.

<sup>104</sup> Cited in Wege: 'Entstehung', p. 177. "Es ist wiederholt beobachtet worden, dass durch den Vollzug der Prügelstrafe Eingeborene erhebliche Wunden davontrugen, und dadurch in ihrer Gesundheit auf längere Zeit erheblich geschädigt wurden. Ein derartiger Vollzug der Strafe entspricht nicht dem Zwecke des Gesetzes und ist unter allen Umständen unzulässig...Durch eine unzweckmäßige Fesselung der Eingeborenen, besonders bei der Verwendung von Ochsenriemen wurden in der letzten Zeit häufig die Knochen an den Hand- und Fußgelenken freigelegt und dadurch schwere Erkrankungen hervorgerufen. Ich mache den Ämtern zur Pflicht, dafür zu sorgen, dass derartige Missstände unter allen Umständen vermieden werden."

the ruin of the country.<sup>105</sup> Despite these concerns, he issued a circular in 1912 in which he ordered that roaming (*vagabundierende*) natives who were caught should be punished with prison and forced labour. The same punishment should apply to those found without a pass tag. He acknowledged that the practice of employing natives who deserted elsewhere was widespread and that whites who engaged in this should be taken to court.<sup>106</sup> The *Landesrat* resolved in 1913 that repeat offenders should not receive any new workers. But it immediately followed this by saying that similar stern action should be meted out to coloured stock thieves and vagabonds. Leniency on the side of the colonial administration often gave rise to mistreatment.<sup>107</sup> The perceived inability of the colonial police to exercise control over colonized communities provided the legitimacy for settlers to resort to violence.<sup>108</sup>

Although the service and labour contract regulations provided for the forcible return (*Zurückführungsrecht*) of deserters to their employers, implementation proved challenging as it proved impossible in many cases to establish their identity. Deserters simply threw away their pass tags and other documents and moved to another district where they sought employment, claiming to be from the bush, that is, not registered.<sup>109</sup> Alternatively, they changed their names when moving from one district to the next, leading to confusion as to whether the deserter claimed by an employer was the one who was captured by a police patrol or not.<sup>110</sup> Changing names was facilitated by settlers frequently giving their workers new names.<sup>111</sup> Proposals by the farmers' associations in Outjo, Okahandja, Waterberg, and Gobabis districts to brand

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<sup>105</sup> NAN ZBU 2054 W.III.r.1 Band 1 Kaiserlicher Gouverneur to Kaiserliche Bezirksamtmann / Distriktschef persönlich. Geheim, 31.5.1912 folio 7f.

<sup>106</sup> NAN ZBU 2045 W.III.b.5 Band 1 Kaiserlicher Gouverneur Hintrager to..., Windhoek, 26.6.1912 folio 127-128.

<sup>107</sup> NAN ZBU 2054 W.III.r.1 Band 1 Kaiserlicher Gouverneur to Kaiserliche Bezirks (Distrikts) amt, 14.8.1913 folio 9.

<sup>108</sup> NAN ZBU 94-95 A.III.D.8.b Landesrats-Verhandlungen. Protokoll über die Sitzung des Landesrats für das Südwestfrikanische Schutzgebiet vom 16. Mai 1911, p. 68.

<sup>109</sup> See e.g. NAN ZBU 2045 W.III.b.5 Band 1 Kaiserliches Bezirksamt Gobabis to Kaiserliche Gouvernement, 20.8.1912 folio 130f.

<sup>110</sup> See e.g. NAN ZBU 2045 W.III.b.5 Band 2 Kaiserliches Bezirksamt Omaruru to Kaiserliche Gouvernement, 12.2.1914, Appendix 6.7.1914 folio 43-45. See also NAN ZBU 2045 W.III.b.5 Band 2 Schneidenberger Okahandja to Kaiserliche Gouvernement, 12.2.1914, folio 31. NAN ZBU 157 A.VI.a.3 Kaiserliche Bezirksamtmann to Kaiserliche Gouvernement 7.5.1910 Annual Report Grootfontein 1909, folio 122.

<sup>111</sup> NAN ZBU 2045 W.III.b.1 Band 1 Präses Olpp Rheinische Mission Karibib to Kaiserliche Gouvernement, 13.3.1911 folio 24-25; NAN ZBU 2045 W.III.b.1 Band 1 Kaiserliche Gouverneur to Präses of the Rheinische Mission Karibib, 9.3.1911 folio 23. Krüger, p. 186.

or tattoo Africans “who have a tendency to desert” to ensure permanent identification were rejected by the Governor as he feared significant resistance to this, both locally and in Germany.<sup>112</sup>

Indications exist that desertions were organized in some places. Wege referred to a night in January 1909 at Waterberg, when all workers of the farms Eware, Oudona and Okatjekuri fled.<sup>113</sup> He cited a police report as stating that desertions in Okahandja and Waterberg were organized and that collection points were to be established in the Omatoko and Ombotosu mountains. Agents of Samuel Maharero and a company of Boers, Cape people, and some German settlers were supposed to be behind this process.<sup>114</sup> Colonial officials could not verify these rumours.<sup>115</sup> However, the desertion of all workers on three settler farms in Gobabis district in 1914 lends credence to the possibility that desertions might have been organized.<sup>116</sup> The colonial administration was convinced that workers on settler farms were in constant contact with one Kanjembi (sic) and assisted him with stock theft. His settlement was regarded as a refuge for those who had to answer for something.<sup>117</sup>

Until the end of its rule, the German colonial administration failed to bring all dispossessed communities under its complete control. Vacillating between wage labour and subsistence in the bush continued until 1914.

## Livestock

Over the years the mantra that “if the natives become rich in cattle again, the safety of the country will be threatened”<sup>118</sup> served as justification to continue the prohibition on livestock ownership by dispossessed communities. Despite general opposition by settlers to Africans owning livestock again, the economic situation of many settlers

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<sup>112</sup> NAN ZBU 2045 W.III.b.1 Band 1 Kaiserliche Bezirksamtman Outjo to Kaiserliche Gouvernement, 4.3.1912 folio 29; NAN ZBU 2045 W.III.b.1 Band 1 An das Kaiserliche Bezirksamt Outjo, 9.4.1912, folio 30; NAN ZBU 2045 W.III.b.1 Band 1 Landwirtschaftlicher Verein Okahandja to Kaiserliche Gouvernement, 16.12.1912 folio 35; Farmer-Verein Waterberg to Kaiserliche Gouvernement, 2.2.1913 folio 37; Farmer-Verein Gobabis to Kaiserliche Gouvernement, 9.2.1913 folio 39.

<sup>113</sup> Wege: ‘Entstehung’, p. 243.

<sup>114</sup> Ibid., p. 142.

<sup>115</sup> NAN AP 1/3/3/2 Die deutschen Schutzgebiete in Afrika und Südsee 1907/08 Teil E: Deutsch-Südwestafrika, p. 3.

<sup>116</sup> NAN ZBU 2045 W.III.b.5 Band 2 Polizeiwachtmeister Franken, Gobabis Patrouillen-Bericht 7.9.1914, folio 10.

<sup>117</sup> Wege: ‘Entstehung’, p. 232. “Die Eingeborenen der Farmen standen mit ihm in dauernder Verbindung und bildeten bei Diebstählen seine Helfershelfer. Seine Werft war der Zufluchtsort vieler Eingeborener, die etwas auf dem Kerbholz hatten.” See also NAN AP 1/3/3/5 Die deutschen Schutzgebiete in Afrika und der Südsee 1911-1912. Amtliche Jahresberichte herausgegeben vom Reichskolonialamt. Berlin: Ernst Siegfried Mittler und Sohn, 1913, p. 106.

<sup>118</sup> Bley: *South West Africa*, p. 230.

made this inevitable. Being unable to pay wages in cash, many settlers remunerated their labourers in livestock. In 1908 some employers in Gobabis district remunerated workers with small stock instead of wages as "a native who owns a few goats will not run away again."<sup>119</sup> In 1912 farmers in the Keetmanshoop district allowed their labourers some small stock on their farms<sup>120</sup> and in Warmbad workers were paid mostly in goods and livestock.<sup>121</sup> Goats were valued at RM 9-12.<sup>122</sup>

By January 1913 Africans possessed 22,476 large stock and 316,828 small stock.<sup>123</sup> Small stock numbers had increased far more rapidly than cattle numbers, as their acquisition did not require permission from the colonial administration. This enabled Nama, who predominantly farmed with small stock, to withdraw from wage labour and subsist on their small stock in greater numbers than Ovaherero, who traditionally were cattle breeders.<sup>124</sup> There were many livestock owners in the south with herds large enough to live off, presumably including native reserves.<sup>125</sup>

In 1912 the Reichstag passed a resolution to request the Imperial Chancellor to withdraw the resolution on native livestock ownership.<sup>126</sup> But an unqualified withdrawal was not regarded as desirable for political and economic reasons. Governor Hintrager argued that most applications to keep livestock had been approved. He wanted to retain the prohibition on natives keeping riding animals (horses, mules and oxen) under all circumstances as this would ease movement of natives.<sup>127</sup> This opposition was shared by settlers and district officials. A motion in the Territorial Council in 1913 to allow livestock for subsistence was rejected.<sup>128</sup> With a few exceptions, the general

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<sup>119</sup> NAN ZBU 2054 W.III.r.2 Band 1 Kaiserliches Distriktsamt Gobabis to Kaiserliche Gouvernement, 29.1.1908 folio 12-13. 'Ein Eingeborener, der im Besitze einiger Bokkies ist, läuft nicht mehr fort'.

<sup>120</sup> NAN ZBU 2024 W.II.B.2 Kaiserliches Bezirksamt Keetmanshoop to Kaiserliche Gouvernement, 28.3.1913 folio 100.

<sup>121</sup> NAN ZBU 2062 W.IV.e.2 Band 1 various district reports from November 1912 to Jun 1913, folios 78-79.

<sup>122</sup> NAN ZBU 2062 W.IV.e.2 Band 1 various district reports from November 1912 to Jun 1913, folios 78-103. See also Wege, 'Entstehung', pp. 191-194.

<sup>123</sup> Die deutschen Schutzgebiete in Afrika und der Südsee 1912/1913. Amtliche Jahresberichte, herausgegeben vom Reichs-Kolonialamt, Mittler und Sohn, Berlin, 1914, p. 130.

<sup>124</sup> Rädels: 'Wirtschaft', p. 95.

<sup>125</sup> NAN ZBU 2046 W.III.D.2 Band 1 Eingeborenen-Kommissariat Keetmanshoop to Kaiserliche Gouvernement, 9.10.1913 folio 181-182.

<sup>126</sup> NAN ZBU 2046 W.III.D.1 Band 1 Staatssekretär des Reichs-Kolonialamtes to Gouverneur, Windhoek, 17.7.1912 folio 2.

<sup>127</sup> NAN ZBU 2046 W.III.D.1 Band 1 Auszug n.d. folio 1; ? to Staatssekretär des Reichskolonialamtes Berlin, 30.8.1912 folio 3.

<sup>128</sup> NAN ZBU 2046 W.III.D.1 Band 1 Landesrat 1913 Protokoll Seite 2 Verzeichnis Nr 48 7. Sitzungstag folio 4.



ban on Ovaherero cattle ownership remained in force until the outbreak of the First World War in 1914.<sup>129</sup>

The extent to which Ovaherero were able to slowly rebuild a livestock economy before 1914 is not clear and needs further research. However, a brief look at the period of military rule after the defeat of the Germans provides a sense of the resilience of the dispossessed.<sup>130</sup>

## South African period

Five years of military rule after German surrender, provided dispossessed communities with an opportunity to reassert themselves, reclaim some of their lost lands, and slowly rebuild their herds. Ovaherero were reported to have “regarded (their) former German Master’ as no longer master but an equal by conquest.”<sup>131</sup> They resented “having to continue living on white men’s farms and practically compelled to work; it is reasonable to assume that many of them are desirous of farming for themselves and living apart in special reserves.”<sup>132</sup> They were said to “possess a goodly number of goats...(and) would like a reserve to settle on so that they could live under tribal conditions.”<sup>133</sup>

German farms in particular were targeted for desertion. In 1915 it was reported from the Gobabis, Okahandja and Waterberg districts that:

the attitude of the Natives employed on farms...has become more and more threatening and assaults on German farmers are of rather frequent occurrence. While making full allowance for exaggeration I have become convinced that the German population in the Districts before mentioned is in a most unenviable if not to say dangerous position.<sup>134</sup>

The withdrawal from farm labour was accompanied by a process of claiming back some ancestral land and to re-build a livestock economy. Before the war already “[t]here was a persistent and secret movement among the Africans to reassemble. This was especially true of the Ovaherero. They left the labour camps in the south and on the coast and slowly collected in their former areas.”<sup>135</sup>

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<sup>129</sup> Bley: *South West Africa*, p. 231.

<sup>130</sup> For more details see Werner: *Economy*.

<sup>131</sup> NAN ADM 106/3370 Annual Report Omaruru 1916, 5.1.1917, p. 4.

<sup>132</sup> NAN SWAA A 396/1 Extract from Report of Lieutenant Saunders on Tour with Capt. Bell, Native Commissioner, n.d. (1915), p. 2.

<sup>133</sup> *Ibid.*, p. 1.

<sup>134</sup> NAN SWAA A 396/1 Officer in Charge C.I.D. Windhoek to Officer in Charge Constabulary and Police Windhoek, 17.12.1915.

<sup>135</sup> Bley: *South West Africa*, p. 256.

The restrictions imposed by the German colonial administration on the purchase or ownership of stock by dispossessed communities were cancelled after conquest.<sup>136</sup> Apart from repealing the prohibition on livestock acquisition, the Union administration set aside temporary reserves in the districts of Windhoek, Okahandja, Karibib, Omaruru, Otjiwarongo, and Grootfontein districts "where the older people could reside and the stock of the labourers (be) kept".<sup>137</sup> By 1920 at least 25 temporary reserves had been established in SWA, covering 272,122 ha.<sup>138</sup> The Native Reserves Commission of 1921 reported that the area of land occupied by natives as 317,243 hectares, accommodating 8,394 people with 14,243 large stock and 131,386 small stock.<sup>139</sup>

But these small gains were short-lived. As soon as the Mandate was granted to the Union of South Africa in 1919, the new colonial power set out to solve the land and labour question for the last time. For settler farming to flourish in future, the limited gains made by dispossessed communities after 1915 had to be reversed and white dominance restored. The solution was to force dispossessed communities off the land they had reclaimed to be settled in marginal areas. Their marginalisation was a structural necessity to create cheap labour. The Native Reserves Commission recommended in 1921 that a total of 2,24 million hectares of land in the Police Zone were to be reserved for Black Namibians.<sup>140</sup> By its own admission, the land thus set aside for black occupation was "infinitesimal in comparison with the area occupied by Europeans or available for European occupation."<sup>141</sup>

Temporary reserves were closed, and their inhabitants moved to large areas in outlying parts of the country. Between 1923 and 1926 ten native reserves were created, six for the Ovaherero, two for Nama communities, and Otjimbingwe.<sup>142</sup> The forced resettlement of dispossessed communities into native reserves meant that their ancestral lands were finally lost. The struggle now was for the extension of reserved land and the improvement of conditions in the reserves.<sup>143</sup>

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<sup>136</sup> NAN ADM 85, 2163/3 (III) Secretary for the Protectorate to Officer in Charge Native Affairs Windhoek, 1.11.1920.

<sup>137</sup> NAN U.G. 21-1923 Report of the Administrator of South West Africa for the year 1922, p. 11.

<sup>138</sup> NAN ADM 85, 2163/3 (III) Native Reserves Windhoek District 1920 Native Affairs Windhoek, 11.2.1921. See also NAN SWAA A 158/1 Returns of Native Reserves 1920; NAN SWAA A 158/4 Native Reserves Commission 1921: Schedule of Land Proposed and Earmarked for Native Reserves as Well as of Land Occupied by Natives in South West Africa.

<sup>139</sup> South West Africa: *Report of Native Reserves Commission*, Windhoek, 1921, p. 8.

<sup>140</sup> *Ibid.*, p. 20.

<sup>141</sup> *Ibid.*

<sup>142</sup> Wolfgang Werner: 'A Brief History of Land Dispossession in Namibia', in: *Journal of Southern African Studies*, 19 (1), 1993, pp. 135-146 (144).

<sup>143</sup> Krüger: *Kriegsbewältigung*, p. 27.

During the immediate aftermath of conquest, the power of German settlers over dispossessed Africans was shattered to an extent that farmers in the Kalkfeld district summed up their position in the following way:

The natives have understood it to bring about our economic retrogression during the last years and it is a fact through their constant maliciousness they have begun to take from us our courage and joyfulness in following the profession of the farmer. The other day a new settler, a Boer, put it strikingly by saying: "This country is hell for the white man!"<sup>144</sup>

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<sup>144</sup> ADM 4060 Vol. 2, Farm Association Kalkfeld to Magistrate Otjiwarongo, 13. November 1920, p. 2.

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# “A question of fundamental, far-reaching importance for all the future”

## German compensation payments as a result of the Herero War, 1904-1914

Jakob Zollmann

### Introduction

The German state has already paid compensation for damages caused by the Ovaherero war – to the German settlers and companies that were able to claim such war damages from 1904 onwards, as well as to some Africans. Attentive readers of Helmut Bley’s seminal monograph on German colonial rule (1968) or of contemporary Wilhelmine texts and parliamentary minutes have long been aware of this.<sup>1</sup> Yet, as far as can be seen, these possible precedents play no role in current political-legal and historiographical debates about possible German reparation payments to the Ovaherero and Nama in Namibia (and possibly also in Botswana and elsewhere). Even (legal) historians working on German colonial history in Namibia, or on the history of reparation payments, or on claims for reparations hardly took up these examples.<sup>2</sup> This is remarkable, as they sparked heated debates in the *Reichstag* (Imperial parliament) and in the colony *Deutsch-Südwestafrika* (GSWA, German South West Africa) more than a century ago.

In the following, after some conceptual legal discussions, the early beginnings of this colonial reparations debate, the main actors of this political struggle, and the (preliminary) results will be briefly analysed; well aware that the topic awaits a monographic treatment.

### Compensation for war damage – a legal-history overview

Compensation is primarily a civil law concept. It aims at balancing relationships between individuals, the injured party and those who caused the damage. This is often

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<sup>1</sup> Helmut Bley: *Kolonialherrschaft und Sozialstruktur in Deutsch-Südwestafrika, 1894–1914*, Hamburg, Leibniz, 1968, e.g., pp. 171, 219.

<sup>2</sup> See for an early exception Hans Joseph Cahn: *Wesen und Grundbegriffe des Kriegsschadensrechts*, Zürich, Weiss, 1946, p. 318, § 175; later, Markus J. Jähnel: *Das Bodenrecht in “Neudeutschland über See”. Erwerb, Vergabe und Nutzung von Land in der Kolonie Deutsch-Südwestafrika 1884–1915*, Frankfurt am Main, Lang, 2009, pp. 230f.



linked to the claim that this compensation complies with the dictates of justice. The German Civil Code (*BGB*), which has been in force in Germany since 1900, stipulates the following with regard to damages and compensation: “A person who is liable in damages must restore the position that would exist if the circumstance obliging him to pay damages had not occurred.” (§ 249 I BGB n.F.). And: “To the extent that restoration is not possible or is not sufficient to compensate the obligee, the person liable in damages must compensate the obligee in money.” (§ 251 I BGB n.F.).<sup>3</sup>

In addition, there was and is compensation between states – for example, after a war. In such cases, the term reparations is usually used. Well-known historical examples include France’s obligation to pay “His Majesty the German Emperor [...] five billion francs” after its defeat in the Franco-Prussian War of 1870/71,<sup>4</sup> and Germany’s reparations payments to the Allies after the First World War (the amount of which was not initially specified) in accordance with the Treaty of Versailles in 1919. At that time, Germany had been required by Article 231 of the Treaty of Versailles to accept:

[German] responsibility ... for causing all the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Germany and her allies.<sup>5</sup>

Here too, therefore, it was a matter of reparation by the perpetrator of the damage by means of payments in kind and in cash and restitution, which were intended to put aggrieved governments and individuals – in civil law terms – in the “position that would exist if the circumstance [here: the World War] obliging [Germany] to pay damages had not occurred.”<sup>6</sup>

<sup>3</sup> “Wer zum Schadensersatz verpflichtet ist, hat den Zustand herzustellen, der bestehen würde, wenn der zum Ersatz verpflichtende Umstand nicht eingetreten wäre” (§ 249 I BGB n.F.). “Soweit die Herstellung nicht möglich oder zur Entschädigung des Gläubigers nicht genügend ist, hat der Ersatzpflichtige den Gläubiger in Geld zu entschädigen” (§ 251 I BGB n.F.). See Nils Jansen: ‘§§ 249-253, 255 (Schadensrecht)’, in: Mathias Schmoeckel, Joachim Rückert and Reinhard Zimmermann, (eds.): *Historisch-kritischer Kommentar zum BGB. Band II: Schuldrecht. Allgemeiner Teil. 1. Teilband*, Tübingen, Mohr Siebeck, 2007, pp. 517-654 (530 Rn 17; 603 Rn 100).

<sup>4</sup> Article II Friedens-Präliminarien zwischen dem Deutschen Reich und Frankreich (26. Februar 1871), *Reichsgesetzblatt*, Band 1871, Nr. 26, S. 215-222; Article VII Friedens-Vertrag zwischen dem Deutschen Reich und Frankreich (10. Mai 1871), *Reichsgesetzblatt*, Band 1871, Nr. 26, p. 223-244.

<sup>5</sup> Article 231 Peace treaty of *Versailles*. (28 June 1919); see Leonard Gomes: *German Reparations, 1919–1932. A Historical Survey*, London, Palgrave Macmillan, 2010; Elazar Barkan: *The Guilt of Nations: Restitution and Negotiating Historical Injustices*, New York, Norton, 2000.

<sup>6</sup> See Jakob Zollmann: ‘Mixed Arbitral Tribunals (post-World War I peace treaties)’, in: Hélène Ruiz Fabri, (ed.): *Max Planck Encyclopedia of International Procedural Law*, Oxford, Oxford University Press, 2023,

A special case of state compensation is that of its own nationals for war damage caused by its own or enemy troops, such as looting, bombardment, or confiscation/requisition of private property (food, livestock, means of transport, money, and so forth). Within German cameral science and jurisprudence, there has been much discussion since the early modern period about the question of who should bear these and other "war burdens" (these also included special tax payments, contributions), and whether and how these should be distributed as "equally" as possible, that is, "fairly", among the "subjects" and later citizens.<sup>7</sup> The jurist K. Gratener therefore spoke in 1810 of war as a "reciprocal" and "successive" "system of destruction" and "system of maintenance and replacement."<sup>8</sup>

Weighing up these systems, 100 years later Almá Latifi, an international law scholar and civil servant with the Indian Civil Service, presented a comprehensive study on the *Effects of War on Property*, in which he described the development of law and repeatedly addressed the question of requisitions and compensation for war damage. On the basis of the Hague Conventions on Land Warfare, several international legal regulations were adopted in 1899 and 1907, which also made compensation obligations binding for those troops that requisitioned enemy private property (Articles 52; 53).<sup>9</sup> The renowned international law scholar John Westlake of the University of Cambridge summarised the (by no means doubtless) legal situation in an epilogue and expressed his conviction "that it is not only when they are under fire that private property and means are not sacred."<sup>10</sup>

From this perspective, the containment of wartime violence, the minimisation of war damage and its compensation were largely left to the discretion of the warring states. However, if it was a matter of requisitions by one's own armed forces, the corresponding domestic provisions were a special case of "expropriation law", the "expropriation contracts", and the compensation for the individual expropriated by the state regulated therein.<sup>11</sup> Such a state duty to compensate was one of the "basic

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<https://opil.ouplaw.com/display/10.1093/law-mpeipro/e3355.013.3355/law-mpeipro-e3355>

<sup>7</sup> See inter alia: Friedrich Heinrich Hatzfeld: *Prüfung der Grundsätze welche über die Peräquation der Kriegslasten bisher sind aufgestellt worden*, Frankfurt am Main, Andreaische Buchhandlung, 1802, p. iv.

<sup>8</sup> Karl Wilhelm Friedrich Gratener: *Repertorium aller der Kriegslasten, Kriegsschäden und Kriegseinquartierungen betreffend neueren Gesetze und Verordnungen. Ein Handbuch*. Teil 1, Breslau, Korn, 1810, p. iv. Gratener's uncompromising anti-Semitism should be emphasised here.

<sup>9</sup> Almá Latifi: *Effects of War on Property, being Studies in International Law and Policy*, London, Macmillan, 1909, p. 30; see 'Abkommen, betreffend die Gesetze und Gebräuche des Landkrieges' 18.10.1907, *Reichsgesetzblatt* (RGBl.) 1910, p. 107.

<sup>10</sup> John Westlake: 'Belligerent Rights at Sea', in Almá Latifi: *Effects of War on Property, being Studies in International Law and Policy*, London, Macmillan, 1909, pp. 145-152 (148).

<sup>11</sup> Michael Stolleis: *Geschichte des öffentlichen Rechts in Deutschland*, vol. 2, München, Beck, 1992, p. 412.

parameters of the [German] law of expropriation of the 19<sup>th</sup> century”, influenced above all by French models. It was based on “the idea of sacrifice”: Those who are forced by the state to “sacrifice” their property for the common good (such as victory over an enemy in war) thereby acquired “the right to compensation in money for this sacrifice.” Nevertheless, it is important to note, with Foroud Shirvani, that in the legal discourse of the 19<sup>th</sup> century, no generally accepted, “prevailing concept of expropriation” had yet emerged.<sup>12</sup>

But could one’s own government, in and after a war, be *additionally* held liable by injured party for the removal, destruction, or other damaging behaviour of the enemy in one’s own country? This question was posed in one way or another by German settlers and merchants in Hereroland in DSWA from January 1904, depending on the colonial-military context. Their farms, livestock, equipment and trade goods had been destroyed or looted by the men of Samuel Maharero, Chief of the Ovaherero, in order to force the Germans to leave the country.<sup>13</sup> Of course, governments, state and municipal administrations, and those who had been damaged by wars or rebellion had already struggled in the centuries before over whether and how such burdens or damages should be compensated. The aggrieved hoped that a state would be obliged to compensate its citizens for war damage, regardless of who caused it. Thus, one regularly finds efforts by individual branches of the administration to limit war-related burdens on the population and thus keep them bearable. An 1873 *Law on War Benefits* regulated some details in Imperial Germany. However, it left the decisive questions about the “scope and amount of any compensation to be granted and the procedure for determining the same” to a “special law of the empire” to be passed in each individual case.<sup>14</sup> There was no legally binding obligation on the part of the German state to compensate individuals for war damage in general, which could have been enforced in court.<sup>15</sup>

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<sup>12</sup> Foroud Shirvani: ‘Entwicklung des Enteignungsrechts vom frühen 19. Jahrhundert bis zur Weimarer Reichsverfassung’, in: Otto Depenheuer, Foroud Shirvani, (eds.): *Die Enteignung. Historische, vergleichende, dogmatische und politische Perspektiven*, Berlin, Springer, 2018, pp. 25-51, at p. 38 quoting Otto Mayer p. 43.

<sup>13</sup> On the topos of the ‘looting Herero’, see Frank Oliver Sobich: *“Schwarze Bestien, rote Gefahr”. Rassismus und Antisozialismus im deutschen Kaiserreich*, Frankfurt am Main, Campus, 2006, pp. 75, 89, 93f.; and Matthias Häussler: *The Herero Genocide*, New York, Berghahn, 2020, pp. 56, 55 Fn. 163 on the smooth transition between ‘plundering’ and ‘requisitioning’.

<sup>14</sup> § 35 Gesetz über die Kriegseleistungen, 13. Juni 1873, *RGBl.*, p. 129.

<sup>15</sup> Cuno Hofer: *Der Schadenersatz im Landkriegsrecht*, Tübingen, Mohr, 1913; Thomas Habbe: *Lastenausgleich. Die rechtliche Behandlung von Kriegsschäden in Deutschland seit dem 30jährigen Krieg*, Frankfurt am Main, PL Acad. Research, 2014.

## The Reichstag and the compensation claims during the Herero War, 1904-1907

The first entry in the files of the *Reichskolonialamt* (Imperial Colonial Office), at that time still the Colonial Department of the Foreign Office, on the subject of "state aid (compensation payments) on the occasion of the Herero uprising in 1904" dates from February 1904. The Foreign Office had requested Governor Theodor Leutwein in Windhoek by telegram to estimate "if possible, [the] approximate total sum of the damage [...] which had accrued to private individuals as a result of [the] uprising."<sup>16</sup> At the same time, the Reich Treasury was informed of the expected claims. It had already been "discussed in Reichstag circles [...] in what way the farmers, merchants, etc. damaged by the uprising should be compensated."<sup>17</sup>

Less than four weeks later, in March 1904, the *Reichsleitung* (Imperial 'government') demanded that the Reichstag approve a supplementary budget as a result of the war in DSWA. Among the line items presented in the bill were not only considerable sums for the repair of the Swakopmund-Windhoek railway damaged by Ovaherero, but also "2,000,000 marks for the compensation of the settlers." With regard to the legal situation, which did not know a general law of war damages, the Colonial Department explained: "Even if a legal obligation to compensate the losses of property and other assets [...] cannot be recognised, in view of the severity of the misfortune that has befallen the protectorate [...] it will not be possible to avoid intervention by the authorities by granting equitable compensation."<sup>18</sup>

In the subsequent debate in the Reichstag, Member of the Reichstag Spahn (*Zentrum*) did recognise that parliament had to approve all the funds "required to put down the uprising." But he insisted on referring the draft to the budget commission and critically examining individual items. For:

In the supplementary budget, for the first time actually, 2 million marks are demanded for compensation for the losses inflicted on the whites by the Herero uprising. Although a legal obligation to do so is denied, the severity of the disaster that has befallen the protectorate makes it unavoidable for the authorities to intervene by granting equitable compensation. This question is of fundamental, far-reaching importance for all the future, and therefore it requires particularly thorough examination in the Commission. If we look back at our [German] legislation, the Reich has only one law in which compensation is paid for war damage: that is the law of 14 June 1871, and in that law at that time compensation from Reich funds for the lands devastated in the French war was not envisaged,

<sup>16</sup> Bundesarchiv Berlin-Lichterfelde (BAB) R 1001/2219, Bd. 1, Bl. 3, Tlgr. Auswärtiges Amt, Kolonialabteilung (AA) an Bezirksamt Swakopmund für Gouverneur Windhuk, 19. Feb. 1904.

<sup>17</sup> BAB R 1001/2219, Bd. 1, Bl. 3-5, AA an Reichsschatzamt, 19. Feb. 1904.

<sup>18</sup> Draft bill dating 14.03.1904, quoted in Eduard Heilfron: *Die rechtliche Behandlung der Kriegsschäden*, Bd. 1, Mannheim, Bensheimer, 1918, p. 341.

but it was assumed at that time that compensation should only be granted from the funds of the war indemnity to be paid by France. [...] The compensation commission also had a legislative basis.<sup>19</sup>

Spahn recalled that the “Herero Uprising” was by no means the first armed conflict within the German colonial empire. At the same time, he pointed out that “up to now, we have not paid compensation in the colonies for losses caused by uprisings [for example in East Africa]”<sup>20</sup> – although who he meant by ‘we’, the Reichstag or the German colonial administration, remains unclear. Rather, it is up to archival research to find out whether, before 1904, individual colonial administration officials had not found ways and means to “support” settlers due to their losses through “uprisings”, that is, to compensate them for their losses. It was not possible for German settlers to take out insurance against future property “damage” caused by “events of war” and “riots”. Insurance companies did advertise their products such as “capital and war insurance” among “colonial Germans”. But these were exclusively life insurance policies for “provision for surviving dependants and old age” for “persons of both sexes”, but not insurance policies for material assets.<sup>21</sup> Karl Neumeyer, an expert on private international law, still stated after the end of the German colonial era that “imperial insurance law was not applicable to colonial enterprises.”<sup>22</sup>

If, therefore, claims for compensation as a result of the OvaHerero War could be addressed to the state alone, it could be assumed that the funds requested by the Reichsleitung in 1904 would not be sufficient. The Social Democrat August Bebel knew that “one [...] already speaks today in the organs of colonial politicians with the greatest cold-bloodedness of the fact that these compensations will amount to at least 6 to 8 million marks.”<sup>23</sup> In its proposal, the Reichsleitung reverted to the previous practice according to which war damage should never trigger legally binding state compensation obligations, as Spahn’s reference to the regulations on German private war damage of 1870/71 showed. Instead, under aspects of equity, compensation for such damages was granted *obrigkeitlich* after the fact. The *Law on the Second Supplement to the Budgetary Budget of the Protectorates. Compensation for Herero*

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<sup>19</sup> MdR [Member of Reichstag] Spahn (Zentrum) 17.3.1904, *Stenographische Berichte des Reichstags* [StBR], 11. Legislaturperiode, 60. Sitzung, p. 1888.

<sup>20</sup> MdR Spahn (Zentrum) 17.3.1904, *StBRT*, 11. LegPer., 60. Sitzung, p. 1888.

<sup>21</sup> See the advertisement of *Deutsche Militärdienst-Versicherungs-Anstalt in Hannover*, in: *Deutsches Kolonialblatt. Amtsblatt des Reichskolonialamt*, 7, 1896, p. 235. For German nationals, on the other hand, ‘the [state] accident insurance, disability insurance and employee insurance in the protectorates’ were said to apply, Karl Neumeyer: *Internationales Verwaltungsrecht. Bd. II: Innere Verwaltung*, München, Schweitzer, 1922 (new ed. 1980), § 76, p. 665.

<sup>22</sup> Neumeyer: *Verwaltungsrecht*, § 76, p. 665, with reference to maritime shipping.

<sup>23</sup> MdR Bebel (Sozialdemokraten) 17.3.1904, *StBRT*, 11. LegPer., 60. Sitzung, p. 1889.

and *Witboy [Witbooi] Uprisings* (accounting year 1904) initially granted an amount of RM (Reichsmark) 2 million.<sup>24</sup>

There is not enough space here to recapitulate in detail the Reichstag debates on ever new and ever higher compensation for German losses in DSWA. Members of parliament such as the Centre politician Matthias Erzberger never tired in the following years of denouncing corruption and maladministration in colonial administrative practice, as well as compensation payments due to excessive claims for (alleged) war losses by settlers and colonial societies.<sup>25</sup> In particular, politicians and the press were repeatedly preoccupied with the question of whether the (moral) obligation to compensate would be diminished by a contributory negligence<sup>26</sup> on the part of the settlers in the "uprising". For the colonial critics, this contributory responsibility resulted from the settlers' violence against the African population, which had been known for years. The colonial administration was also held partly responsible for the outbreak of the OvaHerero war because it had not taken decisive enough action against settler violence and violence from the ranks of officials and soldiers. Thus, at the beginning of March 1904, Chief Samuel Maharero reminded Governor Leutwein that it had been "the whites" who had started the war through their unpunished murders.<sup>27</sup> Shortly afterwards, August Bebel described the "uprising of the Hereros against the German regiment [as] an act of desperation."<sup>28</sup>

While the settlers presented themselves as victims of predatory perpetrators of violence and demanded full compensation for all losses in a "race war" the colonial critics (especially in the Centre and among the Social Democrats) did not buy their proclamations of innocence.<sup>29</sup> For if "parts of the 'white' population [were] guilty or complicit in the uprising, this was an excellent argument against blanket compensation."<sup>30</sup> In order to prevent a change of mood against their demands, a "delegation of the German South-West African settlers" travelled to Berlin in June 1904. They hoped to convince the Reich Chancellor and the Reichstag that compensation was necessary in terms of colonial policy and presented a *Memorandum on the Causes of the Herero Uprising and the Settlers' Claims for Compensation*.<sup>31</sup> A little later, the

<sup>24</sup> Cahn: *Wesen*, p. 318.

<sup>25</sup> See *StBRT*, Bd. 222, pp. 3399f.; pp. 3375ff. (05.12.1904); Anna Rothfuss: *Korruption im Kaiserreich. Debatten und Skandale zwischen 1871 und 1914*, Göttingen, V&R unipress, 2019, p. 220.

<sup>26</sup> Nils Jansen: 'Mitverschulden', in: Albrecht Cordes, Hans-Peter Haferkamp, Heiner Lück, Dieter Werkmüller, Christa Bertelsmeier-Kierst, (eds.): *Handwörterbuch zur deutschen Rechtsgeschichte*, 2. Aufl., 23. Lieferung, 2016, Sp. 1576-1578.

<sup>27</sup> Maharero an Leutwein, 6.3.1904, cited in Häussler: *Genocide*, p. 46.

<sup>28</sup> MdR Bebel (Sozialdemokraten) 17.3.1904, *StBRT*, 11. LegPer., 60. Sitzung, p. 1889.

<sup>29</sup> Häussler: *Genocide*, p. 46.

<sup>30</sup> Sobich: *Bestien*, p. 75; p. 87 quotes *Die Gartenlaube*, Halbheft 18, 1904, p. 510.

<sup>31</sup> 'Über die Ursachen des Herero-Aufstandes', in: *Freiburger Zeitung*, 20.08.1904, p. 1, online accessible: <https://www.freiburg-postkolonial.de/Seiten/FreiburgerZeitung1904-08-20.htm> ;

book by the farmer Conrad Rust *Krieg und Frieden im Hereroland* (1905) about his experiences in the war was “handed over to all members of the Reichstag as propaganda material on the question of compensation.”<sup>32</sup> Rust argued that the settlers had protected “state property” to the detriment of their private property and gave the amount of private damages in DSWA as RM 7 million, which was “later [1905] increased to RM 10 million.”<sup>33</sup> The settlers made a recognisable effort to present their economic situation before the uprising “in a bright light” in order, as Helmut Bley already emphasised, to “improve the assessment basis for the compensation” vis-à-vis the *Reichstag* and the press in Germany.<sup>34</sup>

This political pressure on the *Reichstag* members could not stop the ongoing criticism. It did, however, lead to a majority agreeing to the “compensation[s] of the settlers for losses, support, etc. through no fault of their own.”<sup>35</sup> Thus, in the budget laws of 1904, 1905 and 1907, the Reichstag passed compensation payments for losses resulting from the wars against Ovaherero and Nama. A new bill to compensate the settlers in DSWA was rejected by the Centre because, in the opinion of Matthias Erzberger and others, it went too far. They also argued that the previous distribution of *Reich* funds had benefited people and companies for whom the compensation had not been intended. However, after the dissolution of the Reichstag in December 1906, a polarising election campaign against the Social Democrats and the Centre and their criticism of colonialism, and new elections in January 1907, the majority of the new *Reichstag*, the so-called Bülow Block, approved two colonial supplementary budgets in March 1907, granting the settlers another RM 5 million.<sup>36</sup> The colonial question had thus acquired a hitherto undreamed-of centrality in the German *Kaiserreich*. Overall, between 1904 and 1907, the Reichstag granted the settlers in DSWA probably about RM 11 million for their war losses – possibly more.<sup>37</sup>

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Conrad Rust: ‘Der deutsche Reichstag und das südwestafrikanische Schmerzenskind’, in: *Deutsch Südwestafrikanische Zeitung*, 11.05.1904, p. 1; Paul Rohrbach: *Aus Südwest-Afrikas schweren Tagen. Blätter von Arbeit und Abschied*, Berlin, Weicher, 1909, p. 158.

<sup>32</sup> Bley: *Kolonialherrschaft*, p. 357 N. 45; see Sobich: *Bestien*, p. 131.

<sup>33</sup> Conrad Rust: *Krieg und Frieden im Hereroland. Aufzeichnungen aus dem Kriegsjahre 1904*, Leipzig, Kittler, 1905, pp. 492, 495.

<sup>34</sup> Bley: *Kolonialherrschaft*, p. 171.

<sup>35</sup> *StBRT*, ‘Zweite Ergänzung des dem Reichstage vorliegenden Entwurfs des Haushaltsetats für die Schutzgebiete auf das Rechnungsjahr 1904 (Niederwerfung des Hereroaufstandes, Entschädigung der Ansiedler für unverschuldete Verluste, Unterstützungen etc.)’, 1904. Anlage Bd. III, Nr. 299.

<sup>36</sup> See Cahn: *Wesen*, p. 318, li.

<sup>37</sup> *StBRT*, Bd. 227, p. 925f. (19.04.1907); cf. Wolfgang Reinhard: “Sozialimperialismus” oder “Entkolonisierung der Historie”? Kolonialkrise und “Hottentottenwahlen” 1904-1907’, in: *Historisches Jahrbuch*, 97/98, 1978, pp. 384-417; Ulrich van der Heyden: ‘Kolonialkrieg und deutsche Innenpolitik. Die Reichstagswahlen von 1907’, freiburg-postkolonial.de,

## The Compensation Commission in Windhoek

Initially, the Colonial Department instructed Governor Leutwein in Windhoek to estimate the "damage [...] suffered by private individuals as a result of [the] uprising."<sup>38</sup> From June 1904, the task was assigned to a special "compensation commission."<sup>39</sup> Before that, in May 1904, the *Reichsleitung* had already provided relatively unbureaucratic assistance to the German settlers by granting funds from the "welfare lottery of 2 million marks as compensation for robbed settlers and 500,000 marks for [destroyed?] irrigation facilities."<sup>40</sup> In contrast, Governor Leutwein had shown himself to be "reserved on the question of compensation for fiscal reasons", which caused the settlers' disappointment in him – who apparently "could not cope" with the OvaHerero – to grow even further.<sup>41</sup>

The compensation commission was not only to ascertain damages, but also to organise the payment of the "state financial aid" of RM 2 million to German settlers, which had been approved in the meantime. This was to prevent the German settlers from becoming insolvent and emigrating.<sup>42</sup> GSWA's chief judge Dr. Paul Richter, a confidant of Governor Leutwein, who had been working in Windhoek for many years, was the first chairman of this commission. The *Reich* leadership attached great political relevance to this office. Thus, *Reich* Chancellor Bülow personally appointed the new chairman of the compensation commission in December 1904 after Paul Richter fell ill. Bülow appointed the theologian and journalist Dr. Paul Rohrbach to the office, who had been working in the colony as settlement commissioner since 1903. At the beginning of the war, Rohrbach had "nothing more to do as settlement commissioner."<sup>43</sup> Together with Paul Richter, he was already entrusted with drawing up lists of damages and functioned as a kind of lawyer for the settlers, as their ally. As a convinced supporter of Naumann-style liberal imperialism, Rohrbach was widely regarded as a friend of the farmers in his elevated position in the colonial civil service. He was derisively referred to as the "tribune of the plebs", which made him the antithesis of many other civil servants who were commonly accused of bureaucratism and arrogance. In his "high-emphatic colonial image", according to Birthe Kundrus,

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<https://www.freiburg-postkolonial.de/Seiten/Heyden-Reichstagswahlen1907.htm>; Bley: *Kolonialherrschaft*, p. 221.

<sup>38</sup> BAB R 1001/2219, Bd. 1, Bl. 3, Tlgr. AA an BezA Swakopmund für Gouverneur Windhuk, 19. Feb. 1904.

<sup>39</sup> The commission was set up under Sections 7 and 8 of the 'Reich Chancellor's Ordinance on the Utilisation of the Fund made available in the Second Supplement to the Budget of the Protectorates for the Financial Year 1904 under II. Chapter 1, Title 14 of the Expenditure for the South West African Protectorate'.

<sup>40</sup> Rust: *Krieg*, p. 500.

<sup>41</sup> Bley: *Kolonialherrschaft*, p. 219.

<sup>42</sup> Ibid.: cf. also Otto von Weber: *Geschichte des Schutzgebietes Deutsch-Südwest-Afrika*, Windhoek, S.W.A. Wiss. Ges., 1985, p. 175f.

<sup>43</sup> Rohrbach: *Südwest-Afrikas*, p. 155.



he advocated a gradual German settlement of the country primarily through a capital-rich agriculture and cattle industry, led by "gentleman farmers." Rohrbach's vision for DSWA (and for the effects the colony would have on the motherland) was "bourgeois, elitist and racist."<sup>44</sup>

Rohrbach saw it as the task of the compensation commission, when distributing the imperial funds to farmers, not only to ensure that their illiquidity was bridged in the short term, but also to make it financially possible overall to rebuild and expand their farms destroyed by the war. For this reason, *Landrentmeister* Junker, who had been working for the colonial administration in the country since 1889, was appointed to the commission as a financial expert and second civil servant member, as well as the farmers Mittelstädt and Conrad Rust. Rohrbach later praised Junker as "the embodiment of African experience and African humour." He was obviously on good terms with all three commission members in his private life. They made long journeys together to inspect the destroyed farms and check information on stolen livestock. The resulting damage data and other estimates were later submitted to the Colonial Department and finally to the Reichstag (there was talk of 800 looted farms, 178 farms were completely destroyed, 26 partially destroyed).<sup>45</sup> In the years to come, the commission members continued to register and check the damage reports received from farmers, companies and other aggrieved parties, travelled around the country, compiled statistics and then decided on the distribution of the *Reichs* monies.<sup>46</sup> How this distribution proceeded in detail, what evidence was presented for the reported damages, and what checks were deemed appropriate is still unclear and requires further research. In any case, the suspicion of embezzlement and the concern that the members involved in turn were giving friends and acquaintances (too much) money that was not intended for them were always present. On June 18, 1906, the commission declared that its work was "provisionally concluded." But in DSWA all those involved hoped for further payments from the *Reich*. To this end, "petitions are circulating to the Reich Chancellor to appoint Governor von Lindequist as a commissioner for the Reichstag negotiations [on a new budget for compensation payments]."<sup>47</sup> It was undoubted that Rohrbach would continue to support the settlers in their "fierce struggle with the *Reich* and the Reichstag" over compensation.<sup>48</sup> In

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<sup>44</sup> Birthe Kundrus: *Moderne Imperialisten. Das Kaiserreich im Spiegel seiner Kolonien*, Köln, Böhlau, 2003, p. 73.

<sup>45</sup> Rohrbach: *Südwest-Afrikas*, pp. 6, 157; for figures, see Jähnel: *Bodenrecht*, p. 230.

<sup>46</sup> Andreas Osterhaus: *Europäischer Terraingewinn in Schwarzafrika. Das Verhältnis von Presse und Verwaltung in sechs Kolonien Deutschlands, Frankreichs und Großbritanniens von 1894 bis 1914*, Frankfurt am Main, Lang, 1990, p. 308.

<sup>47</sup> 'Wochenübersicht', in: *Deutsche Kolonialzeitung*, 23 (35), 1906, p. 341.

<sup>48</sup> Bley: *Kolonialherrschaft*, p. 219.

the hope of seeing the situation for themselves, *Reichstag* members travelled to DSWA to “also study the compensation question.”<sup>49</sup>

The research literature reflects the largely negative contemporary assessments of the success of the Compensation Commission – measured against the expectations of the claimants. Osterhaus describes the demand for ever higher compensation from the motherland as an altogether “clumsier technique of raising money” for the settlers (in comparison to their granting of loans to the Ovaherero before 1904), but sees “in the end the bulk of the settlers' demands fulfilled.”<sup>50</sup> Kundrus also speaks of Rohrbach's “successful activity in the compensation commission”, as a result of which the “farmers were very grateful to Rohrbach.”<sup>51</sup> Otto von Weber, however, explains in his book, one still completely committed to colonial heroism, that because of their just decisions made “without bureaucratism” “Rohrbach and his colleagues [...] enjoyed general trust”, but that the Reich had provided too little money.<sup>52</sup> Romer writes that the “farmers [...] were disappointed” with the commission.<sup>53</sup> Jähnel recognises from the sources that the “compensation solution [...] was generally felt to be unsatisfactory”, as the amount of damage had not been covered by the compensation sums.<sup>54</sup>

Rohrbach himself had also emphasised this discrepancy in public. In July 1906, at the provisional conclusion of his work, he declared in Windhoek: In addition to

the 5 million marks granted by the Reichstag [‘of which 3 ½ million had already been distributed’], the cattle [*Beutevieh*, which had been taken from the Ovaherero] worth almost ½ million marks were still available. In contrast, the total damage amounted to 18 million marks, not including the claims of the foreigners [another two million].<sup>55</sup>

There was talk of “injustice” to the settlers everywhere – especially in the settler press. In his book *Aus Südwest-Afrikas schweren Tagen. Blätter von Arbeit und Abschied* (1909), which can be read as a statement of accounts of Rohrbach, the retired compensation commissioner described the activities of his commission, among other things, by means of his diary entries and some private letters to the interested public

<sup>49</sup> Bundesarchiv Koblenz (BAK) Nachlass Paul Rohrbach N 1408, Brief P. Rohrbachs, Windhuk, 1.10.1906, p. 1, über den nationalliber. Reichstagsabgeordneten Johannes Semler (Hamburg). Cf. Johannes Semler: *Meine Beobachtungen in Süd-West-Afrika. Tagebuchnotizen und Schlußfolgerungen*, Hamburg, Hermann's Erben, 1906.

<sup>50</sup> Osterhaus: *Terraingewinn*, p. 308.

<sup>51</sup> Kundrus: *Imperialisten*, p. 73.

<sup>52</sup> Weber: *Geschichte*, p. 176.

<sup>53</sup> Sandra Romer: *Eine neue Heimat in Südwestafrika? Die Schweizer Auswanderung nach Namibia*, Basel, Basler Afrika Bibliographien, 2003, p. 85.

<sup>54</sup> Jähnel: *Bodenrecht*, p. 235.

<sup>55</sup> ‘Zur Entschädigungsfrage’, in: *Deutsche Kolonialzeitung*, 23 (35), 1906, p. 346.

in Germany and the colony. In it, he left no doubt about the inadequacy of the means at his disposal.<sup>56</sup>

Rohrbach's reference to the "looted cattle" (*Beutevieh*) of the Ovaherero also points to a second source of compensation for the settlers besides the imperial funds: the defeated Africans themselves. For people who had suffered losses of private property during the war could sue for these "from the Herero tribe or its legal successor, the Imperial Treasury." Huge bills were presented: the firm *Laszig & Ihde*, for example, demanded RM 97,477.10, and the missionary of the Finnish Mission, Rautanen, who at the time was working in Ovamboland, which was not directly affected by the war, also wanted to be compensated for the "damage of RM 5400, – plus interest from 20 January 1904."<sup>57</sup> As a result, the land and cattle of the defeated were expropriated (and future cattle ownership was largely prohibited), also in order to satisfy the plaintiffs. For "[w]ithin a war between two peoples, compensation for the costs is imposed on the defeated party in the peace treaty."<sup>58</sup>

## Rewards and compensation for Africans

On 31 March 1907, Kaiser Wilhelm declared the "state of war" in DSWA to be terminated.<sup>59</sup> The official designation "war" for this confrontation, simultaneously described as an "uprising", between Ovaherero and Nama on the one side and the troops led by the German General Staff on the other, was relevant in several respects. The German soldiers "involved in the suppression" were credited with the years 1904 to 1907 "as a year of war", which was significant for their allowances and pension entitlements.<sup>60</sup> Even from a "purely military point of view", it was stated in 1907, the fighting was "undoubtedly" a war, even if it had not been declared under international law and was not fought between two recognised sovereigns (that is, the Hague Conventions on land warfare did not apply).<sup>61</sup> Politically, it therefore seemed

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<sup>56</sup> Rohrbach: *Südwest-Afrikas*.

<sup>57</sup> National Archives of Namibia (NAN), BOM 34, GA 4, Klage Laszig & Ihde gegen den Stamm der Herero, 6.1.1907; *ibid.*, Klage M. Rautanen gegen den Stamm der Herero, 23.2.1907; cf. Jähnel: *Bodenrecht*, p. 240.

<sup>58</sup> *Cit.* in Jähnel: *Bodenrecht*, p. 230.

<sup>59</sup> Sächsisches Hauptstaatsarchiv Dresden (SHStA), 11248/Nr.7676, Bl. 27, Kaiser Wilhelm II. an Reichskanzler, Oberkommando der Schutztruppen, 6.3.1907.

<sup>60</sup> SHStA 11248/Nr.7676, Bl. 8, OKdoSchTr an Sächsischen Kriegsminister, 13.3.06 – the same holds true for 1904-07, cf. *ibid.*, Bl. 35.

<sup>61</sup> Cf. Steffen Eicker: *Der Deutsch-Herero-Krieg und das Völkerrecht. Die völkerrechtliche Haftung der Bundesrepublik Deutschland für das Vorgehen des Deutschen Reiches gegen die Herero in Deutsch-Südwestafrika im Jahre 1904 und ihre Durchsetzung vor einem nationalen Gericht*, Frankfurt am Main, Lang, 2009.

opportune for the *Reich* leaders and the colonial administration to speak simultaneously of an “uprising” against German colonial rule by those who had hitherto – even as “natives” – been declared “subjects” of the German Reich.<sup>62</sup>

Under the law, compensation for damages was not obligatory – or at least debatable. It is true that in GSWA the “conviction of the existence of a legal claim” against the *Reich* was widespread among the settlers, according to the *Deutsch Südwestafrikanische Zeitung*. But it was clear to Rohrbach and the other members of the compensation commission that it would be more realistic to plead for compensation as a moral obligation<sup>63</sup> – including compensation for defence services rendered. The payments by the *Reich* were officially considered, as mentioned, “voluntary benefits in equity”, a “gift” granted by the state.<sup>64</sup> It was only in the course of the First World War and especially with the November Revolution of 1918 and the “unrest” and “uprisings” “in the interior” of Europe that legal practice in Germany also recognised how obviously arbitrary, for example, the distinction between an “actual” state of war, or in terms of “international law” or “insurance law”, and “sedition” by “the rabble” (*Pöbel*) were.<sup>65</sup>

To which group of recipients the “gifts” (*Gaben*) by the state for the “compensation of war damages” would go was not yet determined with the decision on their equity. It is true that after the war the German colonial administration expropriated the land of the “insurgents”, their “tribal property” on a large scale, declaring it “crown land”; a policy that Erzberger, for example, characterised as a “modern raid” that was “unworthy of a constitutional state [*Rechtsstaat*]”.<sup>66</sup> But the land question, which was undoubtedly considered central to the future of the colony, also showed the broad scope of discretion that the German administration granted itself. If other peoples of GSWA were affected by the German “reprisals and persecutions”, the Rehoboth Baster and some Nama groups were allocated “small reserves in return for their loyalty to the Germans during the colonial wars.”<sup>67</sup> In this context, there was therefore repeated contemporary talk of “compensating the natives” for war losses.<sup>68</sup> In this colonial political logic, ‘disloyalty’ led to retribution and punishment through death and expropriation, while ‘loyalty’ led to reward in the form of land (and cattle or money). Similarly, in December 1905, shortly after taking office, Governor Lindequist

<sup>62</sup> Cf. Hellmut Hecker: ‘Schutzangehörigkeit und Staatsangehörigkeit in Deutschland’, in: *Archiv des Völkerrechts*, 21, 1983, pp. 433-491 (438).

<sup>63</sup> *Deutsch Südwestafrikanische Zeitung*, 23, 1904, quoted in Osterhaus: *Terraingewinn*, p. 308.

<sup>64</sup> BAB R 8023/880, fol. 1, Bl. 44, Bericht, 4. Sitzung des Ausschusses der DKG, 1.3.1907.

<sup>65</sup> Cf. Reichsgerichtsentscheidung (Zivilsachen) RGZ 90, 378 (380).

<sup>66</sup> Matthias Erzberger, in: *Der Tag*, 06.01.1906. Cf. Matthias Erzberger: *Kolonial-Bilanz. Bilder aus der deutschen Kolonialpolitik auf Grund der Verhandlungen des Reichstags im Sessionsabschnitt 1905/06*, Berlin, Germania, 1906.

<sup>67</sup> Jähnel: *Bodenrecht*, pp. 256, 229.

<sup>68</sup> *Ibid.*, p. 224.

– “take[ing] advantage of their naked need” – had promised the surrendering Ovaherero “in addition to a (from his point of view: undeserved) mercy, the government’s care in the form of food, clothing as well as a ‘small reward’ for the forced labour performed.”<sup>69</sup> It had become clear to the top echelons of the German colonial administration – in opposition to General von Trotha’s loud-mouthed policy of extermination – that African labour was indispensable for colonial rule and that therefore, “to speak with Max Weber, a ‘certain minimum of wanting to obey, that is: Interest [...] in obeying’ on the part of the inferiors [was] necessary.” Matthias Häussler has recently rightly pointed out that Lindequist and others “sought to arouse such interest [...] with promises.”<sup>70</sup>

This policy of promises – while at the same time being fulfilled much more hesitantly – continued in the years after the end of the war in the face of the impoverishment of those affected – foreseen not only by Erzberger – due to the governorate’s policy of expropriation against Africans.<sup>71</sup> Missionaries of the Rhenish Mission therefore felt compelled time and again to approach Governor Lindequist and demand “land rights for the natives, insofar as they (especially the Bergdamara and ‘bastard’ communities) did not take part in the war.” Secondly, they demanded “compensation for those [Africans] who were conscripted for war service, insofar as they had material losses (livestock) as a result of this service.” But Mission Inspector Johannes Spieker received at best “vague assurances” on these issues from Governor Lindequist in 1907.<sup>72</sup>

In fact, official “support” for the natives occasionally occurred on a minimal scale, declared as “compensation payments”. In 1908, for example, the governorate, through the Windhoek *Werft* [African settlement] elder Franz |Hoesemab<sup>73</sup> and the missionary Carl Wandres, distributed 125 goats to several families at Windhoek’s biggest *Werft*; in 1909, another 49. The animals were explicitly intended as compensation for natives who had “remained loyal in the rebellion” – if they were found “worthy”. This “disbursement”, “principally in small livestock”, was supposed

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<sup>69</sup> Matthias Häussler: “‘Auf dass wieder Ruhe und Ordnung herrscht’. Proklamationen im deutschen Feldzug gegen die OvaHerero (1904/05)”, in: *Historische Zeitschrift*, 314 (3), 2022, pp. 599-629 (626).

<sup>70</sup> Ibid.

<sup>71</sup> The district commissioner of Bethanien, Wasserfall, reported: “The local natives have been completely impoverished by the war. They have no livestock or other property”, NAN ZBU 694, F V f 1, Bd. 1, Bl. 199, DA Bethanien an Gouvernement, 4.1.1908.

<sup>72</sup> Martin Siefkes: *Sprache, Glaube und Macht. Die Aufzeichnungen des Johannes Spiecker in Deutsch-Südwestafrika zur Zeit des Herero-Nama-Aufstands*, Würzburg, Königshausen & Neumann, 2013, p. 109.

<sup>73</sup> See Jakob Zollmann: ‘Becoming a Christian, becoming a Troublemaker. The rise and fall of Franz Hoesemab of Windhoek, 1893 to 1933’, in: *Ulrich van der Heyden, Helge Wendt, (eds.): Mission und dekoloniale Perspektive. Der Erste Weltkrieg als Auslöser eines globalen Prozesses*, Stuttgart, Steiner, 2020, pp. 307-322.

to give the "compensation a lasting value."<sup>74</sup> The fact that such "compensations" remained completely insufficient to put a stop to the impoverishment and to gain trust in the promises of the colonial administration did not occur to the leading officials until late.

After it was raised in the representative council (*Landesrat*) in 1913 "that such deep discontent and ill-feeling against our rule had spread among the natives that one could speak of a new danger of insurrection", the governorate requested reports about the sentiment of the Africans from all district offices.<sup>75</sup> For the Windhoek District Office (*Bezirksamt*), Gustav Redecker, a government architect familiar with "native affairs", replied. He confirmed that there was "great dissatisfaction among the Windhoek natives, especially among the Bergdamaras." He attributed this to unfulfilled promises made by the administration during the war. At that time, the elder |Hoesemab had been promised compensation for the cattle stolen from them by the Ovaherero and a place of his own at Keres for his people if he ensured that they "stood faithfully by the government", which they did "by and large." Compensation was paid, but it was paltry compared to the losses: before the war, Windhoek's 600 or so Bergdamara owned about 90 head of large cattle, 1,150 sheep and 2,500 goats, which grazed in the Khomas Highlands as far as Keres and were almost all driven off during the war. According to Redecker, it was not until 1908 that |Hoesemab received the first compensation of 25 goats. By 1912, he said, 480 goats had been transferred, but they often contracted mange and infected the other animals, so that of the 505 animals all but 100 of them "have died of mange today through no fault of the people." The area around Keres was still not guaranteed to them as a grazing ground nine years after the promises were made, because the police claimed the place for its station. All this "has deeply embittered the Bergdamaras beyond Windhoek; [...] it particularly outrages them that they are now on a par with the former rebellious Hereros and Namas."<sup>76</sup> Windhoek's "native commissioner" (*Eingeborenenkommissar*) Bohr was aware of these facts. But he was of the opinion that the planned allocation of a "reserve", the further compensation of the Damara with cattle that had taken place in the meantime, and the development of new water points in the African settlement (*Werft*) had improved the mood among the African population of Windhoek compared to previous years. However, he also demanded replacement for the losses due to the mange-infested herd that the governorate had supplied as "compensation". The colonial administration therefore

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<sup>74</sup> NAN BWI 36, E 1 e, Bl.17, Polizei an BA Windhuk, 24.4.08; Gouvernement an BA Windhuk, 21.5.1908; Bl. 80, Nachweisung, 8.3.1909. Cf. Jakob Zollmann: *Koloniale Herrschaft und ihre Grenzen. Die Kolonialpolizei in Deutsch-Südwestafrika 1894-1915*, Göttingen, Vandenhoeck & Ruprecht, 2010, pp. 261-263.

<sup>75</sup> NAN ZBU 2365, Geheimakten VII m, Bl.2, Gouv an alle BA+DA, 4.5.1913.

<sup>76</sup> NAN ZBU 2365, Geheimakten VII m, Bl.5-7, Redecker an Gouvernement, 12.5.1913.

had reason enough to be more generous in future with regard to the keeping of Africans' livestock.<sup>77</sup>

Finding out to what extent the memory has survived beyond the end of German colonial rule that some Africans were compensated by the Germans, albeit slightly(st), for their war losses in 1904-1907 and others were not, remains a matter for future research. The impression of unkept promises and profound injustices within the colonial order also solidified as a result of this administrative policy, which – despite ongoing criticism – offered little prospect of improvement for those affected. The settlers' complaints about the "injustices" of the mother country's distribution of compensation, which were hardly unknown to them, can therefore only have been taken as mockery by the Africans. The short history of war compensation in DSWA therefore also reflects the much-cited "dual colonial legal order", despite all the reluctance of the colonial administration to deal with the question of compensation 'legally'<sup>78</sup>: here those with rights of action and objection (even if it was the parliamentary right of petition); there 'the others', who at best were allowed to make requests for "rewards" at the administrative level via the "native commissioner" acting in a 'guardianship' capacity. At the same time, alert contemporaries were already aware at that time that the question of how, on what grounds and by what means war compensation would be granted or denied to whom was a "question of fundamental, far-reaching importance for all the future."<sup>79</sup> As is well known, this question is being asked anew in the 21<sup>st</sup> century.

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<sup>77</sup> NAN ZBU 2365, Geheimakten VII m, Bl.24-5, BAWindhuk an Gouvernement, 30.6.1913; Anlage Bericht EK Bohr, Bl.26-8; cf. Gesine Krüger: *Kriegsbewältigung und Geschichtsbewusstsein. Realität, Deutung und Verarbeitung des deutschen Kolonialkriegs in Namibia 1904 bis 1907*, Göttingen, Vandenhoeck & Ruprecht, 1999, p. 188.

<sup>78</sup>Cf. Harald Sippel: 'Recht und Gerichtsbarkeit', in: Horst Gründer, Hermann Hiery, (eds.): *Die Deutschen und ihre Kolonien. Ein Überblick*, 3<sup>rd</sup> ed., Berlin, be.bra, 2022, pp. 201-221.

<sup>79</sup> Mdr Spahn (Zentrum) 17.3.1904, *StBRT*, 11. Legislaturperiode, 60. Sitzung, p. 1888.

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### **III. REMEMBERING GENOCIDE**



# Defined, or Disrupted?

## Investigating post-memory and transgenerational trauma in Herero Nama Genocide survivor family narratives

Sarala Krishnamurthy

### Introduction

Several scholars have pointed out that historical trauma affects a group of people who share an identity or occurrence, and it is a complex phenomenon experienced over time and across generations.<sup>1</sup> Although historical trauma was first used to describe the experiences of Holocaust survivors' children,<sup>2</sup> over the past years this term has also been used to designate innumerable indigenous groups throughout the world who have been colonised. Researchers from several disciplines have labelled historical trauma as transgenerational, intergenerational, multi-generational, or cross-generational,<sup>3</sup> and have introduced concepts, such as soul wound<sup>4</sup> or Post-traumatic Slave Syndrome,<sup>5</sup> to delineate the shared experience of trauma by specific indigenous communities across generations. Nevertheless, not many studies have been undertaken

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<sup>1</sup> Nathaniel Vincent Mohatt, Azure B. Thompson, Nghi D. Thai and Jacob Kraemer Tebes: 'Historical trauma as public narrative: A conceptual review of how history impacts present-day health', in: *Social Science & Medicine*, 106, 2014, pp. 128-136; Maria Yellow Horse Brave Heart, Lemyra M. DeBruyn: 'The American Indian Holocaust: Healing Historical Unresolved Grief', in: *American Indian and Alaska native mental health research*, 8 (2), 1998, p. 56-78; Allison Crawford: "'The trauma experienced by generations past having an effect in their descendants": Narrative and historical trauma among Inuit in Nunavut, Canada', in: *Trans-cultural Psychiatry*, 51 (3), 2014, pp. 339-369; Teresa Evans-Campbell: 'Historical Trauma in American Indian/Native Alaska Communities: A Multilevel Framework for Exploring Impacts on Individuals, Families, and Communities', in: *Journal of Interpersonal Violence*, 23 (3), 2008, pp. 316-338.

<sup>2</sup> Natan P. F. Kellerman: 'Psychopathology in children of Holocaust survivors: A review of the research literature', in: *Israel Journal of Psychiatry and Related Sciences*, 38 (1), 2001, pp. 36-46.

<sup>3</sup> Natan P. F. Kellermann: 'Transmission of Holocaust trauma. An integrative view', *Psychiatry*, 64 (3), 2001, pp. 256-267.

<sup>4</sup> Eduardo Duran: *Healing the soul wound: Counseling with American Indians and other native peoples*, New York, Teachers College Press, 2006; Eduardo Duran, Bonnie Duran: *Native American Postcolonial Psychology*, Albany, State University of New York Press, 1995.

<sup>5</sup> Joy Degruy-Leary: *Post-traumatic Slave Syndrome: America's Legacy of Enduring Injury and Healing*, Baltimore, Uptone, 2005.

to understand and analyse the trauma of the Namaqua people of Namibia who experienced genocide between 1904-1908 along with the Herero. This article examines transgenerational trauma of both groups with a view to enriching our understanding of how they survived the genocide itself and what strategies they employed to cope with the devastating effects of the genocide.

Drawing from post-memory, trauma theory, and the post-colonial indigenous paradigm for my analysis, I argue that it is necessary to examine the narratives to identify not just what is said, but also the silences and fragments to comprehend the strategies that survivor families use to manage the repercussions of genocide. Further, the idea of genocide in Namibia is kept alive in the consciousness of the people because of reparation discussions with the German government. Historical trauma of displacement has metamorphosed into transgenerational trauma leaving the Herero and Nama families bereft with feelings of disempowerment, disenfranchisement, and loss which are transmitted from generation to generation. The pervasive nature of violence and its attendant transgenerational trauma presents unique challenges because of the multidimensional consequences of genocide. Trauma narratives are often interpreted as resisting representation, leading to ellipses, narrative ruptures, and fragmented temporalities. The thematic analysis of the narratives exposes the post-memory of the two ethnic groups as they attempt to navigate and negotiate new versions of history to help the younger generation cope with the tragedy of genocide. The article will investigate whether the genocide defined or disrupted the indigenous population in Namibia with specific reference to the Herero (a group of Bantu pastoralists) and Namaqua (Khoe) people.

## Background

There are very few countries in Africa that have not suffered from genocidal wars – whether colonially induced or orchestrated on the masses by many of Africa’s post-independence leaders. While the reality of genocide is an existential threat to African countries, there is fragmented scholarly research on the subject from the global south. The German-Herero and Nama war fought between 1904 and 1908, also named the Herero-Nama Genocide, is an important period in the history of Namibia. This period of German colonialism and its impact on South West Africa is not really acknowledged in history books mainly because of the First and Second World Wars a few decades later, as well as the holocaust and its aftermath which took over the consciousness of the world. While this affected most countries in the global north, in the global south, apartheid reared its ugly head in South West Africa. The grand narrative of the nation-state of Namibia came to be written by the liberation struggle and the SWAPO party. In this scenario many other struggles were either ignored or forgotten. As Kössler states, “The hegemonic post-independence narrative has privileged the experience of the liberation war over the earlier movements of primary anti-colonial resistance.”<sup>6</sup>

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<sup>6</sup> Reinhart Kössler: *Namibia and Germany Negotiating the Past*, Windhoek, UNAM Press, 2015, p. 169.

This piece of forgotten history of the Herero and Nama communities lies hidden most of the time and figures in the collective consciousness of the Namibian nation sporadically when demands for reparation and compensation are made for the atrocities committed during the German-Herero-Nama war and the brutal extermination of nearly 80,000 Herero, and 20,000 Nama people which included old men, women, and children. It must be noted, though, that discussions around reparation have increased in the past one year subsequent to the offer of EUR 1.8 billion by the German government. There have been several iterations between the two governments because the two aggrieved parties are not satisfied with the outcome; this discussion however is beyond the scope of the present article. For my purpose here, I focus on genocide narratives. It must be noted that hitherto there were no recorded stories of the Nama and Herero people in Namibia and how they survived the genocide.

Some Khoekhoe groups including the Namaqua under the leadership of David Witbooi (Hendrik Witbooi's grandfather) had crossed the Orange River into South West Africa. David Witbooi was the first Khoekhoe leader to establish a permanent Namaqua settlement to the north of the Orange River beginning in the mid-1840s. The Herero people, who speak a Bantu language, were originally a group of cattle herders who migrated into what is now Namibia during the mid-18<sup>th</sup> century from central and northeast Africa. The Namaqua people are fighters and the Namaqua and Herero people fought for control of pastures in central Namibia. The battle continued for a long part of the 19<sup>th</sup> century. Germans entered Namibia around 1884 with the intention of setting up farms and settling down in Namibia. By 1900, they were firmly entrenched in the fertile, central regions of Namibia. From 1904 to 1908, the German Empire, which had colonised present-day Namibia, waged a war against the Namaqua and the Herero, subsequently leading to the Herero and Nama genocide and a huge loss of life for both populations. This was motivated by the German desire to establish a prosperous colony which required displacing the indigenous people from their agricultural land. Large herds of cattle were also confiscated. The Nama and Herero people were driven into the desert and later interned in concentration camps at the coast, for example, at Shark Island. Additionally, the Nama and Herero were forced into slave labour to build railways and to dig for diamonds during the diamond rush. At the dawn of the 19<sup>th</sup> century, Oorlam people encroached into Namaqualand and Damaraland. They likewise descended from indigenous Khoekhoe but were a group with mixed ancestry.

1904-1908 is etched in the memory of the Namibian people because it was here that the very first genocide of the 20<sup>th</sup> century took place. Popularly known as "Kaiser's holocaust", or the "first genocide", or the "forgotten holocaust"<sup>7</sup>, the Herero Nama Genocide occurred between 1904 and 1908 when the German General, Lothar von Trotha decreed:

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<sup>7</sup> David Olusoga, Casper W. Erichsen: *The Kaiser's Holocaust. Germany's Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber & Faber, 2010.



The Hereros are no longer German subjects. They have murdered and stolen, they have cut off the ears and noses and other body parts of wounded soldiers and now they are too cowardly to fight on. I say to the people: Each person who brings one of the captains as a prisoner to one of my posts will receive a thousand marks; whoever brings in Samuel Maharero will receive five thousand marks. However, the Herero people must leave the country. If they do not do so I shall force them with the big gun (mit dem Groot Rohr-cannon). *Within the German frontier every Herero, armed or unarmed, with or without cattle, will be shot dead. I shall take in no more women and children. I shall drive them back to their people or have them fired on.*<sup>8</sup>

## Survivor narratives of Namibia

There are several stories of the Herero-Nama genocide which are in the communal memory of the two communities, but these were neither recorded nor preserved for posterity. It is imperative that the narratives are collected and preserved because the elders of the community, the repositories of memory and knowledge, are dying. Therefore, the Herero and the Nama genocide survivor narratives projects were started with the intention of soliciting personal narratives to provide empirical evidence about the cause, trajectory, and effects of genocide on the Herero and Nama communities. The overarching objective of this research was the preservation and protection of indigenous knowledge, viz., the stories of the survivor families of the genocide. The specific aim was to collect stories of the Nama and Herero genocide narrated by the survivor families, with a view to adding to the body of literature of this period, for purposes of sense-making, preservation, and analysis; and most importantly, to obtain these first-hand accounts from the Herero and Nama themselves. Drawing from these narratives, this article explores the trauma that affected the two indigenous groups and what strategies they used to cope with the after-effects of trauma.

## Methodology

This research followed the qualitative research design paradigm. Qualitative research is defined as the gathering, analysis, interpretation, and presentation of narrative information. Interviews were conducted to gather information using a purposive sampling method and a snowballing technique. The elders of the two communities

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<sup>8</sup> Emphasis added. Von Trotha, cited in many sources including Jon M. Bridgeman: *The Revolt of the Hereros*, Los Angeles, University of California Press, 1981, pp. 111f.; Jan-Bart Gewald: *Herero Heroes: A socio-political history of the Herero of Namibia 1890-1923*, Oxford, Curry, 1999. Reference is taken from Jürgen Zimmer, Joachim Zeller, (eds.): *Genocide in German South-West Africa The Colonial War of 1904-1908 and its Aftermath*, transl. by E. J. Neather, Monmouth, Merlin, 2008.

were identified and interviewed through an interpreter. They were selected based on whether they were above the age of 75 years and had lived with a survivor over a period of time. We first obtained permission to speak to the elders and, during the introductory session, made it very clear that they could stop at any moment if they felt overwhelmed with the interview itself. They were also informed that they could withdraw their consent for the interview even after it was recorded if they felt awkward and we would then destroy the video recording. A total of 20 interviews were conducted at the Nama settlements in south Namibia, such as Gibeon, Karasburg, Bethanie, Mariental, Tses, and Keetmanshoop, where there the largest concentration of Nama is. With the Herero, 28 interviews were conducted in the central and eastern parts of Namibia, such as Ovitoto, Gobabis, Okakarara, and Waterberg. The narratives were collected and collated for research.

We had interpreters from both groups, respected members of the communities, to conduct the interviews. Even though there was a structured questionnaire and the questions mainly centered around the genocide itself, the interpreters encouraged the interviewees to expand on the topics that they had chosen to talk about. The interpreters further persuaded the interviewees to explore their own feelings about the genocide and its aftermath. Since the topic itself is a sensitive one, we felt that they should not be coerced to answer any question that made them uncomfortable. We were also mindful of the interviewees' age and the dry, desert environment in which we found them. We believe that in allowing them to speak in their own mother tongue, they were able to express themselves better. All interviews were video recorded, translated, and then transcribed.

## **Findings**

Trauma narratives are generally recorded in audio or video formats in order for field researchers to examine the consequences of genocide. Our research provided us with the opportunity to interview families of survivors of the Namibian genocide, and we could video-record all their interviews with their permission. For this article, I focus on the main differences between how trauma was experienced by the Nama and the Herero and the sub-themes into which their stories could be categorised. These are: the genocide itself (the Ohamakari attack in case of the Herero), stories of survival, stories of the concentration camps, identity, religion, reparation of human remains, and land issues.

## **Significance of narratives**

In a country like Namibia where the impact of genocide which took place more than a hundred years ago, is experienced as being present even today, narratives play a very important role. They become the means of tying several generations together to weave a common memory and, further, narration also provides the speakers with a rich resource with which to enact the atrocities of the genocide and thus grope towards a healing mechanism. The Nama and Herero cultures are mainly oral cultures

and hence orality plays a very important part in the preservation of culture and memory. McAdams writes that narrative is an "act of imagination that is a patterned integration of our remembered past, perceived present and anticipated future."<sup>9</sup> The way the stories are narrated and stitched together determines how the community handles the legacy of its past. It is said that we should never forget our past and that history is important so that we do not repeat the mistakes that were made and learn from them. In the case of genocide, this becomes crucial because within the chaos and meaninglessness of life, narration becomes the means of sense-making. It is difficult of any community to imagine that their lives are so worthless that they can all be decimated. In order to manage the horror of this destruction, people cast about for meaning. This manifests itself in the stories that are told and transmitted across generations. Crites elaborates on the way in which narrative ties together the past and the future. He contends that the "present is the pivotal point out of which the 'I' who recollects, retrieves its own self. But the present is not a static point, or some measurable duration."<sup>10</sup>

### Historical trauma and the trauma of displacement

According to the United Nations Guiding Principles on Internal Displacement, internally displaced people are:

persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised state border.<sup>11</sup>

Genocide led to displacement of peoples as is evidenced by the Herero and Nama people of Namibia. Several of them found their way into Bechuanaland and South Africa. It is believed that others travelled as far afield as Cameroon. Even within Namibia itself, the Herero and Nama people found themselves transported by the Germans to the concentration camps that were set up in Windhoek, Lüderitz, and Swakopmund. This transpired at the tail-end of the genocide, when the Germans realised the importance of preserving the lives of the indigenous population in order to put them to work. The experiences of the Herero and the Nama were horrendous because they had to deal with inclement weather conditions, lack of proper food, unsanitary conditions in the concentration camps, rape, torture, and ill-treatment by

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<sup>9</sup> Dan P. McAdams: *The Stories we Live by: Personal Myths and the Making of the Self*, New York, Morrow, 1993, p. 12.

<sup>10</sup> Stephen Crites: 'Storytime: Recollecting the past and projecting the future', in: Theodore R. Sarbin, (ed.): *Narrative Psychology: The Storied Nature of Human Conduct*, New York, Praeger, 1986, pp. 152-173 (165).

<sup>11</sup> UNHCR: 'Guiding Principles on Internal Displacement', Geneva, UNHCR, 2004, p. 1. <https://www.unhcr.org/media/guiding-principles-internal-displacement>

the colonisers. They were also subjected to experiments by German doctors, who injected them with diseases to conduct scientific studies. The most horrifying act was when the women had to scrape clean the skulls of dead [indigenous] people after they had been boiled. All the mentioned incidents caused trauma among the few survivors who finally left the camps after they were freed in 1908. This trauma manifested itself in different ways in the two indigenous groups.

### Differences between the Herero and Nama people to Genocide: Post-memory

The trauma of displacement had a different effect in the two communities as seen in the narratives. The main difference is that the Herero people do not balk at talking about the genocide. Once reason for the interviews had been explained to them, we got a lot of information from the interviewees. Several of the discussants expressed the trauma that their families experienced and noted the incredible spirit of their people who survived the dry, harsh, and unforgiving desert and the severe and punitive conditions in the concentration camps. Currently, Otjiherero radio continually transmits discussions around the genocide and the forthcoming reparation. Many people call in to give their opinions. Further, in many families, discussions about the genocide happen in family gatherings.

Moses Katjaimo (aged 97, Ovitoto) was raised by his biological parents. When his father passed away, he was just 15 years old:

I remained to be raised by my grandfather, Benestus Kahongora Katjamuramba who is credited for the red flag used by the Herero people. He is one of the survivors of the genocide. He fought in that war. He is buried behind that hill [...]. *He was the one who told me all the stories around the genocide.* He is originally from the Kambazembi clan, Onguatjindu. He fled to the northern part of Namibia while the others fled to the South. [...] the Kaunjonjua Kambazembi fled to Botswana.

On the other hand, with the Nama people there was a general reluctance to talk about the genocide. Many of the people we approached, refused to give us interviews despite us making our purpose clear to them. For Danieli it is a "conspiracy of silence"<sup>12</sup> that defines intergenerational trauma, defining this as the marker of transmission, of trauma (and traumatic memory), between generations. In Berseba, four of the interviewees stated that they could talk about the genocide, but it was clear that it was information that they had obtained from books. Some of them confessed that the genocide itself was not discussed in the families, particularly when the children were around because they did not want to traumatise them. This strategy was adopted to protect their children from the consequences of the genocide, they explained:

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<sup>12</sup> Yael Danieli, (ed.): *International Handbook of Multigenerational Legacies of Trauma*, New York, Plenum Press, 1998, p. 4.

There wasn't much said about this genocide. These were actually, *people were mummied [sic] so no one spoke about the genocide stories*, and this makes us a little vulnerable because we can't talk about them. (Elisabeth Viser, aged 72 years, Berseba)

*This particular issue of genocide was never discussed; anything else was discussed; but this was something that people were mummied [sic] to talk about.* It was not something people would sit around the fire and discuss about; it was not discussed among the elderly. (Margretha Isaaks, aged 84 years, Berseba)

## Religion

The Nama are very religious people, and they draw comfort and succour from their Christian beliefs. An interesting story is told by one of the elders of the Fredericks Royal House in Bethanie to illustrate this point:

There is a church constructed with bricks here. The pastor, a German missionary, who was stationed here, called all the man to have a church service with him, only men. And when you're going to church you don't need a gun, so the guys left their guns, and they just went. After that, the German soldiers started to walk from house to house and collected the guns. It was only the wife of the chief who refused to give the gun. Chief Paul was also part of this church service and the German captain called Chief Paul Fredericks. He then instructed Chief Paul to go and take the gun from his wife. The church service was here, and the women could see everything. They went up to the hill and started praying. It was during that period that the German captain asked Chief Paul, 'Who are your leaders?' They were making sure that he is not a leader by himself, but under him. His response was, 'I am under God's leadership and any other one that may be there.' They said, 'That response saved you', so when they came out, people could see what was happening from here. They could see canons. 'If your response was not as such, then I would have collapsed this building on top of you all today. (Dietricks Ruben Fredericks, aged 76 years, Bethanie)

It was the quick thinking and clear reply that saved the day for the Nama people. There are many churches in the southern region of Namibia a testimony to the sincerity and beliefs of the Nama people:

The Herero and the Nama were resisting, and they would always ask from God to assist them. In 2007, I travelled to Port Noleth especially in !Nubus so they showed me around where the Germans actually killed more Namas. Their intentions were to kill everyone. If I start, I would like to thank God that their intentions were to wipe out everyone, but God has saved few that's why we are few Namas now. God has done so that we are multiplying now as Namas and the Government that took over from

the Germans just continued with their legacy. (Samuel Greg, aged 76 years, Tses)

I want to welcome you profoundly from the bottom of my heart. From the Bondelswarts, they believe in the word of God." (Uncle Rooi, aged 85, Karasburg)

The Herero continued to believe in their Gods and only later converted to Christianity. We have the testimony of Mbapeua Muharukua (aged 63 years, Okakarara) who, as a child, always wondered how they had survived the harshness, where he describes the survival as told by his grandparents:

.... they told us that in the end your body and your mind is used to the conditions, and it turned to the mode of survival. That mode gives you courage to survive that ordeal until you get through. They relied very much on their beliefs. *As traditional people, they had to fall back and call on their ancestors, the spirit of their ancestors, by evoking them.* For those who were converted to be Christians by the German missionaries, and were deeper believers, they started to compare their story to the upheaval of Moses, when they were told by the missionaries that people would dwell 40 years in the desert.

The Herero are proud of their traditional culture and their ancestral beliefs. The interviewees expressed their belief in the preservation of their culture and the need to continue with their traditional practices. They expressed their disappointment with miscegenation and the offspring of mixed-race relationships, but simultaneously assured us that children born from these relationships would always be accepted by them. Many Herero women, raped during and after the war, fell pregnant and gave birth to light-skinned offspring. Even though the German fathers abandoned the children that were born in these circumstances, the Herero community gladly welcomed these children into their households. Ngeke Katjangua (aged 86, Gobabis) formulates it like this:

It's a big shame in our families that you have a father, but you don't know where your father is. You cannot trace your father. You are not regarded as a complete Herero. The Genocide left a permanent mark in our lives, we lost our everything, we lost our family, I lost three of my grandmothers [sisters of the biological grandmother are also considered grandmothers]. We don't know whether they were taken to Germany.

### Group identity

It is interesting to note that Nama identify themselves by the clans that they belonged to, whereas the Herero have a tribal identity to which they subscribe. Even though there were some objections by the Mbanderu, who are a sub-group among the Herero and there are the followers of the green flag and red flag, there is a greater sense of belonging to one common ethnic group. Nevertheless, this does not mean that they did not have pride in the different clans from which they derived their origin.

In the battle of Ohamakari, the Herero managed to defeat the Germans, who retreated and returned with cannons. Moses Katjaimo (aged 93, Okakarara) reminisces:

... my grandfather Benestus Kahongora Katjamuramba, who is credited for the red flag used by the Herero, was one of the survivors of the genocide. He belonged to the Kambazembi Clan, Onguatjindu. He fled to the northern part of Namibia, while others fled to the South. The Kaunjonja Kambazembi fled to Botswana. He is the biological father of Sam Kambazembi, who is currently the chief of Okakarara.

With the Nama clan identity is very important because they divide themselves into eight royal houses. During the war, the Nama never came together as one group to fight against the Germans, who hence succeeded in dividing them. Also, some Nama assisted the Germans to fight the Herero. Further, the Nama did not ever directly confront the Germans as an army. They would use guerrilla tactics to fight them since they were lesser in number and they knew the landscape and places to retreat, which they took advantage of. Dietricks Fredericks (aged 82, Bethanie) from the Royal House of !Gaman points out:

The Germans also came with instructions from Kaiser Wilhelm the second. They would always try to implement whatever was said to them. What happened was that a peace treaty was signed between the Germans and the !Gaman and they, too, assisted the Germans to fight the Hereros. We can't surely say it was that fight for !Gaman but it could be that one. This is where the Nama men realised that this is not war, this is genocide, maybe we can call it 'killing our people.

The Germans made sure that the Nama don't come together because of the instructions with which they came: 'Make sure they don't unite.' So, they would sign a peace treaty with the different Nama groups and those peace treaties also said, 'If I am fighting with someone, you must either refrain or help me. More like, 'Don't fight me, fight together with me.

But this does not mean that the Nama and Herero were on opposite sides in the war confronting each other between 1904 to 1908. Eventually, they came together to take on the might of the invaders.

### **Memory and memorialisation**

While both groups acknowledge that genocide should never be forgotten and its memory should remain front and centre in the consciousness of the two ethnic groups, their response to memorialisation is very different. With the Herero, the memory of the past is kept alive in the minds of people and through the oral narrative form. When an elder dies, the Herero commemorate them by chanting the names of all the ancestors whose familial ties with the dead person can be traced. Thus, memory is preserved in a very different way from our conscious knowledge of what it is to remember. The Nama on the other hand have physical memorialisation through statues, inscriptions on gravestones, proper cemeteries in their towns. It is possible to

see where Jacob Marengo, a very famous Nama leader, is buried in Gibeon because his statue has been installed with details inscribed on a plaque. Similarly, in the centre of the town there is a meeting place with plaques of all the Nama leaders who lived there.

Both groups have a commemoration day for the people who lost their lives in the genocide, and they celebrate it with a lot of pomp and flair.

## Trauma

The theory of intergenerational trauma is a relatively recent psychological and social focus, with most of the research elaborating on intergenerational (often used synonymously with multigenerational) trauma having been established against the backdrop of Nazi Germany and the Holocaust.<sup>13</sup> How this plays out in post-colonial Namibia is of interest to me in my research. The psychological mechanisms for the transmission of trauma are over-disclosure and silence, and identification and re-enactment. Over-disclosure on the one hand and silence on the other, do not allow for further discussion, as pointed out by Lin and Suyemoto.<sup>14</sup> Both the indigenous groups lost many lives in the genocide. Some people died because of gunshot wounds, some died because of raging thirst in the desert, and others because they drank water from wells poisoned by the Germans; And a lot of them died in the concentration camps. It is interesting to note that many of the stories which the Herero narrated were about the scattering of the people in the Omaheke desert and how they survived, whereas most stories narrated by the Nama were about the concentration camps. Moses Kambuasuka (aged 86, Onderombapa) remembers the tearing apart of families:

The survival in the desert was very tough as there was no water or food. As Herero were herders, they were used to eating wild fruits from the trees. We were told that during the genocide for a person to survive you had to run for your life. Coming back together was impossible because some people were running as far as the north of Namibia, Ovamboland, some to Botswana, and some to South Africa. Some were captured so there was no coming back together. The survival in the desert was difficult, there was no water. The mechanism of the Germans was to make sure that without water they would starve all the Herero survivors. They even poisoned the water holes. They died of thirst.

Jesaya Katjivikua (aged 76, Okakarara) recalls how, as children, they were taught by the elders to survive in the desert:

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<sup>13</sup> E.g. Danieli, *International Handbook*.

<sup>14</sup> Nancy J. Lin, Karen L. Suyemoto: 'So You, My Children, Can Have a Better Life: A Cambodian American Perspective on the Phenomenology of Intergenerational Communication about Trauma', in: *Journal of Aggression, Maltreatment & Trauma*, 25 (4), 2016, pp. 400-420.



We were taught how sand could show them in which direction there would be water or a spring. Ombu was a method of finding water that was close to the surface. We could just scratch, and water came out. This is how the people were surviving. There was also a plant called Ozondanga, a kind of melon with spikes that grows in the veld. When cooked, water could be extracted from these.

The Nama stories mainly focussed on the experiences in the concentration camps:

We can say these are the only 5 members who survived from the Shark Island. There were no details from my grandfather about how they were surviving but firstly they used to remain naked (nude) and how they died because of the cold. The people would be thrown into the ocean to the sharks; they would eat uncooked rice with water only. According to my grandfather, Nama were not rice eaters and mielie meal eaters; they were weed eaters. They mainly ate from those things you find grown outside. (Dietricks Fredericks, aged 82, Bethanie)

Some of these concentration camps were in Swakopmund. From there, they (Germans) would take a group whenever they needed one. It was a straightforward case; the ones who did not want, who were not submissive would be killed and the submissive ones would remain. There were different camps, women in their own and men in their own. At the camps were children, women and men and whenever they needed women to sleep with, they would just take the girls or any woman and sleep with them. That's how it was. If she refused, they would kill her. They would eat wholegrains and the basics, whatever they picked, they should just eat and sometimes they would get some fish but not always. They mainly used ox-wagons for transportation. While they were at the concentration camps, they would work with stones, for building and constructions and some would work entirely on those stones to shape them and all that. Today we are talking about things being tough, but we suffered during that period, it was worse. It was not like now. Sometimes they were injected for identification purposes. They would put something to inject them, but what's not clear is what was injected in them. (Samuel Graeg, aged 74, Tses).

With the Herero, the experience of the concentration camps was similar. Ngeke Katjangua (aged 83, Ovitoto) relates the stories he heard about a concentration camps:

After their men were killed in the Nyainyai district they [Herero women] were brought to the concentration camp. They were forced to do hard labour and they were also raped. They were forced to remove the flesh from the skulls of the dead. These skulls are the ones that were sent to Europe, Germany. They only survived because they were women. Women were spared to be wives for the soldiers and raped. They were living on handouts within the camps.

Jesaja Katjivikua (aged 76, Okakarara) was told about the concentration camps and specifies Lüderitz and Swakopmund:

The reason why we [the Herero] were taken there was to die from the cold. The Herero and Mbanderu only used to wear skin. They were fed old horse and donkey meat. [...] They were also used by the Germans to search for others who were hiding in the bush. The ones in the bush were the ones who had started rebelling and killing white people to counter for the loss of their people. [...] Many people survived and returned because the camps were too full, a ruling was issued that all the camps should be broken down, so many people survived.

Both groups experience trauma which is transgenerational because it stretches beyond space and time, but each individual group handles it differently. Larkin points out that "intergenerational refers to different generations or age categories of individuals who may or may not be related."<sup>15</sup> Transmission of intergenerational trauma follows different patterns in the two groups and affects the groups in distinct ways. For instance, the Herero constantly revisit the genocide and its outcomes in family and group gatherings. The genocide stories are narrated over and over again, and this becomes the means by which they learn to cope with the horror and pain of the loss of family members. In their minds the genocide did not happen many years ago; it happened yesterday. As mentioned earlier, with the Nama there is complete silence. Silence can also operate at an individual, familial, and societal level.<sup>16</sup> Apart from the leaders of the Royal houses, also called Captain (*Kapitaan*), nobody was willing to speak about the genocide. It took a lot of coaxing on our part to get them to divulge their thoughts and feelings. In fact, once of them confessed that they never discuss the genocide in front of children because they do not want them to be affected by what happened more than a century ago. One can attribute their resilience to their belief in God and the veil that is cast over the incidents that destroyed two thirds of their population. According to Danieli and Weingarten, silence is the most important means of transmission of trauma.<sup>17</sup> Since the elders of the Nama community do not openly discuss the genocide, the younger generation collude in maintaining the silence that holds them together. The silence produces a sense of 'hame, helplessness, and despair among the younger people. But among the elders, the genocide clearly transformed them completely:

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<sup>15</sup> Steve Larkin, 'Addressing the gap within the gap', in: *Journal of Indigenous Wellbeing*, 5 (1), 2001, pp. 72-78.

<sup>16</sup> Michelle R. Ancharoff, James F. Munroe and Lisa M. Fisher: 'The legacy of combat trauma: Clinical implications of intergenerational transmission', in: Yael Danieli, (ed.): *International Handbook of Intergenerational Legacies of Trauma*, New York, Plenum, 1998, pp. 257-276; Kaethe Weingarten: 'Witnessing the effects of political violence in families: Mechanisms of intergenerational transmission and clinical interventions'. in: *Journal of Marital and Family Therapy*, 30 (1), 2004, pp. 45-59.

<sup>17</sup> Danieli, *International Handbook*; Weingarten, 'Witnessing'.

There was one grandfather called !Naba, he encountered them at the late chief's father's house. The aftereffects of what transpired was their behaviour so that grandfather was questioned, but they were actually afraid of him. The granny would always say. 'Be careful of !naruab' he has been messed up by the war and he became crazy. (Dietricks Fredericks, aged 82, Bethanie)

Even the Herero spoke about the trauma that the community suffered because of the genocide, especially because they were forced to go against their own people:

When a person came from the camps, they were mentally disturbed, they still thought they had to get those from the bush to hand them over to the white people. The Herero and Mbanderu who spoke German were chosen as headmen. They were the ones who called the ones who were hiding in the bush to come out. The ones who spoke German had been taught by the Germans so that they could be used as spies against their own people. (Jesaya Katjivikua, aged 76, Okakarara)

### Remembrance of historical details

According to Mohatt et al. "history is, in part, collective memory, and like memory, is a highly malleable, reconstructive process."<sup>18</sup> Remembrance of the past is articulated around social and cultural contexts. Foucault states that, majoritarian tribal groups often suppress the narratives of minority groups and restrict what can be discussed publicly.<sup>19</sup> As pointed out by Kienzler, trauma narratives inevitably become cultural constructions because the personal narratives get entwined with the cultural articulations of trauma.<sup>20</sup> What was striking about the Nama, unlike the Herero, was the remembrance of historical details. While it is acknowledged that most of them did not want to talk to us about the genocide, the ones who did had an amazing grasp of details around the movements of the clans, when the actual war started, and what transpired between the years of 1904 to 1908. They could talk about the events that transpired and also give the exact dates:

So, the German's contact with the Nama: the first place they came to was Warmbad and the second one was called Hirahabes. In 1890, this is where the war started. That same year, they raised the German flag with the permission of the captain in August. In his writing, the captain instructed the Germans, 'Please educate my people for me, look after

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<sup>18</sup> Nathaniel Vincent Mohatt, Azure B. Thompson, Nghi D. Thai and Jacob Kraemer Tebes: 'Historical trauma as public narrative: A conceptual review of how history impacts present-day health', in: *Social Science & Medicine*, 106, 2014, pp. 128-136 (128).

<sup>19</sup> Michel Foucault: '*Society Must Be Defended.*' *Lectures at the Collège de France, 1975-1976*, New York, Picador, 2003.

<sup>20</sup> Hanna Kienzler, 'Debating war-trauma and post-traumatic stress disorder (PTSD) in an interdisciplinary arena', in: *Social Science & Medicine*, 67 (2), 2008, pp. 218-227.

them and develop them', but up to today, this is not happening, we have only lost the land and the water points. Orange River is one and Karasburg and this is where the activities took place. The wars were fought there. So, 1901, Jan Abraham got the responsibility to take over from his father, William Christian. William Christian then told his son that your leadership should be like the death of false writer and at the end of the day this happened, why? 21<sup>st</sup> October, Sunday morning, Captain Jan Abraham was shot by Vanderjobs and at that stage the captain already knew this would happen, so he told his troops not to shoot first. As he was shot and falling down, he told them it's your time now. So, 1903 the Captain Jan Abraham died at his house along with the three Germans. Immediately after the shooting, the war stopped because the Germans did not have a leader in Namibia who would pursue it.

Pastor Dauseb left so this is why the wife took over the leadership role so that Saturday she came down and as the usual practice of the men getting information and then share it with the captain, she came down and shared this with the captain. The captain heard the news, and just said I am going to die here in my yard and just throw my ash here. This started in 1903, 23<sup>rd</sup> of August and this was never told. They only speak of 1904. Even the peace talks after the first conflicts happened in 1904, 27<sup>th</sup> January. It was unfortunate, the peace talks were supposed to happen but then Bondelswarts troops saw the Germans coming to fight, so there was no need to peace talks anymore. The war in Karasburg started 10<sup>th</sup> December 1905. What happened was that the Germans were on top of the mountain and then the Bondelswarts troops were at the bottom of the mountain. Jacob Marenga then told them that 'Don't worry the God that is there on top with them is also with us here. (Uncle Rooi, aged 96, Karasburg)

### **Ancestral land and its loss**

The last theme that struck a chord with the Nama and Herero elders was their ancestral landholdings. Both regretted the loss of fertile land which today is primarily owned by Germans. Cattle farming is a part of the Herero culture. The more cattle a Herero has, the higher is their status. All elders spoke about the need to get their lands back. Some of the women mentioned that it was the responsibility of Germans to build schools to educate the Herero children to make up for their cruelty during the genocide. Significantly, the men demanded that the land should be returned to them so that they can claim their heritage.

Hilde Karita (aged 87, Okakarara) still mourns the place of her father's grazing land and explains her life and the grazing situation in the communal area:

All the land was taken, even today, it's painful because I don't have land. If I want to buy land, I have to buy it from a German. If I want grazing, I have to go to the Germans. The whole of the Okakarara area [around

Waterberg] belongs to the Germans. The Diekmann and the Schneider families have more than twenty farms all over here. We want to have grazing, we have to pay even today, we don't have anything to belong to because the German stole everything. Even today, people talk about the land issue and people are still crying for it. At the village we are fighting over grazing. There are more than 50 people living on a small area of land. You might have 20 or 30 cattle, but you have to share [the grazing land] with others. Nothing belongs to you. The only thing that belongs to you is your few cattle.

Even the Nama are bitter about the loss of their lands which were taken away by the Germans:

Today we don't have land, no farm animals and the people who are rich get richer and the poor ones remain poor. This is very painful to me, but it reminds us of our forefathers and how they lost their lives. Am thankful that you came so we could talk. Genocide story if you listen to the radio, it's a mess, we don't even know where we are heading to. Let me say thank you for listening to me. (Uncle Rooi, aged 96, Karasburg)

### **Their feelings towards Germans**

As Cathy Caruth states, "[t]he traumatised person, we might say, carries an impossible history within them, or they become themselves the symptom of a history that they cannot entirely possess."<sup>21</sup> Traumatic memories not only represent the pain and loss of lives and the ensuing catastrophe at one level, but echo the inability to comprehend them. Having undergone this trauma, we were interested in finding out how the two indigenous groups felt about the Germans given their chequered history. Their reactions were different. The Nama were bitter about their past and what was done to them. They feel disenfranchised and disempowered, also because they are a much smaller group than the Herero and they feel unheard:

To be honest, what I feel about the Germans, I initially didn't have a feeling but when I started to understand these things then I start to ask myself, are these real people? Are they human beings? Can they really treat another human like they are not human, without thinking they are human? What kind of a person loves his dog more than another human being? And to show that through treatment and to think about it, someone comes from outside and treats you like that in your own home. The Germans, all the Europeans they called us savages and now I say they are savages. (Anna Dietricks, aged 85, Bethanie)

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<sup>21</sup> Cathy Caruth: 'Unclaimed experience: Trauma and the possibility of history', in: *Yale French Studies*, 79, 1991, pp. 181-192.

The reaction among the Herero was different. Merapi Kazombiaze (aged 75, Ovitoto) longs for inclusive dialogue of German and Herero people and careful considerations on how to go about the reparations:

We can forgive, but we will never forget what the Germans did to us and our forefathers. It wasn't just a fight here and there, the suitable term is genocide because they intended to kill the [Herero] people, to wipe them out. And indeed, they did according to plan. It was not Lothar von Trotha himself, it was the German government, not to think twice about this [the killing] and see what they can do to the Nama and Herero. Further, if we are dealing with this [genocide] now, we should be involved. Never [the Namibian Government] engage with foreign people talking about us without us. Never.

### Last words

We wanted to end the interviewees in a positive note, looking for a way forward. Both groups felt that the government of Namibia has not involved them sufficiently and that they did [do] not have adequate representation in the reparation talks.

Everything was taken away from them by the government and today they do not have anything, so they just left without anything. I am just thankful that we have come this far, and I also thank you guys for coming here so that you can record a few things at least. For us, we are quite old now, but we wish our children can actually succeed. So that they can also have a life like the others. So, talking about money only is not enough. Money is not everything and children need to be developed and educated. That is the best solution, they must be knowledgeable and let the government also uplift us. (Anna Dietricks, aged 85, Bethanie)

Mbapeua Muharukua (aged 66, Okakarara) suggests dialogue on a deeper level: "[...] we must start to sensitise the Germans about what Namibia is today. We are not the country that they heard about 100 years ago from their grandparents." Omitiri Jesaja Katjivikua (aged 84, Otjinene) still hopes for an admittance of fault and dialogue: "I wish one day the Germans would come and say "We are sorry about what happened. Let's start a new page." Moses Katjaimo (aged 94, Ovanduvongue) warns the German government to carefully consider whom and how to aid with their initiatives:

My last word is that the Germans should think twice because the people that they brutally killed have nothing at all. They should have remorse and mercy to the small number of people that survived, the Herero and Nama people. They must give them something that can heal their wounds, calculated in monetary value equal to the brutality of the Germans. [...] the German initiative and aid are currently given to the government, which goes straight to Ovamboland. So, I ask the Germans to think twice when giving help.

Zepuisa Kandoroza (aged 66, Okandjira) demands an apology from the Germans and easing the process for repatriation:

... what I want now is for the Germans to tender their apology. We have forgiven them, but you have forgiven someone who refuses to give an apology, how can you forgive that person? Although we will never forget what happened, they must give their apology. My message to the Namibian Government is to not have strict requirements when Herero from Botswana and South Africa apply for citizenship.

## Conclusion

This article set out to examine transgenerational trauma among the two indigenous groups of Namibia, the Nama and Herero, who were directly affected by the genocide. From the interviewees of the two groups, it was evident that they deal with trauma differently because their memories are transmitted through the generations in a varied manner. The Herero believe in over-disclosure, the Nama, on the other hand, believe in silence because they think they can protect their younger generations by casting a veil on what happened between 1904 to 1908. It is interesting to note that despite this silence, the *Kapitaans* of the royal houses could elaborate with remarkable precision on the historical events that took place. The survival stories are different also because the Nama mostly narrated experiences of the concentration camps, whereas the Herero expatiated on the scattering of their people in the desert leading to many deaths because of poisoning and starvation. It is clearly evident that the Nama and Herero in present day Namibia are defined by the genocide which disrupted their way of life so decisively. Colonial trauma is a communal burden, which means that the object of trauma research has to shift from the individual to indigenous groups. How this conversion takes place is what we grapple with as researchers to provide scope for further development in the field of genocide studies.

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# From the Herero Uprising to the Ovaherero and Nama Genocide

## About the discourse history of an event of mass murder

Medardus Brehl

### 1.

"But our boys have simply chased those Hereros and other Hottentots into the desert..."<sup>1</sup> This is taken out of the section for the year 1904 from internationally renowned German writer Günter Grass' book *Mein Jahrhundert (My Century)*. The generalised knowledge present in Germany about the wars the German Reich waged in the then German colony German South West Africa between 1904 and 1908, the general knowledge about the destruction of the Ovaherero and Nama is being characterised as rather unspecific in this sentence: Ovaherero and Nama were mentioned without differentiating between the two groups under the negatively connotated term "Hottentots". The destructive strategy of driving the Ovaherero out into the dry sand field of the Omaheke and the subsequent blocking-off of the waterholes is colloquially described as "chasing into the desert". The consequence of this strategy – the death of about 80% of all Ovaherero – is not explicitly mentioned. Knowledge about this consequence is merely hinted at with three periods, connotating an incomplete train of thought.

For the longest time, the destruction of the Ovaherero and Nama played, according to Grass' fitting characterisation, at best a marginal role in Germany's collective and political memory. If at all, it appeared as an "especially dark chapter" in the book of Germany's history, as put by then President Roman Herzog in 1998 during a state visit in Namibia – an "especially dark chapter", but primarily a closed one. This statement can also be made about historiography in Germany. Not alone for the overall presentation of German history, but also for those works that are explicitly not dedicated to German colonialism: the Ovaherero's and Nama's destruction was, for the longest time, mostly mentioned very briefly. A positioning in the development of German history from the point of view of the history of mentality, ideas or discourse has only been tackled in recent years.

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<sup>1</sup> "Aber unsere Jungs haben diese Hereros und ähnliche Hottentotten einfach inne Wüste gejagt...". Günter Grass: *Mein Jahrhundert*, Göttingen, Steidl, 1999, p. 21. Incidentally, the book was published in the same year that Günter Grass was awarded the Nobel Prize for Literature.

This is astounding and in need of explanation, especially considering the war in German South West Africa and the destruction of Ovaherero and Nama was, in a way, the central event in German colonial history – and additionally perhaps the initial event of the history of violence in the 20<sup>th</sup> Century, considering the destruction of the Ovaherero and Nama was considered the first genocide of the 20<sup>th</sup> Century.

The question why this event was, for the longest time, neither part of Germany's collective knowledge nor appropriately placed in academia is perhaps relevant not only for the immediate colonial context, but it also permits conclusions regarding the processes of construction, continuation, and distribution of knowledge. For this, it is imperative to consider the fact that the murder of the Ovaherero and Nama did not occur in the centre of what is and was the German and European historical interest, but in its periphery. The Ovaherero did not have written culture. Additionally, they were under white xenocracy (under German rule until 1915, afterwards under the South African Union, from 1961 South African Republic).

The story of this genocide remained as an unwritten part of Ovaherero and Nama history for nearly 90 years. Only recently have there been attempts to close this gap in scientific discourse and collective knowledge. What has been written from the beginning, however, is the story of the "Herero-Uprising," of the "heroic" battle of the German *Schutztruppe*, naval battalions, farmers, and settlers and the "downfall of the Herero people."

In this way, the "Herero Uprising" was quite a discourse event: in the years following 1904, a flood of texts of different genres dealing with the "Herero Uprising" and its motivations, political and social conditions and consequences flooded the German market.<sup>2</sup> These today largely unknown texts were in no way unknown back in their day, on the contrary; they were exceptionally popular to the point of receiving several editions, at least in some cases. The interpretations in these texts would shape the reception of the Colonial War for years to come. The most popular example of this has to be, without a doubt, Gustav Frenssen's 1906 book *Peter Moors Fahrt nach Südwest. Ein Feldzugsbericht* (Engl. edition: *Peter Moor's Journey to Southwest Africa: A Narrative of the German Campaign*),<sup>3</sup> which will be discussed in more detail below.

The story of the "Herero Uprising" has thus been told by members of the perpetrator society from the beginning. A sentence from Carl Schmitt's 1919 satire *Die*

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<sup>2</sup> Cf. for this in detail Medardus Brehl: 'Diskursereignis "Herero-Aufstand". Konstruktion, Strategien der Authentifizierung, Sinnzuschreibung', in: Ingo H. Warnke, (ed.): *Deutsche Sprache und Kolonialismus. Aspekte der nationalen Kommunikation 1884 – 1919*, Berlin, de Gruyter, 2009, pp. 167-202.

<sup>3</sup> Gustav Frenssen: *Peter Moors Fahrt nach Südwest. Ein Feldzugsbericht*, Berlin, Grottsche Verlagsbuchhandlung, 1906. An English edition of the novel was published in 1908 in the U.S.: Gustav Frenssen: *Peter Moor's Journey to Southwest Africa: A Narrative of the German Campaign*, transl. from the original with the consent of the author, by Margaret May Ward, Boston MA, Houghton Mifflin Company, 1908.

*Buribunken* might get, perhaps tragically, confirmed: "The wheel of development passes silently over the silent, he is neither talked about any longer, he can thus no longer bring himself to the fore."<sup>4</sup>

History, in this case, is the story of the victor. He possesses the monopoly to sort the source material, to create terms and categories, and to explain what has happened; he can write his version of history into the history books. The voice of the victim receives no such importance,<sup>5</sup> his version is, if, in the case of the Ovaherero people, it even finds its way into discourse, possibly heard but immediately compared to what got written down and then "corrected."<sup>6</sup> The story of Andreas Kukuri, a survivor of the genocide, about the events of the year 1904 may serve as an example.<sup>7</sup> Andreas Kukuri talks about the Ovaherero's flight into the Omaheke-steppe:

We fled and ran straight eastward. The land had a lot of sand, but there were no green trees or water. We moved in vain through a veld that has no water, until the cattle and the people all died from thirst.<sup>8</sup>

Ernst Dammann, missionary and Africa-scholar, who translated the texts and published them in 1987, comments this report, "Not every statement made in this report is totally clear. Obviously, not everyone who fled after the Battle of Waterberg died of thirst."<sup>9</sup>

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<sup>4</sup> 'Das Rad der Entwicklung geht schweigend über den Schweigenden hinweg, es ist von ihm nicht mehr die Rede, er kann sich infolgedessen nicht mehr zur Geltung bringen'. Carl Schmitt: 'Die Buribunken', in: *Summa. Eine Vierteljahresschrift*, 2 (4), 1918, pp. 89-106 (102).

<sup>5</sup> Cf. Kristin Platt: 'Historische und traumatische Situation. Zur wissenschaftlichen Beschäftigung mit Extremtraumatisierungen durch kollektive Gewalt und Genozid', in: Mihran Dabag, Antja Kapust and Bernhard Waldenfels, (eds.), *Gewalt. Strukturen, Formen, Repräsentationen*, München, Fink, 2000, pp. 260-278; with regard to the concrete case of the perception of the Ovaherero and Nama genocide: Kristin Platt: 'Gewalt, Trauma und Erinnerung. Zum Umgang mit Völkermord', in: Henning Melber, Kristin Platt, (eds.): *Koloniale Vergangenheit – post-koloniale Zukunft? Die deutsch-namibischen Beziehungen neu denken*, Frankfurt am Main, Brandes & Apsel, 2022, pp. 17-39.

<sup>6</sup> Herero-texts have been sparsely published in English or German: Ernst Dammann, (ed.): *Herero-Texte. Erzählt von Pastor Andreas Kukuri*, Berlin, Reimer 1983; Ernst Dammann, (ed.), *Was Herero erzählten und sangen. Texte, Übersetzung, Kommentar*, Berlin, Reimer, 1987; Annemarie Heywood, Brigitte Lau and Raimund Ohly, (eds.), *Warriors, Leaders, Sages, and Outcasts in the Namibian Past. Narratives Collected from Herero Sources for the Michael Scott Oral Records Project (MSORP) 1985/86*, Windhoek, MSORP, 1992.

<sup>7</sup> Dammann: *Herero-Texte*, pp. 50ff.

<sup>8</sup> "Wir flohen und eilten in gerader Richtung nach Osten davon. Und das Land hatte viel Sand, aber grüne Bäume und Wasser waren nicht da. Und wir Leute bewegten uns vergeblich mitten im Veld, das kein Wasser hat, bis die Lebewesen, d.h. Rinder und Menschen alle vor Durst starben". *Ibid.*, p. 51.

<sup>9</sup> "In dem vorstehenden Bericht ist nicht jede Aussage restlos klar. Selbstverständlich sind nicht alle, die nach der Schlacht am Waterberg flohen, verdurstet." *Ibid.*, p. 53.

Here, the victim's tale is compared via commenting to the discourse about the "Herero Uprising" conventionalised in Germany and put into a lesser spot: it is neither clear nor is it objective. The conventionalised discourse remains steadfast, it is naturally attested validity. Connecting it to the conventionalised discourse seems normal, the survivor's tale does not serve as an examination or rebalancing of the conventionalised discourse. Andreas Kukuri talks about the beginning of the armed conflict: "The war here in Okahandja began in the year the Herero fought the Germans."<sup>10</sup> Dammann's comment continues the sentence: "With the murder of many Germans on January 11, 1904"<sup>11</sup> – and thusly hands the role of aggressor over to the Ovaherero, while implicitly attests the Germans a defensive role.

This pattern can easily be found in many popular depictions of the Herero War after 1945. In Dieter Kreutzkamp's 1994 picture book *Namibia. Straßen in die Einsamkeit* (*Namibia. Roads into Loneliness*), the following entry can be found:

The Herero revolt against the colonisers on January 12. Within a few days, 120 Germans are killed, and many farms are burned down. August 11: the Schutztruppe consists of 7500 men. They are facing 35000 Herero [...] The Battle at Waterberg begins. The Herero are beaten the next day. They retreat in the direction of today's Botswana. The few watering holes there, however, are not enough for the fugitives. Thousands die of thirst.<sup>12</sup>

A short sentence devoid of any context can be found without the war against the Nama ever being mentioned: "Hendrik Witbooi fell in the battle"; for the year 1907, the narrator states in a satisfied manner: "Calm has fallen over German South West Africa. The Kaiser declares the war over on March 31. The first Karakul Sheep are imported in the same year. The Etosha Pan becomes a National Park."<sup>13</sup>

This short passage from the timeline suggests a story of successful German colonial work, which gets greatly disturbed by indigenes. However, after their conquest and

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<sup>10</sup> "In dem Jahr als die Herero und die Deutschen kämpften, begann der Krieg hier in Okahandja". Ibid., p. 51.

<sup>11</sup> "Mit der Ermordung von zahlreichen Deutschen am 11.1.1904". Ibid., p. 52.

<sup>12</sup> "Am 12. Januar erheben sich die Herero, gegen die Kolonialherren. Innerhalb weniger Tage werden mehr als 120 Deutsche getötet und zahlreiche Farmen niedergebrannt. 11. August: Die Schutztruppe umfaßt 7.500 Mann. Ihr stehen 35.000 Herero [...] gegenüber. Die Schlacht am Waterberg beginnt. Tags darauf sind die Herero geschlagen. Sie ziehen sich in Richtung des heutigen Botswana zurück. Die wenigen Wasserstellen dort reichen jedoch nicht für die Flüchtlinge aus. Tausende verdursten." Dieter Kreutzkamp: *Namibia. Straßen in die Einsamkeit. Namibia: Die schönsten Routen zwischen Kalahari und Diamantenwüste*, Munich, Frederking & Thaler, 1994, p. 17.

<sup>13</sup> Ibid. "Ruhe ist jetzt in Deutsch-Südwestafrika eingekehrt. Am 31. März erklärt der Kaiser den Krieg für beendet. Im selben Jahr werden die ersten Karakulschafe importiert. Die Etoschapanne wird Naturschutzgebiet".

destruction, which the colonists were actually not involved in or, at least cannot be blamed for, the German's colonial work can be continued and ended happily.

Such depictions could simply be read as a played-down apology of capitalism. However, the question why such an interpretation of the events remains generally accepted even in the 1990s poses itself. It is noticeable that Kreutzkamp implicitly alludes to a central and virulent pattern of colonial speech of the German Empire: he connects to the idea of a world-historical law of higher development, which is deduced from a mission of cultivating the wilderness.

## 2.

The text with possibly the most audience appeal about the "Herero Uprising" came out about 100 years before Kreutzkamp's travel report. It was the already briefly mentioned novel *Peter Moor's Fahrt nach Südwest*, written by Gustav Frenssen. It was also declared as an offensive report.

This text is important, not only because it is the most successful contemporary publication by sheer number of editions about the "Herero Uprising" – but also, because Frenssen was among the most renowned and internationally most recognised German writers. In 1912, he was even nominated to win the Nobel Prize for Literature.<sup>14</sup> It was, however, Gerhard Hauptmann, who wound up winning it over Frenssen.

It was thus not any nameless person, no amateur poet from the Schutztruppe or a farmer, no colonial official speaking, but a renowned writer of the highest rank, whose name was well recognised in bourgeois ranks: Frenssen had previously written *Jörn Uhl* (1901), one of the first real bestsellers in Germany. In its first year of publishment, it had sold over 130,000 copies (for comparison: Thomas Mann's book *Buddenbrooks*, which was published in the same year, sold just under 1,000 times in its first year).<sup>15</sup>

*Peter Moors Fahrt nach Südwest* would go on to experience success similar to *Jörn Uhl*. The novel had been received with overwhelming positivity, domestically and abroad; it quickly became a national and international best- and longseller. In the year of its first edition, the novel was reprinted 63,000 times and was reprinted half a million times by 1945. English translations were published in 1908 in Great Britain and the United States. Additionally, the novel was translated into Danish, Dutch,

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<sup>14</sup> The essays in the following anthology offer a literary and socio-historical location of Frenssen's work: Kay Dohnke, Dietrich Stein, (eds.): *Gustav Frenssen in seiner Zeit. Von der Massenliteratur im Kaiserreich zur Massenideologie im NS-Staat*, Heide, Boyens, 1997.

<sup>15</sup> On Frenssen's importance in the literary world of the first third of the 20<sup>th</sup> century, cf.: Uwe-K. Ketelsen: 'Gustav Frenssens Werk und die deutsche Literatur der ersten Jahrzehnte unseres Jahrhunderts', in: Kay Dohne, Dietrich Stein, (eds.): *Gustav Frenssen in seiner Zeit. Von der Massenliteratur im Kaiserreich zur Massenideologie im NS-Staat*, Heide, Boyens, 1997, pp. 152-181.

Afrikaans, and Swedish. Annotated editions were published in Germany, the United States, and Sweden.<sup>16</sup>

The text's significance to produce an image generally shared in bourgeois-conservative and national-liberal ranks about the events of 1904 can thus hardly be overestimated. Additionally, the events depicted in Frenssen's novel were frequently attested with high levels of authenticity, which surprising, in terms of Frenssen explicitly developing an aspect of strategy of legitimisation found in numerous contemporary publications. In these publications, this aspect is of importance, but in rather implicit form: the events of 1904 are part of the process of a general, historic-mythologically solid evolution of culture.<sup>17</sup>

At the end of the novel, with the Ovaherero having already been pushed into the Sandfield, a conversation between the protagonist and the commanding first lieutenant is portrayed. This conversation is, in a way, made out to be the aim of the entire novel. The first lieutenant justifies the destruction of the Ovaherero with the following sentences:

These blacks deserve death before God and Man, not because they murdered two hundred farmers and revolted against us, but because they did not build any houses and have not dug any wells. [...] God has let us be victorious because we are the more noble and the more forward striving. [...] The world belongs to the more diligent and the fresher. That is God's justice.<sup>18</sup>

There are three trains of thought and knowledge intertwined with each other in this short passage, all of which were exceptionally virulent in contemporary discourse about the politics of violence. They all served to legitimise the strategy of destruction. First, the argument that the destruction of the people was merely an act of revenge gets rejected; the depiction thus gets separated from the current, concrete contemporary context. In the place of this concrete reference to the events, an argument is placed, which is borrowed from the discourse from the history of philosophy. It has been formulated through Kant, Herder and Schiller and has been seen as valid since Hegel's *Vorlesungen zur Philosophie der Geschichte* (*Lectures on the Philosophy of History*) from the 1820s at the latest. The "blacks" do not contribute anything towards the development of mankind and to the advancement of history, according to the text.

With this, Frenssen joins the many before him, who had the idea of there being only one universally valid history; a history, in which the acting human has centre stage.

<sup>16</sup> Cf. Otto Jordan: *Gustav-Frenssen-Bibliographie*, Böhmstedt, Selbstverlag, 1978.

<sup>17</sup> Cf. in detail: Brehl, 'Diskursereignis', pp. 191-195.

<sup>18</sup> "Diese Schwarzen haben vor Gott und Menschen den Tod verdient, nicht weil sie die zweihundert Farmer ermordet haben und gegen uns aufgestanden sind, sondern weil sie keine Häuser gebaut und keine Brunnen gegraben haben. [...] Gott hat uns hier siegen lassen, weil wir die Edleren und Vorwärtstrebenden sind. [...] Den Tüchtigeren, den Frischeren gehört die Welt. Das ist Gottes Gerechtigkeit." Frenssen: *Peter Moors Fahrt*, p. 200.

The term “human,” however, was connected to some exclusive attributes: white skin, masculinity, education, and a steadfast view on a goal: Herder’s “universal humanity”, a community of reason-led cosmopolitans according to Kant, “intelligent thinkers” and “educated men of world”, according to Schiller, or, later, then already under biologicistic discourse, the highest possible “intellectual development” of human kind according to Eduard von Hartmann. Among these different approaches, the history of peoples who did not contribute towards the execution of the plan of nature, as Kant had postulated in 1783, is a common theme, as is it being viewed episodically.

This pattern of the history of philosophy gets supported in Frenssen’s novel through a, in a broader sense religious argument, which itself gets intertwined with further arguments, which recur in social- or culture evolutionist discourse. It was God’s will that made the “noble” and “forward striving,” the “diligent” and “fresher” ones win and caused the inferiors’ demise. Using inversion, a proposition of the Sermon on the Mount is quoted; the argumentation of Frenssen, who used to be a protestant country parson before becoming a writer, it is “God’s Justice” that grants the “diligent” ownership of the world after he violently destroys the “inferior blacks”, while, according to Matthew. 5:5, it is those who do not resort to violence who “inherit the land.”.

At this place, it must be noted that in the cited passage, colonialism and colonial violence are classified into a generally effective process of history aimed towards the universal cultural progress of humankind. The “disappearance” of the “blacks” is described as a possible and reasonable element of completing said process of history and as an acceleration of an inevitable dying of the peoples at the perimeter of history. Connecting Frenssen’s argumentation to different socially important discourses to validate his own statements via citation, to deduce the colonial program from this discourse, is significant, too. By incorporating patterns of colonial discourse into universally valid discourses of society, Frenssen turns colonial speech into a part of collective speech.

### 3.

The structure of argumentation deconstructed here does not stand in the landscape of discourse in 1900 like a monolith. Much more, several contemporary texts about colonialism are similar to this argumentation, to the point of them being interchangeable. The validity of these patterns of knowledge was not limited to colonialist circles, not even to right-wing conservative and explicitly nationalist ones. These analogue structures of argumentation can also be found in the announcements made by the colony-critical left wing of the Empire. It can be found even where colonial, imperial politics of conquering are explicitly and harshly criticised.



In a short text called *Der Socialismus und die Colonialfrage* (*Socialism and the Colonial Question*),<sup>19</sup> written by Eduard Bernstein in 1900 and published in the *Sozialistischen Monatsheften* (*Socialist Monthly Bulletin*), a bulletin close to the right wing of the SPD but not genuinely colonial propaganda, Bernstein clearly dismisses “colonial chauvinism” and declares social democracy as the “natural lawyer of the natives”<sup>20</sup>. This did not hinder Bernstein in determining that “higher culture always has the greater right on its side compared to the lower ones and also has the right, no, the obligation, to dominate the lesser ones.”<sup>21</sup> This is deduced from a historical process, which, according to Bernstein, stems from the need of stronger “races” for greater room and space, their economies and their cultures.<sup>22</sup> Bernstein provides evidence for this argumentation by seemingly putting into the perspective of discourses of scientific disciplines:

As interesting the specimen of lower, basic cultures may be ethnologists, by no means will sociologists find a single moment in which the lower men’s backing down from specimen of higher culture will be regarded as necessary and global-historically fair.<sup>23</sup>

Bernstein, too, thus assigns colonialism a legitimacy that he infers from the necessary progress of a single and homogeneous world history. He even talks about there being an “ethic right of the fittest”, which may not be sacrificed to “some affection towards for the weak, lazy, undeveloped and stagnant.”<sup>24</sup> By accepting this right of the higher culture, which simultaneously contrasts the right of the fittest, it, according to Bernstein, is possible to achieve a “humane and sensible view on the struggle of

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<sup>19</sup> Eduard Bernstein: ‘Der Socialismus und die Colonialfrage’, in: *Sozialistische Monatshefte*, 9, 1900, p. 549-562.

<sup>20</sup> “[N]atürlicher Anwalt der Eingeborenen”. Ibid., p. 561.

<sup>21</sup> “[Die] höhere Kultur [hat] gegenüber der niedern [sic!] stets das größere Recht auf ihrer Seite, gegebenenfalls das geschichtliche Recht, ja, die Pflicht, sich jene zu unterwerfen”. Ibid., p. 551.

<sup>22</sup> “Every strong race, strong economy with the culture based on it strives for spreading, for expansion” (“Jede kräftige Rasse, kräftige Wirtschaft mit der auf ihr beruhenden Cultur strebt nach Ausbreitung, nach Expansion”). Ibid.

<sup>23</sup> “So interessant die Vertreter niederer, ursprünglicher Kulturen für den Ethnologen sein mögen, so wird der Soziologe sich keinen Augenblick besinnen, ihr Zurückweichen vor den Vertretern höherer Kultur für notwendig und weltgeschichtlich gerecht zu erklären.” Ibid., p. 552.

<sup>24</sup> “Wenn wir nicht auf der einen Seite das brutale Recht des Starken über den Schwachen oder den ihm zu Grunde liegenden wohlberechtigten Gedanken – es giebt [sic!] auch ein ethisches Recht des Stärkeren – in seiner brutalsten Form proclamieren oder auf der anderen Seite irgend welchen romantischen, sentimental Schwärmereien für das Schwache, Untüchtige, Unentwickelte, Stehengebliebene zum Opfer fallen wollen, können wir gar nicht umhin, ein solches Recht der Cultur zu formulieren.” Ibid., p. 551.

existence between the peoples and races.”<sup>25</sup> Adding to this, the fact that the lower peoples to be colonised do not receive a right to exist for their own sake is remarkable. Their presence in colonies, their existence alone seems to be only justified on account of ethnologists’ possible interest in them. In the short passage, a kind of interdisciplinary discussion is simulated – between ethnologists and sociologists. The ethnologists’ interest of research is, however, placed beneath the necessities of historic processes – something that sociologists immediately understand. On the other hand, Bernstein considers it “by no means necessary” that the process of history, “the receding of culture before culture [...] must be connected with the disappearance of the inferiorly developed races and nationalities.”<sup>26</sup> The possibility of “natives disappearing” is neither out of the question nor worthy of criticism. Because of this, it remains legitimate as a consequence of colonialism that is “world-historically justified.”

Such patterns of argumentation are also present within the context of the mission, especially in the sciences of missions.<sup>27</sup> In the year 1888, missionary and missionary scholar Alexander Merensky had already depicted missionary work as a necessary battle for destruction in his rather famous work *Europäische Kultur und Christentum gegenüber dem südafrikanischen Heidentum* (*European Mission and Christianity and South African Paganism*).<sup>28</sup> In this work, it says that:

the entire folk-life of a pagan people group must be [...] first transformed to destroy its peculiarity, before the culture reaches the innermost layers of the heart and bone of a people. This is where the seat of superstition is to be found. Christianity attacks this innermost stronghold of paganism.<sup>29</sup>

The prerequisite for cultural elevation and proselytizing consists, according to Merensky, of the “destruction of its peculiarities.”

According to Merensky in a meaningful association of Martin Luther’s church song *Ein feste Burg ist unser Gott* (*A Mighty Fortress Is Our God*), the goal of missionary work is breaking down the “inner mighty fortress” of African paganism. The

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<sup>25</sup> “Aus ihm heraus gelangen wir zu einer zugleich humanitären und vernünftigen Auffassung vom Kampf ums Dasein zwischen Völkern und Rassen”. Ibid.

<sup>26</sup> Ibid., p. 552.

<sup>27</sup> On the connection between mission and colonial violence, see the essays in: Ulrich van der Heyden, Jürgen Becher, (eds.): *Mission und Gewalt. Der Umgang christlicher Missionen mit Gewalt und die Ausbreitung des Christentums in Afrika und Asien in der Zeit von 1792 bis 1918/19*, Stuttgart, Steiner, 2000.

<sup>28</sup> Alexander Merensky: *Europäische Kultur und Christentum gegenüber dem südafrikanischen Heidentum*, Berlin, Selbstverlag des Evangelischen Missionshauses, 1888.

<sup>29</sup> “Das ganze Volksleben eines Heidentums müsste erst umgewandelt, seine Eigentümlichkeit vernichtet werden, ehe die Kultur das innerste Herz und Mark eines Volkes erreicht, wo doch der Sitz des Aberglaubens zu suchen ist. Das Christentum greift bei seiner Missionsarbeit gleich diese innerste ferste Burg des Heidentums an”. Ibid., p. 16.

missionaries' work is warcraft. It is certainly possible to read this statement into Merensky's bellicose discourse without subjecting the text to violence. This missionary warfare's vanishing point, which Merensky creates about the recourse of bellicose discourse, is, however, not the Africans' physical destruction, but rather the destruction of their cultural independence.

In the year 1910, anthropologist Leonhard Schulze (1872 – 1955) would reflect about the Ovahereros' and Namas' destruction and the survivors' commodification analogously to Bernstein's and Merensky's patterns of argumentation:

Ethnologists might complain about the tribes of German South-West Africa, especially the Herero and Hottentots, being melted down without memory one day, even though they are of such pronounced character and physical and political peculiarity. They are being melted down and then fitted with the Reichsadler and the Christian Cross to be utilised as 'coloured workers'. The struggle for our own existence permits no other solution. Work is, at the same time, their only salvation; those who do not want to work will not make it; we do not have a reason to be more merciful in Africa than we are in Europe. We, who build our houses on the graves of these races, should be twice as strict with the obligation to not shy away from any sacrifices, for the progress of culture, which is the grandest evaluation of all possibilities of existence.<sup>30</sup>

The program of "destruction" thus remains valid in the discourses that critically oppose the destruction politics of the *Schutztruppe*.<sup>31</sup>

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<sup>30</sup> "Der Ethnolog mag es beklagen, daß ein so charakteristisch ausgeprägtes Stück Menschentum, wie es die einzelnen Stämme Deutsch-Südwestafrikas, besonders die Herero und Hottentotten in ihrer körperlichen, geistigen und politischen Eigenart darstellten, einst erinnerungslos eingeschmolzen sein wird, um, mit dem Zeichen des Reichsadlers und des christlichen Kreuzes versehen, mit der Aufschrift „farbige Arbeiter“ wieder neu in Kurs gesetzt zu werden. Der Kampf um unsere eigene Existenz läßt aber keine andere Lösung zu. Arbeit ist zugleich für jene die einzige Rettung; wer nicht arbeiten will, kommt auch bei uns unter die Räder; wir haben keinen Grund, in Afrika sentimentaler zu sein, als wir in Europa sind. Die wir auf dem Grabe jener Rassen unsere Häuser bauen, sollen es nur doppelt so streng mit der Pflicht nehmen, für den Fortschritt der Kultur, das ist für die größte Auswertung aller Daseinsmöglichkeiten, in diesem Neuland kein Opfer zu scheuen." Leonhard Schultze: 'Südwestafrika', in: Hans Meyer, (ed.): *Das Deutsche Kolonialreich. Eine Länderkunde der deutschen Schutzgebiete, Bd. 2: Togo, Südwestafrika, Schutzgebiete in der Südsee und Kiautschougebiet*, Leipzig/Wien, Verlag des Bibliographischen Instituts, 1910, pp. 129-298 (295).

<sup>31</sup> Cf. also: Jan Henning Böttger: 'Zivilisierung der "Vernichtung"'. "Hererokrieg", "Eingeborene" und "Eingeborenenrecht" im Kolonialdiskurs', in: *Zeitschrift für Genozidforschung*, 4, 2002, pp. 23-53.

This structure of argument with its different focuses on its individual elements is characteristic for literature about the "Herero-War" published after 1904.<sup>32</sup> Adolf Fischer's 1915 essay *Menschen und Tiere in Deutsch-Südwest* (*Men and Beasts in German South-West*), which tells the history of south western Africa as a story of slowly dying land, animals and humans, culminating from 1904 – 1907, transmits the historical-philosophical pattern of legitimisation especially and explicitly to the destruction of the Ovaherero and Nama people:

It was the struggle of the old and the new times. [...] From the North and the South, pressure was exerted onto the coloured and wild. They were eradicated or chased into the borderlands. The German is free of guilt. He was the coincidental heir to the field, which lay in death throes long before him. It was the same force that brought him [the German] to power that swept the old, the weak, the bizarre from the pitch.<sup>33</sup>

The eradication of the natives is being interpreted as an inevitable result of historical development, in which the German colonisers assume the role of the executor of a plan of history. Contrary to this, Fischer characterises the peoples of Southwest Africa via their readiness to face their historically necessary destiny: he calls the Ovahereros' skill "harrowing", because they died "death defying before the fires of modern time or in the terrible drought of the sandfield." The Nama, on the other hand, had to come to a decision 200 years prior, to "go down honourably", according to Fischer. Their "destiny" in the early 20<sup>th</sup> century is a "belated death", exempt from any tragedy, according to Fischer.<sup>34</sup>

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<sup>32</sup> On German colonial literature on the Herero War and the genocide of the Herero, cf.: Medardus Brehl: *Vernichtung der Herero. Diskurse der Gewalt in der deutschen Kolonialliteratur*, München, Fink, 2007. On the literary reception of the Herero War, especially after the end of World War I until 2004, cf.: Stefan Hermes: *'Fahrten nach Südwest'. Die Kolonialkriege gegen die Herero und Nama in der deutschen Literatur (1904-2004)*, Würzburg, Königshausen und Neumann 2009. On colonial literature in the context of National Socialism and its interweaving with patterns of anti-semitic Discourse: Tim Ebner: *Nationalsozialistische Kolonialliteratur. Koloniale und antisemitische Verräterfiguren 'hinter den Kulissen des Welttheaters'*, München, Fink, 2016.

<sup>33</sup> "Es war der Kampf zwischen alter und neuer Zeit. [...] Von Süden und Norden erfolgte der Druck auf Farbige und Wild. Sie wurden vernichtet oder in Grenzland gedrängt. Den Deutschen trifft keine Schuld. Er war der zufällige Erbe des Feldes, das längst vor ihm im Todeskampf lag. Dieselbe Kraft, die ihn [den Deutschen] zur Herrschaft brachte, fegte das Alte, Schwache, Seltsame in Afrika vom Platz." Adolf Fischer: *Menschen und Tiere in Deutsch-Südwest*, Stuttgart/Berlin, Deutsche Verlags-Anstalt, 1914, p. 92f.

<sup>34</sup> "Sie [die Ovaherero] starben todesgemut vor den Feuerschlünden der modernen Zeit oder in der grausigen Dürre des Sandfelds. [...] Ein erschütterndes Geschick hatte sich vollzogen. [...] [Die Hottentotten] fochten für nichts Höheres mehr als die Unabhängigkeit ihres Vieh-diebdaseins. Dafür ward ihnen gerechte Strafe. Hätten sie zweihundert Jahre vorher die große Entscheidung gesucht, so wären sie mit Ehren untergegangen. So aber entbehrt dieser verspätete Tod der Tragik." Ibid., p. 92.

In this context, a passage from Gustav Frenssen's novel *Peter Moors Fahrt nach Südwest* becomes notable once again; the passage tells how, during the Schutztruppe's pursuit of the Ovaherero in the sandfield, a group of "helplessly languished" but alive, and, yet covered by flies, dotards, wounded, women and children is being round up. They stand as *pars pro toto* for a people that is meant for death but cannot die. According to Frenssen, they are now "helped to death" by the Schutztruppe and their chasers.<sup>35</sup> What may at first glance appear as a euphemism can be read as a metaphor for a thought of humanity inherent to evolutionistic interpretations of universal-historical drafts, in which killing of the natives gets twisted into a philanthropic act of mercy.

After this historical-philosophical discourse of modernity, a line of discrete differentiation is constituted "between what must live and what must die",<sup>36</sup> even though this line appears as a signature of history itself in the logic of the texts.

In contemporary discourses, the destruction of the Ovaherero and Nama is neither disputed nor trivialised: It gets interpreted as a sensible and justified contribution in executing – and execution! – of a general process of the evolution of a world culture. It also gets described as a seemingly inevitable conflict between whites and blacks<sup>37</sup>, between culture and non-culture. It is notable that in early narratives – as opposed to what Günter Grass' sentence quoted earlier might suggest – the intentional destruction of the blacks is *not* hidden away: The texts published before World War I about the events of the years from 1904 to 1908 usually end with the destruction of the Ovaherero or them being driven into the sandfields – while the annulment of General von Trotha's order of destruction does not even get mentioned in any of the texts.

#### 4.

These constructions can be viewed as determinant for the German discourses about the wars in German South West Africa until 1945. World War I and the loss of the German Colonies did, however, pose a break for the literary reception of the "Herero-Nama-War".

Hence, it is notable that while colonial literature did experience a notable boost in popularity during the 1920s and 1930s, texts explicitly and centrally dealing with the events of the years from 1904 to 1908 were the exception, apart from new editions

<sup>35</sup> Frenssen: *Peter Moors Fahrt*, p. 162. On the significance of Frenssen's novel in the context of the establishment of an image of the colonial wars in Southwest Africa and the extermination of the Herero, cf.: Brehl: 'Diskursereignis', pp. 186-195.

<sup>36</sup> Michel Foucault: *In Verteidigung der Gesellschaft. Vorlesungen am Collège de France (1975-76)*, Frankfurt am Main, Suhrkamp, 1999, p. 301.

<sup>37</sup> On the literary imagology of 'Black Africans' in German (colonial) literature, cf.: Amadou Booker Dadij: *Das Bild des Negro-Afrikaners in der deutschen Kolonialliteratur (1884-1945). Ein Beitrag zur literarischen Imagologie Schwarzafrikas*, Berlin, Reimer, 1985.

and reprints of older publications. Many other colonial novels from the time between the World Wars, which were mostly stories of the success of German work of culture and which moan about the unlawful end of this culture work experienced at the hand of the English and the French, combine the “Herero Uprising” and the “War against the Hottentots” into the overall presentation of German colonial activity in Africa since the 19<sup>th</sup> century. The wars of 1904 – 1908 usually appear as a last danger to German rule in these texts – similarly to the travelog by Dieter Kreutzkamp discussed earlier.

It would seem logical to think that after 1945, the reception of German colonialism and hence the reception of the destruction of the Ovaherero would change. This was, in fact, the case: After 1945, the destruction of the Ovaherero and the Nama was not a topic in either of the two German states – neither in political discourse, nor in historical research.<sup>38</sup>

Work with this event started surprisingly late, but nearly at the same time in East and West Germany: it started in the second half of the 1960s and remained limited to the history of colonialism. A real breakthrough in scholarly work with the event and its reception and in the public politics of remembrance happened only on the 100<sup>th</sup> anniversary of the genocide in 2004. It would, however, take almost another 20 years until Germany would decide to recognise the genocide and explicitly apologise for it. This apology was issued to the Republic of Namibia as a part of the so-called *Reconciliation Agreement* in May 2021. In the text of the agreement, it is noted “that the abominable atrocities committed during periods of the colonial war culminated in events that, from today’s perspective, would be called genocide.”<sup>39</sup>

Thus, a bilateral negotiation spanning more than five years has ended. The way to these negotiations beginning was admittedly difficult and not exactly linear. The agreement itself continues to carry the difficulties of its history. The political debates and negotiations that merged into this agreement show central aspects of the historical, societal and political (non)processing of the events and their history of interpretation from the year 1904 until today in an interesting and very much ambivalent way.<sup>40</sup>

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<sup>38</sup> Cf. for this in detail: Christiane Bürger, Sahra Rausch: ‘Ein “vergessener” Völkermord? Der Begriff der “kolonialen Amnesie” als erinnerungspolitisches Instrument in der Auseinandersetzung mit dem Genozid an den Ovaherero und Nama – Konjunktur, Funktionen und Grenzen’, in: Andreas Eckl, Matthias Häussler, (eds.), *Krieg und Genozid in Deutsch-Südwestafrika*, Weilerswist, Velbrück Wissenschaft, 2022 (=Zeitschrift für Genozidforschung, 20 (2), 2022, pp. 103-125. See also Bürger and Rausch in this volume.

<sup>39</sup> Joint Declaration by the Federal Republic of Germany and the Republic of Namibia: “United in Remembrance of our Colonial Past, United in our Will to Reconcile, United in our Vision of the Future”, [https://www.dngev.de/images/stories/Startseite/joint-declaration\\_2021-05.pdf](https://www.dngev.de/images/stories/Startseite/joint-declaration_2021-05.pdf)

<sup>40</sup> See for the following in detail: Medardus Brehl: ‘Namibia im Deutschen Bundestag und in der Außenpolitik’, in: Henning Melber, Kristin Platt, (eds.): *Koloniale Vergangenheit –*

If we look at the history of Germany's dealing with its colonial past in total, with the colonial war and the genocides in what was then German South West Africa, then we can see that the framework for the now present agreement of reconciliation has been tightly marked out and consistently developed by Germany. From the very beginning on, the maxims consisted of avoiding legally attackable categories and phrasings that are "relevant for compensation." This was made clear by then minister of foreign affairs Joschka Fischer (Bündnis 90/Die Grünen) in October of 2003. He clarified that Germany's government was "aware of its historical responsibility", to then add: "We are, however, not hostages of history. For this reason, there will be no apology relevant for compensation."<sup>41</sup>

As soon as such an apology could no longer be avoided, – like on the genocide's 100<sup>th</sup> anniversary – it was augmented by relativizing limitations to keep compensations and reparations from being possibly sued for.

Certainly, the speech of then Minister for Economic Cooperation and Development Heidemarie Wiecek-Zeul held during the commemoration on August 14 in Namibia marks a notable break: For the first time, the term genocide was used in the context of the German strategy of destruction of the Ovaherero and Nama: "The atrocities committed then were what we would today call genocide." The term genocide mainly serves as a historical metaphor, however. This is reinforced by the subjunctive: The atrocities that were committed do not constitute the findings of what is considered a genocide today but what would be considered one. The usability of the term genocide is rejected by the implicit appeal to the ban of retroactivity and reduced to the level of a rhetoric trope of political discourse. An apology is not uttered at all, it is much rather a plight for forgiveness in the sense of the Lord's Prayer. It is this plight for forgiveness that undermines the aspect of a possible relevance of reimbursement. Forgiveness on principle does not automatically include the expectation of reimbursement, vengeance, or prosecution, rather it does explicitly not do these things. The fact that the acceptance of guilt uttered in the speech rules out compensation relevance in terms of reserving the right to sue for reparations is later clarified in the speech when the minister promises a continuation of "the tight partnership on all levels": Germany wants to and will "support Namibia in tackling developmental challenges going forward", and to support the country with the "necessary land reform", according to the minister.

The use of the term genocide for the colonial wars and its strategies of destruction has gradually pushed through since 2004, however, only the parliamentary group of the party DIE LINKE (The Left) has consistently used it without restriction since 2006. The group also kept demanding reparations for the victims' successors. Other

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*postkoloniale Zukunft? Die deutsch-namibischen Beziehungen neu denken*, Frankfurt am Main, Brandes & Apsel, 2022, pp. 55-69.

<sup>41</sup> "Wir sind aber auch keine Geiseln der Geschichte. Deshalb wird es eine entschädigungsrelevante Entschuldigung nicht geben." Quoted after Gesellschaft für bedrohte Völker: 100 Jahre Völkermord an Herero und Nama, <https://www.gfbv.de/de/news/100-jahre-voelkermord-an-herero-und-nama-7/>

parliamentary groups use the term less consistently, and, if used at all, it is mostly used in a restrictive or relativizing way, usually embedded in the term “would be considered genocide from today’s perspective” or “could, according to historians, be considered genocide.”

The federal government does now also use the term genocide, although it always refers to the fact that the term has only been established in international criminal law in 1948. Thus, the events from 1904 until 1908 are of exclusively historic nature and have no legal binding.

The statement that the Federal Republic of Germany is aware of its special ethical and historical responsibility stemming from its colonial rule and crime certainly is no hollow phrase. The intense developmental cooperation Namibia and Germany engage in since 1990 cannot be denied in the same way. Still: mentioning special responsibility seems to not only serve to avoid any actionable consequence of said responsibility. Instead of morally and financially apologizing, the goal remains to keep agency and the self-determined decision to take the responsibility of the developmental cooperation into account. This is made clear by the agreement of reconciliation. The victims are turned into receivers of voluntary assistance instead of receiving the reparations to which they are entitled. The heirs of the colonial culprits are able to return to their role of White Saviours. It should be to no one’s surprise that this constellation is not met with benevolence and agreement by all Namibians.

Translated from German by Alexander K. Quast

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# A Forgotten Genocide?

## The concept of colonial amnesia as an instrument of memory politics

Christiane Bürger and Sahra Rausch

### Colonial amnesia viewed in terms of memory politics

In a way, there is colonial amnesia: Germany was only a colonial power for a comparatively short time. The territories in Africa were lost very early on, and the crimes of the Third Reich have eclipsed the memories of them. After 1945, coming to terms with the Holocaust seems to have tied up all energy. Those who remembered colonialism at all often “glorified” it.<sup>1</sup>

The term ‘colonial amnesia’ has become popular in current debates about re-examining German colonialism.<sup>2</sup> Often this term refers not only to the lack of confrontation with Germany’s colonial past after 1945, but especially to the relativising and romanticising depictions of German imperialism up to the present day. As the interview with the historian Jürgen Zimmerer for ZEIT ONLINE shows, the proclaimed amnesia regarding colonialism is linked above all to remembering the Holocaust, which, according to Zimmerer, “has absorbed all the energy” after 1945.<sup>3</sup> Even the current so-called *Historians Dispute 2.0*, which has been waged in academia and the

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<sup>1</sup> Jürgen Zimmerer: ‘Völkermord an den Herero: “Wer sich an den Kolonialismus erinnerte, hat ihn verklärt”’, interview by Alina Schadwinkel, zeit.de.

<https://www.zeit.de/wissen/geschichte/2016-07/voelkermord-herero-deutschland-kolonialismus-namibia?page=6>. Unless otherwise stated, all English translations are by C.B. and S.R.

<sup>2</sup> Monika Albrecht: ‘Unthinking postcolonialism: On the necessity for a reset instead of a step forward’, in: idem, (ed.): *Postcolonialism cross-examined: Multidirectional perspectives on imperial and colonial pasts and the neocolonial present*, Abingdon, Routledge, 2020, pp. 181-195; Reinhart Kössler: ‘La fin d’une amnésie?: L’Allemagne et son passé colonial depuis 2004’, in: *Politique africaine*, 102 (2), 2006, pp. 50ff.; Reinhart Kössler, Henning Melber: ‘Koloniale Amnesie: Zum Umgang mit der deutschen Kolonialvergangenheit’, in: *Standpunkte*, 9, 2018, pp. 1-4.

<sup>3</sup> See: Jürgen Zimmerer: ‘Kolonialismus und kollektive Identität: Erinnerungsorte der deutschen Kolonialgeschichte’, in: idem, (ed.): *Kein Platz an der Sonne: Erinnerungsorte der deutschen Kolonialgeschichte*, Bonn, Bundeszentrale für Politische Bildung 2013, p. 22.

media since Dirk Moses' article *The German Catechism*.<sup>4</sup> Moses' article not only depicts the current debates on the historical continuities between colonial and Nazi violence, rather, his contribution focuses on the ways the remembrance of the Holocaust is linked to Germany's reappraisal of its colonial history. It becomes clear that colonial amnesia not only describes a scholarly desideratum, but also highlights that the interpretation of history is rooted in an asymmetrical distribution of positions of power. It is therefore instructive to situate the term colonial amnesia theoretically into the field of memory studies in order to understand how Holocaust memory and the reappraisal of colonial violence are linked in contemporary memory politics. In fact, the term colonial amnesia only became popular in 2004, when the centenary of the genocide of the Ovaherero and Nama people took place and the genocide gained broader attention from the general public for the first time. Since then, activists' demands for recognition, reparations, and an official apology have gained support across society. At the same time, with the growing interest in the colonial past, the lack of dealing with the – albeit primarily – German colonial history has been declared a problem in memory politics. The common opinion of both academia and the media is that the colonial past is often forgotten, repressed, concealed, or ignored.

The anti-colonial movements of the 1950s and 1960s already marked the erasure of the pre-colonial past as an imperial technique of domination, which continues to influence current political debates on memory.<sup>5</sup> In the following article, we will use examples to show how (collectively) remembering and forgetting past events occurs within the context of social power relations. Historiography will be identified as an actor in memory politics that, within discursive boundaries, decisively shapes postcolonial memory in Germany.

To do so, we will look at two levels: First, we will trace the scientific (de)thematization of colonial violence in the Federal Republic of Germany (FRG) and the German Democratic Republic (GDR), taking the genocide of the Ovaherero and Nama as an example. Of particular interest is the fact that research findings from the GDR are currently being re-read in terms of their relevance to the history of knowledge, thereby questioning the normative self-image of the West German research tradition, in which colonial amnesia can also be located. Thus, a recent article not only called for more "critical westernness", but also placed the historiography of the GDR within the research tradition of the current historians' dispute, since it has "paved the way – admittedly under authoritarian auspices – for a *Multidirectional Memory* (Michael Rothberg) *avant la lettre*."<sup>6</sup>

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<sup>4</sup> Dirk Moses: 'The German Catechism', 2021, <https://geschichtedergegenwart.ch/the-german-catechism/>

<sup>5</sup> Aimé Césaire: *Über den Kolonialismus*, Berlin, Alexander, 2021 [1955]; Frantz Fanon: *Die Verdammten dieser Erde*, Frankfurt am Main, Suhrkamp, 1981 [1961].

<sup>6</sup> Norman Aselmeyer, Stefan Jehne, Yves Müller: 'Die DDR hat's nie gegeben. Leerstellen in der aktuellen Erinnerungsdebatte', in: *Merkur*, 880 (76), 2022, pp. 27-41 (33).

The focus of our analysis therefore concentrates on the 1960s, as it was during this period that the memory politics in the GDR and the FRG became intertwined. Under different political conditions, the genocide in colonial Namibia was remembered against the backdrop of National Socialism in both German states at the end of the 1960s. We are particularly interested in the mechanisms of exclusion that unfolded in memory politics and scholarly research, and the role that research findings play in current debates.

Subsequently, we will critically reflect on the concept of forgetting, focusing in particular on the term colonial amnesia, and elaborate on the asymmetries of power. We start from the premise that concepts are not neutral and that they reflect the ways in which the past is interpreted and made relevant for the present. As an instrument of memory politics, the making of forgetting the past must therefore be understood as a social practice in which media professionals, politicians, activists, and academics are equally involved. The choice of certain terms thus describes a discursive strategy used to give topics more visibility. Finally, our analysis will show that colonial amnesia in particular is oriented towards writing national history and in no way meets the demands of a postcolonial turn in current memory politics.<sup>7</sup>

## **The genocide of the Ovaherero and Nama – a forgotten war?**

### **Colonial amnesia as a frame of reference in contemporary memory policy**

The ancient Greek term amnesia is described in the Duden dictionary as “failure of memory concerning a certain period of time before or during a disturbance of consciousness; memory gap; memory loss.”<sup>8</sup> This definition not only underlines the medical context in which the term is used, but also that it is primarily aimed at individual memory. The social scientists Reinhart Kössler and Henning Melber discuss the loss of the ability to remember in their text titled *Colonial amnesia* in the Rosa Luxemburg Foundation's publication series *Standpunkte* as follows:

Amnesia here does not mean the elimination of knowledge, but of memory. Knowledge is present, but it is neither thematised nor does it play a role in the description of the present. This omission can be understood as both oppression and neglect.<sup>9</sup>

The anthropologist Ann Laura Stoler argues in her text *Colonial Aphasia. Race and Disabled Histories in France* that there is not lack of knowledge about colonialism, but rather a lack of memory. However, she chooses the term colonial aphasia to describe

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<sup>7</sup> This article is based on the research results of the authors' dissertation projects: Christiane Bürger: *Deutsche Kolonialgeschichte(n): Der Genozid in Namibia und die Geschichtsschreibung der DDR und BRD*, Bielefeld, transcript, 2017; Sahra Rausch: *Emotionen in der postkolonialen Erinnerungspolitik. Deutschland und Frankreich seit den 1990er Jahren*, Berlin, De Gruyter, 2023.

<sup>8</sup> <https://www.duden.de/rechtschreibung/Amnesie>

<sup>9</sup> Kössler, Melber: 'Koloniale Amnesie', p. 2.

the process of separating linked histories which would cause a “loss of access” and an “active dissociation” at the same time.<sup>10</sup> The sociologist and founding figure in the field of memory studies, Maurice Halbwachs has also dealt with the concept of aphasia in his work and emphasised that it is not a matter of simply forgetting. He writes that “the aphasic person lacks not so much memories as the capacity to place them in a framework [...]”<sup>11</sup> Consequently, aphasia does not describe a physiological disorder that – as inherent in the term amnesia – results in a reduction of cerebral memory capacity, but rather a disorder of the transmission of knowledge. What is central for Halbwachs, however, is that this “disturbance” in the transmission of knowledge takes place within social relationships, thus making forgetting a social process.<sup>12</sup> However, amnesia or aphasia remain only vague concepts for the analysis of how societies deal with their dark pasts in the present.

The prominence of psychological terminology being used in the field of memory studies, as well as in history, stems from the fact that memory studies are fundamentally anchored in Holocaust research<sup>13</sup> and its focus on the memories of the witnesses.<sup>14</sup> Consequently, the term social/cultural trauma has become the opposite of amnesia. As a “trace of the past that is difficult to dissolve”, the violent experiences of the past would always find their way back into the present and could therefore not be repressed.<sup>15</sup> The anthropologist and sociologist Didier Fassin explains the popularity of a psychologising choice of terms – exemplified by tracing the popularity of the concept of trauma – by the fact that “suffering attributes an increasing significance for the interpretation of the present.”<sup>16</sup> Accordingly, the history of science uses more and more psychologising and medicalising language,<sup>17</sup> detecting colonial amnesia

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<sup>10</sup> Ann L. Stoler: ‘Colonial Aphasia. Race and disabled histories in France’, in: *Public Culture*, 23 (1), 2011, pp. 121-156 (121ff.).

<sup>11</sup> Maurice Halbwachs: *Das Gedächtnis und seine sozialen Bedingungen*, Frankfurt am Main, Suhrkamp, 1985 [1925], p. 117.

<sup>12</sup> Jean-Christophe Marcel, Laurent Mucchielli: ‘Eine Grundlage des “lien social”. Das kollektive Gedächtnis nach Maurice Halbwachs’, in: Stephan Egger, (ed.): *Maurice Halbwachs. Aspekte des Werks*, Konstanz, UVK, 2003, pp. 191-225 (esp. p. 202).

<sup>13</sup> Bryan Cheyette: ‘AHR Roundtable. Postcolonialism and the study of anti-semitism’, in: *The American Historical Review*, 123 (4), 2018, pp. 1234-1245.

<sup>14</sup> Wulf Kansteiner: ‘Genealogy of a Category Mistake. A critical intellectual history of the cultural trauma metaphor’, in: *Rethinking History*, 8 (2), 2004, pp. 193-221.

<sup>15</sup> Bernhard Giesen: ‘Das Tätertrauma der Deutschen. Eine Einleitung’, in: Bernhard Giesen, (ed.): *Tätertrauma. Nationale Erinnerungen im öffentlichen Diskurs*, Konstanz, UVK, 2004, pp. 11-54 (esp. 18).

<sup>16</sup> Didier Fassin: ‘De l’invention du traumatisme à la reconnaissance des victimes’, in: *Vingtième Siècle. Revue d’histoire*, 123 (3), 2014, pp. 161-171 (161).

<sup>17</sup> Eva Illouz: *Die Errettung der modernen Seele: Therapien, Gefühle und die Kultur der Selbsthilfe*, Frankfurt am Main, Suhrkamp, 2020; Wulf Kansteiner, Harald Weilnböck: ‘Against the Concept of Cultural Trauma or: How I Learned to Love the Suffering of Others without the Help of Psychotherapy’, in: Astrid Erll, Ansgar Nünning and Sara B. Young, (eds.): *Cultural*

therefore became intuitively understandable. At the same time, colonial amnesia is based on a justifying and exculpatory narrative: after all, it results from a passive forgetting without consequences that can be rectified by the correct transmission of knowledge. Consequentially, the concept of colonial amnesia hides the fact that colonial violence in the formerly colonised countries is anchored in their collective memory, which means that this term ultimately reflects a Eurocentric perspective on how to work through colonialism. In recourse to its psychoanalytic origins, a certain ambivalence thus emerges that the social sciences and humanities face in dealing with the notion of healing. For would not overcoming the amnesic state lead to a healing from history and consequently release us from the obligation to remember?<sup>18</sup>

The historian Sebastian Conrad consequently writes that “collective-psychological patterns of understanding history [...] are of little help” in describing social change. He further writes in his 2019 article *Return of the Repressed?* that “contrary to what the image of amnesia suggests, [...] the impulse to remember comes not so much from the past itself, but from the present.”<sup>19</sup> Thus, it is necessary to ask about the present societal conditions that give the colonial past increasing significance. The terms amnesia and aphasia are thus not so much tools of academic analysis, but they themselves become instruments of memory politics in order to secure a place for the colonial past in public memory. The Eurocentric perspective is also problematic here, as it does not attribute any relevance to collective memory/trauma in the formerly colonised countries.

For this reason, it is instructive to analyse the remembering-forgetting nexus as a relation between power and knowledge. In the processes of collectively remembering and forgetting, which are shaped by power relations, persons and events can be forced into oblivion.<sup>20</sup> In his study *Oblivionism*, the sociologist Oliver Dimbath underlines the connection between temporal sequences and the processes of forgetting. He emphasises that the production of knowledge is informed by the past and thus provides the context of experience used to shape the future. Forgetting, however, only becomes “recognisable through the encounter with traces [of the past]”, which is why it is based on “the retrospective insight of a consciousness (system) [that] previously held knowledge, the reconstruction of which is not possible without effort (remembering).”<sup>21</sup> This is a particularly insightful finding regarding the

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*Memory Studies. An international and interdisciplinary Handbook*, Berlin, De Gruyter, 2008, pp. 229-240; Penelope Gouk, Helen Hills: ‘Towards Histories of Emotions’, in: Penelope Gouk, Helen Hills, (eds.): *Representing Emotions. New connections in the histories of art, music, and medicine*, Aldershot, Ashgate, 2005, pp. 15-34 (esp. 23).

<sup>18</sup> Cf. Kansteiner: ‘Genealogy’, p. 199.

<sup>19</sup> Sebastian Conrad: ‘Rückkehr des Verdrängten? Die Erinnerung an den Kolonialismus in Deutschland 1919–2019’, in: *APuZ – Aus Politik und Zeitgeschichte. Deutsche Kolonialgeschichte*, 40-42, 2019, pp. 28-33.

<sup>20</sup> Oliver Dimbath: *Oblivionismus: Vergessen und Vergesslichkeit in der modernen Wissenschaft*, Konstanz, UVK, 2014, p. 96.

<sup>21</sup> *Ibid.*



current dominance of the term colonial amnesia in public discourse,<sup>22</sup> which aims at transferring the traces of the colonial past into official knowledge that would become a part of collective memory. The extent to which societies are willing to remember their pasts depends on "finding the place of the past events that interest us in the frame of reference of collective memory."<sup>23</sup> This would also explain why the term colonial amnesia emerges at a time when the de-thematization of the colonial past is beginning to wane. The process of forgetting therefore describes an "ongoing effort" by which societies "dis-remember" past events.<sup>24</sup> Ultimately, this theoretical framework underscores that the social production of remembering or forgetting takes place in the context of the political power relations that are at work at a particular time.

In the following, we show that the scholarly and public debates about Germany's colonial legacy after 1945 were by no means characterised by colonial amnesia. Rather, we will show how the forgetting of colonialism was favoured against the backdrop of the Cold War and the incipient establishment of official Holocaust memory.

### Discursive spaces and limits in GDR and FRG

Indeed, colonialism has long been studied. It has not only been a research-relevant topic since the early 2000s, an impression that may have arisen due to a decline in interest in German colonial history in the 1990s, as historian Andreas Eckert stated.<sup>25</sup> The ongoing controversial debate about structural continuities between colonial and Nazi violence and the popularity of comparative genocide research should therefore be analysed against the background of historical debates.<sup>26</sup>

When historians began to study German colonial history after 1949, they were able to draw on an already extensive colonial knowledge archive that included both popular and academic texts, photographs, street names, and commemorative practices.

Already at that time, the war against the Ovaherero and Nama was described as a "veritable discourse event."<sup>27</sup> Due to the widespread racist and colonial imageries of supremacy and domination, large parts of the population supported the brutal

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<sup>22</sup> Kössler, Melber: 'Koloniale Amnesie'.

<sup>23</sup> Halbwachs: *Gedächtnis*, p. 368.

<sup>24</sup> Lauré Al-Samarai 2005, quoted in Lilia Youssefi: 'Zwischen Erinnerung und Entinnerung. Zur Verhandlung von Kolonialismus im Humboldt-Forum', in: AfricAvenir International e.V., (ed.): *No Humboldt 21! Dekoloniale Einwände gegen das Humboldt-Forum*, Berlin, AAI, 2017, pp. 42-61 (esp. 44).

<sup>25</sup> Andreas Eckert: 'Namibia – ein deutscher Sonderweg? Anmerkungen zur internationalen Diskussion', in: Jürgen Zimmerer, Joachim Zeller, (eds.): *Völkermord in Deutsch-Südwestafrika: Der Kolonialkrieg (1904-1908) in Namibia und seine Folgen*, Berlin, Links, 2011 (first 2004), pp. 226-236 (esp. 226).

<sup>26</sup> Bürger: *Kolonialgeschichte(n)*, p. 240; Eckert: 'Namibia', p. 232.

<sup>27</sup> Medardus Brehl: *Vernichtung der Herero. Diskurse der Gewalt in der deutschen Kolonial-literatur*, München, Fink, 2007, p. 86.

warfare against the Ovaherero and Nama. The pursued extermination of the Herero was legitimised in the political discourse – despite counter-positions of the left spectrum. After the First World War, the Empire was deprived of its colonies because it was considered “incapable of colonisation.” The “tragic fate of the Hereros in South West Africa” was an important argument for critics of colonialism.<sup>28</sup> Colonial revisionist politicians and groups, such as the *Deutsche Kolonialgesellschaft* (German Colonial Society), then established the idea of the *koloniale Schuldlüge* (the lie of colonial guilt) and a nostalgic story of success and modernisation,<sup>29</sup> which minimized colonial violence and brutality. According to Medardus Brehl, a veritable “*damnatio memoriae*” of colonial genocide set in,<sup>30</sup> which, however, did not disappear from public debates. Colonial revisionism initially also shaped the commemorative agenda of the Nazi state, until all colonial revisionist goals were prohibited by the state at the start of the 1940s.<sup>31</sup>

Immediately after the Second World War, apologetic positions regarding colonialism continued to exist in academia. This was largely due to the fact that there was initially no break in personnel, neither in the Federal Republic of Germany or the German Democratic Republic. Colonial revisionist positions could continue to be upheld. It was not until the 1960s that new historiographical interpretations developed in both German states under different premises. The concept of colonial amnesia did not yet play a role. Nor does the retrospective finding of amnesia apply to the period under study, since the past was intensively negotiated and remembered. In the following section, we will show which discourses of power and knowledge were important in the processes of remembering and forgetting and why they still shape the discourse today. We will highlight how colonial genocide was integrated into German-German national history and what knowledge was passed on or obliterated.

Decisive calls for a critical examination of colonial history came from the GDR at an early stage. Even before the files of the *Reichskolonialamt* (Imperial Colonial Office) were returned to Potsdam and Merseburg in 1956, the systematic development of socialist African studies began, the results of which became visible in the mid-1950s and especially since the 1960s. In the GDR, under the leadership of the historian Walter Markov, historians strived, at least normatively, for “a complete break with the

<sup>28</sup> Hans Pöschel: *Die Kolonialfrage im Frieden von Versailles*, Berlin, Mittler, 1920, p. 21f.

<sup>29</sup> Heinrich Schnee: ‘Die Koloniale Schuldlüge’, in: *Süddeutsche Monatshefte*, 21 (3), 1924, pp. 91-152.

<sup>30</sup> Stefan Hermes: *“Fahrten nach Südwest”. Die Kolonialkriege gegen die Herero und Nama in der deutschen Literatur (1904-2004)*, Würzburg, Königshausen & Neumann, 2009, p. 115.

<sup>31</sup> As early as 1941, colonial revisionist publishing activities were restricted and two years later, in 1943, all colonial revisionist activity was finally banned. Cf. Sebastian Conrad: *Deutsche Kolonialgeschichte*, München, Beck, 2008, p. 118. The failure of the Madagascar Plan and the defeat at Volgograd finally heralded ‘the official end of any activity in colonial territory’. Cf. Dirk van Laak: *Imperiale Infrastruktur. Deutsche Planungen für eine Erschließung Afrikas 1880 bis 1960*, Paderborn, Schöningh, 2004, p. 83.

imperialist and colonialist past in Germany."<sup>32</sup> This was linked to the programmatic claim to present an anti-colonial and anti-racist historiography, taking into account the African perspective and breaking with previous colonial conventions of representation. This reflects the self-image of the GDR, which also presented itself academically as an anti-colonial, anti-racist, and solidary the better Germany.

This project is thematically reflected in a central shift in perspective towards anti-colonial resistance, with the figure of the heroic resistance fighter forging itself into a new, anti-racist narrative in colonial historiography. This narrative interrupts the logic of apologetic colonial sources and addresses the agency of the Ovaherero and Nama. However, this narrative is still an ambivalent break with Eurocentric positions. Since an analogy between communist and anti-colonial freedom fighters is constructed on a rhetorical-narrative level, this narrative can also be read as a part of the ritualised memory culture of National Socialism and here, above all, as a metaphor for the central founding myth of the GDR: The communist and anti-fascist struggle against National Socialism. Moreover, political power relations shaped the remembering of the Black Heroes since historical research was also supposed to serve foreign policy goals. With the African countries' independence, historiography developed a socialist conception of the past and the future that presented the GDR as a possible ally. Since 1950, the Hallstein Doctrine has prohibited the direct conveyal of foreign politics, which makes historical scholarship a tool of soft diplomacy.

Colonial history and particularly the Ovaherero and Nama genocide play a crucial part in national history since the socialist "invention of tradition" predominantly determined the first decades of the young state.<sup>33</sup> According to Marxist-Leninist historical theory, colonialism and fascism were inextricably linked, suggesting a continuity between the racist practices of domination and Nazism. Against this background, colonial sources were read, initially critically interpreted by writers, and reinterpreted in anti-colonial terms. Maximilian Scheer's popular science novel *Schwarz und Weiss am Waterberg* (Black and White at the Waterberg), released in 1952, is central in this context.<sup>34</sup> The aim of the source-based novel was to uncover the ideological and historical background of the National Socialist dictatorship, which Scheer located in colonialism. Other novels followed, such as Ferdinand May's *Storm over Southwest Africa. A Narrative of the Days of the Herero Uprising*,<sup>35</sup> which addressed children and young people as a reading audience and testified to the presence of the subject. These

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<sup>32</sup> German-African Society in the GDR, in: Bundesarchiv Berlin-Lichterfelde, Stiftung Archiv der Parteien und Massenorganisationen der DDR im Bundesarchiv (SAPMO-BArch), DY 30 / IV 2 / 904 / 131, Bl. 24.

<sup>33</sup> Terence Ranger: 'The Invention of Tradition in Colonial Africa', in: Terence Ranger, Eric Hobsbawm, (eds.): *The Invention of Tradition*, Cambridge, Cambridge University Press, 1983, pp. 211-262.

<sup>34</sup> Maximilian Scheer: *Schwarz und Weiß am Waterberg*, Schwerin, Petermanken, 1952.

<sup>35</sup> Ferdinand May: *Sturm über Südwest-Afrika*, Berlin, Verlag Neues Leben, 1962.

novels not only write about the genocide of the Ovaherero and Nama, but also place it in continuity with the Holocaust.

In the research group lead by Walter Markov, Heinrich Loth first published articles emphasising the connection between "imperialism and colonialism in South West Africa" from the early 1960s onwards.<sup>36</sup> Finally, in 1966, Horst Drechsler's monograph *Südwestafrika unter deutscher Kolonialherrschaft* (Southwest Africa under German Colonial Rule) was published. It was the central historiographical study of colonial Namibia in the GDR and had far-reaching consequences for the reception of GDR research. Horst Drechsler is the first to refer to the events as a genocide.<sup>37</sup> Continuity with the Nazi genocide is one of his central arguments, since the war against the Ovaherero and Nama "was the first war in which German imperialism practised the methods of genocide for which it later gained sad notoriety."<sup>38</sup> The continuity between colonialism and National Socialism is established by means of rhetorical and semantic references that have become permanent topics in the historiography of the GDR. Another narrative strategy consisted of the deliberate selection of certain source terms such as annihilation or extermination. It was thus possible to point to a conceptual continuity between the Empire and National Socialism, which in the logic of the Marxist metanarrative also attested to an ideological continuity. In the context of interpreting National Socialism, such a view of the history of colonial Namibia could have a considerable effect on memory politics.

To illustrate the interrelatedness of remembering and forgetting, the historiographical writings of the GDR about the concentration camps in German South West Africa are a revealing example of memory politics. The term concentration camp is only very sparingly used in the archival files of the *Reichskolonialamt* and the *Generalstabsbericht* (General Staff Report). At the same time, knowledge of the colonial concentration camps and their inhumane conditions was already of considerable relevance to the negotiations of the Versailles Peace Treaty in 1919. In the English *Report on the Natives of South-West Africa and their Treatment by Germany* published in 1918, the concentration camps are described in detail in a separate chapter to illustrate the "colonial atrocities" of the German Empire.<sup>39</sup> One year later, the *Reichskolonialamt* had already published a *Reply to the English Blue Book*, which was intended to put the eyewitness accounts and the numerous contemporary

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<sup>36</sup> Heinrich Loth: 'Auf den Spuren des deutschen Imperialismus und Militarismus in Südwestafrika', in: *Urania*, 21 (1), 1961, pp. 26-30.

<sup>37</sup> Drechsler, Horst: *Südwestafrika unter deutscher Kolonialherrschaft. Der Kampf der Herero und Nama gegen den deutschen Imperialismus (1884- 1915)*, Berlin, Akademie, 1966, p. 15.

<sup>38</sup> *Ibid.*

<sup>39</sup> South-West Africa. Administrator's Office: *Report on the Natives of South-West Africa and Their Treatment by Germany*. Prepared in the administrator's office, London, HMSO, 1918, pp. 97-102.

photographs into perspective.<sup>40</sup> GDR historiography referred extensively to the existing knowledge of the concentration camps and placed them in the context of Nazism.

Already in Heinrich Loth's *Urani* article, published in 1961, a continuity between colonial crimes and National Socialism is established with the extermination camps of National Socialism:

The survivors of the extermination campaign were locked up in concentration camps. The secret files contain detailed reports on the horrific conditions in these camps. Those responsible for the death camps split in two directions, which show a gruesome parallel to the Hitler fascists and their extermination camps [...].<sup>41</sup>

Horst Drechsler also repeatedly addresses the concentration camps: the importance he assigns to the source term concentration camp for his argumentation becomes evident in a passage in which he emphasises that the camps set up after the war were not "reservations", but "concentration camps for the temporary accommodation and maintenance of the remnants of the Herero people."<sup>42</sup> Due to the intense media surrounding the National Socialist genocide, the iconography of the National Socialist concentration camps could be used to create associative references between colonialism and National Socialism. A passage in Horst Drechsler's text illustrates this parallelising when he describes the raid on Hornkranz in 1893. With reference to the files, Horst Drechsler cites a list of goods looted by the colonial soldiers "which is only comparable to similar lists from fascist concentration camps."<sup>43</sup>

The politically regulated historiography of the GDR broke with the usually positive assessment of colonialism and the empire in the West. However, it is primarily the staging of the two German states' history that is addressed here. The GDR presented itself as the better Germany, from which resistance against imperialism, colonialism, and fascism had emerged. Thus, any historical responsibility could be rejected, as could a self-critical examination of the origins of National Socialism or its aftermath, which, by definition, did not exist in the GDR. This was the responsibility of the Federal Republic, the direct successor of the Hitler regime, the Weimar Republic, and the German Empire. A systematic, comparative study of genocidal structures was not attempted in the GDR. For Boris Barth, this is related to the fact that a decidedly Marxist theory of genocide was not developed in the GDR and "the topic was completely absent from the major theoretical debates of the 1960s and 1970s."<sup>44</sup>

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<sup>40</sup> Reichskolonialamt: *Die Behandlung der einheimischen Bevölkerung in den kolonialen Besitzungen Deutschlands und Englands. Eine Erwiderung auf das englische Blaubuch vom August 1918*, Berlin, Engelmann, 1919.

<sup>41</sup> Loth: 'Spuren', p. 28.

<sup>42</sup> Drechsler: *Südwestafrika*, p. 50.

<sup>43</sup> *Ibid*, p. 80.

<sup>44</sup> Boris Barth: *Genozid. Völkermord im 20. Jahrhundert*, München, Beck 2004, p. 37.

In the decades that followed, hardly any significant new research was conducted on the history of colonial Namibia – the narrative of colonial genocide written in the 1950s and 1960s remained binding until the end of the GDR. Staffing may have been relevant: One year after the publication of his postdoctoral thesis, Horst Drechsler took up a professorship at the Latin American Institute of the University of Rostock. It is unclear if this was due to political reasons. Since the end of the 1960s, Drechsler seems to have increasingly distanced himself from academia and the political system of the GDR. Numerous references contain complaints about Horst Drechsler's lack of political commitment. The GDR authorities were particularly displeased with his "correspondence" and the "exchange of publications with non-socialist countries." As a result, Horst Drechsler's research, teaching and publishing activities were heavily regulated.<sup>45</sup>

At the same time, the West also negotiated – in parallel and in contravention – a consensus on the memory of the colonial genocide. Academics initially considered the history of colonialism as a subject only relevant for states directly confronted with independence movements. The memory of one's own colonial past, on the other hand, was characterised by imperial nostalgia, which enabled a positive conception of identity.<sup>46</sup>

The critical examination of colonial history became a topic of research in the 1960s, not coincidentally in the midst of profound social and cultural upheavals. In particular, legal proceedings such as the Ulmer Einsatzgruppen Trial (1957-58), the Eichmann Trial in Israel (1961) and the Frankfurter Auschwitz Trials (1963-1965) confronted German society with its responsibility for National Socialism, which could no longer be externalised solely in the person of Hitler. Coming to terms with Nazism therefore profoundly shaped the study of colonialism. This is illustrated by some examples.

Even before the results of institutionalised historical scholarship were published, the documentary *Heia Safari – die Legende von der deutschen Kolonialidylle* (Heia Safari – the Legend of the German Colonial Idyll)<sup>47</sup> broadcast on ARD (Association of Public Broadcasting Corporations of the Federal Republic of Germany) and the subsequent discussion round triggered "probably the strongest viewer protests" of the 1960s.<sup>48</sup> Echoing GDR literature, the program characterised the genocide as "the first genocide of our century" and set the number of Ovaherero killed at 80,000. Lothar von Trotha's warfare is depicted as excessive and the killing of the Ovaherero characterised as an

<sup>45</sup> Prof. Dr. Brauer to the Ministry for Higher and Technical Education, 5 August 1983 (note 33), DR 3/B/10805, p. 68.

<sup>46</sup> Sandra Maß: *Weißer Helden, schwarze Krieger. Zur Geschichte kolonialer Männlichkeit in Deutschland 1918-1964*, Köln, Böhlau, 2006, p. 298.

<sup>47</sup> Broadcast on 5<sup>th</sup> and 10<sup>th</sup> October 1966 on ARD.

<sup>48</sup> Eckard Michels: 'Geschichtspolitik im Fernsehen. Die WDR-Dokumentation "Heia Safari" von 1966/67 über Deutschlands Kolonialvergangenheit', in: *Vierteljahreshefte für Zeitgeschichte*, 56 (3), 2008, pp. 467-492 (469).

“extermination strategy”, supporting the thesis of colonial genocide. References to the National Socialist genocide did not have to be explicitly made in order to convey the idea of historical continuity. Many viewers, even those who were not “necessarily pro-colonial or directly involved in colonial politics”,<sup>49</sup> found this unacceptable, as the numerous letters from readers show. Above all, contemporary witnesses who had “lived in the German colonies as soldiers, civil servants, settlers, or merchants” and their descendants wrote several hundred letters.<sup>50</sup> They complained about what they saw as an erroneous presentation by “modern historians” who “convey knowledge of history in a new way.”<sup>51</sup> The von Trotha family also turned to WDR (West German Broadcasting Cologne) director Klaus von Bismarck with the request “that the supplementary program about the two generals von Lettow-Vorbeck and von Trotha, who are no longer with us, remove any taint.”<sup>52</sup> Even Eugen Gerstenmaier, who, at the time, held the office of President of the Bundestag and chaired the German Africa Society, and CSU (Christian Social Union, a conservative party in Germany) leader Franz Josef Strauß tried to prevent the second episode from airing. In the archives of the broadcasting corporation there are numerous contemporary protest letters. They are revealing because they provide an insight into the contemporary views of colonial genocide. They bear witness to the mechanisms of defence and repression that are interwoven with the memory of Nazism, and thus indirectly testify to the knowledge of colonialism in the 1960s. Bruno Blessin, for example, criticised Ralph Giordano for misusing the topic of German colonial history, “which is hardly ever talked about today, at most by the older generation”, in order to link it to “the topic of Nazi criminals, which is so popular today.”<sup>53</sup> Dr. Georg Winkelmann argues similarly: “We are all aware of the sad guilt caused by the recent Nazi regime but to repeatedly pillory ourselves in a bleak manner [...] seems not only pointless but also unworthy [blocking in original].”<sup>54</sup>

The broadcasts and especially the panel discussion, *Heia Safari – Pros and Cons*, which was recorded in December 1966 in response to the viewers’ protests, were accompanied by scholarly research, but there was no mention of the GDR’s research. This suggests that the TV report was the first critical examination of the topic. Ralph Giordano thus also pre-empted those critics who, in their rejection of the programme, refer to its “communist influence.”<sup>55</sup> It was not only the content of the programme

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<sup>49</sup> Ibid., p. 481.

<sup>50</sup> Ibid., p. 480.

<sup>51</sup> Heinrich Meyer: “‘Heia Safari’. Eine abschließende Stellungnahme”, in: *Mitteilungsblatt des Traditionsverbandes ehemaliger Schutz- und Überseetruppen*, Sonderausgabe 42 (43), 1966, pp. 2-31 (12).

<sup>52</sup> Correspondence between the Family Association and Klaus von Bismarck dated 29.11.1966, in: Historical Archive / WDR, 00473, not paginated.

<sup>53</sup> Letter by Bruno Blessin, Oktober 1966, in: Historical Archive / WDR, 00469, not paginated.

<sup>54</sup> Letter by Georg Winkelmann, Oktober 1966, in: Historical Archive / WDR, 00473, not paginated

<sup>55</sup> Meyer: ‘Heia Safari’, p. 13.

that was open to attack, but also the author's biography. After the Second World War, Giordano became a member of the German Communist Party (KPD), and it was not until 1961 that he broke with his communist past by publishing *Die Partei hat immer Recht* (The Party is Always Right).<sup>56</sup>

The *Traditionsverband deutscher Schutztruppen* (Traditional Association of German Protection Troops) picks up on this in its criticism: "Ralph Giordano", the association criticised, "follows exactly the same line as the Eastern writers."<sup>57</sup> This is further substantiated by the reference that he "closely follows the remarks of Maximilian Scheer in *Schwarz und Weiß am Waterberg* (Petermänken-Verlag, Schwerin)."<sup>58</sup> It shows how widespread the GDR knowledge of colonial Namibia was in West Germany. The rejection of East German research is used here as a strategy to discredit a critical history of the colonial period and, in particular, the thesis of genocide and continuity. But Giordano's attitude also highlights that the way historiography was dealt with in the GDR, even in the leftist milieu, oscillated between transferring knowledge and demarcating. This was apparently done to avoid having one's own work accused of Marxist indoctrination.

Shortly after the broadcast, in 1968, the historian Helmut Bley published *Kolonialherrschaft und Sozialstruktur in Deutsch-Südwestafrika 1894-1914* (Colonial Rule and Social Structures in German Southwest Africa 1894-1914).<sup>59</sup> Alongside Horst Drechsler's monograph, it is still influential in the negotiation, interpretation, and representation of colonial genocide. When Helmut Bley published his monograph, West German national historiography was in a state of upheaval. In 1961, Fritz Fischer, Bley's doctoral supervisor, rocked the field of history with his book, *Griff nach der Weltmacht: Die Kriegszielpolitik des kaiserlichen Deutschland 1914-1918* (published in English as *Germany's Aims in the First World War*). This publication initiated not only a scholarly but also a public discussion about the interpretation of national history. Fischer argued, controversially at the time, that responsibility for starting the First World War lay solely with Imperial Germany. Fischer's anti-revisionist claims shocked the West German government and the historical establishment, as he suggested that Germany was guilty of causing both world wars. The book challenged the national belief in Germany's innocence and transformed its recent history into one of conquest and aggression.

Helmut Bley's monograph is a part of this controversy, to which his work adds another facet. Expanding on Hannah Arendt's theory of totalitarianism, Helmut Bley postulated, especially with regard to the post-war period, "that the origins of total rule can

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<sup>56</sup> Ralph Giordano: *Die Partei hat immer recht. Ein Erlebnisbericht über den Stalinismus auf deutschem Boden*, Köln, Kiepenhauer & Witsch, 1961.

<sup>57</sup> Meyer: 'Heia Safari', p. 13.

<sup>58</sup> Ibid.

<sup>59</sup> It was published in *Hamburger Beiträge zur Zeitgeschichte*. The series is the central publication organ of the 'Research Centre for the History of National Socialism in Hamburg', founded in 1960 and directed by Werner Jochmann.



be found in colonial policy in Africa."<sup>60</sup> Bley does not, however, use the word genocide. This decision could be linked to the fact that Helmut Bley's thesis caused a diplomatic scandal in the spring of 1966 when he presented his research at the International Conference on Southwest Africa. Various anti-apartheid movements organized this conference, which was therefore suspected of being communist.<sup>61</sup> At the centre of the debate, which involved both the German Foreign Office and the German Embassy in South Africa, and which at times led to calls for Helmut Bley to be expelled from the university, were certain source terms that Bley used in his English-language lecture. The terms "total war", "military dictatorship", "war of extermination", "great race war", "strategy of extermination", "systematic extermination", and "annihilation" were perceived as "unpatriotic" and as an affront to historical and political values.<sup>62</sup> Contemporary observers theorize that:

Formulations such as 'war of extermination', which here immediately evoked the horrific image of the extermination of Jews in German concentration camps, would have to be avoided by a young German historian when presenting German colonial history at such a conference.<sup>63</sup>

Given that the Conference took place in the immediate context of the Frankfurt Auschwitz Trials (1963-1965), Helmut Bley was certainly aware of evoking "the horrific image of exterminating the Jews."

Even outside the field of history, the book and its continuity thesis were well received. The reference to National Socialism and the Holocaust played an important role in its reception. Equally important was the dissociation from the GDR, which is still evident in academic debates on GDR research results today. In focusing on the power relations in memory politics, it is worth taking a brief look at how the research findings have been remembered, or rather forgotten.

Since the 1970s, the reception of socialist historiography has increasingly transcended the borders defined by the Cold War. One important reason is the convergence of East German publications with the Namibia-friendly political course of the UN in that period. The second reason is a political shift towards the social-liberal coalition and the change of academic traditions since the 1960s in the West. As a result, there is a partial rehabilitation of GDR research. The thesis of colonial genocide was taken up

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<sup>60</sup> Helmut Bley: *Kolonialherrschaft und Sozialstruktur in Deutsch-Südwestafrika 1894-1914*, Hamburg, Leibniz, 1968.

<sup>61</sup> A committee of various South African and British anti-apartheid movements initiated the four-day "International Conference on South West Africa" in March 1966.

<sup>62</sup> Helmut Bley: 'German South West Africa', in: Ronald Segal, Ruth First, (eds.): *South West Africa: Travesty of Trust. The expert papers and findings of the international conference on South West Africa*, London, Deutsch, 1967, pp. 35-53 (36-42).

<sup>63</sup> Deutsche Botschaft London an das Auswärtige Amt: Ausführungen des Historikers Dr. Bley von der Universität Hamburg, Verschlußsache, 05.04.1966, in: Politisches Archiv des Auswärtigen Amtes, Berlin, B 34, Bd. 678, not paginated.

and popularised above all by left-wing authors. With the recognition of the GDR in 1973 and the change of political direction in the so-called Namibia question, the notion of a correct historiography of colonial Namibia became increasingly similar. This was also reflected in other texts, such as Uwe Timm's novel *Morenga*, which became a classic in West and East Germany in the late 1970s and was even made into a movie.<sup>64</sup> Moreover, as early as the 1960s, these research results were regarded "without reservation as a serious contribution to one's own complex set of questions", especially in "Western discussions outside the Federal Republic." Even in "North American historiography", according to Konrad Jarausch, Matthias Middell and Martin Sabrow, "the second German historiography has, since its emergence, been met with a much more relaxed attitude than in the Federal Republic."<sup>65</sup> On the one hand, this has facilitated its reception in the West, but at the same time it shows that the reception of East German research was initially rejected out of the need to disassociate from the GDR.

Initially, after 1990, the research achievements of the GDR no longer played a role in academic discourse. This was due to the fact that "[s]everal historians from the former GDR working on colonial history [...] were forced out of their jobs by 'layoffs' (Abwicklungen) and dismissals from long-term research projects", states GDR historian Ulrich van der Heyden.<sup>66</sup> The research findings produced in the GDR were integrated into West German historiography and thus at first became invisible, as this research tradition was also politically discredited. When the genocide of the Ovaherero and Nama became a new research topic in the early 2000s, the historiographical legacy of the GDR was judged ambivalently. In 2004, when the genocide of the Ovaherero and Nama reached its first peak in the media, Boris Barth noted that the "genocide thesis was developed by the undogmatic GDR historian Horst Drechsler, who was the first to evaluate the relevant files of the *Reichskolonialamt*."<sup>67</sup> The positioning of Horst Drechsler as "undogmatic" may be due to the fact that Barth proposes a direct, unencumbered research tradition. A similar strategy was pursued by Jürgen Zimmerer, who at the same time succeeded in popularising the genocide thesis discursively. In doing so, he made no reference to

<sup>64</sup> The novel was published in 1978 and already reached a print run of 16,000 copies in 1983. In the GDR, Timm's novel was also published in 1979 without any changes to the content in a print run of 15,000 copies. *Morenga* was filmed by WDR (Westdeutscher Rundfunk) in 1985, shown as a German competition entry at the Berlinale in February 1985 and then broadcast as a three-part television version by ARD in March of the same year.

<sup>65</sup> Konrad H. Jarausch, Matthias Middell and Martin Sabrow: 'Störfall DDR-Geschichtswissenschaft. Problemfelder einer kritischen Historisierung', in: Georg G. Iggers et al., (eds.): *Die DDR-Geschichtswissenschaft als Forschungsproblem*, München, Oldenbourg, 1998, pp. 1-50 (24).

<sup>66</sup> Ulrich van der Heyden: *Die Afrikawissenschaft in der DDR. Eine akademische Disziplin zwischen Exotik und Exempel*, Hamburg, LIT, 1999, p. 271.

<sup>67</sup> Boris Barth: *Genozid. Völkermord im 20. Jahrhundert*, München, Beck, 2004, S. 128.

the GDR tradition, which may be because this reference could still have been used to academically discredit his work.<sup>68</sup>

Parallel to this, another interpretation emerged. In the *Historical Companion to Postcolonial Literatures*, Sebastian Conrad upgrades GDR historical scholarship by noting: "In particular, East German scholarship has played a crucial role in posing new questions and initiating source-based research."<sup>69</sup> Therefore, it seems not insignificant to question the extent to which this retrospective assessment is influenced by current research paradigms of postcolonial studies. Although the "role of Marxism within postcolonial theory [...] remains a contradictory one",<sup>70</sup> it is fundamentally true that "Marxist theory is central to the intellectual and political work of many post-colonial activists and theorists" and that the assessment of Marxist colonial historiography has therefore changed positively with the assertion of postcolonial theories.<sup>71</sup>

The postcolonial turn, however, has above all made it possible to question a national-historical instrumentalization/integration of colonial history. Due to the specific research traditions – in the East and West – the tendency to understand colonialism only against the background of German historiography has prevailed in current debates. The genocide of the Ovaherero and Nama thus only receives its intelligibility in the context of the generally established Holocaust remembrance in Germany.

### **Paradigm shift: The memory of colonialism as a continuation of German national history?**

Scholarly and media attention surrounding the genocide of the Ovaherero and Nama in the GDR and FRG underscores the ways in which colonial violence was forced into oblivion in both German states, albeit under different conditions.<sup>72</sup> Aligned with the social needs of the time, the forgetting of Germany's colonial past is not only derived from the rivalry between the competing East and West systems. Rather, the actors in memory politics struggle for the recognition of their respective versions of the past at a time when the memory of the Holocaust had not yet established itself as the dominant memory. Shortly after the end of the Second World War, Aimé Césaire had already written in his *Discours sur le colonialisme* about the need to decouple the European colonial project from the violence exercised in Europe.<sup>73</sup> The background of

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<sup>68</sup> See for example a letter to the editor by Horst Gründer in *Süddeutsche Zeitung*, 10 December 2005.

<sup>69</sup> Sebastian Conrad: 'Historiography', in: Prem Poddar et al., (eds.): *A Historical Companion to Postcolonial Literatures. Continental Europe and its Empires*, Edinburgh, Edinburgh University Press, 2008, pp. 237-241 (237).

<sup>70</sup> María do Mar Castro Varela, Nikita Dhawan: *Postkoloniale Theorie. Eine kritische Einführung*, Bielefeld, transcript, 2005, p. 121.

<sup>71</sup> *Ibid.*, p. 64.

<sup>72</sup> Dimbath: *Oblivionismus*, p. 96.

<sup>73</sup> Césaire: *Kolonialismus*, p. 14.

this decoupling, according to Césaire, was the maintenance of the colonial status quo in the post-war society in order to justify the continuation of colonial claims to power and the racist discrimination against Black people and other People of Colour in Europe.<sup>74</sup> In this historicising perspective, postcolonial memory politics can best be described as the politics of forgetting. Césaire's text is now considered one of the most important references in the debate on the links between colonial and National Socialist violence.<sup>75</sup> However, less attention is paid to the fact that Césaire primarily focused on French society and the globally effective mechanisms of hierarchical differentiation between the experiences of violence in Europe and the colonies. The current debates thus limit the reckoning with (German) colonialism to one's own national history, consequentially making the concept of colonial amnesia the equivalent of its memory politics.

The term colonial amnesia only gradually entered the discourse in the early 2000s and especially with the commemoration of 2004. This term is used to describe a general lack of interest in German colonialism, which can be found continuously since the end of formal German colonialism and is mainly used by German intellectuals and academics. In 2004, when the debate on the genocide of the Ovaherero and Nama reached its first peak during the centenary commemoration, Zimmerer postulated in the daily newspaper *taz* that "[t]he colonial amnesia [...] set in soon after the loss of the German colonial empire in the Peace of Versailles (1919)." Apart from a brief period of colonial enthusiasm under National Socialism, Zimmerer argues that German society has been characterised by collective forgetting to this day. Moreover, the concept of amnesia focuses on the relationship between remembering the Holocaust and coming to terms with colonialism. Once again, it is the historian Zimmerer who repeatedly emphasises that the long de-thematization of German colonial crimes can be justified by the dominance of Holocaust remembrance. Finally, he posits that there exists a competition between the remembrance of National Socialism and a reappraisal of colonialism. In January 2004, Zimmerer elaborated on this competitive relationship in the newspaper *taz* as follows:

The resistance against issuing an official apology to the Herero and Nama and to the recognition that they were victims of genocide, however, feeds on another source and is closely related to the accusation of genocide. After the Holocaust, the German public could no longer close its eyes to the crimes of the National Socialists. The admission of the crimes and the acceptance of the guilt associated with them has become the basic

<sup>74</sup> Aimé Césaire: *Discours sur le Colonialisme*, Paris, Présence Africaine, 2004, p. 36.

<sup>75</sup> Albrecht: 'Postcolonialism'; Dirk Göttsche: 'Introduction. Memory and postcolonialism', in: Dirk Göttsche, (ed.): *Memory and Postcolonial Studies. Synergies and New Directions*, Oxford, Lang, 2019, pp. 1-41 (1ff.); Rothberg, Michael: *Multidirectional Memory. Remembering the holocaust in the age of decolonization*, Stanford, Stanford University Press, 2009; idem: 'Remembering Back. Cultural memory, colonial legacies, and postcolonial studies', in: Graham Huggan, (ed.): *The Oxford Handbook of Postcolonial Studies*, Oxford, Oxford University Press, 2013, pp. 359-379 (359ff.).

consensus of all Germans outside the extreme right-wing spectrum. [...] However, many think that this should be the end of the matter.<sup>76</sup>

This quote illustrates the continuity in memory politics in which coming to terms with colonialism since 1945 has been linked to the Holocaust and the crimes of National Socialism. Contrary to what the alleged amnesia after 1945 suggests, the colonial and Nazi pasts were repeatedly linked in both the GDR and the FRG. However, the existing knowledge about German colonialism played no role in describing the present as Kössler and Melber note in 2018.<sup>77</sup> This obliteration is based on a consensus in memory politics already achieved before 1990, which did not grant German colonialism a place in remembrance policy.

At the same time, naming the forgetting of the colonial past, as we have been able to observe empirically since the 2000s, is an expression of a change in memory politics that increasingly assigns relevance to the genocide of the Ovaherero and Nama in contemporary German society. However, this change can only take place because the imperative to remember the Holocaust was established in the 1990s along with the “admission of the crimes and the acceptance of the guilt associated with them”, as Zimmerer writes.<sup>78</sup> In media articles, however, the term colonial amnesia is less referenced; instead, other descriptions are chosen to relate the forgotten, ignored, or repressed colonial past to Holocaust remembrance. For example, an article published in the *taz* in 2011 states: “Of course, responsibility for the Nazi Holocaust leaves little room for further tormenting commemorative traditions. On the other hand, the answer to the important question of how Hitler became possible could partly lie in colonial history.”<sup>79</sup> The different notions of forgetting that emerge in connection with the genocide of the Ovaherero and Nama consequently mark a new discursive field in which colonial violence becomes intelligible. In contrast to the 1960s, the thematization of the continuities between colonial and National Socialist violence primarily negotiates the status of coming to terms with colonialism in relation to Holocaust remembrance. However, the focus on the practices of forgetting also describes continuity in memory politics in which colonial violence could only become intelligible in relation to National Socialism. Consequently, this stages the German nation at the centre of the argument – despite all demands for global and interconnected historical perspectives.

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<sup>76</sup> Jürgen Zimmerer: ‘Keine Geiseln der Geschichte: Deutsche Kolonialherrschaft ist bloß eine Episode, denken viele. Das Dritte Reich zeigt: Dauer sagt nichts über Intensität’, in: *taz*, 10 January 2004.

<sup>77</sup> Kössler, Melber: ‘Amnesie’, p. 2.

<sup>78</sup> Daniel Levy, Natan Sznaider: *Erinnerung im globalen Zeitalter. Der Holocaust*, Frankfurt am Main, Suhrkamp, 2001; Natan Sznaider: ‘Suffering as a Universal Frame for Understanding Memory Politics’, in: Muriel Blaive, Christian Gerbel and Thomas Lindenberger, (eds.): *Clashes in European Memory. The Case of Communist Repression and the Holocaust*, Innsbruck, Studien Verlag, 2011, pp. 239-254 (239ff.).

<sup>79</sup> Tim Neshitov: ‘Die vergessene Schuld’, in: *Süddeutsche Zeitung*, 27 September 2011.

In recent years, journalists and scholars alike use the term colonial amnesia more frequently – albeit in a new discursive context. Since the beginning of the restitution debate in 2017, which has been discussed in Germany primarily in relation to the opening of the Humboldt Forum in Berlin, the term colonial amnesia is used, on the one hand, to describe the lack of engagement with the colonial collections in museums. On the other hand, the term problematises that the current focus on the restitution of museum artifacts distracts from coming to terms with the genocides against the Ovaherero and Nama. Accordingly, Zimmerer writes in a newspaper article for the *Süddeutsche Zeitung* that “[t]he discussion about ‘colonial looted art’ [...] is part of a broader discourse about colonial legacy and colonial amnesia. Here, the dispute over how to deal with the genocide of the Herero and Nama should be mentioned above all.”<sup>80</sup> In a large part of the texts addressing restitution, Zimmerer talks about the lack of recognition of the genocide and the refusal to pay reparations to the Ovaherero and Nama, and that no agreement has been reached with the affected groups since 2015. However, the reference to the amnesia of the German society serves less as an analytical description and more as a political instrument to intervene in the debate. What is relevant in terms of memory politics is that the term appears in the discourse at a time when processes have already been initiated to ascribe colonialism a place in public memory. Consequently, the discursive naming of forgetting shifts the discursive framework in which both the memory of genocide and the Holocaust are transformed.

However, colonial amnesia and all its conceptual alternatives remain tools of memory politics that intervene primarily in the German discourse, thus ultimately addressing the nation-state and its ways of correctly remembering the past. What is missing in the debates, however, is the perspective of Black people, because only from a Euro-centric perspective does colonialism seem to describe a forgotten past. The sociologist Zoé Samudzi therefore also identifies the “shocking downgrade of and disinterest in living and dead Black people” in the current *Historikerstreit 2.0* (Historians Dispute) in Germany.<sup>81</sup> The fact that the Ovaherero and Nama are considered exclusively “as subjects of distanced historical considerations” leads to not taking their demands for recognition and coming to terms with colonial violence seriously. Moreover, the effects of the genocide continue to shape the present of the affected communities and do not belong to their past. Instead of focusing on German memory practices with the recurring statement of a forgotten past, it might be more profitable to ask, as stated by Samudzi, “[w]hat if African materialities comprised a major core of the debate rather than simply our interpretations of the violence of their oppressors?”<sup>82</sup>

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<sup>80</sup> Zimmerer: ‘Geiseln’.

<sup>81</sup> Zoé Samudzi: ‘In Absentia of Black Study’, 2021, <https://newfascismsyllabus.com/opinions/the-catechism-debate/in-absentia-of-black-study/>

<sup>82</sup> *Ibid.*

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# The Herero War and the Question of Genocide

## An overview of recent research

Jonas Kreienbaum

### Introduction

Ever since Horst Drechsler argued in his pioneering study in 1966 that “German imperialism” had practised “the methods of genocide” during the war in German South West Africa (1904-1907),<sup>1</sup> present-day Namibia, the assessment of German policy towards the Ovaherero as genocide has been discussed again and again. After German troops had failed to decisively defeat the Ovaherero since January 1904 and the latter retreated to the Omaheke sand field, the commanding German General Lothar von Trotha had the desert cordoned off in October 1904 and issued his so-called extermination order (*Vernichtungsbefehl*). In this order, he announced that no more prisoners would be taken. Later, the Germans crammed the survivors into newly built concentration camps. Tens of thousands of Ovaherero perished as a result of these policies.<sup>2</sup>

By the time of the centenary of the beginning of the war in 2004, a number of historians – also in West Germany and in English-language research – had already fallen into line with Drechsler’s judgment.<sup>3</sup> Others avoided the term without putting

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<sup>1</sup> Horst Drechsler: *Südwestafrika unter deutscher Kolonialherrschaft*, 2<sup>nd</sup> ed., Berlin, Akademie, 1984, (first 1966), p. 20.

<sup>2</sup> Estimates of the death toll range from just over 10,000 to 100,000. Since no reliable figures exist for the size of the OvaHerero people before the war, nor of the survivors afterwards, it is, as Andreas Eckl has noted, ‘simply not possible to give any serious information about the victims of the war on the Herero side’. Andreas Eckl: *‘S’ist ein übles Land hier’. Zur Historiographie eines umstrittenen Kolonialkrieges. Tagebuchaufzeichnungen aus dem Herero-Krieg in Deutsch-Südwestafrika 1904 von Georg Hillebrecht und Franz Ritter von Epp*, Köln, Köppe, 2005, p. 17.

<sup>3</sup> Helmut Bley: *Kolonialherrschaft und Sozialstruktur in Deutsch-Südwestafrika 1894-1914*, Hamburg, Leibnitz, 1968; Walter Nuhn: *Sturm über Südwest: Der Hereroaufstand von 1904 – Ein düsteres Kapitel der deutschen kolonialen Vergangenheit Namibias*, Koblenz, Bernard u. Graefe, 1989; Gesine Krüger: *Kriegsbewältigung und Geschichtsbewusstsein. Realität, Deutung und Verarbeitung des deutschen Kolonialkriegs in Namibia 1904 bis 1907*, Göttingen, Vandenhoeck und Ruprecht, 1999; Jan-Bart Gewald: *Herero Heroes. A Socio-Political History of the Herero of Namibia 1890-1923*, Oxford, Curry, 1999; Jürgen Zimmerer, Joachim Zeller,

it at the centre of their discussions.<sup>4</sup> Above all, the then head of the Namibian National Archives, Brigitte Lau, attacked the genocide interpretation in 1989 with a series of challenging arguments that have since been adopted by various authors. She argued that Trotha had by no means meant the extermination of the Herero when he used the word *vernichten* (destroy), that the barely deployable *Schutztruppe* would not have been able to effectively seal off the Omaheke, and that the death toll was assessed much too high.<sup>5</sup> The controversy surrounding the genocide question was (and still is) partly fuelled by the connection with the so-called continuity thesis. Especially after the turn of the millennium, historians heatedly debated whether there was a connection between colonial and National Socialist mass violence, possibly even a genocidal German *Sonderweg* from “Windhoek to Auschwitz.”<sup>6</sup>

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(eds.): *Völkermord in Deutsch-Südwestafrika. Der Kolonialkrieg (1904-1908) in Namibia und seine Folgen*, Berlin, Links, 2003.

<sup>4</sup> For instance Horst Gründer: *Geschichte der deutschen Kolonien*, 5<sup>th</sup> ed., Paderborn, Schöningh, 2004 (first 1985); see also Bartholomäus Grill: *Wir Herrenmenschen. Unser rassistisches Erbe: Eine Reise in die deutsche Kolonialgeschichte*, München, Pantheon, 2021, p. 198.

<sup>5</sup> Brigitte Lau: ‘Ungewisse Gewissheiten: der Herero-Deutsche Krieg von 1904’, in: Hinrich R. Schneider-Waterberg: *Der Wahrheit eine Gasse. Zur Geschichte des Hererokrieges in Deutsch-Südwestafrika 1904-1907*, Swakopmund, Wissenschaftliche Gesellschaft Swakopmund, 2020 (first 2005), pp. 154-171. Some arguments were already formulated by Gert Sudholt: *Die deutsche Eingeborenenpolitik in Südwestafrika von den Anfängen bis 1904*, Hildesheim, Olms, 1975. Others followed in Lau’s footsteps. For instance, Schneider-Waterberg, who started publishing his contributions in 1998, or Claus Nordbruch: *Der Hereroaufstand 1904*, Stegen, Vowinkel, 2002. For a critical discussion of Lau’s hypotheses see Werner Hillebrecht: “‘Uncertain Certainties’ or Venturing Progressively into Colonial Apologetics?”, in: *Journal of Namibian Studies*, 1, 2007, pp. 73-95; or Tilman Dederich: ‘The German-Herero War of 1904: Revisionism of Genocide of Imaginary Historiography?’, in: *Journal of Southern African Studies*, 19 (1), 1993, pp. 80-88.

<sup>6</sup> Central to the proponents of the continuity thesis are the articles of Jürgen Zimmerer, which later appeared once again in a collected form. See Jürgen Zimmerer: *Von Windhuk nach Auschwitz? Beiträge zum Verhältnis von Kolonialismus und Holocaust*, Berlin, LIT, 2011. For the opposite side see for example Birthe Kundrus: ‘Von den Herero zum Holocaust? Einige Bemerkungen zur aktuellen Debatte’, in: *Mittelweg* 36, 14 (4), 2005, pp. 82-92; or Robert Gerwarth, Stephan Malinowski: ‘Hannah Arendt’s Ghosts: Reflections on the Disputable Path from Windhoek to Auschwitz’, in: *Central European History*, 42 (2), 2009, pp. 279-300. For an overview of the debate in the 2000s see Thomas Kühne: ‘Colonialism and the Holocaust: Continuities, Causations, and Complexities’, in: *Journal of Genocide Research*, 15 (3), 2013, pp. 339-362; also Jakob Zollmann: ‘From Windhuk to Auschwitz – Old Wine in New Bottles? Review Article’, in: *Journal of Namibian Studies*, 14, 2013, pp. 77-121. For the research of the past few years see Frank Bajohr, Rachel O’Sullivan: ‘Holocaust, Kolonialismus und NS-Imperialismus. Forschung im Schatten einer polemischen Debatte’, in: *Vierteljahreshefte für Zeitgeschichte*, 70 (1), 2022, pp. 191-202.

Also, since 2004, a number of new studies have appeared dealing with mass violence in the Herero War. These will be presented and discussed in this article. In doing so, I will argue that the genocidality of Imperial Germany's actions against the Ovaherero is now hardly disputed in historiography. In a first step, I will discuss the few newer contributions that decidedly oppose the assessment as genocide. Subsequently, I will concentrate on the bulk of new research. This discusses above all the exact starting and ending point of the genocidal phase, as well as the causes and dynamics that contributed to the escalation and de-escalation of the violence in the colony. In this context, the strong fixation on the concept of genocide turns out to be more of a stumbling block to understanding the process of violence in the colony in all its complexity.

### **Doubts about the genocide thesis**

In this section, I will present and discuss three works published since 2004 that have argued against the classification of the Herero War as genocide.<sup>7</sup> The first is Christian Zöllner's monograph *Deutsch-Herero-Krieg von 1904* from 2017. Zöllner, who grew up in Southern Africa, argues quite comprehensibly that Trotha's warfare initially aimed at a decisive battle at the Waterberg. The general wanted to encircle the Ovaherero gathered there, decisively defeat them militarily and force them to surrender. The extermination of the Ovaherero was not planned at this point, as evidenced by the construction of camps for 8,000 prisoners in Okahandja. However, the Ovaherero managed to break through the German lines in the East and escape into the Omaheke. This, Zöllner argues in line with most recent scholarship, was in no way planned by Trotha as part of a perfidious genocidal strategy (Drechsler's reading). Rather, the breakout from the encirclement meant that the general's military plans had failed. Trotha reacted by pursuing the Ovaherero into the Omaheke, an endeavour which he had to abort unsuccessfully on September 30 because his troops could no longer follow their fleeing adversaries.<sup>8</sup>

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<sup>7</sup> During this period, other texts have been published that reject the genocide thesis. However, I will not examine them in detail here, as they do not put forward arguments that do not already appear in the older revisionist literature or in the texts discussed below. Above all, they are rather 'remote' publications and 'grey literature' that have hardly been noticed by historians and the wider public. They are also based on a decidedly thin foundation of sources and scholarly literature – a curious circumstance, given the fact that they regularly accuse 'progressive historians' of ignoring much of the available evidence. Examples are Hans Hilpisch: *Die Kolonialkriege in Deutsch-Südwestafrika (1904-1908). Daten, Fakten und eine kritische Auseinandersetzung mit den widersprüchlichen Forschungsergebnissen der letzten Jahre*, Windhoek, Kuiseb, 2019; Hans Hilpisch: *'Wo sind die Herero geblieben?'* *Neue Erkenntnisse und Theorien zum Rückzug der Herero in die Omaheke 1904/05*, Windhoek, Kuiseb, 2019; Benedikt Riedl: *Der Herero-Krieg – Eine juristische Aufarbeitung*, in: *forum historiae iuris*, 17.12.2021, <https://forhistiur.net/2021-12-riedl/>

<sup>8</sup> Christian W. Zöllner: *Deutsch-Herero-Krieg 1904. Eine Betrachtung unter dem Aspekt Völkermord*, Kiel, Lorenz-von-Stein-Institut für Verwaltungswissenschaften, 2017, pp. 51-88.

At this point Trotha wrote his *Proclamation to the Herero People*, the so-called Extermination Order, which stated, "Within German borders every Herero, armed or unarmed, with or without cattle, will be shot dead."<sup>9</sup> In interpreting this document, commonly understood as a genocide order, and various closely related sources, Zöllner then departs from the bulk of historiography. He claims that the term "destruction [*Vernichtung*] of the Herero" in the language of the time did not mean their extermination but "the complete elimination of their ability or potential to resist the Germans."<sup>10</sup> However, he completely overlooks the fact that Trotha's usage of the term had changed by October 1904. Now the general kept talking about the "nation as such" having to be destroyed or perish.<sup>11</sup> He had all the men shot and chased women and children back into the desert. He was obviously no longer concerned solely with breaking the Ovaherero's military resistance. For Zöllner, the proclamation must ultimately be seen as an attempt at "psychological warfare" aimed at getting the Herero to leave the colony and flee to British territory.<sup>12</sup>

In doing so, he ties in with another recent interpretation formulated by the colonial historian and genocide scholar Boris Barth. For Barth, the German action in Southwest Africa is to be understood as "drastic ethnic cleansing" rather than genocide. However, he does not agree with "older revisionist opinions" that Trotha's order was merely "psychological warfare." Rather, the German troops "really murdered their way through Herero land at the beginning." However, Trotha's primary aim was to drive the Herero out of the colony "and to destroy the tribal structure" by using extreme violence.<sup>13</sup> In support of this thesis, Zöllner refers to a key sentence in a letter from Trotha to Chief of the General Staff Alfred von Schlieffen. It reads, "I believe that the nation needs to be destroyed as such, or, if this was not possible, it must be expelled from the land operatively and by means of detailed actions."<sup>14</sup> In the past tense construction "was not possible", Zöllner sees a sign that the general had departed from earlier military plans of extermination and was now betting on expulsion.<sup>15</sup> In doing so, he ignores the fact that the if-construction does not fit this tense and rather suggests that expulsion was merely the contingency plan should

<sup>9</sup> Proclamation of Lothar von Trotha, 2.10.1904, Bundesarchiv Berlin-Lichterfelde (BAL), R 1001/2089, p. 7. On this and other proclamations issued during the 'Herero War' see Matthias Häussler: "'Auf dass wieder Ruhe und Ordnung herrscht'. Proklamationen im deutschen Feldzug gegen die OvaHerero (1904/05)", in: *Historische Zeitschrift*, 314, 2022, pp. 599-629.

<sup>10</sup> Zöllner: *Deutsch-Herero-Krieg*, p. 154.

<sup>11</sup> See for instance Lothar von Trotha to Alfred von Schlieffen, 4.10.1904, BArch, R1001/2089, pp. 5f.

<sup>12</sup> Zöllner: *Deutsch-Herero-Krieg*, p. 148.

<sup>13</sup> Boris Barth: *Genozid. Völkermord im 20. Jahrhundert. Geschichte, Theorien, Kontroversen*, München, Beck, 2006, p. 130.

<sup>14</sup> The German original read: "Ich glaube, daß die Nation als solche vernichtet werden muß, oder, wenn dies nicht möglich war, operativ und durch die weitere Detail-Behandlung aus dem Land gewiesen wird." Trotha to Schlieffen, 4.10.1904, BArch, R1001/2089, pp. 5f.

<sup>15</sup> Zöllner: *Deutsch-Herero-Krieg*, pp. 98f.

extermination prove unfeasible in the future. As a matter of fact, this latter interpretation fits much better with Trotha's assumption that the conflict with the Ovaherero was the "beginning of a racial struggle"<sup>16</sup> to the death and with statements from the following weeks in which he wrote quite openly that he drove the Ovaherero "united into the area where they can no longer exist and perish."<sup>17</sup>

Finally, in 2019, the journalist Bartholomäus Grill published *Wir Herrenmenschen*, a book aimed at a broad readership, in which he also casts doubt on the genocide thesis. While he acknowledges Trotha's "clearly genocidal intentions" as commander-in-chief in the colony, he argues that they were not shared by the government in Berlin. Rather, the Reich Chancellor successfully intervened with the Kaiser and ensured that he rescinded the extermination order at the beginning of December 1904. A "genocidal plan of the Reich government", Grill suggests, did not exist.<sup>18</sup> Ultimately, the assessment as genocide depends in each case on the specific understanding of the concept of genocide with which the respective authors work.<sup>19</sup> Here, Grill obviously follows an interpretation that understands genocide as a state crime, whereby the intention to exterminate must derive from the head of state. These are certainly not outlandish assumptions, but they amount to a narrower understanding than, for instance, the influential United Nations Genocide Convention of 1948 suggests. And even with Barth, who states that he uses the UN Convention as a yardstick, one can ask whether he is not in fact assuming a much stricter definition when he does not clearly rate the war of 1904 as genocide.<sup>20</sup>

## The bulk of new research and the genocide paradigm

While Barth, Zöllner and Grill cast doubt on the genocide thesis, the vast majority of historians who have studied the Herero War since 2004, agree that the colonial power intended to exterminate the Ovaherero. However, there is disagreement among them about the questions of how and why the genocide occurred and when exactly it began and ended. Roughly speaking, and loosely following Holocaust research, a

<sup>16</sup> Trotha to Schlieffen, 4.10.1904, BArch, R1001/2089, pp. 5f.

<sup>17</sup> Lothar von Trotha to Theodor Leutwein, 27.10.1904, BArch, R1001/2089, pp. 27ff.

<sup>18</sup> Grill: *Herrenmenschen*, pp. 153-203, quotations on p. 171. A similar argument can be found in Barth: *Genozid*, pp. 131f; see also Gründer: *Geschichte*, p. 122.

<sup>19</sup> Already years ago, Andreas Eckl has criticized that only few authors disclose the genocide definition against which they measure the events in South West Africa. See Eckl: *'S'ist ein übles Land hier'*, p. 15.

<sup>20</sup> United Nations: Convention on the Prevention and Punishment of the Crime of Genocide, 9.12.1948, <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>. On differing attempts of definition see Barth: *Genozid*, pp. 12-29, 62; also Martin Shaw: *What is Genocide?*, 2<sup>nd</sup> ed., Cambridge, Polity, 2015, pp. 36-52; or the contributions in Donald Bloxham, A. Dirk Moses, (eds.): *The Oxford Handbook of Genocide Studies*, Oxford, Oxford University Press, 2010.



distinction can be made between more intentionalist and functionalist approaches.<sup>21</sup> While the former assume a long-standing plan for the physical extermination of the Ovaherero that emanated from the top echelons of the state and the military, the latter explain the genocide as the product of a process of radicalization in the course of the colonial war. The central actors here are primarily the men on the spot in the colony.

In recent years, Jeremy Sarkin as well as David Olusoga and Casper Erichsen have presented decidedly intentionalist interpretations. The South African professor of law Sarkin considers it likely that Kaiser Wilhelm II provided his general with a verbal genocide order. In this reading the decision on the physical extermination of the Ovaherero was clearly taken in Berlin.<sup>22</sup> For the Germans, Sarkin explains, the "uprising" provided a perfect excuse to "cleanse" the colony of the Ovaherero. He assumes that the genocide strategy was in place since the initial phase of the war, but at the latest by mid-1904.<sup>23</sup> Olusoga and Erichsen also suggest that responsibility for the genocide extends to Berlin (*The Kaiser's Holocaust*) and emphasize the intentionality of the mass murder: "Yet 'intent' is stamped onto the Namibian genocides in all their ugly stages."<sup>24</sup> And for the two authors, these stages range from the first battles under Leutwein's command, through the Omaheke, to internment in concentration camps, which only ended in 1907/08. In doing so, they interpret the infamous camp on Shark Island off Lüderitz as the first death camp in history and thus as a precursor to Treblinka and Auschwitz.<sup>25</sup> For them, the genocidal phase encompasses the entire war. Jürgen Zimmerer also argues in an intentionalist manner in his more recent contributions. When Trotha entered the colony, the Hamburg based

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<sup>21</sup> For this distinction with reference to the research on the genocide of the Ovaherero see for instance Jonas Kreienbaum: *A Sad Fiasco. Colonial Concentration Camps in Southern Africa, 1900-1908*, New York, Berghahn, 2019, pp. 45f. and 60f., note 120; Jeremy Sarkin: *Germany's Genocide of the Herero. Kaiser Wilhelm II, His General, His Settlers, His Soldiers*, Cape Town, University of Cape Town Press, 2011, p. 16. For the distinction in Holocaust Studies see for example Christopher R. Browning: *The Path to Genocide. Essays on Launching the Final Solution*, Cambridge, Cambridge University Press, 1993, pp. 86-124; or Hans Mommsen: 'Forschungskontroversen zum Nationalsozialismus', in: *Aus Politik und Zeitgeschichte*, 14-15, 2007, pp. 14-21.

<sup>22</sup> Sarkin: *Germany's Genocide*, pp. 155-232.

<sup>23</sup> *Ibid.*, p. 14.

<sup>24</sup> David Olusoga, Casper W. Erichsen: *The Kaiser's Holocaust. Germany's Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber & Faber, 2010, p. 360.

<sup>25</sup> Olusoga, Erichsen: *Kaiser's Holocaust*, p. 359. Similar Benjamin Madley: 'From Africa to Auschwitz: How German South West Africa Incubated Ideas and Methods Adopted and Developed by Nazis in Eastern Europe', in: *European History Quarterly*, 35 (3), 2005, pp. 429-464; also see Casper W. Erichsen, *'The Angel of Death Has Descended Violently Among Them'. Concentration Camps and Prisoners of War in Namibia, 1904-1908*, Leiden, African Studies Centre, 2005.

historian holds, "he may not yet have known exactly how the war was to be conducted tactically in detail, but he already knew how it would end: with the annihilation of the Herero."<sup>26</sup> And even though he does not speak of death or extermination camps, he agrees with Olusoga and Erichsen that the genocide continued in the camps from 1905 to 1908 by other means.<sup>27</sup>

While Zimmerer assumes that local factors of radicalization are less important than Trotha's extremely racist ideas of colonial warfare, a number of historians (functionalists) consider this "situational radicalization" to be central to understanding the genocide.<sup>28</sup> They all point out that up until the battle of the Waterberg, German warfare aimed at destroying the military resistance of the enemy and its political organization, but not at the death of every single Omuhherero. This only changed in the weeks that followed, with the authors using different explanatory approaches. What is also striking about these studies is that they are based on a much broader source base than the intentionalist works and even more so than those that cast doubt on the genocide thesis. In this respect, they have productively taken up the suggestion formulated by Andreas Eckl with regard to research up to 2004 that a "discussion on the assessment of the colonial war of 1904 as German genocide [...] could gain in argumentation basis and objectivity through the inclusion of previously unconsidered historical sources."<sup>29</sup>

For historian Isabel Hull, who teaches at Cornell University, it was the interaction of the specifically European military culture with the course of the war, which was disappointing from the German point of view, that led to the final solution in the colony. Following contemporary military doctrine, Trotha aimed for a total military victory over the Ovaherero. When he failed to achieve this at the Waterberg, the logical next step was to pursue the fleeing Ovaherero. However, he still forbade his soldiers to kill women and children. For Hull, it was only in mid-September, during the pursuit in the Omaheke, when his own troops ran out of food and water, that Trotha's warfare crossed the line into genocide. Now he ordered that "Feldherero, women, and children" also be chased from the water holes back into the desert and thus to their deaths.<sup>30</sup> The proclamation of October 2, 1904 was thus not the starting point of the genocide but elevated an already existing genocidal practice to official policy. While Hull's meticulous reconstruction of the radicalization of German warfare, which is based on a decidedly broad range of sources, has enormously clarified our understanding of the mass murder of the Ovaherero, her overarching thesis has

<sup>26</sup> Zimmerer: *Windhuk*, p. 49.

<sup>27</sup> *Ibid.*, pp. 57-61. Recently, and similarly argued by Mads Bomholt Nielsen: *Britain, Germany, and Colonial Violence in South-West Africa, 1884-1919: The Herero and Nama Genocide*, Cham, Springer International, 2022, pp. 15-42.

<sup>28</sup> Zimmerer: *Windhuk*, p. 49.

<sup>29</sup> Eckl: *'S'ist ein übles Land hier'*, p. 42.

<sup>30</sup> Isabel V. Hull: *Absolute Destruction. Military Culture and the Practices of War in Imperial Germany*, Ithaca, Cornell University Press, 2005, p. 53.

to be qualified by a question mark. For her, European military culture tended principally towards the production of final solutions, unless it was stopped by civilian authorities. Since the military in Imperial Germany was much more effectively shielded from any civilian control than in Western European states, she argues, the first genocide of the 20<sup>th</sup> century occurred in the German colonial empire. However, as mentioned above, it was the Reich Chancellor, the highest civilian, who successfully intervened in November 1904 and had Trotha's extermination order rescinded. This fact is difficult to reconcile with Hull's thesis.<sup>31</sup>

Instead of military doctrines imported from Europe or fixed intentions, German historian Susanne Kuß emphasizes the interaction of a wide variety of factors in order to decipher the radicalization process in German South West Africa. For example, she takes the behavior of the enemy into account as well as the geographical conditions on the ground, the effects of disease on the *Schutztruppe* and the reception of German actions abroad, which she all bundles in the concept of the "theatre of war." With the help of this approach, she succeeds in explaining the different levels of violence in China (1900/01), South West Africa and East Africa (1905-1908) producing a compelling comparative study of German colonial warfare. According to Kuß, the decisive factor in the development of an initially normal colonial war against the Ovaherero into genocide was the fear of losing face in Berlin and Windhuk in the absence of further military successes and the precarious supply situation of the troops, which made prisoners appear "as highly superfluous food competitors."<sup>32</sup> For sociologist George Steinmetz, who also works comparatively, the fear of a loss of German prestige played only a subordinate role. Nevertheless, "Trotha's genocidal turn" after the Battle of the Waterberg was "multiply overdetermined." In Steinmetz's eyes, the uniform demonization of the Ovaherero in pre-colonial ethnographic discourse represents a necessary condition for their later extermination. Crucial for the radicalization during the war then was the competitive situation between governor Leutwein and the general, which further increased the latter's aggressiveness. In this situation of conflict, Trotha, according to Steinmetz, identified with the "caricatured image"

<sup>31</sup> Ibid., especially pp. 5-90.

<sup>32</sup> Susanne Kuß: *Deutsches Militär auf kolonialen Kriegsschauplätzen. Eskalation von Gewalt zu Beginn des 20. Jahrhunderts*, Berlin, Links, 2010, quote on p. 421. The book has also been translated into English as *German Colonial Wars and the Context of Military Violence*, Cambridge, MA, Harvard University Press, 2017. See also Susanne Kuß: 'Kriegsführung ohne hemmende Kulturschranke: Die deutschen Kolonialkriege in Südwestafrika (1904-1907) und Ostafrika (1905-1908)', in: Thoralf Klein, Frank Schumacher, (eds.): *Kolonialkriege. Militärische Gewalt im Zeichen des Imperialismus*, Hamburg: Hamburger Edition, 2006, pp. 208-247. Fittingly, Lukas Grawe recently noted that it was Schlieffen's fear of losing face that prompted him to defend Trotha. Lukas Grawe: 'The Prusso-German General Staff and the Herero Genocide', in: *Central European History*, 52, 2019, pp. 588-619.

of the enemy and directed his "wild Herero anger" against his liberal opponents in the colonial administration as well as his African enemies.<sup>33</sup>

Building on the work of Hull and Kuß, but also on the previously published article by Hendrik Lundtofte, the sociologist and historian Matthias Häussler has recently presented the most comprehensive examination of the genocide against the Herero.<sup>34</sup> This book stands out not least due to its impressively multi-layered source base, which for the first time also draws on the original handwritten diary of Lothar von Trotha – a key document. For Häussler, the actual genocidal phase of the war begins even later than for Hull and Kuss. Even at the beginning of October 1904, Häussler argues, when Trotha issued his *Proclamation to the Herero people*, the general rather aimed at expelling the Ovaherero from the *Schutzgebiet*. He acted from a position of weakness. His troops could not reach the Ovaherero in the Omaheke, so he wanted to intimidate them to prevent their return to the colony.<sup>35</sup> Only in the course of October, when Trotha realized that the majority of the Herero could neither reach English territory nor survive in the desert did the actual genocidal phase begin. In Häussler's words: "When it became clear that terrorism was leading to the extermination of the enemy, when the murderous consequences of the German approach became more and more obvious, but it was maintained unchanged, the threshold of genocide was finally crossed."<sup>36</sup> Like Susanne Kuß, Häussler concedes great explanatory value to emotions. For him, it was the shame of not being able to achieve the promised overwhelming military victory against an opponent considered inferior that turned into rage and fed Trotha's will to exterminate.<sup>37</sup> At the same time, Häussler emphasizes that the genocide was not initiated solely "from above", but that there was a parallel process of brutalization of the enlisted men and non-commissioned officers – that is, "from below."<sup>38</sup>

<sup>33</sup> George Steinmetz: *The Devil's Handwriting. Precoloniality and the German Colonial State in Qingdao, Samoa, and Southwest Africa*, Chicago, University of Chicago Press, 2007, pp. 179-216, quotes on p. 202.

<sup>34</sup> Hendrik Lundtofte: "'I believe that the nation as such must be annihilated...". The Radicalization of the German Suppression of the Herero Rising in 1904', in: Stephen B. Jensen, (ed.): *Genocide. Cases, Comparisons and Contemporary Debates*, København, Danish Center for Holocaust and Genocide Studies, 2003, pp. 15-53.

<sup>35</sup> Matthias Häussler: *Der Genozid an den Herero. Krieg, Emotion und extreme Gewalt in 'Deutsch-Südwestafrika'*, Weilerswist, Velbrück, 2018, pp. 192f.

<sup>36</sup> My translation from the German original. Ibid., p. 197. There also is an English version: *The Herero Genocide: War, Emotion, and Extreme Violence in Colonial Namibia*, New York/Oxford 2021; see also Matthias Häussler: 'From Destruction to Extermination: Genocidal Escalation in Germany's War Against the Herero, 1904', in: *Journal of Namibian Studies*, 10, 2011, pp. 55-81.

<sup>37</sup> Häussler: *Genozid*, pp. 197-232.

<sup>38</sup> Matthias Häussler, Trutz von Trotha: 'Brutalisierung "von unten". Kleiner Krieg, Entgrenzung der Gewalt und Genozid im kolonialen Deutsch-Südwestafrika', in: *Mittelweg* 36, 21, 2012, pp. 57-89.

If the more functionally oriented authors assume that the actual genocidal phase only began after the Battle of Waterberg, they have sometimes also argued that it ended earlier than Drechsler, Zimmerer, or Sarkin suppose. Crucial in this respect is the assessment of the camp policy of the colonial power. While Olusoga and Erichsen are convinced that the “death camp was invented” in German South-West Africa and Zimmerer speaks of “extermination by neglect” of the interned,<sup>39</sup> the author of this essay has interpreted the establishment of the concentration camps as a deliberate departure from Trotha’s genocidal extermination policy in the Omaheke. In the course of the Kaiser’s revocation of the extermination order, Reich Chancellor Bülow had instructed the general on December 11, 1904 to set up concentration camps “for the provisional accommodation and maintenance of the rest of the Herero people.”<sup>40</sup> They were to serve the effective control of the Ovaherero and thus ultimately the pacification of the colony. In addition, the colonial power used them as a reservoir for forced laborers and to punish the internees. The undoubtedly extremely high mortality in the camps, so the argument goes, was not the result of a targeted extermination strategy, but the unintended consequence of a whole series of factors: from massive logistical problems in supplying the entire colony with food, to a lack of medical knowledge in the treatment of scurvy, to the racist indifference of German military personnel to the suffering of the prisoners.<sup>41</sup> In this reading, the phase of planned genocide that began in the weeks after the Battle of the Waterberg consequently ended with the intervention from Berlin in December 1904. Violence and death, however, continued.

Klaus Bachmann recently suggested an unusual time frame for the genocidal phase in his book *Genocidal Empires*. He is the only scholar who speaks of genocide in German South West Africa but does not deem the months of pursuit of the Ovaherero and the sealing off of the Omaheke as part of that process. For Bachmann, Trotha’s “genocidal intentions” are clear, but in October 1904 he was not in a position to harm the Herero who were beyond his reach or to effectively seal off the desert. In this respect, Trotha’s extermination order was a pure “public relations stunt” aimed

<sup>39</sup> Olusoga/Erichsen: *Kaiser’s Holocaust*, p. 10; Jürgen Zimmerer: ‘Lager und Genozid. Die Konzentrationslager in Südwestafrika zwischen Windhuk und Auschwitz’, in: Christoph Jahr, Jens Thiel, (eds.): *Lager vor Auschwitz. Gewalt und Integration im 20. Jahrhundert*, Berlin, Metropol, 2013, pp. 54-67.

<sup>40</sup> Telegramm Bernhard von Bülow to Lothar von Trotha, 11.12.1904, BArch, R1001/2089, p. 54.

<sup>41</sup> Kreienbaum: *Fiasco*; Jonas Kreienbaum: “‘Vernichtungslager’ in Deutsch-Südwestafrika? Zur Funktion der Konzentrationslager im Herero- und Namakrieg (1904-1908)”, in: *Zeitschrift für Geschichtswissenschaft*, 58 (12), 2010, pp. 1014-1026. In agreement is Matthias Häussler: ‘Zwischen Vernichtung und Pardon: Die Konzentrationslager in “Deutsch-Südwestafrika” (1904-1908)’, in: *Zeitschrift für Geschichtswissenschaft*, 61 (7/8), 2013, pp. 601-620; and Claudia Siebrecht: ‘Formen von Unfreiheit und Extreme der Gewalt. Die Konzentrationslager in Deutsch-Südwestafrika, 1904-1908’, in: Bettina Greiner, Alan Kramer, (eds.): *Welt der Lager. Zur ‘Erfolgsgeschichte’ einer Institution*, Hamburg, Hamburger Edition, 2013, pp. 87-109.

at impressing his superiors and concealing the failures of his warfare.<sup>42</sup> Genocidal, on the other hand, were the later camp policy of the Germans and the deportations of smaller Nama groups to Togo and Cameroon, Bachmann argues. With reference to the UN Genocide Convention and the verdicts of various international criminal courts from Nuremberg to Rwanda, Bachmann works with a broad conception of genocide. According to him, genocide does not only occur when the members of a group are all to be killed, but already when the plan exists to destroy a group as a group and first actions are taken in that direction. Group destruction was the aim of the deportations, by depriving the Nama of their leaders. Similarly, the camps aimed to turn Ovaherero and Nama into "an amorphous population of isolated individuals and families, deprived of larger cohesion and easy to govern for the German authorities."<sup>43</sup>

However, one might ask whether, with such a broad understanding of genocide, the entire German colonial policy in South-West Africa (and presumably beyond) would not have to be classified as genocidal. After all, Governor Leutwein had already written to the Colonial Department in Berlin at the beginning of the war that the Ovaherero people had to be made "politically dead." Any "tribal government" should be abolished if possible.<sup>44</sup> Accordingly, Häussler attests colonization under Leutwein an "ethnocidal goal as it entailed that indigenous people were expected to give up their political independence and characteristic elements of their cultural identity."<sup>45</sup> And Zimmerer, who shares Bachmann's broad understanding of genocide, indeed argues in a recent article that "German policy [...] aimed from the outset at a fundamental transformation of social conditions in the colony that can be described as genocide, albeit in its cultural variety."<sup>46</sup> Against this background, it seems all the more astonishing that Bachmann absolves German actions after the Battle of the Waterberg from the suspicion of genocide.<sup>47</sup>

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<sup>42</sup> Klaus Bachmann: *Genocidal Empires. German Colonialism in Africa and the Third Reich*, Berlin, Lang, 2018, pp. 57-87, quotations on pp. 80 and 85.

<sup>43</sup> *Ibid.*, pp. 89-162, quotation on p. 158.

<sup>44</sup> Theodor Leutwein to Auswärtiges Amt Kolonial-Abteilung, 23.2.1904, BArch, R1001/2113, pp. 54f.

<sup>45</sup> Häussler: *Genozid*, p. 95. Following Helen Fein, he understands ethnocide as the deliberate destruction of a group or culture that does not resort to the means of physical annihilation of its members.

<sup>46</sup> Zimmerer: 'Lager', p. 63.

<sup>47</sup> See also the reflections of Steffen Eicker, who, in a legal examination of the facts, comes to the conclusion that both the cordoning off of the Omaheke and the camp policy should be considered genocidal. Steffen Eicker: *Der Deutsch-Herero-Krieg und das Völkerrecht. Die völkerrechtliche Haftung der Bundesrepublik Deutschland für das Vorgehen des Deutschen Reiches gegen die Herero in Deutsch-Südwestafrika im Jahre 1904 und ihre Durchsetzung vor einem nationalen Gericht*, Frankfurt am Main, Lang, 2009, pp. 174-183.

## Doubts about the concept of genocide

While there is now a virtual consensus in historical research – as explained above – that the Germans committed genocide in South West Africa, there is still debate about how and why this happened and when exactly this genocide began and ended. Those authors who argue in a more functionalist manner, who do not assume that a plan for the complete extermination of the Ovaherero already existed at the beginning of the war, but rather assume a process of escalation of violence, have also formulated a more fundamental terminological-methodological critique. This criticism is most pronounced in the work of Matthias Häussler. He argues that genocide, as an originally legal category, places the greatest emphasis on the intention, the specific intent, “to destroy, in whole or in part, a national, ethnic, racial or religious group as such.” Only if this is present can certain practices be condemned as genocide. Social scientists and historians studying genocide in general, as well as many students of the mass murder of the Ovaherero in particular, Häussler notes, have adopted the fixation on the intentionality criterion and therefore written “undercomplex” and static interpretations. In an attempt to “overfulfill” the criteria of the genocide definition, he argues, they identify the existence of an extermination plan at the top of the state already at the beginning of the war. Everything that followed is then understood as the gradual implementation of this plan. In the process, the heterogeneity of the actors and their complex interactions are lost, as is the processual unfolding of violence. The “exaggerated intentionalism of genocide studies”, Häussler concludes, misleads scholars to “give the reconstructed events a teleological-deterministic character.”<sup>48</sup>

Daniel Karch formulates a similarly fundamental criticism in his comparative work on the North American Sioux Wars and the colonial wars in German South West Africa. For both cases, he rejects interpretations that assume a “state-driven intention of extermination from the beginning.” Precisely because no “collectively acting society of perpetrators” could be discerned in the colonial space and the idea of a long-prepared plan had little plausibility, he considers the concept of genocide to be unsuitable for the colonial context. For Karch, it reveals a too “mechanistic understanding of acts of unbounded violence.”<sup>49</sup> In view of the problematic implications of the concept of genocide, Birthe Kundrus, who has come to the fore with a series of publications on German South West Africa, and the author of this article have also argued that it should not be used as an analytical term.<sup>50</sup> As important as the classification of the 1904 events as genocide is politically, it can be questioned

<sup>48</sup> Häussler: *Genozid*, pp. 11-21.

<sup>49</sup> Daniel Karch: *Entgrenzte Gewalt in der kolonialen Peripherie. Die Kolonialkriege in ‘Deutsch-Südwestafrika’ und die ‘Sioux Wars’ in den nordamerikanischen Plains*, Stuttgart, Steiner, 2019, pp. 321-328.

<sup>50</sup> Birthe Kundrus, Henning Strotbek: “‘Genozid’. Grenzen und Möglichkeiten eines Forschungsbegriffs – ein Literaturbericht”, in: *Neue Politische Literatur*, 51, (2/3), 2006, pp. 397-423; Birthe Kundrus: *Moderne Imperialisten. Das Kaiserreich im Spiegel seiner Kolonien*, Köln, Böhlau, 2003; Kreienbaum: *Fiasco*, pp. 12f.

whether viewing them through the genocide prism is beneficial or detrimental to understanding the violence against the Ovaherero.

In other words: Current research does agree that the German *Schutztruppe* attempted to exterminate the Herero as a group, at least at certain stages of the war. That genocide occurred is undisputed. However, whether the questions of how and why it occurred can best be analyzed through the concept of genocide seems increasingly questionable.

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## **IV. PRESENT AND FUTURE CHALLENGES**



# The Scientific Re-Presentation of Colonialist Propaganda

## An analysis of the legal opinion by the Scientific Services of the *Deutscher Bundestag* relating to Namibian compensation claims

Harald Kleinschmidt

### Introduction

When dealing with legacies of inexpressible crimes, governments of perpetrator states commonly resort to legalistic strategies in supporting efforts to fend off compensation claims<sup>1</sup> from victims in other states. Such use of legalistic defence strategies is based on the expectation that memories of gross crimes committed in the past will fade away among descendants of the victims of these crimes and are construed as an argumentative bulwark purportedly providing protection until memory fatigue shall allow oblivion to win. In perpetrator states, these strategies become fuelled by various factors, most important among them academically-generated theories that apologetically rationalise apparently strengthening popular trends opposing public efforts to entrench legacies of past inexpressible crimes in collective memories.<sup>2</sup>

The case in point is Germany with its legacies of inexpressible crimes committed collectively under German colonial rule and during World War II. For about thirty years, Germany has faced increasingly strengthening compensation claims, first and foremost from Namibia for the genocide inflicted during and after the war against the Ovaherero and Nama (1904–1908/14), subsequently by victims of the Holocaust,

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<sup>1</sup> I use the term compensation claims in lieu of reparation demands, as the latter term in a legal sense relates to public claims laid down in war-ending treaties between states. These claims, however, do not cover the wide range of private claims articulated by victims or descendants of victims of inexpressible crimes. By these crimes I understand collectively committed crimes against humanity and other gross atrocities which can neither be collectively prosecuted in terms of criminal law (applying to natural persons only) nor be fully atoned for by way of confessions of guilt and apologies. The term compensation translates both, the German *Wiedergutmachung* and *Entschädigung*.

<sup>2</sup> For one, see: Aleida Assmann: *Das neue Unbehagen an der Erinnerungskultur*, Munich, Beck, 2013, pp. 59-106.

mainly from Greece<sup>3</sup> and Poland. The German government has opted for strategies of legalistic defence in its responses to some of these claims, arguing either, in the cases of claims from Greece and Poland, that they had previously been waived under international law, or by insisting, in the case of the genocide of the Ovaherero and Nama, that these claims are not justiciable.<sup>4</sup> However, not surprisingly, the German government has come under increasing pressure to accept the justice of the Ovaherero and Nama compensation claims.<sup>5</sup>

The basic document recording the strategy of legalistic defence the German government has pursued during the first two decades of the 21<sup>st</sup> century in its response to Namibian compensation claims, has been the legal opinion formulated by the Scientific Services of the *Deutscher Bundestag*, the German federal parliament, in 2016.<sup>6</sup> The document (henceforth: the Opinion) has received scarce attention in politics as well as in academic examinations of the inter-state controversies between Namibia and Germany. Instead, the Opinion has been accepted as an appropriate analysis of the legal issues involved both in these controversies and in the more fundamental discrepancies of perceptions between the descendants of the victims of the genocide of the Ovaherero and Nama on the one side, the German government on the other. By implication, the responsibilities of the German government in this case have commonly been addressed as a moral issue. The German government has

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<sup>3</sup> See the recent documentation by Aris Radiopoulos: *Die griechischen Reparationsforderungen gegenüber Deutschland*, Berlin, Metropol, 2022.

<sup>4</sup> In doing so, the German government has used a US court decision seemingly supporting its stance: 'In March 2019, the US court of law in charge has turned down as inadmissible the plaint [by the Herero People's Reparation Corporation], because US courts of law do not have jurisdiction for this plaint due to the principle of state immunity. The decision confirms the position of the German government.' Auswärtiges Amt: 'Aus der Vergangenheit in die Zukunft: Deutsch-Namibische Vergangenheitsbewältigung', 1 July 2019, <https://www.auswaertiges-amt.de/de/ausussenpolitik/afrika/-/1897660>

<sup>5</sup> Sidney L. Harring: 'German Reparations to the Herero Nation. An Assertion of Herero Nationhood in the Path of Namibian Development?', in: *West Virginia Law Review*, 104, 2002, pp. 393-416; Harring: 'The Herero Demand for Reparations from Germany. The Hundred-Year-Old Legacy of a Colonial War in the Politics of Modern Namibia', in: Max du Plessis, Stephen Peté, (eds): *Repairing the Past. International Perspectives for Reparations for Gross Human Rights Abuses*, Oxford, Intersentia, 2007, pp. 437-450; Jeremy Sarkin-Hughes: *Colonial Genocide and Reparations Claims in the 21<sup>st</sup> Century*, Westport, Praeger, 2009, pp. 25-62.

<sup>6</sup> Deutscher Bundestag, Wissenschaftliche Dienste: 'Ausarbeitung: Der Aufstand der Volksgruppen der Herero und Nama in Deutsch-Südwestafrika (1904–1908). Völkerrechtliche Implikationen und haftungsrechtliche Konsequenzen' [Opinion. The Rebellion by the Ethnic Groups of the Herero and Nama in German Southwest Africa. Implications under International Law and Consequences for State Liability], Berlin, Wissenschaftliche Dienste des Deutschen Bundestages, 2016 [WD 2 – 3000 – 112/16 (27 September 2016)], <https://www.bundestag.de/resource/blob/478060/28786b58a9c7ae7c6ef358b19ee9f1f0/wd-2-112-16-pdf-data.pdf>

been ready to accept its moral responsibility for the genocide but has vigorously rejected the proposition that moral responsibilities can lay foundations for compensation claims.<sup>7</sup>

But how solid is the base of the German legalistic defence in the case of the Namibian compensation claims? In what follows, I shall first examine the argument presented through the Opinion in the light of the late 19<sup>th</sup> century theory of colonial war, claiming that wars classed as colonial did not need to be conducted in compliance with positive law of war. I shall then trace the twists and turns of this theory on its way into German government strategy, contextualise the Opinion with German parliamentary and government motions relating to Namibia and deconstruct the German position. I shall conclude with some recommendations for policymaking. The core tenet of my argument shall be: the German strategy of legalistic defence against Namibian compensation claims lifts past colonialist propaganda from the late 19<sup>th</sup> into the 21<sup>st</sup> century, in this sense re-presenting the most perverse aspects of European thought; it is not only untenable in view of international legal norms now in force, but it rests on postulates that were untenable already at the time of the war against Ovaherero and Nama and were then mostly known to have been so.

### **The foundations of the Legal Opinion by the Scientific Services of the *Deutscher Bundestag* of September 27, 2016**

The Scientific Services consist of academically trained staff, predominantly jurists, who rely mainly on secondary material. Even when their research concerns the past, it has the quality of report literature and cannot claim to be based on the scrutiny of original records.<sup>8</sup> This defect has gravely impacted on the Services' various releases relating to Namibia between 2013 and 2017.<sup>9</sup> The early releases had preparatory status leading to the Opinion of 2016 as the principal statement.

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<sup>7</sup> German Foreign Minister Joschka Fischer acknowledged "our historical responsibility" while stressing that "there will be no apology with relevance for compensation" in Windhoek October 2003; Reinhart Köbler: *Namibia and Germany. Negotiating the Past*, Munster, Westfälisches Dampfboot / Windhoek, University of Namibia Press, 2015, p. 242, based on *Allgemeine Zeitung*, Windhoek, 30 October 2003.

<sup>8</sup> Referencing is usually parsimonious and often limited to positions confirming those taken by the Services.

<sup>9</sup> Deutscher Bundestag, Wissenschaftliche Dienste: 'Dokumentation. Zur kolonialen Vergangenheit Deutschlands in Namibia. – Geschichte – Erinnerungskultur – Aufarbeitung', Berlin, Deutscher Bundestag, Wissenschaftliche Dienste, WD 1-3000-069/13, 26 September 2013, <https://www.bundestag.de/resource/blob/405272/fc16f05eb5fea3b4da9ece62b7c3abef/wd-1-069-13-pdf-data.pdf> ; Deutscher Bundestag, Wissenschaftliche Dienste: 'Dokumentation. Die Positionen der im Deutschen Bundestag vertretenen Fraktionen zu den Beziehungen zu Namibia', Berlin, Deutscher Bundestag, Wissenschaftliche Dienste, WD 2-3000-103/13, 13 December 2013), <https://www.bundestag.de/resource/blob/406684/eea8cbfd242fbc14cfd1643dbec042f1/wd-2-103-13-pdf-data.pdf> ; Deutscher Bundestag, Wissenschaftliche Dienste: 'Sachstand. Zur



The title of the Opinion *The Rebellion by the Ethnic Groups of the Herero and Nama in German Southwest Africa. Implications under International Law and Consequences for State Liability* already sets the tone. It refers to the war as rebellion (Aufstand) and classes the state populations on the African side as ethnic groups (Volkgruppen), thereby denying statehood, sovereignty and subjecthood under international law to the Ovaherero and Nama.<sup>10</sup> The rest of the text abounds with similar discriminatory

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Einordnung historischer Sachverhalte als Völkermord', Berlin, Deutscher Bundestag, Wissenschaftliche Dienste, WD 2-3000-092/15, 29 May 2015, <https://www.bundestag.de/resource/blob/459004/ca4beaf04bbf08916db7ba711331184e/W/D-2-092-15-pdf-data.pdf>; Deutscher Bundestag, Wissenschaftliche Dienste: 'Dokumentation. Zur Debatte um Wiedergutmachung und Entschädigung von Herero von Nama in Namibia. Zusammenstellung von Presseartikeln, Aufsätzen, Büchern', Berlin, Deutscher Bundestag, Wissenschaftliche Dienste WD 1-300-011/17, 29 May 2017, <https://www.bundestag.de/resource/blob/535382/fd9b443ce9d3692afb28ddff1348abe2/W/D-1-011-17-pdf-data.pdf>

<sup>10</sup> At the time of the release of the Opinion, historians and political scientists had gone to great length in documenting that the atrocities committed by Germans against Ovaherero and Nama in the course of the war were genocide. See Medardus Brehl: *Vernichtung der Herero. Diskurse der Gewalt in der deutschen Kolonialliteratur*, Paderborn, Fink, 2007, pp. 75-100; Isabel Virginia Hull: *Absolute Destruction. Military Culture and the Practice of War in Imperial Germany*, Ithaca, Cornell University Press, 2004, pp. 5-90; Gesine Krüger: *Kriegsbewältigung und Geschichtsbewußtsein. Realität, Deutung und Verarbeitung des deutschen Kolonialkrieges in Namibia. 1904–1907*, Göttingen, Vandenhoeck & Ruprecht, 1999; Henning Melber: 'Contested Notions of Genocide and Commemoration. The Case of the Herero in Namibia', in: Nigel Eltringham, Pamela McLean, (eds): *Remembering Genocide*, London, Routledge, 2014, pp. 152-173; David Olusoga, Casper E. Erichsen: *The Kaiser's Holocaust. Germany's Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber & Faber, 2010, Chap. 5; Dominik J. Schaller: *Genocide in Colonial Southwest Africa. The German War against the Herero and Nama. 1904–1905*, London, Routledge, 2011; Jeremy Sarkin-Hughes: *Germany's Genocide of the Herero*, Woodbridge, Currey, 2011; Jürgen Zimmerer: 'Krieg, KZ und Völkermord in Südwestafrika. Der erste deutsche Genozid', in: idem, Joachim Zeller, (eds): *Völkermord in Deutsch-Südwestafrika. Der Kolonialkrieg (1904–1908) in Namibia und seine Folgen*, Berlin, Links, 2003, pp. 45-63; idem: 'Colonial Genocide. The Herero and Nama War (1904–1908) in German South West Africa and its Significance', in: Dan Stone, (ed.): *The Historiography of Genocide*, Basingstoke, PalgraveMacmillan, 2004, pp. 323-343; idem: 'Rassenkrieg und Völkermord. Der Kolonialkrieg in Deutsch-Südwestafrika und die Globalgeschichte des Genozids', in: Henning Melber, (ed.): *Genozid und Gedenken. Namibisch-deutsche Geschichte und Gegenwart*, Frankfurt, Brandes & Apsel, 2005, pp. 23-48; idem: 'Das Deutsche Reich und der Genozid. Überlegungen zum historischen Ort des Völkermordes an den Herero und Nama', in: *Ethnologica*, 24, 2004, pp. 106-123; idem: 'Der erste Genozid des 20. Jahrhunderts. Der deutsche Vernichtungskrieg in Südwestafrika (1904–1908) und die Globalgeschichte des Genozids', in: idem: *Von Windhuk nach Auschwitz. Beiträge zum Verhältnis von Kolonialismus und Holocaust*, Munster, LIT, 2011, pp. 40-70. Solely maverick historian Klaus Bachmann: *Genocidal Empires. German Colonialism in Africa and the Third Reich*, Berlin, Lang, 2018, pp. 131-180 (155), has maintained that the genocide did not occur

terms ranging from chiefs (Häuptlinge) to tribes (Stämme), all derived from the diction of late 19<sup>th</sup>-century colonialism.<sup>11</sup> The argument starts with a discussion of the Geneva Convention on the Amelioration of the Lot of the Wounded in War of August 22, 1864 and concludes that the Convention, although signed by the German Empire, was not applicable to the war against Ovaherero and Nama, because neither “Namibia, German Southwest Africa nor the Herero” (p. 7; the Nama were omitted at this point) had signed it. The lack of their accession was allegedly crucial, because treaties under international law constitute *inter-partes* obligations, binding signatory parties only.<sup>12</sup> In the perception of the Opinion, the German Empire, in inflicting genocide upon the Ovaherero and Nama, had not violated the Geneva Convention of 1864 (pp. 6f.) while it had acted in accordance with the Final Act of the Berlin Africa Conference of 1885 (p. 8).<sup>13</sup> In support of its verdict, the Opinion relied on a doctoral dissertation accepted by the University of Marburg in 2008.<sup>14</sup> The dissertation maintains that the “Geneva Convention protects only wounded combatants and civilians supporting the wounded” and that the “Herero cannot be included into any of these groups.”<sup>15</sup> However, the Opinion overlooked rarely quoted Article 9 of the Convention which obliges parties to “communicate the present Convention with an invitation to Governments unable to appoint Plenipotentiaries to the International Conference at Geneva”. The logic behind Article 9 is straightforward: As only a dozen European states signed the original convention, it would have been useless as long as no further states acceded to it. But no case is known in which a European colonial government invited an African government to join the Convention. Such an invitation

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in the course of the war but during the subsequent mass killings through forced labour in death camps.

<sup>11</sup> Similarly in Deutscher Bundestag: ‘Positionen’, p. 4 (quotes from the motion by the party *Die Linke* of 29 February 2012); *Vergangenheit*, p. 4. Academic literature is far from free from this diction; for a recent case see: Susanne Kuß: ‘Der Herero-Deutsche Krieg und das deutsche Militär. Kriegsursachen und Kriegsverlauf’, in: Larissa Förster, Dag Henrichsen, Michael Bollig, (eds): *Namibia – Deutschland. Eine geteilte Geschichte. Widerstand – Gewalt – Erinnerung*, Wolfratshausen, Ed. Minerva, 2004, pp. 62-77 (62).

<sup>12</sup> Without acknowledgment following, at this point, John Westlake: *Chapters on the Principles of International Law*, Cambridge, Cambridge University Press, 1894, p. 136.

<sup>13</sup> With regard to the Final Act of the Berlin Africa Conference, the Opinion takes the view that the Ovaherero and Nama had threatened the state power of the German Empire and that, as the Opinion states, the use of force was legal by the norms of international law valid at the time of the war (p. 8). In doing so, the Opinion sides with the European colonial governments at the time of the genocide, as none of the signatories of the Berlin Final Act is known to have then filed a protest against the German Empire. This apologetic stance has already been taken by: Jörg Schildknecht: *Bismarck, Südwestafrika und die Kongokonferenz*, Munster, LIT, 1999, p. 307.

<sup>14</sup> Steffen Eicker: *Der Deutsch-Herero-Krieg und das Völkerrecht. Die völkerrechtliche Haftung der Bundesrepublik Deutschland für das Vorgehen des Deutschen Reiches gegen die Herero in Deutsch-Südwestafrika*, Frankfurt, Lang, 2009.

<sup>15</sup> *Ibid.*: pp. 146f.

could easily have been extended on occasion of the conclusion of treaties. Because the German government failed to invite the Ovaherero and Nama as its treaty partners to accede to the Convention, thereby breaking it, the argument collapses that the Convention was invalid with regard to African states. This argument could only have been feasible in the case that an African state, when invited to join, had refused to do so. No case of such a refusal is on record. Consequently, it is inappropriate in a current legal context to claim that the Ovaherero and Nama, being residents in recognised sovereign states, remained beyond the reach of the Geneva Convention, even if, at the time of the genocide, the view may have been held that the German Empire was entitled to ignore the Convention. In any case, the Opinion admits that the claim for not having been obliged to act in accordance with the Geneva Convention of 1864 is not core to the German government defence.

However, the Opinion goes much further in positing that European governments in general were then not bound by international law in their relations with African states and, by consequence, appeared to be in a legally justified position to deny statehood, sovereignty and subjecthood under international law to African states, to refrain from inviting African governments to join multilateral agreements, and to refuse to honour the bilateral treaties European governments themselves had concluded with African partners. The Opinion constitutes some right of colonial expansion, allegedly enshrined in the Berlin Final Act and, by consequence, takes the legality of colonial suppression as a given. Likewise, the Opinion deprives African states of the *ius ad bellum* and downgrades their military resistance to seemingly illegitimate rebellion, against which, according to the Opinion, colonial governments were entitled to use military force at their discretion. In taking this stance, the Opinion unabashedly repeats ideologies of colonial suppression of the turn of the 20<sup>th</sup> century and positions these ideologies as seemingly unequivocal statements of facts. In the view of the Opinion, the doings of European colonial governments in their African dependencies appeared to be internal affairs.

The Opinion thus makes believe that, through the treaties concluded between the Ovaherero, the Nama, and the German Empire in 1885, the German government acquired "territories in its own right" (p. 10). The treaties, it concedes, did acknowledge "some degree of subjecthood under law", but that concession is not allowed to mean that "the German Empire ascribed to them subjecthood under international law" (p. 12). Yet, the Opinion fails to clarify what kind of subjecthood of states can possibly exist if not under international law. Instead, it posits that, with the beginning of the war in 1904, "the treaties of protection were revoked or became obsolete" (p. 12), and that "the order of the colonial state more and more had replaced the treaties of protection" (pp. 12f.). The clumsiness of the argument is evident: Neither the treaty between the Nama and the German Empire of September 15, 1885, nor the treaty between the Ovaherero and the German Empire of October 21, 1885, featured a stipulation according to which the German Empire acquired territory. On the contrary, the Nama-German treaty states that "His Majesty the German Emperor acknowledges

all rights and the freedom" that the Nama had previously ascertained.<sup>16</sup> And the Herero-German treaty featured a motivation clause according to which "Supreme Chief Maharero" was "guided by the desire to solidify the friendly relations in which he and his people have lived together with the Germans for years", thereby constituting the agreement as a treaty of amity under international law.<sup>17</sup> None of these treaties expired or became otherwise invalid by some automatism nor was any of them ever scrapped, but they continued in force.<sup>18</sup> They were "treaties of protection" in the sense of the classificatory term subsequently defined in the Protectorate Act of 1888. The act determined German colonial rule as suzerainty over the states whose governments had previously entered into treaty relations with the German Empire.<sup>19</sup> This was in line with the general concept of protectorate, as defined according to the Berlin Final Act in conjunction with 19<sup>th</sup> century international legal theory.<sup>20</sup> While some treaties exist, stipulating the cession of some lands (*dominium*) to European governments, these cessions never annihilated the sovereignty of the ceding state (*imperium*) on the African side.<sup>21</sup> Also, according to European public law

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<sup>16</sup> Treaty German Empire – Nama, 15 September 1885, in: Clive Parry, (ed.): *The Consolidated Treaty Series [CTS]*, vol. 165, Dobbs Ferry, Oceana, 1981, pp. 12-14 (12, Art. I.; 12-13, Art. III.)

<sup>17</sup> Treaty German Empire – Herero, 21 October 1885, in: *CTS*, vol. 165, pp. 14-16, at p. 14, Art. I.

<sup>18</sup> Even though this procedure was recommended by jurists; see: Hermann Hesse: *Die Schutzverträge in Südwestafrika*, Berlin, Süsserott, 1905, p. 91.

<sup>19</sup> German Empire: 'Gesetz betreffend die Rechtsverhältnisse der deutschen Schutzgebiete [Reichsschutzgebietsgesetz] vom 19. März 1888', in: Norbert B. Wagner, (ed.), *Archiv des Deutschen Kolonialrechts*, second edn, Brühl, Wagner, 2008, pp. 28-30 [first published in: *Reichsgesetzblatt* (17 April 1888), p. 75].

<sup>20</sup> Lassa Francis Lawrence Oppenheim: *International Law*, vol. 1, second ed., London, Longman, 1912, p. 275 (§ 220).

<sup>21</sup> For examples from the earlier 19<sup>th</sup> century, see Treaty North Bulloms (Sierra Leone) – United Kingdom of Great Britain and Ireland, 2 August 1824, in: *CTS*, vol. 74, pp. 389-393 (390-391); Treaty Sherbro – United Kingdom of Great Britain and Ireland, Plantain Island, 24 September 1825, in: *CTS*, vol. 75, pp. 380-384 (382-383); Treaty France – Bissési/Dingavare/Sandigéry in Haute Casamance (Senegapp), 1839, in: Archives Nationales du Sénégal 10D1/65 [partly printed in: Isabelle Surun, 'Une souveraineté à l'encre sympathique? Souveraineté autochtone et appropriations territoriales dans les traits franco-africaines au XIX<sup>e</sup> siècle', in: *Annales* 69, 2014, p. 321]; Treaty Combo – United Kingdom of Great Britain and Ireland, 13 July 1840, in: *CTS*, vol. 90, pp. 283-284 (284). Several further cases dated from the mid-1880s. The most notorious of the late 19<sup>th</sup> century cession agreements involving Germany were the nine contracts made out between November 1884 and June 1885 by which the involved African governments were made to cede first to the 'Society for German Colonization' and subsequently to the 'German East African Company' 'all ... territory

of treaties between states, current at the time, such treaties could only be concluded between sovereign equals.<sup>22</sup> Therefore, there is no way of arguing that treaties between African and European states, let alone the African signatory parties, vanished from the international scene. Instead of scrutinising the treaties and consulting related international legal theory of the time of the war, the Opinion again relied on the findings of the Marburg dissertation.<sup>23</sup> Ironically, the treaties agreed upon between the Ovaherero and Nama on the one side, the German Empire on the other, have remained legally in force at least until the day Namibia accomplished independence as a sovereign state.<sup>24</sup> Even jurists, who, at the time of the war, believed in the legitimacy of German colonial suppression, took the view that, when the Herero and Nama declared war upon the German Empire, the treaties existing between the warring parties had not gone out of force but should be declared null and void by the German side.<sup>25</sup> However, the German government did not follow this proposal. In

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with all its civil and public appurtenances ... for the exclusive and universal utilization for German colonization'; Contract Mangungo, Sultan of Msovero in Usagara – Carl Peters on behalf of the Society for German Colonization, 29 November 1884, in: *CTS*, vol. 164, pp. 395-396 (395, Art. I; the subsequent articles featured the dispositive statements). The other contracts are in: *CTS*, vol. 165, pp. 1-16. These contracts were not *per se* treaties under international law, as on the German side, a private organisation (the Society for German Colonization) was involved instead of the government of the German Empire. However, the German government in retrospect turned these contracts into instruments under international law by acknowledging them through an 'Imperial Letter of Protection' (*Kaiserlicher Schutzbrief*), dated 27 February 1885 and placed under its 'suzerainty' (*Oberhoheit*) the territories specified in the existing contracts as well as territories over which contracts were to be made out in the future; see: 'Kaiserlicher Schutzbrief für die Deutsch-Ostafrikanische Gesellschaft vom 27. Februar 1885', in: Bruno Kurtze: *Die Deutsch-Ostafrikanische Gesellschaft. Ein Beitrag zum Problem der Schutzbriefgesellschaften und zur Geschichte Deutsch-Ostafrikas*, Jena, Fischer, 1913, pp. 9-10. It is important to note that this 'Letter of Protection' was unilaterally issued to the German East African Company and not intended to provide protection to African populations. German colonial suppression in East Africa came about in the legal form of a 'Protectorate' agreed upon through a bilateral treaty between the German Empire and the United Kingdom in 1890; see treaty German Empire – United Kingdom of Great Britain and Ireland, 1 July 1890, in: *CTS*, vol. 173, pp. 272-284 (esp. 280, Art. VII), unlawfully treating the African side as an uninvolved third party.

<sup>22</sup> For one, Travers Twiss: *The Law of Nations Considered as Independent Political Communities*, vol. 1, Oxford, Oxford University Press, 1863, p. 11.

<sup>23</sup> Eicker: *Krieg*, pp. 116-142, 287-291.

<sup>24</sup> For a discussion of the evidence see Harald Kleinschmidt: 'Decolonisation, State Succession, and a Formal Problem of International Public Law', in: *German Yearbook of International Law*, 58, 2015, pp. 265-316.

<sup>25</sup> Hesse: *Schutzverträge*, p. 159.

positing that these treaties had ceased to be of effect, the Opinion radicalised German propaganda from the time of the war.

Most importantly, the Opinion reviews the Hague Convention on Land Warfare of 1899. It pontificates that the Convention “was not applicable already because both ethnic groups [i.e. Ovaherero and Nama] were not parties to the Convention” (pp. 9-10). The Opinion concludes that the conflict of arms was a “purely domestic affair ... and was not a war in the sense of Art. 2” of the Convention, and defines “war in the classical sense as an armed conflict between independent states” (p. 10). Apart from generalising the Clausewitzian definition of war into a legal term, the Opinion is based on an insufficient reading of Art. 1 of the Convention, which explicitly includes non-state and non-signatory parties with regular armed forces and willingness to honour the Convention.<sup>26</sup> The Ovaherero and Nama met these conditions. Therefore, even though the Hague Convention relied on the Clausewitzian definition of war, it was valid with regard to the war against the Ovaherero and Nama, and, within their own perception, the governments of the Ovaherero and Nama acted as heads of sovereign states using what they regarded as their given *ius ad bellum* under a culturally specific variant of natural law.<sup>27</sup>

In sum, the Opinion not only restates without scruples colonialist propaganda of the late 19<sup>th</sup> and early 20<sup>th</sup> century as purportedly unalterable facts but it confines itself to European doctrine and completely ignores perceptions of the African side,<sup>28</sup> specifically the motivation of the Ovaherero and Nama to declare war on the German Empire due to their experience that the German side had not honoured the agreements guaranteeing African sovereign statehood. As the Opinion does not

<sup>26</sup> International Convention on the Laws and Customs of the War on Land, The Hague, 29 July 1899, in: *CTS*, vol. 187, pp. 429-442 (436). This, of course, is a position that the Scientific Services also articulated elsewhere (‘Sachstand’, p. 8) and shared with the one or the other author of the academic world; see: Eicker: *Krieg*, pp. 117-128, 133-142, 153; Jörn Axel Kämmerer, Jörg Föh: ‘Das Völkerrecht als Instrument der Wiedergutmachung?’, in: *Archiv des Völkerrechts*, 42, 2004, pp. 294-328 (319-320); Kuß: ‘Herero-Deutsche Krieg’, p. 62; Nii Lante Wallace-Bruce: ‘Africa in International Law. The Emergence of Statehood’, in: *Journal of Modern African Studies*, 23, 1985, pp. 575-602 (578, 579, 581). For criticisms see Harring: ‘Reparations’, pp. 406-407; Köbler: *Namibia*, pp. 240-241; Sarkin-Hughes: *Genocide*, pp. 185-189.

<sup>27</sup> Samuel Maharero, ‘[Letter to Theodor Leutwein, Gouverneur von Deutsch-Südwest-Afrika, 6 March 1904]’, in: Paul Rohrbach: *Deutsche Kolonialwirtschaft. I. Band: Südwest-Afrika*, Berlin, Hilfe, 1907, pp. 333-334 [English version in: Jeremy Silvester, Jan-Bart Gewald: *Words Cannot be Found. German Colonial Rule in Namibia. An Annotated Reprint of the 1918 Blue Book*, Leiden, Brill, 2003, pp. 99-100]; Hendrik Witbooi, ‘[Letter to Maharero Tyamuaha, Hornkranz, 30. Mai 1890]’, in: Wolfgang Reinhard, (ed.): *Afrika den Afrikanern! Aufzeichnungen eines Nama-Häuptlings aus der Zeit der deutschen Eroberung Südwestafrikas 1884 bis 1894*, Berlin, Dietz, 1982, pp. 89-93.

<sup>28</sup> Simultaneously in the same vein, Patrick O. Heinemann: ‘Die deutschen Genozide an den Herero und Nama: Grenzen der rechtlichen Aufarbeitung’, in: *Der Staat*, 55, 2016, pp. 461-487.

establish firm legal grounds but simply ruminates European colonialist propaganda,<sup>29</sup> the legal base of the German defence collapses. In fact, neither the long series of treaties, signed under international law between African and European governments from the seventeenth to the earlier twentieth century,<sup>30</sup> nor the European public law of treaties, provided for such things as some right of colonial expansion onto settled territories or some entitlement for the subjection of sovereign states to any form of external control. Instead of scrutinising legal records, the Opinion draws on an extremely limited corpus of secondary literature and posits that what has been told over and over again during the past hundred or so years should have passed the test of truth. True, the government of the German Empire, in 1904, decided to ignore the sovereign statehood of the warring parties opposing it. But that decision does not convey legitimacy on the government of the Federal Republic of Germany to repeat the colonialist stance of its predecessor.

How has it become possible that colonialist propaganda from the period of high imperialism found its way into German government decision-making so easily in the 21<sup>st</sup> century? The answer to this question is to be found in the continuity of adherence to the imperialist theory of colonial war<sup>31</sup> which has formed the platform for conceptualising the so-called asymmetric war from the 1970s.

## The theory of colonial war and its legacy

During the 18<sup>th</sup> century, the concept of small war comprised, within a larger strategic plan of regular wars, certain elements that were entrusted to auxiliary and specific

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<sup>29</sup> Thus already: Sarkin-Hughes: *Genocide*, pp. 185-189.

<sup>30</sup> Treaty Monomotapa – Portugal, c. 1629, in: Julio Firmino Judice Biker, (ed.): *Collecção de tratados*, vol. 1, Lisbon, Impr. Nacional, 1856, p. 234; treaty Bunyoro – United Kingdom of Great Britain and Ireland, 23 October 1933, in: Neville Turton, John Bowes Griffin, Arthur W. Lewey, (eds): *Laws of the Uganda Protectorate*, vol. 6, London, HMSO, 1936, pp. 1412-1418.

<sup>31</sup> For discussions of the theory in the context of the War against Ovaherero and Nama see Matthias Häussler: 'Zur Asymmetrie tribaler und staatlicher Kriegführung in Imperialkriegen. Die Logik der Kriegführung der Herero in vor- und frühkolonialer Zeit', in: Tanja Bühler, Christian Stachelbeck Dierk Walter, (eds): *Imperialkriege von 1500 bis heute*, Paderborn, Schöningh, 2011, pp. 177-195; idem, Trutz von Trotha: 'Brutalisierung "von unten". Kleiner Krieg, Entgrenzung der Gewalt und Genozid im kolonialen Deutsch-Südwestafrika', in: *Mittelweg* 36, 21, 2012, pp. 57-87 (58-59), with a definition of the colonial war as a 'small war'; Häussler: *Der Genozid an den Herero. Krieg, Emotion und externe Gewalt in "Deutsch-Südwestafrika"*, Weilerswist, Velbrück, 2018, pp. 233-281 [English version, Oxford, New York, Berghahn, 2021]; idem: 'On Asymmetric Warfare. The Case of the OvaHerero in Precolonial and Early Colonial Times', in: Wolfram Hartmann, (ed.): *Nuanced Considerations. Recent Voices in Namibian-German Colonial History*, Windhoek, Orumbonde Press, 2019, pp. 41-60; Trutz von Trotha: 'Genozidaler Pazifizierungskrieg. Soziologische Anmerkungen zum Konzept des Genozids am Beispiel des Kolonialkrieges in Deutsch-Südwestafrika 1904–1907', in: *Zeitschrift für Genozidforschung*, 2, 2003, pp. 31-58.

contingents, such as the protection of camps and support for logistics.<sup>32</sup> From the early 19<sup>th</sup> century, however, the concept began to cover forms of combat that appeared to be conducted outside the framework of regular war. During the 18<sup>th</sup> century, the conceptual and legal distinction between the battlefields of combatants and the settlements of non-combatants had usually been observed, even though it could happen that a settlement was located in the middle of a battlefield. Whereas Carl von Clausewitz and contemporary theorists alike took this distinction for granted,<sup>33</sup> its blurring was manifest in the change of meaning of the word partisan in many European languages.<sup>34</sup> Since the turn of the 19<sup>th</sup> century, the meaning of this word began to comprise irregular warriors who did not appear to be bound by the norms and conventions of the law of war. The partisan thus came to denote a novel type of warrior who had neither combatant status nor the obligations to carry weapons openly and to identify himself as member of a regular army by wearing uniform. Once the concept of the small war covered combat against partisans in the new sense of the word, it could become equated with irregular war, with the implication that non-combatants could become targets of irregular wars, if they were accused of cooperating with or sheltering partisans.

The change of the concept of small war impacted immediately upon the conduct of war, becoming evident through the Spanish resistance against the invasion of French troops under Napoleon during the Peninsular War. In his *Confession* of 1812, Clausewitz explicitly referred to events of this war, when he discussed the cruel treatment of [then] so-called insurgents taken as prisoners of war by the regular French invasion army. Clausewitz justified the harsh treatment with the tactical argument that, in this case, the insurgents could only have been overcome through the use of a higher degree of cruelty than that applied by the insurgents themselves. Specifically, *guerilla* came in use as a term for patterns of combat action, which turned

<sup>32</sup> Among others, see Andrew Emmerich[h], (ed.): *The Partisan in War*, London, s.n., 1789. For studies see Laurent Nerich: *La Petite Guerre et la chute de la Nouvelle France*, Outrement, Que, Athéna Éd., 2009, pp. 45-64; Sandrine Picaud-Monnerat: *La petite guerre au XVIII<sup>e</sup> siècle*, Paris, Economica, 2010, pp. 154-170, 433-545; George Satterfield: *Princes, Posts and Partisans. The Army of Louis XIV and Partisan Warfare in the Netherlands. 1673–1678*, Leiden, Brill, 2003, pp. 89-131.

<sup>33</sup> Adam Heinrich Dietrich von Bülow: *Geist des neuern Kriegssystems*, second ed., Hamburg, Hofmann, 1805, pp. 211-212, 225-226, 238, 240, 246; Johann Jakob Otto August Rühle von Lilienstern: *Apologie des Kriegeres* [1814], ed. Jean-Jacques Langendorf, Vienna, Karolinger, 1984, p. 62.

<sup>34</sup> Ludolf Pelizaeus: 'Die Radikalisierung des Krieges der "Guerilla" auf der Iberischen Halbinsel und in Süditalien. 1808–1813', in: Sönke Neitzel, Daniel Hohrath, (eds): *Kriegsgreuel. Die Entgrenzung der Gewalt in kriegerischen Konflikten vom Mittelalter bis ins 20. Jahrhundert*, Paderborn, Schöningh, 2008, pp. 205-221; Martin Rink: *Vom "Partheygänger" zum Partisan. Die Konzeption des kleinen Krieges in Preußen. 1740–1813*, Frankfurt, Lang, 1999; idem: 'Die Verwandlung. Die Figur des Partisanen vom freien Kriegsunternehmer zum Freiheitshelden', in: Stig Förster, (ed.): *Rückkehr der Condottieri? Krieg und Militär zwischen staatlichem Monopol und Privatisierung*, Paderborn, Schöningh, 2010, pp. 153-169.



non-combat settlements into battlefields and allowed *guerilleros* to use non-combatant settlements as shelter.<sup>35</sup> Hence, the obfuscation of the dividing line between battlefields and non-combatant settlements became part of the technical terminology of the small war. First and foremost, settlements turned into battlefields when commanders of regular armed forces decided to hunt for insurgents in response to their use of hit-and-run tactics. In this way, commanders of regular armed forces, as Jakob Otto August Rühle von Lilienstern critically diagnosed, "removed the old absolute barrier between the civilian and the military completely with the effect that the army became nationalized and the nation militarized." His contemporary Antoine Henri de Jomini judged this type of national wars to be the most destructive and frightening of military conflicts.<sup>36</sup> The new definition of the small war, in its widest meaning, then included the entire population of states at war.

The new concept of the small war as total war soon transpired onto warfare by European armies in other parts of the world. The British command in the war against the Xhosa in 1811/12 decided to apply the tactics of the small war, albeit neither using the terminology nor devoting any theoretical considerations to its decision.<sup>37</sup> But soon, the French military occupation of Algiers in 1830, which local populations were resisting, formed the background for the refinement of the concept. Without familiarity of the innovations of European military theory and terminology, but with precise insight into the strategic limitations of the French occupation army, one of the leaders of Algerian military resistance, Sidi d'Haddsch Abd el-Kader Uled Mahiddin, quickly adopted patterns of partisan guerilla warfare,<sup>38</sup> through which the resistance forces could stand up against the better-equipped invasion army. Lack of knowledge of the topography, the languages and cultures of occupied population groups on the

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<sup>35</sup> Carl von Clausewitz: 'Meine Vorlesungen über den Kleinen Krieg 1810/11', in: idem: *Schriften–Aufsätze–Studien–Briefe*, ed. Werner Hahlweg, Göttingen, Vandenhoeck & Ruprecht, 1966, pp. 208-599 (231-232). Sebastián de Covarrubias y Orozco: *Tesoro de la lengua castellana o española*, Madrid, Sanchez, 1611, p. 666, defined the *guerrilla* as an illegal type of combat among groups of subjects to a ruler, with obvious reference to the activities of the early 16<sup>th</sup> century *Comuñeros*. By the beginning of the 19<sup>th</sup> century, the word had cast this specific meaning off: Werner Hahlweg, *Guerilla*, Stuttgart, Kohlhammer, 1968, pp. 11-12, 21-23; Sandrine Picaud-Monnerat: 'La réflexion sur la petite guerre à l'orée du XIX<sup>e</sup> siècle. L'exemple de Clausewitz', in: *Stratégique*, 97/98, 2009, pp. 123-147.

<sup>36</sup> Rühle von Lilienstern: *Apologie*, pp. 68-69; Antoine Henri de Jomini: *Abriß der Kriegskunst*, [1830], ed. Albert von Boguslawski, Berlin, Wilhelmi, 1881, pp. 34, 37, adducing as supportive evidence his own experiences during the Peninsular War.

<sup>37</sup> Martin Rink: 'Kleiner Krieg – Guerilla – Razzia. Die Kriege des "französischen Imperiums" 1808–1848', in: Tanja Bühner, Christian Stachelbeck, Dierk Walter, (eds), *Imperialkriege von 1500 bis heute*, Paderborn, Schöningh, 2011, pp. 425-442; idem: 'Vom kleinen Krieg zur Guerilla. Wandlungen militärischer und politischer Semantik im Zeitalter Napoleons', in: Rasmus Beckmann, Thomas Jäger, (eds): *Handbuch Kriegstheorien*, Wiesbaden, Springer VS, 2011, pp. 359-370.

<sup>38</sup> Carl von Decker: *Algerien und die dortige Kriegsführung*, vol. 1, Berlin, Herbig, 1844, pp. 358-362.

side of the French invasion army often allowed the resistance forces to ambush the invaders, who did not suffer serious defeats but received painful setbacks. Prussian officer Carl von Decker, teacher at the Royal Military Academy in Berlin and observer of the Algerian war theatre, was the first to describe the new patterns of combat in detail. Decker gave full expression to the concept of small, irregular, and total war as a type of combat typical for warfare in European overseas colonial dependencies. According to Decker, who was in full agreement with French supreme commander Thomas-Robert Bugeaud de la Piconnerie on this issue, French warfare in Algiers was not a regular war but a military expedition to the end of enforcing French occupation against allegedly unlawful resistance from the local population. Decker classed this population as nomads against whom French occupation forces appeared not to be tied to the norms of the law of war.<sup>39</sup> The Algerian war theatre produced the neologism *razzia* for this type of warfare,<sup>40</sup> and Decker confirmed the novelty of this word with his observation that the existing literature on the art of war and its underlying theories had nothing to say about the *razzia*.<sup>41</sup>

Most notably, Charles Edward Callwell, after having served as a British intelligence officer in South Asia, systematised the concept of colonial war for which he used the phrase small wars. At the end of the 19<sup>th</sup> century, he categorised small wars as irregular military conflicts and included all operations other than engagements of regular armed forces on both sides. Specifically, Callwell wished to cover all kinds of "expeditions against savages or semi-civilised races by disciplined soldiers, campaigns undertaken to suppress rebellions and guerilla warfare in all parts of the world where organised armies are struggling against opponents who will not meet them in the open field."<sup>42</sup>

In the first place, Callwell analysed the Indian Mutiny, British operations in Egypt and Sudan, the British pacification of the Burmese Highlands, as well as the US government military responses against purportedly nomadic "Red Indians". Callwell categorised these military conflicts as acts of the use of force within a state and argued that they had been undertaken as means to preserve established British colonial and US federal government rule. Small wars, according to Callwell, did not necessarily differ from regular wars in terms of the intensity of the use of force but essentially with regard to the asymmetry of the legal statuses of warring parties.<sup>43</sup> Callwell did

<sup>39</sup> Thomas-Robert Bugeaud de la Piconnerie: *Par l'épée et par la charrue*, ed. Paul Azan, Paris, Presses Universitaires de France, 1948, pp. 55-58, 125.

<sup>40</sup> Thomas Rid: 'Razzia. A Turning Point in Modern Strategy', in: *Terrorism and Political Violence*, 21, 2009, pp. 617-635.

<sup>41</sup> Decker: *Algerien*, vol. 2, pp. 104f.

<sup>42</sup> Charles Edward Callwell: *Small Wars*, London, HMSO, 1896, p. 21. For a study of colonial warfare, though not of the theory of colonial wars see Frank Füredi: *Colonial Wars and the Politics of Third World Nationalism*, London, Tauris, 1994, pp. 109-141.

<sup>43</sup> Callwell: *Wars*, pp. 21f., 26.

not hesitate to acknowledge revenge and sanction for offenses as aims of small wars, even though the law of war did not admit such aims.<sup>44</sup>

Callwell's concept of small war was far broader than any of the definitions dating from the early 19<sup>th</sup> century. It comprised all forms of the use of force, including occupation, in which no more than one regular army was believed to be engaged. Callwell grouped into enemies of regular armies non-uniformed troops and fighting forces such as guerillas and banditti, who appeared to him not to be willing to subject themselves to the control of established governments. He applied this definition even in cases of military conflicts, such as the British war against the then sovereign Kingdom of Ashanti in 1873/1874, which had involved regular armies on both sides and featured battles in the open field, military occupation as well as sieges.<sup>45</sup>

The common tactical element of all small wars thus was, in Callwell's perspective, the purported refusal of battles in the open field by the enemies of European regular armies. Within this perspective, Callwell expanded *razzia* tactics to a general theoretical principle enshrined in the concept of colonial wars against resistance groups, which were seemingly unwilling or unable to organise themselves in states according to European patterns. Callwell claimed that such groups of alleged rebels and *guerilleros*, denounced as "half-civilised races or wholly savaged tribes"<sup>46</sup> were not following the rules of regular warfare. According to this logic, resistance against colonial rule was illegitimate per se and from its very beginning. Campaigns against resisting groups as expeditions were not wars in the sense of the law of war, regardless of conflicting perceptions current among opposing sides.<sup>47</sup> Hence, Callwell justified under state law what he took to be expeditions as acts of the suppression of seemingly illegitimate resistance against purportedly legitimate rule. By consequence, within Callwell's military theory, armies deployed in these expeditions could aim at harming, and even killing, armed combatants as well as unarmed non-combatants. The law of war, in Callwell's view, remained blunt vis-à-vis these expeditions, and the delimitation of the use of military force remained unsanctioned beyond disciplinary measures. Callwell's expeditions, therefore, were total wars because they purposefully blurred the conceptual boundary between combatants and non-combatants. Yet truly cynical was Callwell's conclusion by which he put the blame for the totalisation of colonial wars on the victims of colonial rule, arguing that "regular forces are compelled, whether they liked it or not, to conform to the savage method of battle."<sup>48</sup>

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<sup>44</sup> Christian Wolff: *Grundsätze des Natur- und Völkerrechts*, Halle, Renger, 1754, p. 98.

<sup>45</sup> Callwell: *Wars*, pp. 26, 246f.

<sup>46</sup> *Ibid.*, pp. 90-96.

<sup>47</sup> Protocol of the Brussels Conference on the Rules of Land Warfare, 27 August 1874, in: *CTS*, vol. 148, pp. 133-136 (134); Institut de Droit International: 'The Laws of War on Land. Manual Published by the Institute of International Law [9 September 1880]', in: Dietrich Schindler, et al., (eds): *The Laws of Armed Conflicts*, third ed., Dordrecht, Nijhoff, 1988, pp. 35-43 (37 Art. 2); Lassa Francis Lawrence Oppenheim: *International Law*, vol. 2, Oxford, Longman, 1906, pp. 56-68.

<sup>48</sup> Callwell: *Wars*, pp. 30f.

Put differently: Because the victims of European colonial rule decided autonomously about the choice of tactics and means of combat, the European armies were not bound by the restrictions of the law of war. The choice of genocide as a tactical instrument in the course of the German war against the Ovaherero and Nama fell within Callwell's theoretical paradigm.

Moreover, Callwell resorted to contemporary myths of civilisation to the effect of downgrading the enemies of European regular armies to savaged tribes. He ascribed savagery to them as an apparently well-ascertained feature, displaying, in his perspective, the lack of governmentality, and asserted that policing pacification missions were demanded from European regular armies.

In sum, military and legal theorists at the turn of the 20<sup>th</sup> century concurred with regard to their attempt to justify colonial wars as irregular military campaigns that were, in their view, taking place as total wars outside the restraints of international law. They concocted the argument that enemies of European regular armies in dependencies ought to have observed the norms of the law of war but were practically ignoring them. Within this concoction that denied to the enemies of European regular armies the *ius ad bellum* and the freedom of the choice of weaponry and tactics, theorists accused enemies of European regular armies of ignoring the norms of the law of war, and then believed to be able to justify breaches of that law on the side of these European armies. Yet, the enemies of European regular armies in the dependencies were simply using their *ius ad bellum* and their right to choose weaponry and tactics at their discretion.

After the end of World War I, the debate over small wars virtually ended, as most military theorists lost interest in the matter.<sup>49</sup> Some assets of a theory of small wars, however, resurfaced in theoretical debates during the concluding phases of the wars of decolonisation and the Vietnam War, but did so with a significant modification. From the 1960s, theorists seeking to class these conflicts as small wars, became prone to redefine this concept as that of "low-intensity military conflicts" that could go on over long periods of time without necessarily being classed as wars in the strict sense of the positive law of war and without demanding the input of major material and budgetary assets on the side of one or both of their parties.<sup>50</sup> The concept of small

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<sup>49</sup> But see: Elbridge Colby: 'How to Fight Savage Tribes', in: *American Journal of International Law*, 21, 1927, pp. 279-288; Thomas Edward Lawrence: 'Guerilla Warfare', in: *Encyclopaedia Britannica*, fourteenth ed., London, Encyclopaedia Britannica, 1929, pp. 460-464. Already contemporary theorist Charles William Gwynn: *Imperial Policing*, London, Macmillan, 1934, pp. 3-4, 16, noted the then apparently reducing frequency of "small wars" in areas under colonial control and argued that the numerical reduction was due to the seemingly increasing administrative and political control of populations under the sway of European governments.

<sup>50</sup> Maxwell Davenport Taylor: *Responsibility and Response*, New York, Harper & Row, 1967, p. 8; Friedrich August Freiherr von der Heydte: *Der moderne Kleinkrieg als wehrpolitisches und militärisches Phänomen*, Würzburg, Holzner, 1972; Michael Walzer: *Just and Unjust Wars. A Moral Argument with Historical Illustrations*, fifth ed., New York, Basic Books, 2015, pp. XIII-XIV. For discussions see Ian F. W. Beckett: *Modern Insurgencies and Counter Insurgencies*.

wars as irregular wars thus became misread as the seemingly less costly variant of big as regular wars.<sup>51</sup> Without thorough consideration of 19<sup>th</sup> century perceptions of small wars<sup>52</sup> and without acknowledging the dependence of the concept of small wars on the ideologies of colonialism, theorists began to identify small wars as having recently emerged and having come to be equivalent of irregular or asymmetric wars. The latter expression began to compete with small wars during the 1990s and has

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*Guerillas and Their Opponents since 1750*, London, Routledge, 2001, pp. 55-69, 121-150; Moritz Feichtinger, Stephan Malinowski: 'Konstruktive Kriege? Rezeption und Adaption der Dekolonisationskriege in westlichen Demokratien', in: *Geschichte und Gesellschaft*, 37, 2011, pp. 275-305; John Pimlott: 'The French Army. From Indochina to Chad. 1946-1984', in: Ian F. W. Beckett, (ed.): *Armed Forces and Modern Counter-Insurgency*, London, Croom Helm, 1985, pp. 46-76; Dierk Walter: 'Asymmetrie in Imperialkriegen', in: *Mittelweg* 36, 17 (1), 2008, pp. 14-52; idem: 'Imperialkrieg. Asymmetrische transkulturelle kleine Kriege im Dienste der Expansion und Konsolidierung der Weltherrschaft des Westens', in: *Militär und Gesellschaft in der frühen Neuzeit*, 12 (1), 2008, pp. 67-72. Mao Zedong's theory of the 'small war' [*Lùn yóujì zhàn*, 1937], often referred to in this context is not relevant to this argument, as he conceived of the 'small war' as the initial phase of a campaign launched by a militarily weaker party under the goal of acquiring big-war capability in the future; for studies see: Frank Hampel: *Zwischen Guerilla und proletarischer Selbstverteidigung. Clausewitz, Lenin, Mao Zedong, Che Guevara, Körner*, Frankfurt, Lang, 1985, pp. 101-132; Edward Latzenbach, Gene Z. Hamrahan: 'The Revolutionary Strategy of Mao Tse-tung', in: *Political Science Quarterly*, 70, 1955, pp. 321-340; Zhang Yuan-Lin: 'Mao Zedong und Carl von Clausewitz', Ph.D. thesis, typescript, University of Mannheim, 1995, pp. 221-233.

<sup>51</sup> Ivan Assequín-Toft: 'How the Weak Win Wars', in: *International Security*, 26, 2001, pp. 93-128; Sven Chojnacki: 'Auf der Suche nach des Pudels Kern. Alte und neue Typologien in der Kriegsforschung', in: Dietrich Beyrau, Michael Hochgeschwender, Dieter Langewiesche, (eds): *Formen des Krieges*, Paderborn, Schöningh, 2007, pp. 479-502; Martin L. van Creveld: *The Transformation of War*, New York, Free Press, 1991, pp. 94-281; Heydte: *Kleinkrieg*, pp. 24-25; Mary Kaldor: *New and Old Wars. Organized Violence in a Global Era*, Cambridge, Cambridge University Press, 1999, p. 8; Dieter Langewiesche: 'Wie neu sind die Neuen Kriege?', in: Ulrich Lappenküper, Reiner Marcowitz, (eds): *Macht und Recht. Völkerrecht in den internationalen Beziehungen*, Paderborn, Schöningh, 2010, pp. 317-331 (320, 329); Herfried Münkler: *Die neuen Kriege*, Hamburg, Rowohlt, 2002, p. 45; Erwin A. Schmidl: 'Kolonialkriege. Zwischen großem Krieg und kleinem Frieden', in: Manfred Rauchensteiner, (ed.): *Formen des Krieges. Vom Mittelalter zum "low intensity conflict"*, Graz, Styria, 1991, pp. 111-138; Walzer; *Wars*, XIV-XV. For criticisms of this approach see Christopher Daase: *Kleine Kriege – Große Wirkung. Wie unkonventionelle Kriegführung die internationale Politik verändert*, Baden-Baden, Nomos, 1999; Anna Geis: 'Die Kontroversen über die "neuen" Kriege der Gegenwart. Wie sinnvoll ist die Rede vom "Neuen"?', in: Thomas Roithner, (ed.): *Söldner, Schurken, Seepiraten. Von der Privatisierung der Sicherheit und dem Chaos der 'neuen' Kriege*, Vienna, LIT, 2010, p. 61; Häussler: 'Asymmetrie', pp. 177-196; Hull: *Destruction*, pp. 5-90.

<sup>52</sup> Beckett and Münkler assumed that the concept of the "small war" had not changed in the course of the 19<sup>th</sup> century.

since then superseded the latter.<sup>53</sup> Once small wars had been equated with asymmetric wars as an apparent innovation of the 1980s, asymmetric wars could be dubbed new wars.<sup>54</sup>

Nevertheless, elements which new war theorists have claimed as characteristics of asymmetric wars, at close inspection, display striking similarities with features identified for small wars as colonial wars. Foremost among these elements is the alleged lack of restraint in the choice of tactics, which theorists and historians have associated exclusively with asymmetric wars,<sup>55</sup> even though it had been present already in the French war for the occupation of Algeria. Moreover, the claimed use of non-standard tactics on the side of non-state warring parties, already in its own right based on the claim that state parties to a war should and could set standards of warfare,<sup>56</sup> the alleged absence of the state monopoly of the legitimate use of force in war,<sup>57</sup> allegations of lack of commitment to honour international legal conventions on the side of non-state warring parties<sup>58</sup>, and the use of civilians as combatants,<sup>59</sup> have been adduced as characteristics of asymmetric as new wars, although they had already been common during the small wars of the 19<sup>th</sup> and early 20<sup>th</sup> centuries. Hence, the argument that there is little new in the allegedly new asymmetric wars, is difficult to overcome.

When, in 1999, John Rawls proposed what he termed *Society of Peoples*, he excluded from that Society unspecified “non-well-ordered peoples”, classed as, “societies burdened by unfavourable conditions”<sup>60</sup>, and thus came dangerously close to the colonial practice of unilateral denial of statehood, sovereignty and subjecthood to states in colonial dependencies. Already Michael Walzer, when dealing with what he termed insurgency, accepted the regular army’s view that “the civilians it kills, even if their number looks disproportionate, are the moral responsibility of the insurgents who have chosen to fight from civilian cover.”<sup>61</sup> Thus, he not just went into the trap of likening asymmetric wars to low-level military conflict, but restated Callwell’s

<sup>53</sup> Roger W. Barnett: *Asymmetrical Warfare. Today’s Challenge to U. S. Military Power*, Washington, Brassey, 2003, p. 17; Bruce W. Bennett, Christopher P. Tworney, Gregory F. Treverton: *What Are Asymmetric Strategies?*, Santa Monica, Rand McNally, 1999.

<sup>54</sup> Kaldor: *Wars*, p. 8; Herfried Münkler: ‘Was ist neu an den Neuen Kriegen?’, in: Anna Geis, (ed.): *Den Krieg überdenken. Kriegsbegriffe und Kriegstheorien in der Kontroverse*, Baden-Baden, Nomos, 2006, pp. 133-150; idem: ‘Old and New Wars’, in: Myriam Dunn Cavelty, Victor Mauer, (eds): *The Routledge Handbook of Security Studies*, London, Routledge, 2010, pp. 190-199; Walzer: *Wars*, pp. XIV-XV.

<sup>55</sup> Münkler: *Kriege*, p. 134.

<sup>56</sup> Heydte: *Kleinkrieg*, p. 23; Münkler: *Kriege*, pp. 28-32.

<sup>57</sup> Langewiesche: *Kriege*, p. 329; Münkler: *Kriege*, pp. 18, 85.

<sup>58</sup> Münkler: *Kriege*, pp. 71-72.

<sup>59</sup> Kaldor: *Wars*, pp. 146-154; Münkler: *Kriege*, p. 57.

<sup>60</sup> John Rawls: *The Law of Peoples*, Cambridge, MA, Harvard University Press, 1999, p. 63.

<sup>61</sup> Walzer: *Wars*, p. XV.

apologetic treatment of the colonial wars fought between the United Kingdom against states in Africa and South Asia. Likewise, the Legal Opinion by the Scientific Services of the *Deutscher Bundestag* bases its argument in support of the rejection of Namibian compensation claims on the legacy of the theory of colonial war.

## The context of the Legal Opinion

The Opinion has come late in a series of motions by the German parliament and government aimed at improving relations with Namibia since 1989.<sup>62</sup> Heidemarie Wieczorek-Zeul, Federal Minister of Economic Cooperation and Development, was the first to officially address the issue of compensation from the German side while she attended the ceremony commemorating the centenary of the genocide on August 14, 2004. In her statement, she proclaimed, among lengthy pledges for development assistance and cooperation:

We Germans accept our historical and moral responsibility and guilt incurred by Germans at that time. And so, in the words of the Lord's Prayer that we share, I ask you to forgive us our trespasses and our guilt. ... Reconciliation needs Remembrance. The memorial year 2004 should also become a year of reconciliation.<sup>63</sup>

The statement warrants close scrutiny. In legal as well as in ethical contexts, responsibility can only be taken for actions that have been accepted as guilt. But the address,

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<sup>62</sup> The first official statement was a resolution, dated 16 March 1989, supported by all parties represented in parliament, articulating support for the quest for the independence of Namibia [Deutscher Bundestag: 'Positionen', p. 3]. Partisan motions followed in 2004 and in 2008, both supported by the Greens, and in 2012, supported by the Left [ibid., pp. 3-4], demanding the launching of negotiations between Namibia and Germany about the legacy of the genocide. Parliament as whole passed a resolution in 2004 'on remembering the victims of the colonial war in former German Southwest Africa' ['Zum Gedenken an die Opfer des Kolonialkriegs im damaligen Deutsch-Südwestafrika; Deutscher Bundestag', Plenarprotokoll 15/114, 17 June 2004, pp. 10424B-10429B]. At the government level, the official visit by Chancellor Helmut Kohl, the only visit by a head of the German government so far, took place from 9 to 15 September 1995. Kohl showed great concern for the use of the German language in Namibia but, when faced with the Ovaherero demand for 600 million US\$ compensation, he refused to meet the delegation wishing to submit the demand. During the subsequent state visit by President Roman Herzog in April 1998, the use of the German language in Namibia was the main point on the agenda, whereas Herzog bluntly dismissed any claims for compensation, arguing that "no international legislation existed at the time under which ethnic minorities could receive reparations". He even added that no apology was warranted from the German side as too much time had passed since the genocide. Cf. Eicker: *Krieg*, p. 83; Harring: 'Reparations', p. 406; Köbler: *Namibia*, p. 237; Sarkin-Hughes: *Genocide*, p. 92. See also above, note 7.

<sup>63</sup> AG Friedensforschung: "'Politische und moralische Verantwortung dokumentieren" - Aber nicht entschädigen. Bundesentwicklungsministerin Wieczorek-Zeul in Namibia – Ihre Rede und ein Kommentar', 11.08.2004, [www.ag-friedensforschung.de/regionen/Namibia/100-jahre.html](http://www.ag-friedensforschung.de/regionen/Namibia/100-jahre.html)

without explanation, links responsibility together with guilt by means of the conjunction 'and'. In doing so, the Minister refrained from explicitly relating German responsibility to the guilt incurred through the genocide. This raises the question to what the responsibility is related? A straightforward statement would have been that Germans at present accept responsibility for the guilt that Germans incurred through the genocide at the time of the war against Ovaherero and Nama. But the Minister did not say so. Instead, her ensuing begging for forgiveness also lacked the object and left open the question, whether forgiveness was begged for the responsibility of the present Germans or for the guilt of the Germans of the past. Moreover, she did not specify whom she had in mind as the actor providing forgiveness. Instead, she referred to the Lord's Prayer, thereby invoking the divine agent in lieu of any human actor.<sup>64</sup> Thus, the only official acknowledgment of guilt and begging for forgiveness by a member of the German government in Namibia was a hapless attempt to placate increasing anger on the side of the descendants of the victims of the genocide and, at the same time, to circumvent the recognition of compensation claims. That the attempt failed, became evident on the spot not only from vocal dissatisfaction after the address, but also from the quick response by Foreign Minister Fischer, who scrapped Wiczorek-Zeul's statement as her private opinion.<sup>65</sup>

Nothing decisive has happened from the German side since then. In a summarising declaration, the Foreign Ministry restated the doctrine that there is no base for material claims by the state of Namibia or by individual Ovaherero and Nama against Germany "for occurrences of the colonial past." It further insisted that the US court of appeal in its 2019 decision against the Herero People's Reparations Corporation [HPRC] plaint,<sup>66</sup> had confirmed the position taken by the German government and that "more than 100 years after the past events only a political, not a juridical reconsideration [*Aufarbeitung*] is possible."<sup>67</sup> This was a virtually verbatim repetition

<sup>64</sup> The minister even went into the offensive requesting that 2004 should be the year of reconciliation. How could she think of obliging Ovaherero and Nama to provide reconciliation?

<sup>65</sup> Larissa Förster: 'Jenseits der juristischen Diskurse. Die Entschuldigung von Heidemarie Wiczorek-Zeul in Namibia', in: *afrika süd*, 5, 2004, pp. 8-10; Leonard Jamfa: 'Germany Faces Colonial History in Namibia. A Very Ambiguous "I Am Sorry"', in: Mark Gibney, (ed.): *The Age of Apology. Facing up to the Past*, Philadelphia, University of Pennsylvania Press, 2008, pp. 202-215; Köbler: *Namibia*, pp. 247-261; Wolff: *Erinnerungsdiskurse*, pp. 254-276.

<sup>66</sup> On the case see: Eicker: *Krieg*, pp. 325-494; Jan Grofe: *The Prospects of Success for the Herero Lawsuit against Deutsche Bank for Crimes Committed during German Colonial Times*, Windhoek, Konrad-Adenauer-Stiftung, 2004; Malte Jaguttis: 'Paths to a Hearing of the Herero Case Under International Law. Beyond the Patterns of Colonial Self-Description?', in: Dierk Schmidt, (ed.): *The Division of the Earth. Tableaux on the Legal Synopses of the Berlin Africa Conference*, Cologne, König, 2010, pp. 76-84; Köbler, *Namibia*, pp. 238-246; Sarkin Hughes: *Genocide*, pp. 148-149, 172-165; Wolff, *Erinnerungsdiskurse*, pp. 240-253, 266-275.

<sup>67</sup> See above, note 4. For reviews see David Bargeño: 'Cash for Genocide? The Politics of Memory in the Herero Case for Reparations', in: *Holocaust and Genocide Studies*, 26, 2012, pp. 394-424; Janntje Böhlke-Itzen: *Kolonialschuld und Entschädigung. Der deutsche Völkermord an den Herero. 1904-1907*, Frankfurt, Brandes & Apsel, 2004; idem: 'Die



of the argument that the Legal Opinion of 2016 had brought forth. Negotiations between the Namibian and the German governments about the compensation claims, albeit officially concluded in 2021, failed to receive acceptance in Namibia. Early on, critical jurists took the view that the German government, denying the *ius ad bellum* to Ovaherero and Nama in 1904, had acted immorally, and, unless:

Germany seeks to argue, in the 21<sup>st</sup> century, that there was, after 1899, one set of rules for European nations conducting wars with each other and a completely different set for those same nations conducting “colonial” wars, or even more bluntly, wars against “ethnic” peoples, it is an untenable position.<sup>68</sup>

Well, yes, the current German government has precisely taken this view, but it is untenable not just in moral, but also in legal respects. Without consulting the Legal Opinion of 2016, even critical jurists failed to appreciate that the German government strategy of legalistic defence against Ovaherero and Nama compensation claims is unfeasible.

### Some implications for policymaking

Rather than solidifying the envisaged rejection of Namibian compensation claims with purportedly insurmountable legal bulwarks, the German government has taken up unsustainable arguments that its predecessor, together with its then intellectual

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bundesdeutsche Diskussion und die Reparationsfrage. Ein “ganz normaler Kolonialkrieg”?, in: Henning Melber, (ed.), *Genozid und Gedenken*, Frankfurt, Brandes & Apsel, 2005, pp. 103-120; Katharina von Hammerstein: ‘The Herero: Witnessing Germany’s “Other Genocide”’, in: *Contemporary French and Francophone Studies*, 20, 2016, pp. 267-286; Peter H. Katjavivi: ‘Namibia’s Bilateral Relations with Germany’, in: Anton Bösl, André du Pisani, Dennis U. Zaire, (eds): *Namibia’s Foreign Relations*, Windhoek, Macmillan, 2014, pp. 135-169; Reinhart Köbler: ‘Berlin weiss nichts vom Völkermord. Die Bundestagsresolution zum Kolonialkrieg drückt sich um eine Entschuldigung’, in: *afrika süd*, 5, 2004, pp. 11-14; idem, Henning Melber: ‘Völkermord und Gedenken, der Genozid an den Herero und Nama’, in: Irmtraud Wojak, Susanne Meinel, (eds): *Völkermord und Kriegsverbrechen in der ersten Hälfte des 20. Jahrhunderts*, Frankfurt, Campus, 2004, pp. 37-75; Köbler: ‘Entangled History and Politics. Negotiating the Past between Namibia and Germany’, in: *Journal of Contemporary African Studies*, 26, 2008, pp. 313-339; idem: ‘Genocide and Reparations. Dilemmas and Exigencies in Namibian-German Relations’, in: André du Pisani, Köbler, Bill Lindeke, (eds): *The Long Aftermath of War. Reconciliation in Namibia*, Freiburg, Arnold Bergstraesser Institut, 2010, pp. 215-241; idem: ‘Kolonialismus, Völkerrecht und Krieg’, in: *Peripherie*, 133, 2014, pp. 94-105; idem, Henning Melber: *Völkermord – und was dann? Die Politik deutsch-namibischer Vergangenheitsbearbeitung*, Frankfurt, Brandes & Apsel, 2017, pp. 13-49; Henning Melber: ‘We Never Spoke about Reparations’, in: Jürgen Zimmerer, Joachim Zeller, (eds): *Genocide in German South-West Africa. The Colonial War of 1904-08 in Namibia and its Aftermath*, Monmouth, Merlin, 2008, pp. 239-273. Jakob Zollmann, “‘Eine Frage von prinzipieller weittragender Bedeutung für alle Zukunft”. Deutsche Entschädigungsleistungen infolge des Herero-Kriegs. 1904–1914’, in: *Zeitschrift für Genozidforschung* 20, 2022, pp. 238-253.

<sup>68</sup> Harring: “Reparations”, pp. 406f.

supporters, had used for the purpose of justifying the genocide, while it was being committed. These arguments converged in the denial of statehood, sovereignty and subjecthood under international law to the Ovaherero and Nama. But even under colonial suppression, governments of African states under Protectorate suzerainty continued to insist on the validity of the treaties they had signed with European colonial governments, thereby claiming statehood, sovereignty and, even if in a restricted scope, subjecthood under international law.<sup>69</sup> Given the acknowledged validity of the treaties binding African and European governments under colonial suppression, it was illegal for European governments, in the European terms of international law, to deny the *ius ad bellum* to their African treaty partners, to exempt the deployment of European military forces against African resistance armies from the statutory rules of the international law of war, and to treat military resistance from the side of African states as unlawful rebellion. These generalities fully apply to the war against the Ovaherero and Nama, whence the government of the German Empire not only perverted international law into a device for institutionalising and legitimising colonial suppression, but also acted in breach of the same law when it committed the genocide. The government of the Federal Republic of Germany, in re-presenting the arguments used by its predecessor, not only has acted immorally but has taken an invalid legal stance. The implications are grave, as they identify the military resistance by the Ovaherero and Nama as an extra-legal emergency approved of in general terms in a decision by the German Constitutional Court. The Court introduced into German domestic law a suggestion that had been promoted immediately after the end of World War II. Accordingly, if a law and theories used to interpret a law constitute an extra-legal emergency, no judge is justified in passing a verdict on the basis of such laws or theories, and resistance against the law, the theory and the verdict becomes legal. The German government is well aware of this landmark decision.<sup>70</sup>

What are the consequences of the collapse of the German legalistic defence against Namibian compensation claims for policymaking? The Namibian side is no longer confined to appeals to morality but has at its disposal a well-filled arsenal of substantial legal arguments obliging the German side to comply with its compensation claims even outside the courtroom. It can make explicit the poverty of the German stance not just at the bilateral but also at the international level, thereby adding to

<sup>69</sup> Daudi Chwa II., Kabaka of Buganda: '[Letter, dated September 1927 to William George Arthur Ormsby-Gore, Under-Secretary of State for the Colonies]', in: *Papers Relating to the Question of Closer Union of Kenya, Uganda and the Tanganyika Territory*, London, HMSO, 1931, pp. 78-79; Jaya [Jubo Jubogha], King of Opobo: '[Letter to Lord Salisbury, dated 26 March 1886; London: British National Archives, FO 84/1762, Nr 1]', partly printed in: Sylvanus John Sochienye Cookey: *King Jaja of the Niger Delta, 1821-1891*, New York, NOK, 1974, p. 120.

<sup>70</sup> Bundesverfassungsgericht, Decision by the Second Senate, dated 14 February 1968 (2 BvR 557/62, 1. Leitsatz), <http://www.servat.unibe.ch/dfr/bv023098.html>; Gustav Radbruch: 'Gesetzliches Unrecht und übergesetzliches Recht', in: *Süddeutsche Juristen-Zeitung*, 1, 1946, pp. 105-108 [reprinted in: idem: *Gesamtausgabe*, ed. Winfried Hassemer, vol. 3, Heidelberg, Müller, 1993, pp. 83-93]; Deutscher Bundestag: 'Einordnung', p. 9.

political and economic clout. The German side is well advised to swiftly accept Namibian compensation claims, as they stand. Attempts to further protract the acceptance and evade the inevitable will strengthen the bitterness of memories of the past and weaken the German position. Indeed, accepting these compensation claims may open a Pandora's box for similar demands from other states. But that is the price for the stubbornness long maintained by the German side seeking to fend off these demands.

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# A 'Reconciliation Agreement' that isn't one

## The German-Namibian Joint Declaration on the Genocide in German South West Africa

Henning Melber

### Introduction

In mid-2015 Germany admitted that during its colonial rule in South West Africa the war against local communities was tantamount to genocide. At the end of the year bilateral negotiations between the German and Namibian governments were initiated on how this admission should be best addressed and turned into a common understanding. In mid-May 2021 the special envoys of both governments initialled a Joint Declaration, dubbed as reconciliation agreement. This chapter puts the Joint Declaration by the Federal Republic of Germany and the Republic of Namibia, initialled in May 2021 by their special envoys into context and perspective.<sup>1</sup> Acknowledging that imperial Germany committed a genocide in its colony South West Africa, it marked a new reference point in how to engage with colonial crimes. But it fell short of bearing full and unconditional responsibility for the crimes committed. It is argued that this requires credible further steps. While Germany deserves credit for her commemoration and remorse over the Holocaust, victims of other forms of extermination with the intent to destroy still crave for adequate recognition and somewhat credible commemoration and compensation. After all, any groups of people being collectively traumatised by experiences and histories of mass extinction deserve similar respect and an awareness that for them this is a lasting singular experience too.

In mid-2019, Germany's Foreign Ministry published a position paper on transitional justice, which advocates a "comprehensive understanding of confronting past injustices."<sup>2</sup> The approach includes "violations of economic, social and cultural rights"

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<sup>1</sup> The chapter is a revised version (updated until the end of 2023) of Henning Melber: 'Ein "Versöhnungsabkommen" das keines ist. Die deutsch-namibische Gemeinsame Erklärung zum Völkermord in Deutsch-Südwestafrika', in: *Zeitschrift für Genozidforschung*, 20 (2), 2022, pp. 290-305, and based on several of my earlier works on the subject, in particular chapter 5 in Henning Melber: *The Long Shadow of German Colonialism. Amnesia, Denialism and Revisionism*, London, Hurst, 2024.

<sup>2</sup> The Federal Government: *Interministerial Strategy to Support "Dealing with the Past and Reconciliation (Transitional Justice)" in the Context of Preventing Crises, Resolving Conflicts and Building Peace*, Berlin, German Federal Foreign Office, 2019, p. 8. Original emphasis.

and “various dimensions of justice (such as retributive, distributive and restorative justice)”, with transitional justice as part of social transformation processes.<sup>3</sup> It advocates:

*(P)articipative processes with a broad scope ... to ensure that transitional justice is not perceived as a project of the elites, and that the expertise and political ideas from civil-society organisations and groups (particularly those that represent victims and survivors or have direct access to them) can be put to use.*<sup>4</sup>

The paper presents examples of (chronologically unspecified) transitional justice in the history of Germany, “acknowledging and providing reparations for past injustices.” Direct reference is made to “reparations and compensation for National Socialist injustices” and it maintains, “Given its decades-long and multifaceted experiences in this policy area, Germany can provide information about basic requirements, problems and mechanisms for the development of state and civil-society reparation efforts”.<sup>5</sup> Strikingly, the term colonialism does not feature once in the 32-page document. Since then, German discourse has been marred by a controversy how to acknowledge a violent past in German history beyond (and before) the Holocaust.

There are growing demands of post-colonial initiatives in civil society and scholars, often with an affinity towards postcolonial theories, to adequately recognise the genocidal colonial mass violence. Advocating the need to address the colonial atrocities in a similar rigorous way as the Holocaust meets an embittered defence line when it comes to invoking the unique status of the Holocaust commemoration. Those dismissive maintain that such demands lack respect for and recognition of the singularity of the Holocaust, sometimes even accusing these of antisemitic tendencies, by insinuating these would be downplaying the Holocaust. With the publication of Rothberg’s *Multidirectional Memory*<sup>6</sup> in a German translation, this debate escalated.<sup>7</sup> It centres around the keywords of genocide, reparations and restorative justice connected to the devastating lasting impact and consequences of colonial rule for the

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<sup>3</sup> Ibid., pp. 8f.

<sup>4</sup> Ibid., p. 16. Original emphasis.

<sup>5</sup> Ibid., p. 23. Original emphasis.

<sup>6</sup> Michael Rothberg: *Multidirectional Memory. Remembering the Holocaust in the Age of Decolonization*, Stanford, Stanford University Press, 2009; German as: *Multidirektionale Erinnerung. Holocaustgedenken im Zeitalter der Dekolonisierung*, Berlin, Metropol, 2021.

<sup>7</sup> See in particular Dirk Moses: ‘The German Catechism’, in: *Geschichte der Gegenwart*, 23 May 2021, <https://geschichtedergegenwart.ch/the-german-catechism/> and Matt Fitzpatrick: ‘On the “German Catechism”’, in: *The New Fascism Syllabus*, 27 May 2021, <http://newfascismsyllabus.com/opinions/on-the-german-catechism/>. For a collection of interventions see The New Fascism Syllabus: ‘The Catechism Debate’, <http://newfascismsyllabus.com/category/opinions/the-catechism-debate/>

descendants of the affected indigenous people.<sup>8</sup> This interrelatedness has promoted also in the wider public discourse "emotional relevance of Germany's colonial past", while at the same time "a legal renegotiation of the colonial past is very unlikely because of ordering effects established by Holocaust memory".<sup>9</sup> Reflecting on the German controversial reception of his book, which "laid bare the gulf between contemporary international research and its translation into public history and debates on memory culture"<sup>10</sup> (and reanimated the catchword of German 'provincialism'), Rothberg asked:

What is the meaning of working through the past? Although those hostile to multidirectional and postcolonial approaches to memory return again and again to the question of whether or not colonial violence is the "same" as the Holocaust, the real stakes lie elsewhere. They involve what we do with those histories in the present: how we negotiate lived multidirectionality, relations of difference, and contemporary experiences of subordination and violence, all of which are refracted through the habitus of the dominant German memory culture.<sup>11</sup>

The singularity of the Holocaust is in the German debate an excuse for gatekeepers to leave the image of the colonial *Kaiserreich* in peace. This compartmentalizes and thereby disrupts history for the sake of a selective present. The colliding perceptions were maybe best illustrated by a clash between the German special envoy Ruprecht Polenz, and a delegation of the Nama Genocide Technical Committee and the Ovaherero Genocide Foundation at a meeting in the German embassy in Windhoek on November 24, 2016 which resulted in a walk-out under protest by the delegations. While there are different versions of the incident<sup>12</sup>, it is sufficient to quote from the version of the German statement to illustrate the fundamental problem:

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<sup>8</sup> For a general engagement with the subject, including special acknowledgement and reference to the genocide committed in 'German South West Africa', see Rhoda E. Howard-Hassmann with Anthony P. Lombardo: *Reparations to Africa*, Philadelphia, University of Pennsylvania Press, 2008; and Catherine Lu: *Justice and Reconciliation in World Politics*, Cambridge, Cambridge University Press, 2017.

<sup>9</sup> Sarah Rausch: "'We're equal to the Jews who were destroyed. [...] Compensate us, too'". An affective (un)remembering of Germany's colonial past?', in: *Memory Studies*, 15 (2), 2022, pp. 418-435 (430).

<sup>10</sup> Mirjam Sarah Brusius: 'Memory Cultures 2.0: From *Opferkonkurrenz* to Solidarity. Introduction', in: *German Historical Institute London Bulletin*, XLIV, 2, 2022, pp. 3-20 (7).

<sup>11</sup> Michael Rothberg: 'Lived multidirectionality: "*Historikerstreit 2.0*" and the politics of Holocaust memory', in: *Memory Studies*, 15 (6), 2022, pp. 1316-1329 (1322f.).

<sup>12</sup> As on record by an article in the local newspaper *New Era*, 'Genocide meeting turns ugly', 25 November 2016, and an official press release by the German Embassy: 'Meeting of the German Special Envoy, Mr. Ruprecht Polenz, with the Chairperson of the 'Nama Genocide Technical Committee', the honourable Mrs. Ida Hoffman", accessible at <https://african.business/2016/11/finance-services/meeting-of-the-german-special-envoy-mr->

The German Special Envoy strongly re-affirmed the German position whereby the German Government does acknowledge the fact that the war-time events during the years 1904 – 1908 included severe atrocities and crimes committed by the German colonial forces which – had the events taken place today – would constitute a genocide. ... At the same time the German Special Envoy expressed his deeply felt conviction that every human life is of equal value and every loss is, thus, equally deplorable. Out of respect for all victims the German Special Envoy rejected the notion to compare one genocide – like what happened in Namibia – with other crimes against humanity. This, the Special Envoy stressed, does apply in particular to any comparison with the Holocaust.<sup>13</sup>

By rejecting any reference to the treatment of the Holocaust in efforts to come to terms with crimes committed in the past, not least through considerable material compensations negotiated in form of reparations, the Ovaherero and Nama felt unduly lectured and their trauma considered less relevant.

### **The Joint Declaration: too little too late?**

It took 110 years until a German great coalition government of SPD and CDU/CSU admitted that the extermination strategy between 1904 and 1908 in the German colony of South West Africa (today's Namibia) was tantamount to genocide. This happened at a press conference in July 2015 *en passant* by a spokesperson of the Foreign Ministry after repeated enquiries by a journalist.<sup>14</sup> It marked the point of departure for bilateral negotiations between special envoys appointed by the Namibian and German governments at the end of 2015. After a total of nine meetings, a Joint Declaration was initialled by the special envoys in mid-May 2021. The accord announced made international headlines. For the first time a former colonial power offers officially on a state-to-state level an apology for state sponsored mass crimes. Despite all criticism over the limitations of this act following, this is a pioneering step to reduce German colonial amnesia.<sup>15</sup> Some therefore consider the

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[ruprecht-polenz-with-the-chairperson-of-the-nama-genocide-technical-committee-the-honorable-mrs-ida-hoffmann/](#)

<sup>13</sup> Ibid.

<sup>14</sup> For a detailed account until early 2017 see Reinhart Kössler, Henning Melber: *Völkermord – und was dann? Die Politik deutsch-namibischer Vergangenheitsbearbeitung*, Frankfurt/Main, Brandes & Apsel, 2017; Henning Melber: 'Genocide Matters – Negotiating a Namibian-German Past in the Present', in: *Stichproben. Vienna Journal of African Studies*, 17 (33), 2017, pp. 1-24; for a more recent summary Henning Melber: 'Germany and Namibia: Negotiating Genocide', in: *Journal of Genocide Research*, 22 (4), 2020: pp. 502-514.

<sup>15</sup> See on German colonial amnesia Reinhart Kössler, Henning Melber: 'Selective commemoration: coming to terms with German colonialism', in Tatjana Louis, Mokgadi Molohe and Stefan Peters, (eds.): *Dealing with the Past in Latin America, Southern Africa and Germany*,

accord as a potential template for efforts towards postcolonial reconciliation. This may apply even while this first case has gone lamentably wrong. The potential legal implications as well as the precedence for former colonial powers had occupied the minds of legal experts and foreign policy pundits.

## What's in it

The Joint Declaration has 22 clauses in V chapters, with the flowery sub-title *United in Remembrance of Our Colonial Past, United in Our Will to Reconcile, United in Our Vision of the Future*.<sup>16</sup> With reference to previous resolutions of the German Parliament in 1989 and 2004, the Introduction emphasizes "a special historical and moral responsibility towards Namibia". Nine clauses under chapter I then summarize in a remarkable undiluted way the crimes committed and conclude: "As a consequence, a substantial number of Ovaherero and Nama communities were exterminated through the actions of the German State. A large number of the Damara and San communities were also exterminated."

It continues in chapter II/clause 10: "The German Government acknowledges that the abominable atrocities committed during periods of the colonial war culminated in events that, from today's perspective, would be called genocide." Clause 11/chapter III adds: "Germany accepts a moral, historical and political obligation to tender an apology for this genocide and subsequently provide the necessary means for reconciliation and reconstruction", while clause 13 states: "Germany apologizes and bows before the descendants of the victims." The following clause 14/chapter IV stipulates:

The Namibian Government and people accept Germany's apology and believe that it paves the way to a lasting mutual understanding and the consolidation of a special relationship between the two nations ... This shall close the painful chapter of the past and mark a new dawn in the relationship between our two countries and peoples.

Both Governments create a "reconstruction and development support programme" (clause 16), which finances projects in seven of Namibia's 14 regions (in which a majority of the descendants of the most affected communities live). Clause 17 commits to "finding appropriate ways of memory and remembrance, supporting research and education, cultural and linguistic issues, as well as by encouraging meetings of and exchange between all generations, in particular the youth." The German Government allocates EUR 1.1 billion disbursed over 30 years, with EUR 1.05

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Baden-Baden, Nomos, 2021, pp. 87-106. See also the chapter by Christiane Bürger and Sahra Rausch in this publication.

<sup>16</sup> Full title: *Joint Declaration by the Federal Republic of Germany and the Republic of Namibia. 'United in Remembrance of Our Colonial Past, United in Our Will to Reconcile, United in Our Vision of the Future'*, <https://www.parliament.na/wp-content/uploads/2021/09/Joint-Declaration-Documents-Genocide-rt.pdf>



billion earmarked for the development programme and EUR 50 million “to the projects on reconciliation, remembrance, research and education” (clause 18). Clause 20 stresses “these amounts ... settle all financial aspects of the issues relating to the past addressed in this Joint Declaration.” The final clause 22 reassures that Germany remains committed “to continue the bilateral development cooperation at an adequate level.”

Germany’s Foreign Minister Heiko Maas announced the Agreement.<sup>17</sup> He clarified that the admission of genocide does not imply any “legal claims for compensation” and referred to the “substantial programme ... for reconstruction and development” as a “gesture of recognition.” During a subsequent Parliamentary Question Time, Minister Maas stressed a few days later that the Agreement was a purely voluntarily one with no legal obligations for a payment. It therefore is not a matter of reparations.<sup>18</sup> Minister Maas also clarified that the initialled agreement is no treaty which would require any formal ratification by Parliament.<sup>19</sup>

## What’s not in it

In a critical engagement with what had been dubbed Reconciliation Agreement, members of the European Center for Constitutional and Human Rights (ECCHR)<sup>20</sup> did not mince their words “That the reconciliation agreement will be published as a mere Joint Declaration speaks volumes. The preceding negotiation process furthermore disregarded international participation rights based both in treaties and customary international law.”<sup>21</sup> For them, “the German and Namibian government’s Joint Declaration is – sadly but not surprisingly – a lost opportunity”, as “the state-centered approach does not live up to the standards established under present-day international law.”<sup>22</sup> The verdict is devastating:

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<sup>17</sup> Foreign Federal Office, ‘Foreign Minister Maas on the conclusion of negotiations with Namibia’, 28 May 2021, <https://www.auswaertiges-amt.de/en/newsroom/news/-/2463598>

<sup>18</sup> In the original: ‘dieser Abschluss ist ausschließlich einer auf freiwilliger Basis. Es gibt keine Rechtsgründe, aufgrund derer diese Zahlung geleistet oder in Aussicht gestellt wird. Insofern ist es auch nicht vergleichbar mit dem Reparationsthema an sich.’ Deutscher Bundestag, Stenografischer Bericht, 232. Sitzung (Plenarprotokoll 19/232), 9 June 2021, 29834 (C), 2022; <https://dserver.bundestag.de/btp/19/19232.pdf>

<sup>19</sup> *Ibid.*, 29838 (D).

<sup>20</sup> Founded by human rights lawyers in 2007 with its office in Berlin, the ECCHR seeks ‘to protect and enforce the rights guaranteed by the Universal Declaration of Human Rights, as well as other human rights declarations and national constitutions, through legal means.’ <https://www.ecchr.eu/en/about-us/>

<sup>21</sup> Sarah Imani, Karina Theurer, Wolfgang Kaleck: ‘The “reconciliation agreement” – A lost opportunity’, Berlin, European Center for Constitutional and Human Rights, 1 June 2021, [https://www.ecchr.eu/fileadmin/Hintergrundberichte/ECCHR\\_GER\\_NAM\\_Statement.pdf](https://www.ecchr.eu/fileadmin/Hintergrundberichte/ECCHR_GER_NAM_Statement.pdf)

<sup>22</sup> *Ibid.*, pp. 3 and 5.

What shows from the choice of title and format of the accord ... the "semantic struggle" was decided in favour of the German government's take on its responsibility, a responsibility that is normatively very thin, almost void in its recognition of accountability and reckoning with its colonial legacy and guilt.<sup>23</sup>

This thin blanket corresponded with the lack of inclusivity on the side of the Namibian communities most affected by the genocide. While Minister Maas claimed in his press statement, "the Herero and Nama communities were closely involved in the negotiations on the Namibian side", the ECCHR bemoaned the insufficient participation of these communities and emphasised, "There can never be justice in a truly restorative sense when affected communities like the Nama, Ovaherero, San and other communities are not included in the negotiations."<sup>24</sup>

As the Declaration's clause 16 clarifies, the amount of EUR 1.05 billion is supposed "to assist the development of descendants of the particularly affected communities."<sup>25</sup> This is less than the amount German development cooperation has spent since Namibia's Independence.<sup>26</sup> It turns Germany's willingness for material compensation into a rather modest and limited if not embarrassing "gesture of recognition" (Maas), adding insult to injury. To illustrate the point: After the Tsunami disaster end of 2004, Germany raised EUR 1.1 billion through private donations and official humanitarian aid within six months. For 2021, Germany's capital Berlin had budgeted expenditure of EUR 10.5 billion for personnel costs only. During the same year, the German Minister for Health wasted EUR 1 billion on face masks, which were insufficient, sub-standard protection from Covid-19. Construction costs for the new Berlin airport had by the time of its opening in 2021 exceeded EUR 7 billion. Costs for the new underground railway station in Stuttgart are currently estimated at over EUR 9 billion. Similarly, the EUR 50 million "dedicated to the projects on reconciliation, remembrance, research and education" over the same period contrast with the annual maintenance costs of EUR 60 million for the controversial Humboldt Forum, which displays in the reconstructed Berlin Castle artefacts looted during colonialism.

## Reparations and intertemporality

Already three years into Namibia's Independence it was suggested – with reference to retroactivity as an essential notion stressed by the International Military Tribunal at Nürnberg – that German liability for the genocide would as appropriate measure for

<sup>23</sup> Ibid., p. 7.

<sup>24</sup> Ibid., p. 4.

<sup>25</sup> Language can display patronizing connotations a colonial gaze is unaware of.

<sup>26</sup> According to figures presented by the German Foreign Office, a total of 1.4 billion Euro were allocated within development cooperation to Namibia between 1990 and 2020. See Auswärtiges Amt: 'Namibia: Beziehungen zu Deutschland', 22 December 2021, <https://www.auswaertiges-amt.de/de/aussenpolitik/laender/namibia-node/bilateral/208320>

redress require reparations.<sup>27</sup> But for more than 20 years, neither the German nor the Namibian government had considered the matter as important. In contrast, agencies of the Ovaherero and Nama seeking redress were not recognised as legal subjects in the international relations. Their claims were confined to court cases under the US American Alien Tort Statute. These were finally dismissed in May 2021. The plaintiffs had claimed, “the legitimate right to participate in any negotiations with Germany relating to the incalculable financial, material, cultural, intellectual, religious and spiritual losses suffered.” They asked for the award of punitive damages and the establishment of a Constructive Trust. Into this the defendant (Germany) should pay the estimated “value of the lands, cattle and other properties confiscated and taken from the Ovaherero and Nama peoples.”<sup>28</sup>

At dispute is now not only the modest amount offered in the Joint Declaration. A more serious omission is pointed out by the ECCHR statement. It diagnoses “a mere shift of an initial refusal to call it genocide to a refusal to apply the legal term reparations.”<sup>29</sup> As further explained:

Given the joint declaration’s wording and lack of the term reparation therein, it avoids comprehensively acknowledging Germany’s legal responsibility for its colonial legacy. ... the gesture of an apology will remain purely symbolic if it is not connected to other means of reparations.<sup>30</sup>

Claims for reparations regarding the slave trade and colonial crimes have become a growing challenge for the descendants of the beneficiaries, be they individuals or states. The demands for reparations also remain an unsolved matter between the German and Namibian governments and have contributed to a German debate.<sup>31</sup> It also relates to the discussions on intertemporal law: which law is applicable at which times? Intertemporality deals with a legal question related to the laws in existence and effective at a specific time. This includes the willingness to endorse the legality of laws considered as a justification of crimes. Germany herself applies rules of

<sup>27</sup> Lynn Berat, ‘Genocide: The Namibian Case against Germany’, in: *Peace International Law Review*, 5 (1), 1993, pp. 165-210 (210).

<sup>28</sup> For the full text of the claim and the media responses see the documents compiled and accessible at <http://genocide-namibia.net/2017/01/05-01-2017-herero-und-nama-verklagen-deutschland-ovaherero-and-nama-file-lawsuit-in-new-york/>.

<sup>29</sup> Imani, Theurer, Kaleck, ‘*Reconciliation agreement*’, p. 6.

<sup>30</sup> *Ibid.*, p. 2.

<sup>31</sup> See among others Regina Menachery Paulose and Ronald Gordon Rogo: ‘Addressing Colonial Crimes Through Reparations: The Mau Mau, Herero and Nama’, in: *State Crime*, 7 (2), 2018: pp. 369-388; Jonas Präfke: ‘The Herero People as the Subject of International Law? – Implications for Reparation Claims Based on the Herero Genocide’, in: *The Law Review at Johns Hopkins*, Spring 2019, <https://www.jhlawreview.org/herero-genocide-jonas-prafke>; Matthias Goldman: “Ich bin ihr Freund und Kapitän”. Die deutsch-namibische Entschädigungsfrage im Spiegel intertemporaler und interkultureller Völkerrechtskonzepte’, MPIL Research Paper Series, No. 2020-29, Max Planck Institute for Comparative Public Law and International Law, 2020, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3672406](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3672406)

intertemporality ambiguously by dismissing recognition of certain Nazi-era laws or those of the German Democratic Republic, but willingly concealing other historical, including colonial criminal acts by recognizing laws of the time through the intertemporal principles.

There are therefore two elements, the first of which is that acts should be judged in the light of the law contemporary with their creation, and the second of which is that rights acquired in a valid manner according to the law contemporaneous with that creation may be lost if not maintained in accordance with the changes brought about by the development of international law.<sup>32</sup>

Contested is also the definition of legitimate agencies in specific historical (in this case colonial) contexts. This includes

a conceptual disconnect between the international system and its constitution through imperialism, colonialism and genocidal violence. Consequently, claims for redress of injustices based on substantive colonial relations and their legacies are deflected to a system of rule still infused with imperial law and legislation.<sup>33</sup>

But with the formal end of colonial rule almost everywhere the impact and consequences of the injustices and crimes committed have not been reversed or undone. Colonial structures are reproduced in the present and crimes committed stay unatoned, often with the argument that there are no survivors to be compensated.

This agent related understanding neglects the structural nature of colonial injustice. It restricts redress to inter-personal relations and liability structures. It disregards the fact that colonial injustice results often not so much from the injustice done between particular persons, but rather from the structures of abuse or the institutional systems put in place at the time.<sup>34</sup>

The execution of annihilation strategies was then already a violation of binding codified international law, such as the 1899 Hague Convention as "a statement of

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<sup>32</sup> T. O. Elias, 'The Doctrine of Intertemporal Law', in: *The American Journal of International Law*, 74 (2), 1980, pp. 285-307 (286). See more recently among others Steven Wheatley: 'Revisiting the Doctrine of Intertemporal Law', in: *Oxford Journals of Legal Studies*, 41 (2), 2021, pp. 484-509, and Andreas von Arnould: 'How to Illegalize Past Injustice: Reinterpreting the Rules of Intertemporality', in: *The European Journal of International Law*, 32 (2), 2021, pp. 401-432.

<sup>33</sup> Heloise Weber, Martin Weber: 'Colonialism, genocide and International Relations: the Namibian-German case and struggles for restorative relations', in: *European Journal of International Relations*, 26, (S1), 2020, pp. 91-115 (107).

<sup>34</sup> Carsten Stahn, 'Reckoning with colonial injustice: international law as culprit and as remedy?', in: *Leiden Journal of International Law*, 33, 2020, pp. 823-835 (829).

international customary law."<sup>35</sup> Its annexed regulations state in Article 23 that it is especially prohibited:

- (b) To kill or wound treacherously individuals belonging to the hostile nation or army;
- (c) To kill or wound an enemy who, having laid down arms, or having no longer means of defence, has surrendered at discretion;
- (d) To declare that no quarter will be given;
- ...
- (g) To destroy or seize the enemy's property unless such destruction or seizure be imperatively demanded by the necessities of war.<sup>36</sup>

If the Convention testifies to principles of international law, then its rules do not only apply to its signatories but also to communities who had "not relinquished their full sovereignty."<sup>37</sup> Customs "limiting the use of force in war ... conferred humanitarian rights upon the Hereros."<sup>38</sup> Despite the acknowledgement of genocide (especially from today's perspective) and some words of remorse, the Declaration avoids bearing full responsibility. It is in substance the continued doctrine of an apology without damage payment, as coined by the Foreign Minister Joseph ('Joschka') Fischer some twenty years earlier.<sup>39</sup> As a soft version of denialism, it offers no true reconciliation. It rather extends what had been diagnosed during the negotiation process as a continued prioritization of foremost domestic (national) German interests, albeit dressed in a multidimensional costume.<sup>40</sup> But the treatment of the historical legacy documents selectivity just as the (non-)application of the intertemporal principle does: During the existence of the German Democratic Republic the Federal Constitutional Court stressed in a ruling 1972 that the Federal Republic of Germany is identical with

<sup>35</sup> Sidney L. Harring: 'German Reparations to the Herero Nation: An Assertion of Herero Nationhood in the Path of Namibian Development?', in: *West Virginia Law Review*, 104, 2002, pp. 393-417 (407).

<sup>36</sup> Full document at:

<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Article.xsp?action=openDocument&documentId=14BF8E8D6537838EC12563CD00515E22>

<sup>37</sup> Dinah Shelton: 'The World of Atonement: Reparations for Historical Injustices', in: *Netherlands International Law Review*, 50 (3), 2003, pp. 289-325 (318). See also on customary international law of the time and the extermination war against the Ovaherero as a violation of international law Allan D. Cooper: 'Reparations for the Herero genocide: Defining the limits of international litigation', in: *African Affairs*, 106 (422), 2006, pp. 113-126.

<sup>38</sup> Rachel Anderson: 'Redressing Colonial Genocide Under International Law: The Hereros' Cause of Action Against Germany', in: *California Law Review*, 93 (4), 2005, pp. 1155-1189 (1189).

<sup>39</sup> The order then was 'keine entschädigungsrelevante Entschuldigung'.

<sup>40</sup> Ulrich Roos, Timo Seidl: 'Im „Südwesten“ nichts Neues? Eine Analyse der deutschen Namibiapolitik als Beitrag zur Rekonstruktion der außenpolitischen Identität des deutschen Nationalstaates', in: *Zeitschrift für Friedens- und Konfliktforschung*, 4 (2), 2015, pp. 182-224.

the German empire (*Deutsches Reich*). This has not been changed with the incorporation of both states in 1990. The expanded Federal Republic remains legally a continuation of the German empire, as stressed in 2007 by the academic services of the German parliament.<sup>41</sup> Hence, logically, the current German state remains responsible for acts committed earlier. The Joint Declaration simply presents despite all cosmological rhetoric a refurbished version of asymmetric power relations. It continues to exclude the prime counterparts in efforts seeking restitutive justice. German-Namibian bilateral interaction remains a story of aid recipients and the White Saviour.<sup>42</sup> Policy with history turns into development aid for the Namibian state.<sup>43</sup>

### Unfinished business: not without us

The main agencies of the descendants were adamant in their rejection of the deal. Their motto is *Nothing about us without us*. This refers to a substantive clause in the United Nations Declaration on the Rights of Indigenous People.<sup>44</sup> Adopted in 2007 and signed by both countries, article 18 states in no uncertain terms: "Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures."

Similarly, political opposition parties did not waste any time to manifest their disagreement. The opening debate in the National Assembly in early June 2021 ended in turmoil. In an unseen form of protest, hundreds of demonstrators joined by MPs stormed the fenced in area outside of Parliament.<sup>45</sup> Due to an escalating Covid-pandemic, the parliamentary debate then took place from late September to end of November 2021. Speakers from all parties expressed concerns, criticism, and rejections. Deputy Minister Ester Muinjangu, leader of the National Unity Democratic Organisation (NUDO) – the only member of government not from SWAPO – set the tune: "We have the feeling our government is not supporting us. You hear

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<sup>41</sup> Deutscher Bundestag, 'Wissenschaftliche Dienste: Zum rechtlichen Fortbestand des "Deutschen Reichs"', WD 3 – 292/07, 25 July 2007, <https://www.bundestag.de/resource/blob/659208/bb1b8014f97412b4439d024bcdb79896/WD-3-292-07-pdf-data.pdf>

<sup>42</sup> Medardus Brehl: 'Namibia im Deutschen Bundestag und in der Außenpolitik', in: Henning Melber, Kristin Platt, (eds.): *Koloniale Vergangenheit – postkoloniale Zukunft? Die deutsch-namibischen Beziehungen neu denken*, Frankfurt/Main, Brandes & Apsel, 2022, pp. 55-69 (67-69).

<sup>43</sup> Yvonne Robel: *Verhandlungssache Genozid. Zur Dynamik geschichtspolitischer Deutungskämpfe*, Paderborn, Fink, 2013, p. 388.

<sup>44</sup> Full document at: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

<sup>45</sup> Al Jazeera, "'Betrayal': Namibian opposition MPs slam Germany genocide deal", 8 June 2021, <https://www.aljazeera.com/news/2021/6/8/betrayal-namibian-opposition-lawmakers-slam-germany-genocide-deal>

government-to-government, but where are we?"<sup>46</sup> MacHenry Venaani, leader of the official opposition Popular Democratic Movement (PDM) lambasted the compensation for the crimes committed as a flagrant display of arrogance by the German government lacking empathy.<sup>47</sup> Bernadus Swartbooi, leader of the second biggest opposition party Landless People's Movement (LPM), concluded with reference to the exclusion of the most affected indigenous communities "that this nation-state does not belong to all."<sup>48</sup> SWAPO MPs voiced their frustration too. Minister Tom Alweendo was concerned about the growing divisions: "I am troubled by how the conversation has gone thus far. ... I am afraid that should we continue with this path, then the legacy left by the divide and rule philosophy will continue to flourish."<sup>49</sup>

The parliamentary debate closed with Government announcing that it will seek further negotiations with the German side.<sup>50</sup> But a major challenge lies in the inclusion of the most affected communities in Namibia and the diaspora. It points to the limitations of government-to-government negotiations if these do not adequately recognize those, who bear the trauma and consequences of the genocide.

Germany has conveniently dodged the contested matter of representation by the descendants of the genocide victim groups by declaring it a purely internal Namibian affair. This evasive – albeit formally correct – position neglects any efforts to find a solution for the specific case: Notwithstanding any considerations avoiding a precedence in terms of international law it would be possible to address the Namibian case without entering the obligation to acknowledge a general commitment for reparations concerning colonial crimes. Following the Joint Declaration, the German MP Sevim Dağdelen of the Left Party (*Die Linke*) asked the Scientific Services of the German Parliament to explore options for direct payments to Ovaherero and Nama in compensation of the losses.<sup>51</sup> The report suggests that it is possible to legislate a tailor-

<sup>46</sup> Cai Nebe, Sakeus likela: 'Namibia debates German genocide deal', *Deutsche Welle*, 21 September 2021, <https://www.dw.com/en/namibia-debates-german-genocide-deal/a-59243358>. Until joining the government as deputy minister, she was also Chairperson of the Ovaherero Genocide Foundation.

<sup>47</sup> Staff Reporter, 'Venaani: genocide deal 'nothing but aid''', in: *New Era*, 29 September 2021.

<sup>48</sup> Bernadus Swartbooi, Contribution to the National Assembly Debate. On the Joint Declaration on the 1904-1905 Genocide between Germany and Namibia, 29 September (speech in the possession of the author).

<sup>49</sup> Kuzeeko Tjitemisa: 'Parliament in session: Alweendo troubled by 'divisive' genocide debate', in: *New Era*, 28 October 2021.

<sup>50</sup> Ryan Lenora Brown: 'Germany admits to genocide in Namibia. Should reparations follow?', in: *The Christian Science Monitor*, 2 December 2021, <https://www.csmonitor.com/World/Africa/2021/1202/Germany-admits-to-genocide-in-Namibia.-Should-reparations-follow>

<sup>51</sup> Sevim Dağdelen: 'Völkermord zweiter Klasse? Koloniale Kontinuitäten im deutsch-namibischen "Versöhnungsabkommen"', in: Henning Melber, Kristin Platt, (eds.): *Koloniale Vergangenheit – postkoloniale Zukunft? Die deutsch-namibischen Beziehungen neu denken*, Frankfurt/Main, Brandes & Apsel, 2022, pp. 129-136.

made Compensation Act for the specific case.<sup>52</sup> While this would require a negotiated agreement with the Namibian government representing the state, no such option was explored. Restorative justice remains a missing notion in the vocabulary. The descendants of the most affected communities therefore remain caught between a rock and a hard place, fighting

“their battles for political recognition and legitimation on the terrain of memory ... as hegemonic state historical narratives are challenged by historically disenfranchised groups who issue legal and political demands for acknowledgement of their own versions of the past.”<sup>53</sup>

## Take it or leave it?

In October 2021 the German special envoy Ruprecht Polenz confirmed in an interview that the Joint Declaration will not be re-negotiated.<sup>54</sup> Elsewhere he reiterated that the negotiations were closed.<sup>55</sup> But the coalition agreement of the new German government in office since early December 2021, stresses reconciliation with Namibia as an “indispensable task” for historical and moral reasons. The Joint Declaration is considered a prelude to a further common processing.<sup>56</sup> This sounded more open than a spokesperson of the German government. At a press conference in early 2022 he clarified: the Joint Declaration is an offer on the table, and it now is for the Namibian side to decide how to go about it.<sup>57</sup>

<sup>52</sup> Deutscher Bundestag, Wissenschaftliche Dienste: ‘Sachstand. Zur völkerrechtlichen Zulässigkeit von freiwilligen Entschädigungszahlungen an Herero und Nama in Namibia’, WD 2 – 3000 – 067/21, 11. October 2021, <https://www.bundestag.de/resource/blob/868674/e1e537a1e84079ffdfbdda1995dee0ad/W/D-2-067-21-pdf-data.pdf>

<sup>53</sup> Ellie Hamrick, Haley Duschinsky: ‘Enduring injustice: Memory politics and Namibia’s genocide reparations movement’, in: *Memory Studies*, 11 (4), 2018, pp. 437-454 (451).

<sup>54</sup> Heiner Hoffmann: “Moral ist nicht weniger wert als Recht”, in: *Der Spiegel*, 9 October 2021, <https://www.spiegel.de/ausland/ruprecht-polenz-ueber-das-versoehnungsabkommen-nach-dem-voelkermord-an-den-nama-und-herero-a-57c8c649-6a5d-415c-9044-3c5a2973ce07>.

<sup>55</sup> Ruprecht Polenz: ‘Noch ein weiter Weg bis zur Aussöhnung’, in Henning Melber, Kristin Platt, (eds.): *Koloniale Vergangenheit – postkoloniale Zukunft? Die deutsch-namibischen Beziehungen neu denken* Frankfurt/Main, Brandes & Apsel, 2022, pp 119-127 (127).

<sup>56</sup> Koalitionsvertrag 2021-2025 zwischen SPD, Bündnis 90/Die Grünen und FDP: *Mehr Fortschritt wagen. Bündnis für Freiheit, Gerechtigkeit und Nachhaltigkeit*, p. 126: ‘Die Aussöhnung mit Namibia bleibt für uns eine unverzichtbare Aufgabe, die aus unserer historischen und moralischen Verantwortung erwächst. Das Versöhnungsabkommen mit Namibia kann der Auftakt zu einem gemeinsamen Prozess der Aufarbeitung sein.’ <https://www.bundesregierung.de/resource/blob/974430/1990812/04221173eef9a67220059c353d759a2b/2021-12-10-koav2021-data.pdf>.

<sup>57</sup> Die Bundesregierung: ‘Im Wortlaut: Regierungspressekonferenz vom 26. Januar 2022’: ‘Es



In the absence of any further progress, MP Dagdelen submitted a parliamentary question in July 2022.<sup>58</sup> A response categorically declared that the German government considers the Joint Declaration as final, though conversations go on over the implementation of individual modalities.<sup>59</sup> It maintains that the Namibian government, despite controversial debates in the National Assembly, would stick to the draft while at the same time conceding that it had so far not yet agreed to it.<sup>60</sup> The answer clarifies that the Declaration is no legal contract and no document in terms of international law and therefore does not require the endorsement (ratification) by a vote in the German parliament. It expresses the view that neither the Namibian parliament must authorise the signing by the foreign ministers, while emphasising that both governments agree that an appropriate participation of the descendants of the Ovaherero and Nama is indispensable for genuine reconciliation.<sup>61</sup> One wonders about the interpretation of appropriate and indispensability in this context.

In contrast to German official statements, the German ambassador at a reception on Germany's Day of German Unity (Tag der Deutschen Einheit) created the impression that there would be further leeway for negotiations.<sup>62</sup> This motivated MP Dagdelen to pose another question in the German parliament. On October 12, 2022, Katja Keul, Minister of State in the Foreign Ministry, responded in no uncertain terms: the German and Namibian government would stick to the Joint Declaration. Only matters of implementation remain a subject of confidential talks.<sup>63</sup> Notably, the answer also used the opportunity for a semantic clarification, rebuking the use of the term reconciliation agreement. Though used in official German parlance before (not least

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liegt ein Angebot von deutscher Seite auf dem Tisch, und die namibische Seite muss jetzt entscheiden, wie sie mit diesem Angebot umgehen möchte', <https://www.bundesregierung.de/breg-de/suche/regierungspressekonferenz-vom-26-januar-2022-2001390>.

<sup>58</sup> Deutscher Bundestag, 20. Wahlperiode, Drucksache 20/2799, 19.07.2022.

<sup>59</sup> Deutscher Bundestag, 20. Wahlperiode, Drucksache 20/3236, 31.08.2022. Antwort der Bundesregierung, *Die deutsch-namibischen Beziehungen und das sogenannte Versöhnungsabkommen*, p. 3. 'Die Gemeinsame Erklärung ist damit aus Sicht der Bundesregierung ausverhandelt, auch wenn über einzelne Modalitäten der Umsetzung noch Gespräche geführt werden', <https://dserver.bundestag.de/btd/20/032/2003236.pdf>

<sup>60</sup> Ibid. 'Die namibische Regierung hält auch nach kontroverser Erörterung in der namibischen Nationalversammlung am Entwurf der Gemeinsamen Erklärung fest' and p. 5: 'Allerdings wurde die "Gemeinsame Erklärung" bisher von den Regierungen nicht abgegeben, da auf namibischer Seite bisher keine Zustimmung zu dieser Erklärung erfolgt ist'.

<sup>61</sup> Ibid., pp. 5, 6. 'Mit der namibischen Regierung ist sich die Bundesregierung einig, dass eine angemessene Beteiligung der betroffenen Gruppen der Nachfahren des Völkermordes an Herero und Nama für eine echte Versöhnung unabdingbar ist.'

<sup>62</sup> Frank Steffen: 'Genozid-Verhandlung dauert an – Deutschland will zuhören', in: *Allgemeine Zeitung*, 5 October 2022.

<sup>63</sup> Deutscher Bundestag: Plenarprotokoll 20/59, Stenografischer Bericht, 59. Sitzung, 12. Oktober 2022, 6621 C, <https://dserver.bundestag.de/btp/20/20059.pdf>

the coalition agreement), Keul with reference to the official title of the Joint Declaration stressed that there is no "so-called reconciliation agreement."<sup>64</sup> She added that this is a pioneering document. This defence suggests that the new coalition government seems to advertise "reactive remembrance"<sup>65</sup> as an achievement. Keul referred on October 17, 2022 to the Declaration as "a milestone in our efforts to remember the painful past and unite behind a common vision for the future" and re-confirmed "Our two governments stand by what we have jointly achieved. And we are currently working on ways to settle the remaining open questions, so that the Declaration can be signed."<sup>66</sup>

In contrast, the Namibian government made its position public through Vice President Nangolo Mbumba on October 27, 2022 when addressing a meeting of the Chiefs' Forum attended by traditional authorities from the most affected communities who were willing to collaborate in the bilateral negotiations.<sup>67</sup> According to Mbumba, the amount of EUR 1.1 billion is not enough to account for the damage Germany caused. It needs to be improved and the 30-year payment period is too long. The negotiations also failed to recognize victims in the diaspora, especially those living in Botswana.<sup>68</sup> He further claimed, that a letter submitted to the German government in July, requesting an opportunity to renegotiate, had to this day not received any response.<sup>69</sup> As he elaborated, the technical committees of both countries had "discussed the issue, and proposed that amendments be made to the joint declaration in the form of an addendum, which was submitted to the German government."<sup>70</sup> As Vice President Mbumba at a press conference in conclusion of the Chiefs' Forum categorically stated:

Hopefully we will reach a figure which Germany is ready to give, and which Namibia is ready to accept. The government of the Republic of Namibia is waiting for a response from Germany on the proposed

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<sup>64</sup> Ibid.

<sup>65</sup> Franziska Boehme: 'Reactive Remembrance: The Political Struggle over Apologies and Reparations Between Germany and Namibia for the Herero Genocide', in: *Journal of Human Rights*, 19 (2), 2020, pp. 238-255.

<sup>66</sup> Federal Foreign Office: 'Speech by Minister of State Katja Keul at the conference "New Perspectives on German Colonial Rule – A Scholarship Programme for Cooperative Research"', 17.10.2022, <https://www.auswaertiges-amt.de/en/newsroom/news/-/2558984>

<sup>67</sup> These were less representative than the main agencies, had a consultative role and also rejected the negotiated result.

<sup>68</sup> Mbumba's statement can be followed in full at [https://www.facebook.com/namibiansun/videos/8312846335453654/?extid=CL-UNK-UNK-UNK-AN\\_GK0T-GK1C](https://www.facebook.com/namibiansun/videos/8312846335453654/?extid=CL-UNK-UNK-UNK-AN_GK0T-GK1C).

<sup>69</sup> Jemima Beukes: 'Genocide: Germany's deafening silence continues', in: *Namibian Sun*, 28 October 2022.

<sup>70</sup> Kuzeeko Tjitemisa: 'Govt U-turns on genocide pact... Namibia seeks N\$ 18bn deal renegotiation', in: *New Era*, 28 October 2022.

addendum. I am assuring Namibians that no agreement has been reached or signed with Germany yet.<sup>71</sup>

This contrasts with the German statements, which informed on several occasions in a misleading manner on the Namibian position. This points to the inherent structure of such dialogue, which “entails a format that accords the politician of the transgressor state an elevated speaking position. This results in the ritual being predisposed to problematic representations of the colonised and sanitised narratives of the transgressor.”<sup>72</sup>

Given the statement by Vice President Mbumba, MP Dagdelen posed another question to the government, seeking clarification on the status of the Joint Declaration. The short answer on November 9 insisted that both governments remain committed to the original text of the Joint Declaration but had agreed that through additional but not new negotiations questions of implementation would be clarified. Drafting an addendum was a matter of confidential talks.<sup>73</sup>

## Ploughing through?

While affairs remained pending during 2023, new critical interventions threw spanners in the work: on January 19, 2023 an application by Bernadus Swartbooi of the LPM, the OTA and nine traditional authorities from Nama communities as members of the NTLA was filed at the Namibian High Court.<sup>74</sup> It challenges the constitutional legality of the bilaterally negotiated Agreement. The lawsuit seeks a judicial review to set aside the decision by the Speaker of Namibia’s National Assembly to note the Joint Declaration and to declare it unlawful in terms of Namibia’s Constitution as well as in breach of the motion adopted by the National Assembly in 2006. It argues that the country’s international relations remain subject to constitutional control. Until the end of 2023 the case remained frozen in Status Hearing, a suspension for the prosecuting party to collect more supporting documents through receipt of records and to prepare a road map for its arguments. For Karina Theurer, who acts as a legal consultant in

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<sup>71</sup> Edward Mumbuu: ‘Namibia frets over revised genocide offer’, in: *New Era*, 4 November 2022.

<sup>72</sup> Tom Bentley: ‘Colonial apologies and the problem of the transgressor speaking’, in: *Third World Quarterly*, 39 (3), 2018, pp. 399-417 (399).

<sup>73</sup> Fragestunde im Deutschen Bundestag, 9 November 2022. The answer, transmitted in writing to the office of MP Dagdelen, is composed of three sentences in eight lines. It stresses that both sides agree that the open questions will be clarified by means of *Nachverhandlungen* and not *Neuverhandlungen* (underlined in the original, which is as a copy in the author’s possession).

<sup>74</sup> Respondents are the Speaker of the National Assembly, the State President, the Cabinet and the Attorney General. Case number HC-MD-CIV-MOT-REV-2023/00023, available at <https://ejustice.jud.na/ejustice/f/caseinfo/publicsearch>. For an appraisal see Karina Theurer: ‘Litigating Reparations: Will Namibia Be Setting Standards?’, *Völkerrechtsblog*, 25 January 2023, <https://voelkerrechtsblog.org/litigating-reparations/>

the lawsuit, it "could be a historical milestone, because it is the first time that an interstate agreement on the reappraisal of colonial crimes is being reviewed in a court of a former colony."<sup>75</sup>

As if not enough, seven Special Rapporteurs of the United Nations Human Rights Council submitted on 23 February, 2023 a letter to the German<sup>76</sup> and Namibian<sup>77</sup> government.<sup>78</sup> With minor deviations largely identical, these letters:

express grave concern at the alleged failure of the Governments of Germany and Namibia, as parties of the negotiations, to ensure the right of the Ovaherero and Nama Peoples, including women, to meaningful participation, through self-elected representatives ... the legal status of the Ovaherero and Nama peoples and their representatives as indigenous peoples under the international and national law is different and separate from that of the Namibian Government itself, and thus requires a place of its own in the negotiations. [...]international law requires the States to obtain the free, prior, and informed consent of the Indigenous Peoples concerned through their own representatives before adopting and implementing legislative or administrative measures that may affect them. It also stipulates that mechanisms that aim to redress colonial crimes have to be developed in conjunction with them. The right to meaningful participation in all decisions that have an impact on their cultural life is also guaranteed under international law.<sup>79</sup>

The UN Special Rapporteurs not only bemoan the "insufficient memorialization" of the genocide in both countries, but also underline:

that the question at hand is not a demand for assistance but rather, and clearly so, a demand for accountability and reparation for the harm inflicted. This has important ramifications as only full reparation that includes acknowledgement, apology, restitution, compensation, rehabilitation and guarantees of non-recurrence (including the reform of continuous forms of exclusion and discrimination), can effectively remedy past wounds. This fundamental distinction cannot be overlooked or

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<sup>75</sup> Karina Theurer: 'Minimum Legal Standards in Reparation Processes for Colonial Crimes: The Case of Namibia and Germany', in: *German Law Journal*, 24 (7), 2023, pp. 1146-1168 (1168).

<sup>76</sup> Reference AL DEU 1/2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27875>

<sup>77</sup> Reference AL NAM 1/2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=27878>

<sup>78</sup> See for a comment Karina Theurer: 'Germany Has to Grant Reparations for Colonial Crimes: UN Special Rapporteurs Get Involved Right on Time', *Völkerrechtsblog*, 2 May 2023, <https://voelkerrechtsblog.org/germany-has-to-grant-reparations-for-colonial-crimes/>

<sup>79</sup> AL DEU 1/2023 and AL NAM 1/2023, 8f.

dismissed as in it lies the key to achieving the healing and reconciliation that has evaded both parties for so long.<sup>80</sup>

The Rapporteurs requested both governments to clarify certain matters. Namibia responded on 30 May 2023<sup>81</sup>, and Germany on June 1, 2023<sup>82</sup>. Predictably, both responses dismissed the criticism entirely. In particular, they were eager to stress that participation in the bilateral negotiations were at all times open to the representatives of the affected communities but declined by OTA and NTLA. This ignores the point made by the Special Rapporteurs “that the refusal to participate in ways which are not in accordance with international law, cannot be construed as a refusal to participate in general.”<sup>83</sup> The German response insisted that “today’s outlawing and prohibition of genocide under international law did not exist in the years 1904 to 1908”, and that “the current regime of human rights protection is not a suitable instrument for addressing by legal means events which occurred long before its establishment.”<sup>84</sup> It ends with the self-righteous claim, that the bilateral negotiations “could serve as a model for addressing colonial injustice.”<sup>85</sup> But as revealed by Theurer, “In private, German diplomats admit that their legal reasoning is tenuous, but that the floodgates must be prevented from being opened.”<sup>86</sup> Such motivation could well have been a contributing factor to explaining the eagerness to pull through the Agreement against all odds. It might also resonate with the Namibian government’s desire to bring the pending matter to a closure, as the similar responses by both governments to the intervention of the special rapporteurs suggest.

Namibia’s Head of State Hage Geingob caused much consternation with a statement when engaging on September 15, 2023 with students at the Paris Institute of Political Studies (Sciences Po) at a stopover on his way to the opening of the United Nations General Assembly in New York. When questioned about the bilateral negotiations, he opined:

Reconciliation of Germany and Namibia is there. We have diplomatic relations, we have peace. This genocide happened how many years ago? Over a hundred years ago. Then the South Africans took over – they were

<sup>80</sup> Ibid., p. 10.

<sup>81</sup> Republic of Namibia, Office of the Deputy Prime Minister and Minister of International Relations and Cooperation: ‘Joint Communication From Special Procedures’, 30 May 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37541>

<sup>82</sup> Permanent Mission of the Federal Republic of Germany to the Office of the United Nations and to the other International Organizations Geneva: ‘Note Verbale’, Ref: Pol-10 552.00 NAM, Note No.: 159/2023, 1 June 2023, <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37548>

<sup>83</sup> Theurer, ‘Minimum Legal Standards’, p. 1165.

<sup>84</sup> Permanent Mission of the Federal Republic of Germany, to the Office of the United Nations and to the other International Organizations Geneva, ‘Note Verbal’, pp. 7f.

<sup>85</sup> Ibid., p. 14.

<sup>86</sup> Theurer, ‘Litigating Reparations’.

worse and then Swapo started to fight to free the country. After we freed the country, we now have the right to talk about the genocide. Some people who talk about the time to reconcile were on South Africa's side when we were fighting for freedom. Now all of a sudden, the demand is that they must negotiate themselves. Go and convince Germany.<sup>87</sup>

In a subsequent interview with France24, Geingob indicated that some agreement seems to be reached, and his spokesperson revealed a few days later that Geingob had "discussed outstanding matters on genocide reparations with German Chancellor Olaf Scholz."<sup>88</sup> Not surprisingly, this caused considerable public uproar. NUDO demanded an apology, reasoning, "The president is at liberty to play to the international gallery" but should not "do it at the expense of the Ovaherero and Nama people."<sup>89</sup> The NTLA and the OTA lambasted Geingob for "denialist utterances" in an unusually strong worded joint statement for "behaving repugnantly and self-servingly in particular questions of our existential demands for redress of a colonial past."<sup>90</sup>

Addressing German-speaking Namibians late in October 2023, Foreign Minister Netumbo Nandi-Ndaitwah revealed that another round of negotiations took place in Windhoek from 4 to 6 October, 2023. According to her, the focus was on three unresolved issues, namely "the amount offered, the 30 year payment period and whether the final joint declaration would bring finality to Germany's obligations towards Namibia in the context of genocide."<sup>91</sup> In early November 2023, opposition leader McHenry Venaani claimed that the negotiations had reached consent to add another one billion euro to the initial amount agreed.<sup>92</sup> In the absence of any official response this remained unconfirmed. But in another meeting behind closed doors in early December in Berlin the delegations seemed to have reached further common ground. On December 9, 2023 Christoph Retzlaff, Director for Sub-Saharan Africa and the Sahel at Germany's Federal Foreign Office, posted on X: "Constructive and trustful talks with Technical Committee of Government of Namibia in Berlin. Exchange

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<sup>87</sup> Quoted in Jemima Beukes: 'Apartheid worse than genocide, Geingob says', in: *Namibian Sun*, 20 September 2023.

<sup>88</sup> Otniel Hembapu: 'Uproar over Geingob's genocide remarks', in: *New Era*, 26 September 2023.

<sup>89</sup> Elizabeth Joseph: 'Nudo demands apology from president', in: *Namibian Sun*, 25 September 2023.

<sup>90</sup> NTLA/OTA, 'Open Letter to the Namibian Head of State: Dr. Hage Geingob', 27 September 2023, pp. 5, 2.

<sup>91</sup> Toivio Ndjebela: 'Reparation talks: Namibia pushes Germany on three fronts', in: *Namibian Sun*, 20 October 2023.

<sup>92</sup> Puyelpawa Nakashole, 'Venaani claims reparations agreement in closed-door negotiations', in: *The Namibian*, 9 November 2023.

with MPs of Parliament. Addressing the painful colonial past and jointly shaping our special relationship for the future."<sup>93</sup>

While rumours suggested that a deal had been sealed, by the end of 2023 no official announcement had been made how the Joint Declaration has been modified and if the result would be accepted. But even if by the time of this book being published such a ratified Agreement would have become reality, it would not end the controversial debate. What Bentley dubbed as "double ventriloquism" seems an adequate characterisation of any agreement reached. This:

occurs whereby both the (former) colonizing state and the postcolonial government collude to speak for the colonized in respect to offering a narrative of the wrongdoing, determining remedial measures, and agreeing that the issue is "closed". Such collusion frames the state as the sole interlocutor in the transitional justice process and is an exercise in marginalizing the subaltern voices in addressing the past.<sup>94</sup>

As Theurer warned, "[i]f the current German government thinks it will be possible to achieve reconciliation by imposing an agreement that is perceived to reproduce colonial racism and white saviourism and that is rejected by the majority of the affected communities", it might be up for a nasty surprise. Rather, "it amounts to putting more fuel into the fire."<sup>95</sup> The same warning can, of course, be addressed to the Namibian government.

## Conclusion

For applying different criteria to victims of genocide, descendants of the Ovaherero and Nama as well as other communities decimated and uprooted by German colonialism accuse Germany of double standards. They claim that without the descendants of the genocide survivors substantially involved and willing to reconcile, the outcome of the bilateral German-Namibian negotiations remains as patronizing and paternalistic as colonialism had been. As Ester Muinjangué declared, "It is critical to have representatives of the two communities at the negotiating table, selected and appointed by themselves." With reference to the Wassenaar negotiations she asked, "If Germany could negotiate with 23 groups, what is difficult to negotiate with 23 groups of Ovaherero and Nama?"<sup>96</sup> In a similar vein it was argued:

While the Jewish Claims Conference can certainly not be said to have represented the entirety of the Jewish diaspora – nor the entirety of the

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<sup>93</sup> <https://twitter.com/GERonAfrica/status/1733441353764188578>

<sup>94</sup> Tom Bentley: 'The Negotiated Apology: "Double Ventriloquism" in Addressing Historical Wrongs', in: *Global Studies Quarterly*, 2 (4), October 2022, <https://doi.org/10.1093/isagsq/ksac056>

<sup>95</sup> Theurer, 'Minimum Legal Standards', p. 1163.

<sup>96</sup> Loide Jason: 'On the spot – Muinjangué on party politics, Covid-19 and reparations', in: *New Era*, 11 February 2022.

Holocaust surviving community – it was still an organization *beyond the state* that could negotiate with the German government for a reparations agreement. The Herero and Nama genocide and its aftermath are by no means identical to the Holocaust and its aftermath, but that does not rule out comparisons about the seriousness with which the question of reparations has been dealt.<sup>97</sup>

As critically observed, the negotiated Declaration displays fundamental limits compared with earlier efforts to come to terms with the crimes of the Nazi regime:

The proposal to use the term 'healing the wounds' suggests that it is not. ... It is a posture that inadvertently reproduces colonial thinking. For reconciliation to work requires that we stop that kind of thinking and find a genuinely post-colonial, or decolonial, approach.<sup>98</sup>

If taken seriously, such bonds of solidarity also require and include the recognition of the other view as equal and the trauma caused as singular. Singularity or *Zivilisationsbruch* is not limited to the Holocaust, as a kind of universal ranking suggests, guided by the power of definition of Eurocentric exclusivity. The singularity of the Holocaust is not denied when the singularities of violence committed elsewhere at other times – not least during the expansion of Europe into the rest of the world – are recognised. Remembrance and commemoration are not a zero-sum game.<sup>99</sup> As mentioned earlier, it is the merit of Michael Rothberg<sup>100</sup> to trigger a – albeit delayed – discussion also in Germany. He “succeeds in providing the wretched rivalries of remembrance – which can always be exploited to political ends – with a universalist perspective that stands in anamnestic solidarity with all victims of tyranny.”<sup>101</sup>

The trauma of mass violence inflicted with the intent to destroy is singular and a breach of civilization also in “subaltern” perspectives exposed to extermination strategies. There is no European master narrative, which is entitled to negate and thereby deny any experiences of similar importance and relevance in the history of other

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<sup>97</sup> Howard Rechavia-Taylor, Dirk Moses: 'The Herero and Nama Genocide, the Holocaust, and the Question of German Reparations', *E-International Relations*, 27 August 2021, p. 3, <https://www.e-ir.info/2021/08/27/the-herero-and-nama-genocide-the-holocaust-and-the-question-of-german-reparations/>

<sup>98</sup> Matthias Goldmann, 'Why the Key to the Past Lies in the Future. The Dispute about Reparations for Namibia', *Verfassungsblog on Matters Constitutional*, 20 August 2020, p. 4, <https://verfassungsblog.de/why-the-key-to-the-past-lies-in-the-future/>

<sup>99</sup> Micha Brumlik: *Postkolonialer Antisemitismus? Achille Mbembe, die palästinensische BDS-Bewegung und andere Aufreger. Bestandsaufnahme einer Diskussion*, Hamburg, VSA, 2021, p. 138.

<sup>100</sup> Rothberg, *Multidirectional Memory*.

<sup>101</sup> Micha Brumlik: 'For a 'Multidirectional' Memory: Michael Rothberg's contribution', *Texte zur Kunst*, 30 September 2020, <https://www.textezurkunst.de/en/articles/micha-brumlik-multidirectional-memory-michael-rothbergs-contribution/>



people to them and their descendants.<sup>102</sup> Not only the German, but also the Namibian government has ignored such fundamental premises for negotiating how best to come to terms with the genocide committed in South West Africa, by reducing it to an affair between them. The relevant agencies of the descendants of the most affected communities then had no seat at the negotiating table.

In addition, the implications of creating a precedence under current circumstances are too much of a risk for Germany, in the face of World War 2 crimes committed in Italy, Greece, and Eastern Europe. New (albeit untenable) demands were presented by Poland on September 1, 2022 in a report estimating World War 2 reparations for damages at EUR 1.3 trillion.<sup>103</sup> The Namibian case could therefore open a Pandora's Box – not only as pertains to unresolved reparation claims from World War 2 but also as motivation for subsequent claims based on similar crimes committed in other German colonies.

Moreover, other former colonial powers may fear legal precedents should Germany find a solution in recognition of the demands and claims brought by the descendants of mainly Ovaherero and Nama, but also the Damara and San, as victims of German colonial warfare and the subsequent annihilation strategies destroying their hitherto practised way of life, forcing them into bondage-like dependencies. For obvious reasons, German negotiations have been closely followed by other former colonial powers, with similar skeletons of mass violence and atrocities in their closets. Their own ambiguities and ambivalences show even more reluctance to tackle colonial crimes committed.

Given the overall context, in which the German-Namibian bilateral negotiations on a government-to-government level are embedded, there remains a long way to reconciliation, embracing justice and fairness. The question posed by the late Jewish historian Yosef Hayim Yerushalmi remains valid also for the Namibian case: "Is it possible that the antonym of "forgetting" is not "remembering", but justice?"<sup>104</sup>

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<sup>102</sup> See on this aspect Felix Axster: 'Licht und Schatten? Zur Debatte um Holocaust und koloniale Gewaltverbrechen', in: Matthias Böckmann, Matthias Gockel, Reinhart Kössler, Henning Melber, (eds.): *Jenseits von Mbembe – Geschichte, Erinnerung, Solidarität*, Berlin, Metropol, 2022, pp. 175-189. Notably, as stressed by Micha Brumlik: 'this cannot in turn mean that genocidal crimes that range in their barbarity and magnitudes can simply be equated ... Particularly if 'multiperspectival memory' is to give rise to a productive perspective that takes a solidaric and critical approach to historiography and societal analysis, it is essential to precisely name both similarities and differences alike.' Brumlik, 'Multidirectional' Memory', n.p.

<sup>103</sup> The demands were officially presented to the German government in early October 2022. For details see Klaus-Heinrich Standke: 'Deutsche Reparationen? Neuerliche Forderungen von polnischer Seite', in: *WeltTrends. Das außenpolitische Journal*, 30 (194), 2022: pp. 50-55.

<sup>104</sup> Yosef Hayim Yerushalmi: *Zakhor: Jewish History and Jewish Memory*, Seattle, University of Washington Press, 1996, p. 117.

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# Decolonial Futures:

## Reflecting on the legacy of German colonialism in Namibia and the restitution of museum objects

### Golda Eureth Ha-Eiros and Napandulwe Shiweda

#### Introduction

In May 2022, 23 objects from Ethnologisches Museum Berlin collection were presented to the Namibian public. These are everyday objects, including jewellery and clothes that were obtained in Namibia between 1860 and 1890.<sup>1</sup> This event was significant for Namibia as many of the objects are no longer in use and many of the current generations have not seen them before.<sup>2</sup> The idea is the possibility to uncover knowledge about Namibia's cultural heritage that has perhaps already been forgotten.<sup>3</sup> These objects have different acquisition histories and are from different communities, but the intent was, as Sarr and Savoy posit, that the return of collections is merely the first and highly symbolic act of a "new relational ethic."<sup>4</sup> It was publicised that the Ethnologisches Museum Berlin's decision to return the Namibian treasures is part of a push to reconcile with the former colony.<sup>5</sup> However, as the project team claims, "The aim of the restitution initiative was to better understand where the objects came from, how they were collected and what should happen with them in the future."<sup>6</sup> The public showcase of the objects generated a lot of interest

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<sup>1</sup> Agence France-Presse (AFP): 'Germany hands over looted artifacts to Namibia, but on loan basis', 31 May 2022, <https://www.globaltimes.cn/page/202205/1267031.shtml>

<sup>2</sup> See Jasko Rust: 'Namibia recovers 23 museum pieces from Germany', *Deutsche Welle (DW)*, 05/31/2022, <https://www.dw.com/en/colonial-looted-art-namibia-recovers-23-objects-from-germany/a-61988037>

<sup>3</sup> Ibid.

<sup>4</sup> See Felwine Sarr, Bénédicte Savoy: 'The Restitution of African Cultural Heritage. Towards a New Relational Ethics'. November 2018, [https://www.unimuseum.uni-tuebingen.de/fileadmin/content/05\\_Forschung\\_Lehre/Provenienz/sarr\\_savoy\\_en.pdf](https://www.unimuseum.uni-tuebingen.de/fileadmin/content/05_Forschung_Lehre/Provenienz/sarr_savoy_en.pdf) .

<sup>5</sup> Jonny Walfisz: 'The decision to give back the Namibian jewellery coincides with last year's recognition of the German Empire's genocide in the early 20th century', euronews.culture, 25 May 2022, <https://www.euronews.com/culture/2022/05/25/germany-returns-stolen-colonial-treasures-to-namibia-as-reparations-continue>

<sup>6</sup> The Namibian team consisted of office manager and designer Ndapewoshali Ashipala, cultural officer Hertha Bukassa, curator Golda Ha-Eiros, archivist Werner Hillebrecht, historian



and TV coverage particularly in the German press, but to a lesser extent in Namibia.<sup>7</sup> According to Johanna Nghishiiko, a conservator responsible for the returned objects at the National Museum, the low press coverage in Namibia was due to the lack of awareness before the event, rather than lack of interest.<sup>8</sup> However, the event also provoked some criticism and questions on the issue of the objects only being returned on an indefinite loan and not a return. According to the Prussian Cultural Heritage Foundation, the term was chosen for purely bureaucratic reasons<sup>9</sup>, allegedly because a loan could be decided more quickly by the foundation, which is why the cooperation partners initially agreed on “permanent loan.”<sup>10</sup>

The Chairperson of the Museums Association of Namibia’s (MAN) Executive Committee, Nehoa Kautondokwa, stressed that every Namibian is represented through these items,<sup>11</sup> and she further asserted that all the objects were collected from different Namibian communities during Germany’s colonial era.<sup>12</sup> This article considers Larissa Förster’s approach to the issue of representation. She suggests that we need to further shift our attention from the representativeness of collections – representativeness of cultures, ethnicities, regions, religions, and topics – to the historicity and specificity of collections as a product of often asymmetrical transnational historical encounters.<sup>13</sup> This was in rethinking the issue of how everyone was represented by the returned objects and in a group of community representatives formed to select the objects between 2019 and 2020. The Advisory Committee consisted of artists, researchers, and museum experts from Namibia. This is an essential question to consider as Apoh and Mehler similarly contend that one of the obvious problems in narrowing down the number of negotiators is to preserve a fair level of representation on behalf of a given community.<sup>14</sup> These questions are linked to a recent case of restitution of the Bible and whip of the Namibian early-resistance hero Hendrik Witbooi in early 2019, which was accompanied by a dispute on which authorities in the country should be receiving them.<sup>15</sup> Although no dispute occurred with the 23

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and museum developer Nehoa Kautodonkwa, artist and fashion designer Cynthia Schimming and director of the Museums Association of Namibia Jeremy Silvester.

<sup>7</sup> Online searches indicate a limited press coverage of the public presentation in Namibia press.

<sup>8</sup> Conversation with Johanna Nghishiiko, 19 May 2023.

<sup>9</sup> See Rust, ‘Namibia’.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Larissa Förster: ‘Plea for a more systematic, comparative, international and long-term approach to restitution, provenance research and the historiography of collections’, in: *Museumskunde*, 81 (1/16), pp. 49-54 (52).

<sup>14</sup> Wazi Apoh, Andreas Mehler: ‘Mainstreaming the Discourse on Restitution and Repatriation within African History, Heritage Studies and Political Science’, in: *Contemporary Journal of African Studies*, 2020; 7 (1), pp. 1-16 (4).

<sup>15</sup> See Rust, ‘Namibia’.

cultural objects, importance attached to the restitution of these objects in Namibia should be seen as part of reparations for a period of colonial rule during which Germany committed a genocide against the Namibian people.<sup>16</sup> Thus, this paper reflects on how the Namibian public, researchers, and artists seek to restore cultural values and identity and renew their cultures through the objects that have been returned. This is a customary practice as Moira Simpson noted:

after decades of suppression and social injustice many colonized Indigenous peoples are seeking to revive traditional values and cultural practices as part of a process of renewal intended to strengthen cultural identity, heal personal and community ills and provide a stimulus for new creativity.<sup>17</sup>

She further considers the contemporary value of sacred and ceremonial artefacts as resources for cultural renewal by Indigenous peoples who have lost most of their heritage materials during the colonial era and are seeking to recover from the effects of post-colonial trauma.<sup>18</sup> This process often involves the restoration of key items of cultural and spiritual heritage to living indigenous cultures.

In this article, we show how the creatives and researchers make use of the restituted objects and illustrate the wider importance of the returned cultural artefacts in stimulating contemporary cultural and heritage debate. We do this by analysing how some communities especially re-encountered objects that were seen as sacred and central to earlier belief systems. This is to assess whether the returned cultural objects, especially the sacred and ceremonial artefacts, have contemporary value as resources for cultural renewal for Indigenous peoples in Namibia. The ongoing discussions about returning Namibian cultural artefacts from European museums raise questions about how people might obtain information about their past. However, one of the most significant current discussions in provenance search, is to have a converse approach which should start by evaluating the cultural and historical significance of artefacts today to a descendant community because culture and cultural identities change over time.<sup>19</sup> The knowledge of the descendant communities is important to restore cultural values and identity and renew the spiritual dimension of their cultures. Thus, this paper illustrates how the restitution of the 23 cultural objects contributes to a decolonizing agenda, considering that these objects are unique and of tremendous cultural and emotional interest for individuals and groups of people.

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<sup>16</sup> Walfisz, 'Decision'.

<sup>17</sup> Moira Simpson: 'Museums and restorative justice: heritage, repatriation and cultural education'. in: *Museum International*, 61 (1-2), 2009, pp 121-129.

<sup>18</sup> Ibid.

<sup>19</sup> See Jeremy Silvester, Napandulwe Shiweda: 'The Return of the Sacred Stones of the Ovambo Kingdoms: Restitution and the Revision of the Past', in: *Museum & Society*, 18 (1), 2020, pp. 30-39 (31).

## Historical context of the returned objects

The issue of repatriation and restitution of cultural objects is a complex and contentious one, particularly in the context of the history of colonization and the exploitation of cultural heritage. Silvester and Shiweda highlight that the movement to “decolonize the museum” in Germany, and increasing transparency about the content of collections in “ethnographic” museums in Europe, has meant that there is going to be an increase in claims from Namibia (a former German colony) for the return of objects of spiritual and historical significance to communities.<sup>20</sup> For many colonized peoples, the loss of cultural objects and artefacts has been a painful reminder of the violence and injustice inflicted upon their communities. In recent years, there has been a growing movement towards repatriation and restitution of cultural objects to their countries of origin.<sup>21</sup> This movement is based on the belief that these objects have significant cultural and spiritual meaning and are essential for the preservation of cultural identity and diversity. Larissa Förster noted that German museums in general have increasingly had to deal with claims for the restitution of artefacts and the repatriation of human remains, which is partly the result of international debates and international legislation on cultural property and cultural heritage.<sup>22</sup> The process of restitution did not necessarily begin with German museums only, but generally in Europe. It is questionable as to who decides on how certain provenance research is done and by whom. It is also unclear as to who is benefitting from this research – descendant communities or the ethnographic museum where the objects are held.

It was the *Africa Accessioned* project established by Jeremy Silvester that facilitated a network of communication that connected museums with the communities and places that the objects originated from. Silvester argues that the objective of the project was to map the ethnographic collections from Botswana, Namibia, Zambia, and Zimbabwe held in museums in Finland, Germany, Sweden, and the UK.<sup>23</sup> The idea was to establish a website or database for creating greater accessibility for Namibians to the virtual collections in Germany and elsewhere.<sup>24</sup> The return of objects, both virtually and physically, reveals cultural continuities and ruptures, and

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<sup>20</sup> Ibid.

<sup>21</sup> UNIDROIT: ‘UN General Assembly unanimously adopts resolution on “Return or restitution of cultural property to the countries of origin”,’ 10 December 2021, <https://www.unidroit.org/un-general-assembly-unanimously-adopts-resolution-on-return-or-restitution-of-cultural-property-to-the-countries-of-origin/>

<sup>22</sup> Förster, ‘Plea’.

<sup>23</sup> Jeremy Silvester: ‘The “Africa Accessioned Network”. Do museum collections build bridges or barriers?’, in: Larissa Förster, Iris Edenheiser, Sarah Fründt and Heike Hartmann, (eds.): *Provenienzforschung zu ethnografischen Sammlungen der Kolonialzeit. Positionen in der aktuellen Debatte*, München, Museum Fünf Kontinente, 2017, pp. 55-68 (57).

<sup>24</sup> Ibid., p 59.

can trigger cultural revivals and debates within descendant communities.<sup>25</sup> This is an important initiative aimed at addressing the issue of cultural repatriation by creating a comprehensive database of African objects held in European museums.

Spurred into action by the political nature that surrounded the Humboldt Forum, many museums intensified and systematized their provenance research in order better to assess which objects were contaminated by colonial pasts.<sup>26</sup> Consequently, recognition of the importance of engaging with communities in the management and interpretation of museum collections grew, and in 2019, a partnership between the MAN and the Prussian Cultural Heritage Foundation was established. This partnership brought together researchers and artists from Namibia with researchers in Germany<sup>27</sup> to examine the more than 1400 artefacts from Namibia in the collection of the Ethnologisches Museum Berlin.<sup>28</sup> The team worked together to examine the stories that the objects tell about Namibian history and German colonisation and to unlock the social, cultural and artistic potentials of the collection. The aim was to better understand where the objects came from, how they were collected and what should happen with them in the future. While the German partners primarily sought to address the colonial entanglements of the collections, the Namibian scholars and artists entered the project with a keen interest to explore possible futures of the objects beyond narratives of colonisation.<sup>29</sup>

In Namibia German colonial legacy endures despite unambiguous post-independence efforts within broader debates around identity and decolonization. This is because although the return of cultural objects has been seen as a way of restoring the dignity and agency of colonized peoples, not much has been done to acknowledge the harm that has been inflicted upon them.<sup>30</sup> The return of cultural objects has also been seen as a way of promoting greater understanding and respect for different cultures and ways of life. As stated earlier, Ethnologisches Museum Berlin's decision to return the Namibian objects is part of a reconciliation between Namibia and Germany regarding their common past. However, as Förster argues, records telling the history about acquisitions made in the colonial era. are usually more fragmentary and ambiguous.<sup>31</sup> Regardless, MAN believes that all German museums and private collectors must

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<sup>25</sup> Silvester, Shiweda: 'Return', p. 31.

<sup>26</sup> See Thomas Thiemeyer: 'Cosmopolitanizing Colonial Memories in Germany', in: *Critical Inquiry*, 45 (4), 2019, pp. 967-990.

<sup>27</sup> For the Namibian team, cf. note 6. The German experts consisted of curator Jonathan Fine, provenance researcher Julia Binter, collection managers Luise von Bresinski and Jule Padluschat, research assistant Kolja Drescher, conservator Eva Ritz, designer Renate Sander, academic advisor Larissa Förster and filmmaker Moritz Fehr.

<sup>28</sup> R. Mwatondange, J. Nghishiiko, J. Silvester: 'Project Report: Final Object Selection: Project Committee Meeting', Museums Association of Namibia, 20 January 2020, p. 2.

<sup>29</sup> See interview between Julia Binter and Golda Ha-Eiros for the "*market of the future*."

<sup>30</sup> See Sarr, Savoy: 'Restitution', p. 41.

<sup>31</sup> Förster: 'Plea'.

review their collections and identify artefacts obtained during the genocide. It is clear that all these items should be returned to Namibia so that the descendants of the previous owners can decide what should happen to them.<sup>32</sup>

## The 23 objects and their significance

Although it was the *Africa Accessioned* project that set the stage for restitution dialogues between museums and the communities and places that the objects originated from, the Gerda Henkel project titled *Confronting Colonial Pasts, Envisioning Creative Futures*, a collaborative conservation and knowledge production project of the historical collections from Namibia, held at the Ethnologisches Museum Berlin and the National Museum of Namibia, facilitated the return of the 23 cultural objects being discussed in this paper. The Gerda Henkel project involved a process to select a set of objects to be returned to Namibia, to be used in Namibia to advance research and knowledge of important aspects of the country's cultural heritage. It was felt that the collections of material culture held in museums were an important, but neglected archive of Namibian history.<sup>33</sup> Consequently, a team of Namibian researchers reviewed the collection in Berlin. The team were also able to request to handle a limited number of objects (as around 8 to 20 objects could be viewed during each weekly session). On the basis of this review, an initial shortlist of 150 objects that were considered to be of greatest historical and cultural importance to Namibian communities, was drawn up. The shortlist was then reduced to a list of 76 objects.<sup>34</sup>

A workshop was held at the National Museum of Namibia on 19 August, 2019. The workshop was a joint session with members of the project's advisory board and the project committee. The workshop was asked to select twenty objects from the shortlist for return. A voting system was used and a list of 23 objects was selected.<sup>35</sup> As highlighted by Silvester and Shiweda, there have been only a handful of objects returned to Namibia from European museums to date<sup>36</sup>, thus it is useful to reflect on these selected 23 cultural objects from Germany, and why they were chosen. The committee made sure that this small group of objects should reflect Namibia's cultural diversity to show the heritage significance of the Berlin collection to a wide range of Namibians.<sup>37</sup> Thus, priority was given to objects that are rare or no longer in circulation; objects that have historic significance or a background story; objects that contribute significantly to research on Namibian history and heritage, especially the

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<sup>32</sup> See Press release, Provenance research with Namibian researchers in the Ethnological Museum – objects travel to Windhoek – networking with communities of origin, artists and the public in Namibia in the project 'Con-fronting Colonial Pasts, Envisioning Creative Futures', Berlin, 18 September 2019.

<sup>33</sup> Mwatondange et al.: p. 2.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Silvester, Shiweda: 'Return', p. 31.

<sup>37</sup> Mwatondange et al.: p. 4.

history of material culture (clothing and accessories) in Namibia; and objects that showcase aesthetics (the beauty and skill of manufacture). These varied from an ancient three-headed drinking vessel to a doll wearing a traditional dress, and various knives and spears, to hairpieces and other fashion accessories.<sup>38</sup>

The biographies of these objects address Jesmael Mataga's call for "recasting such objects as archival items, that is, as items from the past that carry histories" and not as timeless material culture objects.<sup>39</sup> As highlighted by Golda Ha-Eiros, a Senior Curator at the National Museum of Namibia, provenance research plays a crucial role in understanding the origin and history of artefacts, documents, or other historical materials. Given the fact that European collectors and museums often homogenized several communities under one museum label,<sup>40</sup> it is sometimes a challenge to identify the concerned descendant communities where objects originated; this was fortunately not the case for the 23 objects in question.

As indicated before, the project involved a formal partnership between the National Museum of Namibia, MAN, Ethnologisches Museum Berlin, academics, researchers and creatives, as well as collaborations with community members. It is important to highlight here that Golda Ha-Eiros facilitated some aspects of the project. Thus, they have first-hand experience and were part of the advisory committee that examined and selected the objects. Thus, this paper benefited from their insights, perspectives and narratives presented.

Provenance research for the German partners primarily sought to address the colonial entanglements of the collections – based on information that was accessible through the German libraries and archives. However, this offered a German and colonial perspective on the past.<sup>41</sup> Similarly, for the Namibian team, documentation provided by the Ethnologisches Museum Berlin lacked vital information and in some cases, had misleading information of the cultural objects. Firstly, the information provided by the museum was in German and was a direct translation of the cultural objects at hand. There was also no actual importance given to the crafters/makers of the objects, symbolism, function or any of the cultural narrative that these cultural objects possessed. Recognizing this limitation, the team sought for input from community elders in Namibia (via WhatsApp) to provide a more comprehensive understanding of these cultural objects. Apoh and Mehler posit that "provenance research, however,

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<sup>38</sup> Ibid.

<sup>39</sup> Jesmael Mataga: 'Shifting Knowledge Boundaries in Museums: Museum Objects, Local Communities and Curatorial Shifts in African Museums', in Thomas Laely, Marc Meyer and Raphael Schwere, (eds.): *Museum Cooperation between Africa and Europe: A New Field for Museum Studies*, Kampala, Fountain Publishers, 2018, pp. 57-68 (62).

<sup>40</sup> George O. Abungu: 'Museums: Geopolitics, Decolonisation, Globalisation and Migration', in: *Museum International*, 71, 2019, pp. 63-71 (69).

<sup>41</sup> Julia Binter: VAD-Abstract for the panel: 'Opportunities and Challenges of Cooperative Provenance Research', organised by Lars Müller, Landesmuseum Hannover, 2021.

must in itself critique the way some of the information on the objects were conceived and written."<sup>42</sup> Meaning, even though:

co-curatorship is advocated by a number of museums today, provenance research needs to bring together scholars from the source countries with those from the countries holding the collections so that truly informed research benefitting from shared knowledge can be rigorously produced.<sup>43</sup>

Some of the oldest objects were given context as to how they ended up in the Ethnologisches Museum Berlin and basic information proven by the provenance research in Berlin is provided. For example, *ekori*, a headdress that was worn by the Herero women, is described as being:

the oldest surviving *ekori* in a museum collection in Germany and Namibia. It is central to Namibia's fashion history and therefore of outstanding historical and cultural importance. It was probably acquired by German anthropologist and physician Gustav Theodor Fritsch during his travels through southern Africa in the 1860s. During this period there was war between Nama and OvaHerero factions. Fritsch could have used this situation to acquire the *ekori*.<sup>44</sup>

What was considered missing from the museum's original description of the objects was the historical context and contemporary cultural use and some of their names in Namibian local languages. Oral histories and personal conversations provided insights on objects for example the historical context provided by Cynthia Schimming on *ekori* for the exhibit in the Humboldt Forum:

Herero women wore a fashion ensemble consisting of a headdress, called *ekori*, a headband, a beautifully crafted cape, necklaces, armlets and leglets, all adorned with iron or ostrich shell beads and finished with intricate leather stitching. Contact with missionaries changed this kind of fashion. They introduced Victorian-style dresses and forbade women to wear leather on pastoral grounds. To make things worse, the genocide committed against the Ovaherero and Nama from 1904 to 1908 by the Germans meant that a whole generation of craftspeople and artists were no longer able to transmit their knowledge to the next generation. The survivors of the genocide often sought refuge near missionary stations and slowly but steadily, they created a new form of dress: the dress that we as Ovaherero proudly wear today. Instead of leather, the artists started

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<sup>42</sup> Apoh, Mehler: 'Mainstreaming', p. 6.

<sup>43</sup> Ibid.

<sup>44</sup> Ethnologisches Museum - Staatliche Museen zu Berlin: 'List of objects selected to travel to Namibia in the framework of the collaborative research project "Confronting Colonial Pasts, Envisioning Creative Futures"'.  
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to use textiles to craft their garments. In this process, the *ekori* also got a new name, *otjikaiva*, literally meaning 'headgear made from fabric'.<sup>45</sup>

This information is important as while acknowledging the historical specificity of the objects, it is necessary to understand more about the context in which the objects were collected. This is because a lack of historical knowledge and perspective among museum staff risks the continuation of colonial myths and contributes to an ahistorical view of Namibia and its people. Key contextual information for these objects should be based on questions: "What networks were and are objects bound up in? How did knowledge circulate with and within these objects? Who collected them and to what end? And which narratives did they serve?"<sup>46</sup>

This is consistent with what Mataga argues – that museums in Africa contain thousands of cultural materials collected from African communities throughout the 20<sup>th</sup> century. However, most of these items have lain dormant in museum store rooms, "dehistoricised, depersonalised, and untribed."<sup>47</sup> He further argues that despite this extraction, the objects still retain cultural significance to some sectors of local communities – and have potential to be reconnected with those communities and to assume a different value than just that of a collectable.<sup>48</sup> Therefore, it is this dynamic process of re-integration and getting biographies of the 23 cultural objects in(to) different communities that is important from a Namibian perspective. Object biographies complicate external assumptions that indigenous knowledge and cultural practices and beliefs were fixed and immutable (or only mutated through and were corrupted by colonialism).<sup>49</sup> The potential and assumption of value for these objects is evident from the interest shown by fashion and textile researchers and students seeking inspiration for their respective projects.<sup>50</sup>

## New futures for the returned objects

The reintroduction, and possible resurrection, of objects as part of a living culture is a crucial but complex process.<sup>51</sup> Indeed, the current situation in Namibia is on one hand the cultural gap between the past and the present that needs to be filled with the benefit of these repatriated cultural objects. On the other hand, there is a need for continuity which Namibians hope to better understand through facilitating a deeper understanding of their history and identity. As Hermann Parzinger stressed with the return of the 23 objects:

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<sup>45</sup> Ibid.

<sup>46</sup> Thiemeyer: 'Cosmopolitanizing', p. 987.

<sup>47</sup> Mataga: 'Shifting Knowledge', p. 62.

<sup>48</sup> Ibid.

<sup>49</sup> Silvester, Shiweda: 'Return', p. 31.

<sup>50</sup> Conversation with Johanna Nghishiiko, 19 May 2023.

<sup>51</sup> Silvester, Shiweda: 'Return', p. 31.



We know how significant these objects are for Namibia. They are early pieces, of which there are no comparable objects left in Namibia itself because of the violent colonization. If we now return these objects permanently, we will support our Namibian partners in reconstructing the history of their country.<sup>52</sup>

Parzinger's argument is consistent with Albertus !Naruseb's sentiments as he states:

for Namibians, these repatriated cultural objects carry immense value beyond their physical presence. They serve as tangible links to their ancestors, their traditions, and their cultural heritage. By having these objects returned to their rightful place, Namibians can reclaim their history and strengthen their cultural identity. The repatriated cultural objects can help awaken narratives and memories that have been suppressed or overlooked during colonial periods. Through these objects, Namibians can gain a better understanding of their ancestor's way of life, traditions, beliefs, and their contributions to the nation's history.<sup>53</sup>

It is therefore imperative to look at the historical importance/significance and contemporary significance of the returned objects and show how Namibians are seeking to reconstruct their histories with them. As we indicated earlier, this paper assesses whether the returned cultural objects, especially the sacred and ceremonial artefacts, have contemporary value as resources for cultural renewal for Indigenous peoples in Namibia. This is because one of the most significant approaches to provenance search is to have a reverse method which starts by appraising the cultural and historical significance of objects today to a descendant community, because culture and cultural identities change over time. It is noted that some of the 23 cultural objects include items whose meaning was rooted in local spiritual beliefs.<sup>54</sup> Interestingly, developing collaborative processes for the restitution of significant numbers of artefacts of cultural and historical importance to Namibia is an opportunity for both Namibian and German museums to reconfigure their role in society.<sup>55</sup> Thus, as Silvester and Shiweda argue, the physical return of objects must be accompanied by the creation of substantive platforms for dialogue that do not cease once an object is returned. In Namibia, returns will generate reflection on cultural heritage as well as the contemporary relationship between Christianity and local beliefs.<sup>56</sup> Apoh and Mehler also found that:

in most cases, sacred African objects commissioned and made in the past were done for specific reasons and within a context of use and application

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<sup>52</sup> Ibid.

<sup>53</sup> Conversations with Albertus !Naruseb, 2022.

<sup>54</sup> There is an item named 'Calabash/gourd' (for defensive spells) – which is described as being sensitive due to its historical religious use. It was used for ritual purposes, described in colonial literature as 'defensive magic,' and was considered inalienable.

<sup>55</sup> Silvester, Shiweda: 'Return', p. 32.

<sup>56</sup> Ibid.

as well as within compelling varied historical moments. Their seizure, theft or collection often destroy and transform their associated practices. If such objects are limited in number, memories about their usage also gets obliterated through time when they are no longer used in rituals, ceremonies and community performances.<sup>57</sup>

Thus, it is important that such perspectives on the objects' cultural value and use today would tell a new story about what to be done once they are returned to their place of origin.

### **What is envisioned going forward: Community engagement / consultation**

While the repatriation of the 23 cultural objects to Namibia was a success, limitations of information still persist upon their return. With this recognition, the project *Confronting Colonial Pasts; Envisioning Creative Futures, 2019* paved way for sub-project, *Artistic Research and Communal Knowledge, 2023*.<sup>58</sup> This project broadens the conversation to essential key stakeholders of the Namibian heritage industry. Contemporary artists, together with knowledge keepers play a crucial role in re-interpreting and decontextualizing cultural objects within a modern framework. Through their creative expressions, they can shed light on untold stories, challenge dominant narratives, and bring marginalized perspectives to the forefront. Their innovative approaches can further help bridge the gap between the past and the present, making historical knowledge more accessible and relevant to contemporary audiences.

Overall, the initial project aimed to strengthen collaborations, conduct research, and spark debate about the importance of bringing home artefacts that are fundamental to Namibia's history and cultural expressions. Thus, the collaborative project's next steps will include research on artefacts in communities of origin throughout Namibia, as well as creative engagement with historical artefacts by Namibia artists and designers. However, the provision of frameworks for future research involving different areas of Namibia and different object-centred inquiries would be a good starting point for further collaborations.

But there remain more practical and important questions to consider: What is the state of National Museums of Namibia? What role does it play in society? What is the political agenda on the issue of returned objects? What does provenance research provide for descendant communities? How well are the restitution and decolonial debates informed by historical and contextual information? More so, how well has

<sup>57</sup> Apoh, Mehler: 'Mainstreaming', p. 10.

<sup>58</sup> Give some more details about who is funding it, what it intends to do, expected outcome, etc.

this discourse been critically packaged and theorized beyond its practical and rhetorical dimensions for the capacity- building of heritage enthusiasts/activists and for the consumption of the general public? McAuliffe argues that:

the provenance research that restitution requires can foster collaboration with national/Indigenous groups and generate new knowledge. While there are undoubtedly issues of infrastructure, expertise and security relating to museums in the developing world that might receive some repatriated material ... restitution should serve as a spur to support communities in the global South to receive material in their museums.<sup>59</sup>

## Conclusions

The following conclusions can be drawn from this paper that testify to the growing recognition of the importance of engaging with communities in the management and interpretation of museum collections. The return of cultural objects has been seen as a way of restoring the dignity and agency of colonized peoples, and acknowledging the harm that has been inflicted upon them. It has also been seen as a way of promoting greater understanding and respect for diverse cultures and ways of life. Post restitution of these cultural objects, facilitated connections between different communities and generations, providing a space for dialogue and exchange. The objects function as a platform for community engagement, enabling people to share their stories and perspectives, and to learn from them. Overall, the restitution of cultural objects can contribute to broader understandings of the importance of cultural identity and diversity and provide an opportunity for healing and renewal for colonized people. It is hoped that the objects will serve as knowledge resources, and exchanges will be derived from them in order to construct new ways of producing knowledge, and construct research collaborations through more horizontal, more conscious engagements with communities in Namibia.

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<sup>59</sup> Padraig McAuliffe: 'Complicity or Decolonization? Restitution of Heritage from "Global" Ethnographic Museums', in: *International Journal of Transitional Justice*, 15, 2021, pp. 678-689 (688).

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# After Genocide:

## How might Namibians and Germans reconcile?

### André du Pisani

The construction of history is consecrated to the memory of the nameless'  
Walter Benjamin

'History precedes me and my reflection; that I belong to history before I belong to myself'  
Hans-George Gadamer.

'Suffering which falls to our lot in the course of nature, or by chance, or fate, does not seem  
so painful as suffering which is inflicted on us by the arbitrary will of another'  
Arthur Schopenhauer

'I know enough tribes in Africa. They all have the same mentality insofar as they yield to  
force. It was and remains my policy to apply this force by unmitigated terrorism and even  
cruelty'  
Lothar von Trotha

### Introduction

To viscerally feel the full psychological and human impact of past genocidal politics, one has to spend time at a place like Hornkranz, a farm in the Khomas Region. Hornkranz digs deep into your psyche and touches your primal instincts. Here, on 12 April 1893, the German *Schutztruppe* (ironically called 'Protection Troops'), in an unprovoked three-pronged attack, killed 88 Witbooi Nama, the vast majority women and children and sent others to the hell of a concentration camp in Windhoek, as a precursor to the genocide of 1904–08. Today, after 130 years, Hornkranz is the dominion of the dead. A place where geology, geography and atrocity intersect. The geography along the banks of the ephemeral Gaub River that snakes around the battle field, – a marker of blood and lamentation – was repurposed for mass murder. The victims lie buried in unmarked shallow graves – nameless. Hornkranz is consecrated to the memory of the nameless, as Walter Benjamin suggested for history. You can almost pass the unsettling place by. For those with active memories, the wounds of the past are the scars of the present.

This contribution sets out to do four things. First, to present the case for a cosmopolitan reading of the 1904–08 genocide in the former German South West Africa (GSWA) and its aftermath informed by ideas culled from Psychohistory, African ethics, a particular strand of Western moral philosophy and the United Nations (UN) concept of 'the responsibility to protect' (RtoP). Secondly, to critique the prevalent state-centric approach in International Law when it comes to genocide and its differential impacts.

Thirdly, to consider an alternative framework based on moral considerations for meaningful reconciliation between Namibians and Germans, and finally, to summarise the key concerns of local voices more so after the May 2021 'Framework for Reconciliation' between the two states. The chapter then culminates in a conclusion that restates the core argument.

Notwithstanding many scholarly contributions on the history of Namibia, such as by Bley, Drechsler, Bridgman, Pool, Gewalt, Wallace and Zöllner, this essay acknowledges the contested nature of scholarship when it comes to discourses on Namibian-German colonial history in general, and the genocide in particular.<sup>1</sup> One such controversy is the popular 'continuity thesis' that the genocide provided the colonial roots of Nazism, as asserted by Olusaga and Erichsen, Sarkin, Zimmerer, Jan Bart-Gewald and Baer, among others.<sup>2</sup> Another, relates to the cultural, spiritual and material harm inflicted by the genocide as recorded in the *Blue Book* originally published in 1918 and subsequently annotated and reprinted by Silvester and Gewalt, in 2003.<sup>3</sup> At the extreme right end of the ideological spectrum, there is the work of denialists – in their view the genocide is a fiction of the imagination of historians and other social scientists.<sup>4</sup>

This contribution is but a fragment of an infinite discourse on morality and war and on genocide. In Germany, for example, there is an ongoing debate around the holocaust and how it was distinctly different from the genocide in the former German South West Africa (GSWA). One of the core arguments is that the Jews were killed in virtue of being Jewish and that the then Nazi regime in Germany saw them as an internal enemy, a hated group, that posed a threat to the German state and its

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<sup>1</sup> Helmut Bley: *South-West Africa Under German Rule*, London: Heinemann, 1971; Jon M. Bridgman: *The Revolt of the Hereros*, Berkeley, University of California Press, 1981; Horst Drechsler: *Let Us Die Fighting*, London, Zed Press, 1980; Gerhardus Pool: *Die Herero-Opstand 1904-1907*, Cape Town, HAUM, 1979; Jan-Bart Gewalt: *Herero Heroes: A Socio-Political History of the Herero of Namibia*, London, Currey, 1999; idem: "We thought we would be free...." *Socio-Cultural Aspects of Herero History in Namibia*, Köln, Köppe, 2000; Marion Wallace, with John Kinahan: *A History of Namibia*, Auckland Park, Jacana, 2011; and Christian W. Zöllner: *Deutsch-Herero-Krieg 1904. Eine Betrachtung unter dem Aspekt Völkermord*, Kiel, Lorenz-Von-Stein-Institut, 2017.

<sup>2</sup> David Olusoga, Casper W. Erichsen: *The Kaiser's Holocaust. Germany's Forgotten Genocide and the Colonial Roots of Nazism*, London, Faber and Faber, 2010; Sarkin, Jeremy: *Germany's Genocide of the Herero. Kaiser Wilhelm II, His General, His Settlers, His Soldiers*, Cape Town, UCT Press, 2011, p. 244; Gewalt: *Herero-Heros*; idem: *Aspects*; Elizabeth R. Baer: *The Genocidal Gaze – From German South West Africa to the Third Reich*, Windhoek, UNAM Press, 2018, pp. 131f.

<sup>3</sup> Jeremy Silvester, Jan-Bart Gewalt: *Words Cannot Be Found German Colonial Rule in Namibia. An Annotated Reprint of the 1918 Blue Book*, Leiden, Brill, 2003.

<sup>4</sup> Hinrich R. Schneider-Waterberg: *Der Wahrheit eine Gasse Anmerkungen zum Kolonialkrieg in Deutsch-Südwestafrika 1904*, Swakopmund, Gesellschaft für Wissenschaftliche Entwicklung, 2005, pp. 55-66.

security. In the case of the 1904–1908 genocide in the former German South West Africa (GSWA), the indigenous population that resisted German colonialism were regarded as culturally-alien and inferior to ‘cultured’ Europeans, not worthy of carrying innate human rights and freedoms, thus outside the ‘circle of civilized life’. Moses provides a competent summary of the German debates in an admirable contribution.<sup>5</sup>

Nonetheless, there has to be some form of morality in war, to suppose otherwise is to condone barbarism, as Robin Neillands argues.<sup>6</sup> This contribution recognises that the moral culpability of killing by design was recognised long before the Fourth Geneva Convention of 1949 and the protocols subjoined to it afterwards. For example, the 1899 International Peace Conference at The Hague, that culminated in The Hague Convention of the same year, which Germany attended and subsequently ratified its core legal instruments, contained laws and customs of war on land-based on the triumvirate contained in the ‘Martens clause’ of ‘civilization’, ‘the laws of humanity’ and ‘the requirements of the public conscience’.<sup>7</sup> In retrospect, the problem was not that there were no rules for the conduct of war, rather that nascent international law was complicit in colonial conquest and genocide for it excluded non-Western people from the circle of moral consideration. Southern Africa, for example saw the genocide of the San (Bushman) in the 18<sup>th</sup> and 19<sup>th</sup> centuries in parts of South Africa.<sup>8</sup> Scholarship on these matters takes many forms and reflects the views and biases of professional historians, amateurs and activists alike. Notwithstanding a growing body of evidence that the former German colonial state did progressively, for reasons that will be made clear, escalated its military actions against Ovaherero and Nama resistance into a colonial war of genocidal bent, (a total war of extreme violence as evidenced by the tenor of the quotation from von Trotha cited above ), there are, however, denialists that refuse to acknowledge that the military actions under the command of Lieutenant General Lothar von Trotha, brought the rebellious Ovaherero and Nama to the proverbial ‘gates of hell’.<sup>9</sup> Some moral philosophers would argue that humanity has a common taste for violence, and that violence was a particularly corrosive feature of colonialism and imperialism, as indeed it was.

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<sup>5</sup> Dirk A. Moses: ‘Beispielhafte Opfer und permanente Sicherheit’, in: Matthias Böckmann, Matthias Gockel, Reinhart Kössler and Henning Melber, (eds.): *Jenseits von Mbembe. Geschichte, Erinnerung, Solidarität*, Berlin, Metropol, 2022, pp. 156-174.

<sup>6</sup> Robin Neillands: *The Bomber War: The Allied Air Offence Against Germany*, New York, Basic Books, 2001, p. 343.

<sup>7</sup> André du Pisani: ‘From Cicero to Kant, Rawls and Beyond: Invoking moral argument in relation to the 1904-1908 war of resistance against the former German colonial state’, unpublished paper, 2019d, pp. 1-32.

<sup>8</sup> Mohamed Adhikari: *The Anatomy of a South African Genocide The extermination of the Cape San Peoples*, Cape Town, UCT Press, 2010; idem, (ed.): *Genocide on Settler Frontiers. When hunter-gatherers and commercial stock farmers clash*, Cape Town, UCT Press, 2014.

<sup>9</sup> Wolfram Hartmann, (ed.): *Nuanced Considerations. Recent Voices in Namibian-German Colonial History*, Windhoek, Orumbonde, 2019.



Genocide<sup>10</sup> is a moral crime and human evil long before it was recognised in contemporary international human rights law as an affront to humanity, repugnant and punishable. Thus, the crime of genocide, from a moral point of view needs to be accorded the same weight irrespective of who the victims were and when it was perpetrated. While genocide was first recognised as a crime under international law by the United Nations (UN) in 1946 – after the Holocaust – and codified as an independent crime in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) – war crimes and crimes against humanity and genocide are prohibited under international law, and not subject to any statutes of limitations, regardless of whether states have ratified the Convention. This provision is embodied in an international convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. The Convention was adopted by the United Nations General Assembly on 26 November 1968. It came into force on 11 November 1970 and has 55 state parties. The former German Democratic Republic (GDR), acceded to the Convention on 27 March 1973, and after the reunification of Germany in late 1989, became part of a peremptory norm of international law and consequently no exemption is allowed.<sup>11</sup>

Genocide marks the suffering which results from morally wrong human choices, especially when the moral wrong is of an extreme kind. Whereas natural evil, such as suffering, and death caused by natural disasters, creates a problem for theology, moral evil creates one for secular moral philosophy. Moral evil is a predicate crime based on the willful humiliation of the other by those with an *Übermensch mentalité* (Superior human mentality) justifying their actions in terms of Social Darwinism, a form of Eugenics derived from the Greek word *eugenav*, meaning 'well-born'.<sup>12</sup> In the case of the 1904–8 genocidal war in Namibia it was killing and destruction by design. It found its clearest expression in the infamous *Vernichtungsbefehl* (extermination order) of 2 October 1904 issued in the name of the German Kaiser Wilhelm II by Lieutenant General Lothar von Trotha against the Ovaherero, that spoke of the willful humiliation and destruction of that community, the alienation of their land and the community being regarded as objectified non-subjects, *Untermenschen*, (lower and lesser humans) of the German Reich/State. Apart from death and destruction,

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<sup>10</sup> The concept of 'genocide' was coined and applied to International Human Rights Law by Raphael Lemkin (1944, 1945, 1946) and obtained international currency, if not without controversy, in United Nations Resolution 96 (1) of 11 December 1946, that came into effect in the 1948 *Genocide Convention*. Article II of the Convention deals explicitly with the intent of the perpetrator and goes beyond the physical destruction of communities to include their spiritual and cultural destruction as key to their livelihood.

<sup>11</sup> J. B. Tjivikua: 'War Crimes, Crimes Against Humanity and Genocide', in: *The Namibian*, 23 August 2023, p. 10.

<sup>12</sup> John Atkinson Hobson: *Imperialism: A Study*, London, Nisbet & Co, 1987, p. 168. The *Oxford Reference Dictionary*, Oxford University Press, 1987 defines it as 'the science of the production of fine offspring by control of inherited qualities'

genocide caused the psychic disequilibrium of traumatic *Unheimlichkeit* (homelessness) as it is comprehended in Marxist and Freudian thought. In essence, it banished the Ovaherero, and later the Nama communities, from the 'circle of civilized life' rendering them devoid of moral consideration.<sup>13</sup>

Von Trotha's 'Words to the Ovaherero people' or, as the General himself referred to these words, [as] a 'Proclamation' or '*Erlass*' (edict) – is variously called a *Vernichtungsbefehl* (extermination order), *Schiessbefehl* (firing order) or *Genozidbefehl* (genocide order).<sup>14</sup> Given the significance of the document, also for purposes of the argument advanced in this contribution, it is important to provide more context to it. More recent research shows, that the Proclamation was drafted by Von Trotha with the assistance of two Ovaherero-speaking men, namely, Kean and Philippus on 1 October 1904. The Proclamation does not usher in the advent of an entirely new military strategy towards the Ovaherero. Rather: followed strategy and tactics that were apparent before the Proclamation was issued. The proclamation was issued more than six weeks after the Battle of Ohamakari at the Waterberg and marks the end of the 'quest for surviving Ovaherero in the Omaheke, also known as [the] Sandveld'.<sup>15</sup> The proclamation was hardly distributed and known within the former colony. Based on a careful analysis of Von Troth's diary, the proclamation was his reaction to a series of what he conceived to have been military setbacks, also by his immediate predecessor Theodor Leutwein. Not only did he fail to achieve 'total victory' or the 'final solution' (as he had hoped) at the Waterberg, but he also had to abort the ensuing pursuit of the Ovaherero due to heavy fatalities.<sup>16</sup> The Proclamation signified brutalisation after what Von Trotha perceived as a form of failure and humiliation. At the time he was embittered for not achieving 'total victory' over the Ovaherero. It was a time of anger, fear and trembling. A period of raw savagery. A time when the brutal

<sup>13</sup> Proklamation von Trothas, Osombo-Windhuk, 2. Oktober 1904, BArch, Bundesarchiv Berlin-Lichterfelde, Reichskolonialamt R 1001/2089, Bl. 7<sup>a</sup> f (copy), Wallace: *History*, p. 165.

<sup>14</sup> A growing body of literature exists on the genocide and its aftermath. The literature includes novels such as those written by Bernhard Jaumann: *Der lange Schatten* (2015), Uwe Timm: *Morenga* (1978), Giselher Hoffmann: *Die schweigenden Feuer* (1994), Gerhard Seyfried: *Herero* (2003), Almut Hielscher and Uta König: *Mord am Waterberg – ein Kriminalroman* (2017), Rukee Tjingaete: *The Weeping Graves of our Ancestors* (2017), Koos Marais: *Die Keiservoël oor Namaland* (2016) [translated in 2018 as *The Scourge of the Kaiserbird*], Mari Serebrov: *Mama Namibia* (2013), Lauri Kubuitsile: *The Scattering* (2016) and Jasper Utley: *The Lie of the Land* (2017). Various Namibian visual artists have explored the theme of genocide in their work, among them: Imke Rust in her project 'An Infinite Scream' (2012) and Nicola Brandt in various exhibitions, notably, 'The Earth Inside' (2013), Isabel Katjavivi (2022) and Kristin Capp Morenga's Namibia.

<sup>15</sup> Andreas Eckl, Matthias Häussler, with Jekura Kavari: '*Oomambo wandje komuhoko wOvaHerero* Words to the OvaHerero nation'. The Extermination Order of Lothar von Trotha', in: Wolfram Hartmann, (ed.): *Nuanced Considerations. Recent Voices in Namibian-German Colonial History*, Windhoek, Orumbonde, 2019, pp. 79-108.

<sup>16</sup> *Ibid.*; see also Matthias Häussler: *Der Genozid an den Herero Krieg, Emotion und extreme Gewalt in Deutsch-Südwestafrika*, Weilerswist, Velbrück, 2018, pp. 268-281.

mistreatment of Africans was accepted as part of the natural order. Häussler, the sole scholar who had access to the former general's diary, calls it 'Brutalisierung aus Verbitterung' ('brutalisation after exasperation/embitterment').<sup>17</sup>

On 28 April 1905 Von Trotha, after having taken over command of the war in the south of the country, issued a proclamation with a similar tenor against the Nama people, even if it did not go quite as far as in the case of the earlier proclamation against the Ovaherero. These proclamations served to banish the other from the civilised circle of life and reflected the mentalities and views of social Darwinists such as Francis Galton (1822–1911), Darwin's cousin, who visited the former South West Africa (now Namibia) and the geneticist Eugen Fischer and others who issued warnings about 'the dangers of race-mixing' between German colonists and African women. Such thinking of racial superiority served as a justification for race science and the ill-treatment of Africans, and later, during the Second World War, of Jews, Gypsies and other minorities.<sup>18</sup> Galton, regarded the essence of eugenics as the objective measure of 'inferiority' versus 'superiority' amongst different races, claiming these differences could be 'objectively described and measured' for example in the differences of skulls of different ethnic groups.<sup>19</sup>

While there is a sizeable, uneven, rich, and diverse body of literature on the wars of resistance during an earlier and in this period (1902–08) that lies beyond the scope of this contribution, since the purpose of this chapter is not to critically reflect on, nor survey such literature.<sup>20</sup> There are, however, comparatively few sources that explicitly explore the aftermath of genocide and what could conceivably be done to reach a fair, just and sustainable outcome upon which future relations between Namibians, as a first compelling priority, and Namibia and the Federal Republic of Germany could be built. One notable exception is the edited volume by Reinhart Kössler and Henning Melber (2017) and the latter author's admirable contribution in *Perspektiven 2018/2019*.<sup>21</sup> Other examples of published research with a similar bent, include more recent articles by the same authors, earlier work by Adhikari, du Pisani, and Töttemeyer, to mention but a few.<sup>22</sup>

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<sup>17</sup> Ibid., p. 268.

<sup>18</sup> Wallace: *History*, p. 180.

<sup>19</sup> Héléne Opperman Lewis: *Apartheid Britain's Bastard Child*, Piquet, Self-published, 2018, p. 39; Peter Watson: *Terrible Beauty – The People and Ideas that Shaped the Modern Mind*, London, Phoenix, 2004.

<sup>20</sup> A copy of the Proclamation written in Otjiherero is kept in the National Archives and Record Services of Botswana [GNARS], Gaborone, RC 11.1.

<sup>21</sup> Reinhart Kössler, Henning Melber: *Völkermord – und was dann? Die Politik deutsch-namibischer Vergangenheitsbearbeitung*, Frankfurt am Main, Brandes & Apsel, 2017; Henning Melber: 'Aus dem Schatten der Geschichte treten. Deutsche Vergangenheit, deutsche Gegenwart für die Zukunft in Namibia', in: *Perspektiven 2018/19*, pp. 51–55.

<sup>22</sup> Mohamed Adhikari: 'Streams of blood and streams of money: New perspectives on the annihilation of the Herero and Nama peoples of Namibia, 1904–1908', in: *Kronos*, 34 (1),

One of the important themes in the literature, and the arts more generally,<sup>23</sup> that has been brought into sharp relief, is that of memory politics and memory landscapes, and the linked concerns of 'double amnesia' as evident in various scholarly works such as the edited volume by Jürgen Zimmerer and Joachim Zeller, the important work of Larissa Förster, and Reinhart Kössler, as well as several co-authored publications by Reinhart Kössler and Henning Melber and Hamrick and Duschinski to recall a few of the better-known sources.<sup>24</sup> At least one former local politician, the late Ngarikutuke Tjiriange, published a monograph on aspects of the genocide.<sup>25</sup> Over the past years, particularly since September 2006, following the passing of a motion on 'The Genocide on Namibian People' by the late Chief Honourable Kuaima Riruako in the

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2008, pp. 303-320; idem: Adhikari, Mohamed, (ed.): *Genocide on Settler Frontiers When hunter-gatherers and commercial stock farmers clash*, Cape Town, UCT Press, 2014; du Pisani, 'Cicero'; idem: 'Gerechtigkeit und Fairness in Verhandlungen: Völkermord und Reparationen', in: *Peripherie*, 162/163, 2021a, pp. 328-341; Gerhard Töttemeyer: *A Rebel for Change in Apartheid South Africa and Colonial Namibia*, Cape Town, Novus, 2017; idem: 'Gedanken zur Vergangenheit, Gegenwart und Zukunft Namibias', Swakopmund, Gesprächskreis Deutschsprachiger Namibier, 2020, idem: *Namibia 2021: Where-from and where-to?*, Windhoek, Hanns Seidel Foundation, 2021. xxx

<sup>23</sup> Fabian Lehmann: 'From Periphery to Focus (and Back Again?)', in: Goethe-Institut Kamerun and Goethe-Institut Namibia, (eds.): *German Colonial Heritage in Africa – Artistic and Cultural Perspectives*, Berlin, Goethe-Institut, 2019, pp. 21-34.

<sup>24</sup> Jürgen Zimmerer, Joachim Zeller, (eds.): *Völkermord in Deutsch-Südwestafrika: der Kolonialkrieg (1904-1908) in Namibia und seine Folgen*, Berlin, Links, 2003; Larissa Förster: *Postkoloniale Erinnerungslandschaften. Wie Deutsche und Herero in Namibias des Krieges von 1904 gedenken*, Frankfurt am Main, Campus, 2010; Reinhart Kössler: 'Vergangenheit, die nicht vergehen will', in: *afrika süd*, 1, 2003, pp. 34-35; idem: 'Postkolonialismus. "Von unserer Regierung entwürdigten". Warum in Namibia über postcolonial Erinnerungspolitik gestritten wird', in: *Iz3w*, Nr. 343, 2014, pp. 13-15; idem: *Namibia and Germany Negotiating the Past*, Windhoek, UNAM Press, 2015; idem: 'Two modes of amnesia: complexity in postcolonial Africa', in: *Acta Academica*, 47 (1), 2015, pp. 138-160; idem: 'Die Bibel und die Peitsche – Verwicklungen um die Rückgabe geraubter Güter', in: *Peripherie*, 1, 2019, 78-87; idem: 'The Bible and the Whip-Entanglements surrounding the restitution of looted heirlooms', Working Paper, 12, Freiburg, Arnold Bergstraesser Institute, 2020; idem: 'Research in Solidarity? Investing Namibian-German Memory Politics in the Aftermath of Colonial Genocide', in: David D. Kim, (ed.): *Reframing Postcolonial Studies*, Cham, Palgrave Macmillan, 2021, pp. 191-210; Reinhart Kössler, Henning Melber: '1904 and its consequences: Why we must Commemorate Genocide', in: *The Namibian*, 6 February 2004; eadem: 'The Colonial Genocide in Namibia: Consequences for a Memory Culture Today from a German Perspective', in: *Ufahamu. A Journal of African Studies*, XXX, (II & III), 2005, pp. 17-37; eadem: 'The Genocide in Namibia (1904-1908) and its Consequences. Toward a culture of memory for a memory culture today – a German Perspective', in: *Pambazuka News*, Nr. 577, 2012, Special Issue; Germany and Genocide in Namibia; Elli Hamrick, Haley Duschinski: 'Enduring injustice: Memory politics and Namibia's genocide reparations movement', in: *Memory Studies*, 11 (4), 2018, pp. 437-454.

<sup>25</sup> Ngarikutunde Tjiriange: *The Denied Germany's Genocide*, Windhoek, Namprint, 2018.

Namibian National Assembly,<sup>26</sup> there has been a constant stream of newspaper articles on the topics of memory politics and the need for reparations. Some of these will be discussed in a later section of this contribution.

Memory often relates in complex ways to 'truth'. The latter, 'truth' has its own challenges, as the South African Truth and Reconciliation of 1998 acknowledged. The Commission, in its Report, distinguishes between four notions of truth: 'factual or forensic truth; personal or narrative truth; social or 'dialogue' truth; and healing and restorative truth'.<sup>27</sup> For purposes of this contribution, the last two notions of 'truth' are arguably of special concern.

### **Cosmopolitan thinking**

If genocide is a moral crime understood as human behaviour premised on the assumptions of superiority in culture, history and intellect and in its worst form, to kill the other by design, then recognising this fact becomes important for moral and ethical reasons, but also for the present and the future.

There are at least three major reasons why it matters to recognise and accept that genocide constitutes a moral crime. One is so that the present German State can face up to its part in committing human rights abuses in the cause of that terrible war. Germany owes it to our common future – hence the need for cosmopolitan thinking – to get matters straight about the past. Since war crimes and genocide in terms of an international convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity adopted by the United Nations General Assembly on 26 November 1968, and several rulings by the International Court of Justice (ICJ) since, genocide is a peremptory norm of international law and consequently no exceptions such as a time limit is allowed. Germany has to own up to the moral crime of genocide.

The second reason is that we are at risk of repeating mistakes if we do not face up to their commission in the past. There is a very particular reason for being anxious about this. Look at how militaries from different countries (such as the United States, Israel, the Russian Federation, France, Syria, and others) say in their interpretation of those aspects of international humanitarian law (the Geneva 1949 conventions and their two protocols) which protect civilians. The Geneva Convention Protocol 1 of 1977 forbids military attacks upon civilians and civilian targets and these latter are defined in Protocol 1, Article 52 (1) as follows: 'Civilian objects are all objects which are not military objectives'; Moreover, Article 52 (2) defines military objectives as 'those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in

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<sup>26</sup> *Debates of the National Assembly*, 2006, Vol. 94, pp. 32-43.

<sup>27</sup> Truth and Reconciliation Commission (TRC): *Truth and Reconciliation Commission of South Africa Report, Vol. 1.*, Cape Town, TRC, 1998, p. 110.

the circumstances ruling at the time, offers a definitive military advantage'. Notwithstanding, slow progress in enhancing international machinery or national will to ensure that the failures to protect of recent decades will not be repeated, the United Nations (UN) concept of 'the responsibility to protect' (RtoP), reaffirmed at the UN 2005 World Summit by member states, is in essence a cosmopolitan framework for preventing genocide and Internally Displaced Persons (IDPs).

The third reason is that of cosmopolitan thinking with a clear ethical purpose: 'As long as I remember that I am part of such a whole [Universe]', explained Marcus Aurelius, '...I shall... direct every impulse of mine to the common interest'.<sup>28</sup> Moreover, the word 'cosmopolitan' derives from the Greek *kosmopolites*, (citizen of the universe), and *politês* (citizen) notably in its Aristotelean definition, has a decided ethical content. Citizens have civic virtue (*arete*), by extension, the citizen of the universe (*kosmopolis*) should live a life of virtue.<sup>29</sup> The African ethic of Ubuntu – 'I am because we are' with its own epistemological paradigm expresses cosmopolitan thinking, for it recognises the connectedness of self and community. Ubuntu promotes the spirit that one should live for and through others, a particular African variant of moral cosmopolitanism.<sup>30</sup>

In South Africa and elsewhere on the African continent, several political thinkers have advanced the construct of one humanity, a humanity that includes the perpetrators of genocide. Such examples include, but are not limited to, Steve Biko in his inspirational existentialist work *I write what I like*, and various writings by the brilliant Neville Alexander.<sup>31</sup> A related ethical construct is that put forward by the Lithuanian moral philosopher Emmanuel Levinas. From his point of departure, he argues that man's ethical relation to another person comes before his relation to himself/herself (self-interest) or to the world of things (Being). Thus: Levinas advances an ethics of obligation and self-sacrifice dependent on a relation to the other that is beyond totalisation, beyond comprehension and expression: he calls it 'infinite'.<sup>32</sup>

Genocide and dealing with its aftermath matter precisely because the violation of the humanity of one is a violation of the humanity and dignity of all. This is the reason for

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<sup>28</sup> Marcus Aurelius Antoninus; *The Communings with Himself* (i.e. Meditations), London, Heinemann, 1961, p. 6.

<sup>29</sup> Derek Heather: 'Cosmopolitan thinking have a future?', in: Booth, Ken, Tim Dunne and Michael Cox, (eds.): *How Might We Live? Global Ethics in the New Century*, Cambridge, Cambridge University Press, 2001, pp. 179-198.

<sup>30</sup> Mlukeni Munyaka, Motlhabi Mokgethi: 'Ubuntu and its Socio-moral Significance', in: Munyaradzi Felix Murove, (ed.): *African Ethics an Anthology of Comparative and Applied Ethics*, Scottsville, University of KwaZulu-Natal Press, 2009, pp. 63-84 (72).

<sup>31</sup> Steve Biko: *I write what I like*, Johannesburg, Ravan Press, 1978; Neville Alexander: *Sow the Wind. Contemporary Speeches*, Johannesburg, Skotaville, 1985; idem: *An Ordinary Country Issues in the Transition from Apartheid to Democracy in South Africa*, Pietermaritzburg, University of Natal Press, 2002.

<sup>32</sup> Emmanuel Levinas: *Totality and Infinity. Totalité et infini*, The Hague, Nijhoff, 1961.

meaningful demands for reparations as Achille Mbembe argues, for the loss of a fragment of humanity implies a loss of humanity in all.<sup>33</sup> Our common humanity is indivisible and interdependent and has a common core. This foundational truth is recognised not only in Western ethical constructs, but also in African ethics.<sup>34</sup>

There are of course, alternative arguments such as those presented by apologists of the actions of the former German Colonial State and its agencies at the time. The legal submission on behalf of the Federal Republic of Germany (as Defendant) in the United States District Court for the Southern District of New York against the Plaintiffs Vekuii Rukoro and others in March 2018, provides a comprehensive synthesis of such counter arguments. Such apologists question the place of morality in any war, reject the notion of *jus in bello*: that the means employed be necessary and proportional to the threat, argue that the Ovaherero and Nama communities were 'residents' of a German colony and subjects of the German Reich, governed by its laws, and hence the expropriation of their land and property has nothing to do with the more recent principles of international humanitarian law, and that codified frameworks and understandings of international law did not exist at the time of the genocide.

Moreover, the Defendant, the Federal Republic of Germany, submitted that the United States District Court of New York has no subject matter jurisdiction, rejected the doctrine of intertemporal law, argued that the 'inner dealings of the German Reich in its colonies were not governed by international law, and that there was no international law on Genocide at the time'.<sup>35</sup> A similar line of argument was presented to the United States Court of Appeals for the Second Circuit in October 2019 by the defendant-appellant, the Federal Republic of Germany (United States Court of Appeals, October 17, 2019). The United States Court of Appeal ruled on the matter on 24 September 2020 on appeal from an Order of the United States District Court for the Southern District of New York.<sup>36</sup>

The United States Court of Appeals ruled that the Plaintiffs-Appellants (Vekuii Rukoro and others) had a case to be answered and affirmed the earlier District Court of New York's dismissal for lack of subject-matter jurisdiction and that the terrible wrongs elucidated in the Plaintiff's appeal must be addressed through 'a vehicle other than the U.S. court system'.<sup>37</sup>

Some also question the fact that it took 102 years before local demands for reparations were made. Asking if this is not a travesty of justice. Consequently, on their

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<sup>33</sup> Achille Mbembe: *On the Postcolony*, Berkeley, University of California Press, 2017, p. 182.

<sup>34</sup> Munyaradzi Felix Murove, (ed.): *African Ethics an Anthology of Comparative and Applied Ethics*, Scottsville, University of KwaZulu-Natal Press, 2009.

<sup>35</sup> Defendant's Memorandum of Law, 2018, pp. 1-28.

<sup>36</sup> Case No. 19-609, 10/08/2020, pp. 1-55.

<sup>37</sup> Case 19-609, Document 119-2, 10/27/2020, pp. 1-12.

understanding, such a body of law is of little relevance to the present and to claims for reparations, restitution and restorative justice.<sup>38</sup>

While the above state-centric approach and positivist reading of international law have currency for some and is used by states other than Germany, such as Turkey, in relation to the 1900 Armenian genocide, that face demands for reparations and historical justice, such arguments can be critiqued and dismissed on several grounds.

## Psychohistory

Psychohistory is a fairly new interdisciplinary field of study that attempts to explore and understand the psychological motives of nations. Psycho-historian Rudolph Binion, a professor at Brandeis University in the United States wrote in 1992 that

the *why* of history necessarily comes back entirely to the *why* psychologically'. Seen from this perspective, he argued, 'history is what men have done; to know *why* men have done what they have, one must look for the deeper motives, not more or less.<sup>39</sup>

Of particular importance for the argument presented in this contribution, are the views of another psycho-historian, Howard Stein, of what he considers the cause of historical repetitions of violence to be: 'What cannot be contained, mourned, and worked through in one generation is *transmitted, for the most part unconsciously, to the next generation*'.<sup>40</sup> This is inter-generational or trans-generational transmission of trauma. The legacy of the Namibian genocide includes such forms of trans-generational transmission of trauma as evidenced in a growing body of recent literature based on oral history and ethnographic research.<sup>41</sup>

History is filled with many examples of people and nations that have been humiliated and violated, where subsequent generations, seek revenge or reparations – as in the Namibian case – in an effort to reclaim lost dignity and restore the wounded self.<sup>42</sup> Recent examples include among others: the humiliation of Germany through the Treaty of Versailles that ended the First World War and later gave rise to Adolf Hitler and the Second World War replete with the Holocaust of the Jews, the Rwanda

<sup>38</sup> For detailed legal arguments, see defendant's Memorandum of Law in support of Defendant's Motion to dismiss for lack of subject matter jurisdiction, 2018: 1-28; Goldmann, 28 April 2018, pp. 1-32. See also du Pisani, 2019, pp. 1-22.

<sup>39</sup> Rudolph Binion: *Introduction à la Psychohistoire*, Paris, Presses Universitaires de France, 1982, p. 7.

<sup>40</sup> Howard Stein, psychoanalytic, medical anthropologist, University of Oklahoma Health Science Centre in Oklahoma City (1995): Kindle version 5.2.8, Loc. 3151-610, emphasis added.

<sup>41</sup> Uazuvara E. K. Katjivena: *Mama Penee: Transcending the Genocide*, Windhoek, UNAM Press, 2020; Sarala Krishnamurthy, Alexandra Tjiramanga: 'Exploring Herero Genocide Survivor Narratives', in: Sarala Krishnamurthy, Nelson Mlambo and Helen Vale, (eds.): *Writing Namibia. Coming of Age*, Basel, Basler Afrika Bibliographien, 2022, pp. 255-284.

<sup>42</sup> Opperman Lewis: *Apartheid*, p. 30.



Genocide of 1994 when Hutus took revenge for the humiliation they felt they had been subjected to for centuries by the minority Tutsis, the humiliation and exploitation of China by Western imperialism in the 19<sup>th</sup> and early 20<sup>th</sup> centuries through the Opium War of 1839, the Boxer Rebellion of 1899–1900 that culminated in the ceding of Hong Kong to Britain in 1841 and China's national humiliation of foreign control of maritime and native customs and the salt monopoly, and the Anglo-Boer War (1899–1902) [now referred to as the Great South African War] after the British Imperial Government got control over the rich diamond and gold resources of the former two Boer Republics. The collective humiliation that apartheid caused for the black African majority and how this radicalised their politics, is yet another example from that country.

Informed by many historical examples, some of which have been mentioned in the previous paragraph, trans-generational trauma leaves real scars, not metaphorical ones. For as Opperman Lewis writes: 'The pain unprocessed trauma causes to individuals is unspeakable; the socio-economic devastation is incalculable'. However, there is hope for the cycle to be broken, 'if one generation can get hold of the legacy it has received, translate the transmission into narrative, grieve its effects, and open a reparative future'.<sup>43</sup>

What is at stake in all cases of genocide, is what Pamela Ballinger – in her admirable study of 'the terrain of memory' at the borders of the Balkans – refers to as 'autochthonous ... Rights', meaning the battle for the right to claim authentically to 'belong' to a given area of land, rock and soil'.<sup>44</sup> This right to claim to belong, however, is complex and research seems to indicate that communities and people remember differentially and may even oppress parts of their historical experience, particularly if these have been profoundly negative.

In the case of the Namibian genocide, the loss of land, dignity and livelihood remains a central concern as historical and restorative social justice has remained largely absent from official approaches to transcending the paralysing horror of the genocide. Moreover, there is an additional concern, the public discourse on genocide has been mostly relegated to *la politica sommersa* (submerged politics) as the Italians call it, or the 'politics of amnesia', as the mantra of 'One Namibia One Nation' and the politics of national reconciliation and nation-building trumps imperatives of social and historical justice.<sup>45</sup> This, however, does not mean that there is no active memory culture in the country, on the contrary, as will be shown in this contribution. What is absent, however, is a national dialogue on genocide and how to deal with its many legacies.

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<sup>43</sup> Ibid., p. 36.

<sup>44</sup> Pamela Ballinger: *History in Exile; Memory and Identity at the Borders of the Balkans*, Princeton, Princeton University Press, 2002, p. 15, quoted by Robert Macfarlane: *Underland. A Deep Time Journey*, London, Penguin, 2019, p. 225.

<sup>45</sup> André du Pisani: 'Imagination, Metapolitics and Reconciliation: Vignettes from Post-Colonial Namibia and Beyond', Windhoek University of Namibia (UNAM), unpublic. Professorial Lecture, 27 March 2013.

From an ethical and moral perspective one of the enduring concerns with the genocide is the racism that informed it. Kovel who wrote a psycho-history of White racism, distinguished between two types of White racism: Overt/dominative racism that emerges under conditions of extreme threats, or in states of [psychological] regression, and covert/aversive racism, marked by those who claim 'higher principles' and a 'more advanced stage of intellectual development'.<sup>46</sup> Without exploring these two manifestations of White racism any further, there is little doubt that the genocide, German (and other forms) of colonialism and imperialism were integral strands of the ideology of modernity with its racist imprint. Indeed, colonialism, imperialism and politics more generally, have a disturbing capacity for cruelty.

### **Invoking moral argument: moving beyond a narrow state-centric and legal approach**

Notwithstanding the ethical appeal of cosmopolitan thinking, and the United Nations concept of 'the responsibility to protect' (RtoP) and other UN Conventions on War Crimes and Genocide, it is not self-evident that such thinking has a future. What is needed is a practical agenda grounded in the lived experience of citizens of both countries. This is no easy matter, for there are indeed different variants of cosmopolitan thinking and of memory politics as mentioned above. These all have their critics. At root, critics assert, cosmopolitanism is unreal, utopian, for states have interests and are bound by their reading of sovereignty. Moreover, global institutions do not exist to advance issues of global justice and fairness, as shown by the mixed outcomes of the United Nations concept of 'the responsibility to protect' (RtoP). International law is precisely that – inter-national; and the individual is dependent on his or her state as the font of justice. Furthermore, the ideas of a world community and world citizenship are far-fetched. Moreover, democracy is hard to achieve in a context of a heterogeneous population, since in this age, only a democratic form of state-bound citizenship is possible. The essence of citizenship presupposes an exclusive definition in a compact community. Practically, the claims to individual autonomy and state sovereignty on which the modern concept of citizenship depends, makes no sense except as a way of responding to our celebration of particular patterns of inclusion and exclusion.<sup>47</sup>

For critics of cosmopolitan thinking, cosmopolitans are guilty of an abuse of language: in truth, even the values they seek to promote have little or no meaning outside a state context. Did not Hegel teach us that, '[a]ll value man has, all spiritual reality, he

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<sup>46</sup> Joel Kovel: *White Racism: A Psychohistory*, New York, Vintage Books, 1971, p. 32.

<sup>47</sup> R. B. Walker: 'Citizenship after the Modern Subject', in: Hutchings Kimberly, Ronald Dannreuther, (eds.): *Cosmopolitan Citizenship*, Basingstoke, Palgrave Macmillan, 1999, pp. 171-200 (183); see also Danilo Zolo: *Cosmopolis: Prospects for World Government*, Cambridge, Polity, 1997.

has only through the state'.<sup>48</sup> The political world of reality is the world of nations, peoples and polities.

Such criticism, while partly accurate, is not necessarily valid, for belief in Natural Law and its concomitant rights-natural, of man, human, in sequence of nomenclature-have a long tradition, also in African ethics and philosophy. Moreover, belief in morality and identity above the principles shaped by states has been and is still widely held. This is also true for the debate on the role of morality in war. Some current authorities in the field of cosmopolitan thinking have indeed invoked the word 'transformation' to indicate the depth of change occurring in the contemporary world and the need for an appropriate response.<sup>49</sup>

No one, after all, is obliged to swallow Hegel's moral prescription. There is an alternative to hand for cosmopolites in the form of Jürgen Habermas's discourse ethics as contained in his *Theory of Communicative Action*. In summarized form, he argues that

norms cannot be valid unless they can command the consent of everyone whose interests stand to be affected by them ... One of its central beliefs is that the validity of the principles on which it acts can only be determined through a dialogue which is in principle open to all human beings.<sup>50</sup>

It is precisely for this reason that the descendants of the genocide argue that the hitherto state-centric process of negotiations at the expense of descendants of genocide, that culminated in the May 2021 'Reconciliation Framework' between the two states, Namibia and Germany, should be rejected and be open to re-negotiation.

Apart from legitimate concerns about the absence of a number of core values based on virtue ethics and principles that should have anchored the prolonged negotiations on genocide and *Wiedergutmachung* (Reconciliation) between representatives of the two countries, the process hitherto raises material concerns about issues of standing and justice as fairness.<sup>51</sup>

Resolving the issue of standing in negotiations is important for any process of inclusive mediation. In the context of Namibia, it is a fact that the claimants of reparations

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<sup>48</sup> Hegel, Georg Wilhelm Friedrich: *The Phenomenology of Spirit*, Oxford, Oxford University Press, 1977, 82. See also idem: *Philosophy of Right*, Cambridge, Cambridge University Press, 1990, p. 82.

<sup>49</sup> David Held: 'Cosmopolitanism: Ideas, Realities, Deficits', in: David Held, Anthony McGrew, (eds.): *Governing Globalization. Power, Authority and Global Governance*, Cambridge, Polity Press, 2002, pp. 305-324; David Held, Anthony McGrew, (eds.): *Globalization/ Anti-Globalization*, Cambridge, Polity Press, 2002.

<sup>50</sup> Andrew Linklater: *The Transformation of Political Community*, Cambridge, Polity, 1998, p. 91; Jürgen Habermas: *The Theory of Communicative Action and the Rationalisation of Science*, 2 vols, London, Heinemann, 1984.

<sup>51</sup> Du Pisani: 'Gerechtigkeit'.

among the two communities – the Ovaherero and the Nama – are internally divided, with some forming part of the state-led negotiations with Germany and others left outside the process. In the case of the one of the factions of the Ovaherero Traditional Authority (OTA) is led by chief Mutjinde Katjiua. While another faction is led by so-called 'paramount chief' (*Ombare Otjitambe*) Dr Hoze Riruako. Then there are three rival Royal Houses. In the case of the Nama communities, some of the most important potential negotiators have died, while there are also divisions within the Nama Traditional Authority (NTA) and the Nama Genocide Committee (NGC). This is principally a political problem of first reconciling among Namibians and building a minimum consensus of how to negotiate with Germany and who should have standing in such negotiations. In the absence of such a minimum national consensus, it is hard to imagine how the negotiations should proceed.

In practical terms, there should be a national dialogue initiated by the Namibian Government, ideally through Parliament, that is in principle open to a wide-range of representative agencies, inclusive of descendants of the genocide. This is particularly important for there are both divisible and indivisible goods to be negotiated. The latter, indivisible goods, are highly valued and include fundamental human needs and values such as identity, security, recognition, control, justice, and meaning. The physical integrity of indivisible goods is non-negotiable, while their functions, such as forms of ownership and use, can be negotiated and allocated among the parties.

There are essentially two types of strategies for negotiating indivisible goods, exchange and functional. These can be applied at a comprehensive level with regard to aspects of ownership, on a limited scale with regard to matters of access and use, or both. When parties value the value and utility of an indivisible good differently, as in the case of genocide, with different parties making different claims to such goods, it may be exchanged using compensation or issue linkage. When the same function is similarly and highly valued, an agreement in which it is shared, divided, or delegated to an outside third party, may bring meaningful results. In all of this, however, there has to be political will to begin such a national dialogue and come to the negotiating table supported by meaningful resources, research, and relevant expert knowledge.

Symbolically, it would be important to negotiate a framework for and agree on a national genocide day or month – even if the country faces a fragmented memory landscape – and to erect several genocide memorial sites in the country, in addition to those that enjoy National Heritage status. A similar proposal was made by SWANU Party of Namibia in 2011 and 2017 respectively, by its former leader, Usutuaije Maamberua. These can take different forms. Their design and architecture should involve local Namibian artists and local communities and not be imported from abroad such as the present Heroes' Acre and the Museum of the Liberation Struggle, both in the Capital City of Windhoek. Germany has a Holocaust Memorial in central Berlin that commemorates Jewish victims. Why not extend this to the Namibian victims of the genocide? In December 2018, the late Paramount Chief of the Ovaherero, Advocate Vekuii Rukoro, opened a Riruako Centre for Genocide in commemoration of the late Paramount Chief of the Ovaherero, Kuaima Riruako in Windhoek. This

Centre is hardly known outside a limited circle of Ovaherero families and friends and has no active programme of activities.

Of special importance to this contribution, is the issue of justice as fairness in negotiations.<sup>52</sup> Again, the process of negotiations hitherto, has not adequately satisfied justice as fairness, precisely because the construct of distributive justice and its key principles have yet to be agreed to by the parties involved in the negotiations. This raises the question: what could such principles be? Cecilia Albin offers an admirable theoretical summary of the 'Role of Fairness in Negotiation'.<sup>53</sup> Her views left a clear imprint on me.

Arguably, the following could conceivably serve as operating principles:

(1) Equality – negotiating parties receive identical or comparable rewards and burdens. The equality principle emanates from the Aristotelean principle – unequal treatment of unequal parties – the principle of proportionality. To put it differently, treat equal cases equally and unequal cases in relation to their inequality. The liberal American moral philosopher in his celebrated *A Theory of Justice* (1971), invoked the principles of equality and difference (proportionality) in the context of formal equality between parties. Rawls endorses two guiding principles: the unequal distribution of all goods to the benefit of the worst-off until a basis level of material well-being exists, and thereafter equal distribution of basic liberties and rights and possibly unequal distribution of what he calls 'primary goods', (e.g., income, wealth and social status) if it maximizes the well-being of the most-needy and equality of opportunity is present.<sup>54</sup> Perhaps, one should invoke 'pluralism' and 'complex equality' rather than a single principle of equality, particularly since these may assist in giving meaning and content to the notion of distributive justice (see later in this essay).

(2) Equity – the essence of equity is proportionality in resources (rewards). These should be distributed in proportion to the losses suffered by the parties to the negotiations and their inputs or contributions to the process. Justice as fairness

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<sup>52</sup> In his *Nicomachean ethics*, Aristotle, drew a distinction between 'corrective/punitive justice' and 'distributive justice'. General standards and principles for allocating collective benefits and burdens among the members of a community – local, national or global. Principles of justice normally exist prior to and independently of any phenomenon to be negotiated or judged, but their exact meaning in specific context should be negotiated and can be ambiguous. While 'justice' can be thought of as a macro-concept, 'fairness' exists at the micro-level. It consists of individual notions of what is 'reasonable' under the circumstances, often in reference to how a principle of 'justice' regarded as pertinent should be applied. Parties to a conflict and negotiations naturally tend to view their own notions of fairness and 'justice' – as criteria reflecting some higher ethics which go beyond partisan perceptions and interests.

<sup>53</sup> Cecilia Albin: 'The Role of Fairness in Negotiation', in: *Negotiation Journal*, July, 1993, pp. 223-244.

<sup>54</sup> John Rawls: *A Theory of Justice*, Harvard, Harvard University Press, 1971; see also du Pisani: 'Gerechtigkeit'.

pertains when there is a meaningful ratio between the losses (material and spiritual and over the longer-term) between their losses and gains.

(3) Compensatory Justice – resources (rewards) should be made available by the party or its representatives who committed the moral crime of genocide to the relevant parties (through their representatives) who have standing in the negotiations.

(4) In the case of the Namibian genocide, it is important to distinguish between ‘divisible’ and ‘indivisible’ losses such as core needs, cultural heritage and values. To satisfy the imperatives of justice as fairness, it would be important to reach minimum consensus on the nature and degree of inflicted harm and the resources that could conceivably serve as a symbolic compensation for such material and spiritual losses. It is therefore small wonder that many analysts and spokespersons of the affected communities focus on what they perceive to be the inadequacy of the compensation and the absence of the word ‘reparations’ in the May 2021 Reconciliation Agreement between the two States.<sup>55</sup>

(5) From the perspective of psycho-history, as mentioned earlier in this chapter, considerations of time and space are important, for genocide and its aftermath can and often does, impact several subsequent generations. The ‘past is never past’ as the novelist William Faulkner famously remarked. Trans-generational trauma is a feature of genocidal politics. In this understanding, genocide is about the paleontology of the present.

(6) A return to virtue ethics seems necessary. Perhaps we should return to Aristotle’s way of thinking? A virtue may be defined as a trait or character manifested in habitual action. The ‘habitual’ matters. The virtue of honesty for example, is not possessed by someone who tells the truth only occasionally or whenever it is to his/her own advantage. The honest person is truthful as a matter of course.

This, however, is a start, but it is not enough. It does not distinguish virtues from vices, for vices are also traits of character manifested in habitual action. The American moral philosopher, Edmund L. Pincoffs, may offer a more useful way of thinking about virtue. Following Pincoffs, we may define a virtue as ‘a trait of character manifested in habitual action, that is good for a person to have’. The moral virtues are the virtues that are good for everyone to have.<sup>56</sup> These might include, among others: benevolence, civility, compassion, conscientiousness, cooperativeness, dependability, fairness, honesty, justice, moderation, reasonableness, and tolerance.

These moral virtues need to guide the actions of the negotiators and descendants of the genocide. This, however, may prove to be hard to achieve in any meaningful sense, since interests are not unchangeable and achieving consistency of virtues is a challenge.

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<sup>55</sup> For a competent summary of the issues, see: Henning Melber: ‘Germany and reparations: the reconciliation agreement with Namibia’, in: *The Round Table*, 111 (4), 2022, 475-488.

<sup>56</sup> Edward L. Pincoffs: *Quandereis and Virtues: Against Reductionism in Ethics*, Lawrence, University of Kansas Press, 1986, p. 78.

In mid-2019 the Foreign Ministry of the Federal Republic of Germany published a position paper on transitional justice, which advocates a comprehensive understanding of confronting past injustices. The approach includes 'violations of economic, social and cultural rights' and 'various dimensions of justice (such as redistributive, distributive and restorative), with transitional justice as part of social transformation processes.<sup>57</sup> The position paper advocates, 'Participative processes with a broad scope...to ensure that transitional justice is not perceived as a project of the elites, and that the expertise and political ideas from civil society organisations and groups (particularly those that represent victims and survivors or have direct access to them) can be put to use'.<sup>58</sup> Nowhere in the 32-page document does the term colonialism appear.<sup>59</sup>

In December 2021, a new grand coalition government comprising of the Social Democratic Party (SPD), the Green Party (*Bündnis 90/Die Grünen*) and Liberal Party (FDP) came to power in Germany. Under the rubric 'colonial legacy' the coalition expressed the desire for a reappraisal of German colonial history with special reference to the restitution of subjects from colonial contexts. It also commits to develop a concept space to learn about the remembrance of colonialism. A space for healing and restorative truth (A reference to memory culture and memory landscapes). The coalition expressed the hope to overcome colonial continuities and mount independent academies research on colonialism and its differential impacts. The document expressed the hope that the Reconciliation Agreement (entered into by the previous German government) could signal the beginning of a joint process of reappraisal.

Over the past few years Civil Society Organisations (CSOs) in Germany and a few politicians, notably from the Left (*Die Linke*) have engaged with the divisive issue of genocide, with attempts to decolonise German foreign policy at different levels.<sup>60</sup> On the analysis of Henning Melber, one of the leading scholars on the topic, 'much remains to be done to live up to the declared noble goals in search of reconciliation over the crimes committed during the times of colonial rule'.<sup>61</sup> On Melber's analysis, reconciliation in the true sense of the word seems still a 'remote goal'.<sup>62</sup> The 2021 *Versöhnungsabkommen* (Reconciliation Framework) is a compromise and not a solution for reconciliation between the people of the two countries. A view shared by this author. Similar concerns to those of Melber, first raised in 2020 by the author, have been shared by various other scholars and legal scholars, among these: Kössler and Melber, Kamuiiri, in a 2021 statement by the European Center for Constitutional

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<sup>57</sup> The Federal Government, Auswärtiges Amt: 'Mimeo', 2019. pp. 8f.

<sup>58</sup> Ibid., p. 16.

<sup>59</sup> Melber: 'Germany and reparations', p. 475.

<sup>60</sup> Rolf-Henning Hintze: 'Keine Wiedergutmachung? Der Genozid an den Herero und Nama wird Thema im Bundestag', in: *Informationszentrum 3. Welt*, E 3477, 300, May/June 2007, pp. 42-43.

<sup>61</sup> Melber: 'Germany and reparations', p. 476.

<sup>62</sup> Ibid.

and Human Rights (ECCHR).<sup>63</sup> Significantly, similar concerns were raised in a Joint Press Statement by the Ovaherero Traditional Authorities (OTA) and Nama Traditional Leaders Association (NTLA) of 16.05.2021.

The latter, the Joint Press Statement by the OTA and the NTLA, is of special importance because it returns to and reiterates the capital importance of three negotiating positions the Namibian Government set for itself. These are: 1. Germany must acknowledge that the mass killings 'of our ancestors constitute genocide'; 2. Germany 'must apologize for that genocide', and 3. Germany must pay 'Reparations for the genocide'.<sup>64</sup>

### **Towards healing and reconciliation?**

From the perspective of cosmopolitan justice, the admission of genocide by the current German State is an important first normative step. It took 110 years until Germany reluctantly acknowledged that the moral crimes admitted between 1904–08 were tantamount to 'genocide' in today's terms. The long and twisted road to get there included, among others, a resolution of the (West) German parliament in 1989 recognising its 'special responsibility' for the erstwhile colony at the dawn of independence, a rare admission of guilt by the then Minister for Economic Cooperation, Heidemarie Wiczorek-Zeul at the centenary commemoration ceremony at Waterberg in August 2004, and several more rounds of diplomatic exchange since.

As argued above, acknowledging genocide must be accompanied by a meaningful form of compensation or reparations that can adequately work in the interests of the most-disadvantaged parties to the agreement. A special fund independently managed from the Namibian State, should be established for this purpose. A fund that could conceivably support local development agendas in critical areas of human development, the environment, conservation agriculture and water governance. The temporal dimension, too, is important for genocide and its aftermath is by nature trans-generational, and given its indivisible dimensions such as the loss of identity, dignity, cultural harm, justice and recognition, the normative content of citizenship should be recognised by all parties. Namibian citizens have an equal status to that of German citizens.

At the heart of being a citizen is identity. There is not much point in being a citizen, except in a formal/legal sense, unless you feel you are a citizen. Citizenship is much more than constitutional arrangements, it must be based on civic consciousness.

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<sup>63</sup> Reinhart Kössler, Henning Melber: 'Genocide in Namibia: why Germany's bid to make amends isn't enough', in: *The Conversation*, 1 June 2021, pp. 1-5 (also published in: *The Namibian*, 4 June 2021, p. 10); Kandjemuni Kamuiiri: 'Rushed' genocide deal questioned', *Observer24.com.na*, 18 May 2021, pp. 1-3.

<sup>64</sup> Ovaherero Traditional Authorities (OTA) and Nama Traditional Leaders Association (NTLA): *Joint Press Statement*, Windhoek/Berlin, 16 May 2021, p. 2.



Identity as a citizen has a dual meaning: one's legal status as shown on official documents, as well as one's feeling of belonging. It is this latter psychological meaning that matters from a cosmopolitan perspective – citizens have an identity by virtue of recognising what they share with their fellow citizens and with citizens of other countries with whom they share an entwined history, like in the case of Namibia and Germany.

Of course, multiple civic identity is possible: it is a fact of life in all multi-ethnic states like Namibia. Notwithstanding this, Marcus Aurelius and many other thinkers<sup>65</sup> since, knew that all persons 'sprung first out of the same stock'. The challenge is to find a truly cosmopolitan expression of identity, that could conceivably serve as the basis for citizen engagement across national boundaries. The entwined history between Namibia and Germany and between their citizens should (could) provide the glue for genuine healing and reconciliation that is not simply a state project. Reconciliation is in key respects, a cultural project that involves citizens from the two countries. It should be driven by cultural and family exchanges, story-telling and friendship. At bottom, is the argument that, a project of the arts, joined by entwined history as the nuanced and closely reasoned contribution of Reinhart Kössler in his attempt to negotiate the past between the two countries and societies shows.<sup>66</sup>

From the perspective of a strand in moral philosophy that privileges *distributive* and *redistributive justice*<sup>67</sup> the proposed annual payment over the coming 30 years amounting to €37 million, approximately N\$618 million at current exchange rates, seems rather meagre. In 2021/22 the National Budget amounted to N\$67,9 billion. Germany's commitment of €1.1 billion for development projects in Namibia, while meaningful, should not be seen as a replacement for meaningful reparations and restitution.

Meaningful reconciliation, in its different forms – national and trans-national – should be an integral part of decolonisation and reaching an accord between the citizens as moral agents of the two states. Morally, and practically, this implies reparations, creating post-colonial memory spaces in both countries in the form of memorials (the leader of the Landless People's Movement (LPM), Bernardus Swartbooi suggested that

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<sup>65</sup> Among them, the ethicist Immanuel Levinas.

<sup>66</sup> Kössler, *Namibia and Germany*, idem, 'Two modes'.

<sup>67</sup> Distributive justice concerns the ethical appropriateness of which recipients get benefits and burdens. Redistributive justice concerns the ethical appropriateness of punishment or sanction for wrongdoing. A large variety of criteria have been proposed for ethically just distributions. Some think just distributions should be in accordance with contribution, some with effort, some need, and so on. Some think that just distributions are a matter of the history of how a certain distribution (such as land in the case of Namibia) came about. In the light of this, one can see the attractions of 'pluralism' and 'complex equality'.

a genocide museum should have been a priority after independence).<sup>68</sup> Art exhibitions, performances, story-telling, the unconditional return to Namibia of all Namibian human remains and cultural artefacts in German museums, university and private collections,<sup>69</sup> fashioning learning spaces especially for younger Namibians and Germans and engaging in collaborative research on the past, present and future relations between the peoples of the two countries.<sup>70</sup>

### Local discourse: a vignette

While the Namibian public discourse on genocide takes different forms such as articles in local newspapers, scholarly writings, cultural productions (inclusive of art exhibitions) and conferences and seminars, the discourse has yet to coalesce into a well-structured discourse community capable of influencing negotiations in both countries. Politically, as evidenced by recent debates in the National Assembly and ongoing squabbles between rival factions of Ovaherero leadership, Namibians are divided on the matter of how, and if, to proceed with negotiations between the two countries, amidst recent calls in Parliament not to 'weaponise' the issue of genocide.<sup>71</sup>

Not surprisingly, much of the local discourse was spawned by and remains informed by debates in the National Assembly since September 2006 in general, and the motion passed in the Assembly on 19 September of that year, in particular. The Motion, by the late Paramount Chief of the Ovaherero, Kuaima Riruako, among other proposals called for the following:

...let us, as elected representatives of our people, collectively advise the German Government to convene a consultative conference in order to set up an agenda for dialogue. That would be the best way to resolve the unresolved issue, but quite fair and honest.<sup>72</sup>

From this Motion it is clear that some local commentators primarily critique the 2021 Reconciliation Framework in terms of the process the two states followed that privileged state-to-state bilateral negotiations in favour of a wider consultative conference as proposed in the Motion. The key argument is that the process was not culturally and socially inclusive enough, and this in turn impacted on notions of justice and fairness. This was so, since some of the descendants of the genocide victims,

<sup>68</sup> Andreas Thomas: 'Genocide museum should have been priority after independence – Swartbooi', in: *The Namibian*, 13 April 2023, p. 3.

<sup>69</sup> See *Return of Human Remains* (2011) Windhoek: Ministry of Information and Broadcasting. From an artistic and cultural perspective much work has been done to engage with the German Colonial Heritage in Namibia and Africa. Lehmann, 'Periphery', provides a useful summary of cultural productions in Germany.

<sup>70</sup> Kössler, Melber: *Völkermord*, pp. 114-145.

<sup>71</sup> Aletta Shikolo: 'MPs warned against weaponising genocide', in: *NEW ERA*, 13 April 2023, pp. 1-2 (1).

<sup>72</sup> Debates of the National Assembly, 19 September 2006, p. 41.

called 'the affected communities' have been left out of the bilateral negotiations between representatives of the two states.<sup>73</sup> Especially since 2019, the descendants of the genocide victims adopted the mantra: 'Nothing Without Us!' emphasising notions of fairness, justice and standing.

At the time, the leader of the Landless People's Movement (LPM), Bernardus Swart-booï, was wary that SWAPO may use its majority of 63 seats in the National Assembly to 'bulldoze' the 2021 'Reconciliation Framework' through Parliament. At the time of writing, this has not happened.<sup>74</sup>

Since the details of the 2021 'Framework for Reconciliation' between the two states became public, the outcome of protracted negotiations since 2015, it is no surprise, that numerous local voices called for significantly more money. This was so, especially since Poland want €1,3 trillion (about N\$23 trillion) for the death and destruction caused by the German Army in the Second World War. The 2021 'Reconciliation Framework' provides for about N\$ 18 billion over 30 years.<sup>75</sup> The language of the 2021 Framework did not help, as the word 'reparations' does not appear in the text.

A third strand in the local debates, focuses on the privileged position of many German-speaking Namibians who either benefited directly or indirectly from the genocide and its aftermath, particularly in terms of the ownership of commercial agricultural land, with some descendants of genocide victims threatening farm repossession.<sup>76</sup> This third strand is politically significant, especially since some local German-speaking Namibians argue that 'German settlers never stole any land'.<sup>77</sup>

Threats by some local voices to take commercial farm land by force raised the ire of German *Bundesrat* (federal council) president Daniel Günther on his visit to Namibia in July 2019. He argued that such calls would turn potential German investors away

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<sup>73</sup> Sakeus likela: 'Your time is up – Rukoro', in: *The Namibian*, 2 March 2018, p. 5; Matheus Hamutenya: 'We will not rest until we get what we want – Rukoro', in: *NEW ERA*, 6 February 2018, p. 3; Kazenambo Kazenambo: 'Blueprint for Ovaherero and Nama Genocide', in: *The Patriot*, 22-28 March 2019, p. 21; Edward Mumbuu: 'Germany can't ignore Namibia, UN criticism – MP', in: *NEW ERA*, 17 May 2023, p. 5.

<sup>74</sup> Charmaine Ngatjiheue: 'LPM wary of Swapo bulldozing genocide deal', in: *The Namibian*, 17 September 2021, p. 3.

<sup>75</sup> Shelleygan Petersen: "'Germany must pay us more" ...Namibians renew push after Poland demands trillions for World War II atrocities', in: *The Namibian*, 6 October 2022, pp. 1-2; see also: Matundu Kae Tjiparuro: 'Only full reparations can remedy past wounds', in: *New Era*, 5 May 2023, p. 11.

<sup>76</sup> Ogone Tlhage: 'Genocide descendants threaten farm repossession', in: *Namibian Sun*, 15 February 2022, pp. 1-2; Namibia Press Agency (NAMBPA): 'Genocide "activists" lash German-speaking locals', in: *NEW ERA*, 15 February 2022, p. 5; National Unity Democratic Organisation (NUDO): 'Germans stole our land – Nudo', in: *NEW ERA*, 16 February 2022, p. 5.

<sup>77</sup> Shelleygan Petersen: 'German settlers never stole any land', in: *The Namibian*, 11 February 2022, pp. 1-2; Staff Writer: 'Local Germans deny genocide', in: *Windhoek Observer*, 16-22 March 2018, pp. 1-2.

from the country and impact negatively on the bilateral relations between the two countries.<sup>78</sup>

A fourth strand relates to the contested nature of colonial statues in the country and the need for statues that celebrate and recognise the contribution of resistance leaders such as Jonker Afrikaner and Hendrik Witbooi. This debate was recently fueled by the removal of the statue of Curt von François outside the Windhoek municipality building in February 2023.<sup>79</sup> A related sub-strand is that of Shark Island, the small peninsula neighbouring the southern coastal town of !Nami=Nūs (Lüderitzbucht). Shark Island served as a concentration camp during the 1904–08 genocide. Many prisoners died there, more than 1,000. Human skulls were collected at the site and exported to Germany.<sup>80</sup> For some, Shark Island is a symbol of death and destruction, and it is deemed inappropriate and profoundly insensitive for the Namibia Wildlife Resorts (NWR) to use it as a holiday camping site.

A sixth strand focuses on the need to return cultural artefacts and human remains that are still in German museums, such as in the Linden-Museum in Stuttgart, universities and private collections in that country.<sup>81</sup> While some human remains and cultural artefacts have indeed been returned to Namibia, since 2011, more are likely to follow in future.

A final strand, invokes older and more recent provisions of international law, such as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) – as of April 2022, ratified by 53 states, and the International Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, adopted by the United Nations General Assembly on 26 November 1968. The core argument being that no statutory limitations apply in such cases. Moreover, as the International Court of Justice (ICJ) has repeatedly stated, the Convention embodies principles of general customary international law not subject to a time limit when legal action has to be stopped and judicial proceedings are no longer possible. Those who take this line of argumentation, may well approach the International Court of Justice (ICJ) in The Hague for a ruling on the genocide of 1904–08.<sup>82</sup>

More recently, the United Nations (UN) Special Rapporteurs on the colonial dialogue with Namibia, criticized both the German and Namibian governments for excluding

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<sup>78</sup> Jemima Beukes: 'German investors turned off', in: *Sun*, 17 July 2019, p. 3.

<sup>79</sup> Shaun Whittaker, , Harry Boesak: 'Where is Jonker Afrikaner's Statue?', in: *The Namibian*, 28 February 2023, p. 7; Kaitira E. Kandji: 'Contested Statues Reflect "Dimmed Memories" of the Herero/Nama Genocide', in: *The Namibian*, 17 March 2023, p. 11.

<sup>80</sup> Paul John Isaak: 'Shark Island: The first world's death camp', in: *NEW ERA*, 12 April 2023, p. 6; Steven Klukowski: 'Genocide descendants remember Shark Island atrocities', in: *NEW ERA*, 26 April 2023, p. 3; Ellen Albertz: "'We were told to remove memorial stone after genocide day" ... Genocide Remembrance Day held', in: *The Namibian*, 24 April 2023, p. 3.

<sup>81</sup> Frank Steffen: 'Witbooi-Erbe wird rückerstattet', in: *Allgemeine Zeitung*. 14 January 2019, p. 1.

<sup>82</sup> Tjivikua: 'War Crimes'.

direct descendants of the 1904–1908 genocide victims from the bilateral negotiations that culminated in the 2021 ‘Reconciliation Framework’. This might lead to UN mediation on the issue, as the bilateral talks between the two states seem to have ground to a halt, at least for now. Incidentally, the Namibian Government dismissed the tenor of the Report by the UN Special Rapporteurs. Also, in late 2022, the Landless People’s Movement (LPM) initiated court proceedings in the Namibian High Court against the Namibian State requesting the Court to declare the 2021 ‘Reconciliation Agreement’ null and void and calling for fresh negotiations on genocide and reparations. The outcome of this court case is still awaited as the court has not ruled on the application of the Plaintiffs.

At the time of writing, there seems to be a possibility that descendants of the victims of genocide may file a case in the International Court of Justice (ICJ) against the German State based on the provisions of the 1968 International Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity. Importantly, the Convention contains principles of general Customary International Law not subject to a time limit when legal action has to be terminated.

## Conclusion

This exploratory chapter attempted to show that notions of cosmopolitan justice and a pluralistic and complex understanding of the principles that could conceivably inform justice and fairness, might lead to meaningful reconciliation between the citizens of the two counties: Namibia and Germany.

There is, however, no inevitability in all of this. Those who engage in cosmopolitan thinking and its future, are walking a narrow, thorny path. Yet: in a meaningful sense, such thinking constitutes a ‘new form of classicism’. Such scholars are not pursuing to achieve the untried and impossible. There is light and hope at the end of the proverbial tunnel. Cosmopolitan thinking and agency have critical or emancipatory potential, and since February 2008 global civil society has taken a much more active interest in the UN concept of ‘the responsibility to protect’ (RtoP) when ‘The Global Centre for the Responsibility to Protect’ (GCR2P) was established at the Ralph Bucho Institute for International Studies at the Graduate Center of the City University of New York.

But can the momentum of thinking and publishing along these lines be sustained for any length of time? An underlying factor is that circumstances in the contemporary world system beyond the reach of scholarship can render reconciliation from this perspective rather unlikely. For example, the German State may fear that reparations for Namibia (as distinct from the Otjiherero and Nama communities) may open the door for even more demanding calls for reparations. Furthermore, political will on the part of the two states and their citizens might not sustain and culminate in renegotiating the 2021 ‘Reconciliation Framework’. However, political thinking thrives on dialectical reasoning and contested thinking, and cosmopolitan thinking may well prove more difficult to dismiss than the state-centric theorists seem to acknowledge.

Afterall, it has been around since antiquity. Cosmopolitan reason matters precisely because nothing is lasting when reason and conscience do not rule. The question is: will Namibians and Germans have the strength to consistently follow reason and conscience all the way? A further question remains: is there a role for African ethics in all of this, and if so, what could such a role conceivably be?

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War and genocide both connect and divide Namibia and Germany. German colonial rule over “South West Africa” represents not only a long-neglected chapter of German history, but has also become a watershed in the history of Namibia – and, above all – of the Ovaherero and the Nama. An entangled history, marked by extreme violence, the handling of which has given rise to conflicts and resentment. The so-called “reconciliation agreement” of 2021, which is still far from being signed, bears witness to this fact.

Genocidal warfare, deportations, concentration camps and an ensuing policy aimed at the destruction of Ovaherero and Nama as communities have shaped Namibian society to this day, while its colonial past has long since caught up with Germany, even if politicians are still struggling to fully acknowledge Imperial Germany’s legacy. Decades of scholarly, public, political and legal debates show that this is an unresolved problem that affects the present and the future of both countries.

In this volume “An Unresolved Issue: Genocide in Colonial Namibia”, scholars and experts look back on the wars and their aftermath, providing fresh insights. At the same, the ongoing processes of remembering and coming to terms with the past are discussed, as are the challenges for the future.



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