



## ABSTRACT

Title of Thesis: A FUNDAMENTAL TRANSFORMATION:  
THE MANAGEMENT OF SOUTH AFRICA'S  
HERITAGE FOR NATION BUILDING IN THE  
POST-APARTHEID ERA

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Drawing on compelling examples of South Africa's heritage sector transformation after the end of apartheid, this thesis considers the use of heritage resources in nation building and its potential for supporting the transition to democracy in places with difficult and painful pasts. Three South African heritage sites are analyzed: Constitution Hill in Johannesburg, a notorious twentieth century former prison incorporated into the new Constitutional Court complex; Prestwich Place in Cape Town, a pre-1830s informal burial ground, the management of which has spurred contentious debates; and the Voortrekker Monument in Pretoria, an ostentatious symbol of the former regime built in 1949 that is struggling to maintain its relevance. The analysis of these three sites is

prefaced by an overview of the place of heritage in nation building and in places of atrocity and pain, and by a summary of South Africa's century-long history of heritage management. The thesis concludes with recommendations for other sites in South Africa that have yet to transform and for other nations transitioning to democracy and/or dealing with difficult heritage. South Africa's commitment to democratic heritage transformation has permitted a rewriting of the nation's history, has exposed the challenges and rewards from the involvement of everyone in the identification and management of heritage, and has resulted in an atypical decision to leave some of the more difficult pasts in place to permit debate to persist, all lessons that are important for managing difficult heritage in nation building in South Africa and elsewhere in the world.

A FUNDAMENTAL TRANSFORMATION:  
THE MANAGEMENT OF SOUTH AFRICA'S HERITAGE  
FOR NATION BUILDING IN THE POST-APARTHEID ERA

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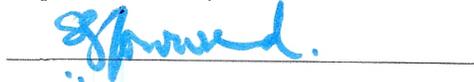
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## DEDICATION

To my mother, who has been my lifelong teacher.



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## CHAPTER I INTRODUCTION

The transition from apartheid to democracy in 1990s South Africa ushered in a nation building effort that focused on reconciliation and reparations for past wrongs. For a country whose people were scarred from the trauma of centuries of violence, oppression, exploitation, and tragedy, heritage was presented during those early years as a useful tool to meet the new government's transformative goals. The heritage policy discussions of the 1990s resulted in the passage of the National Heritage Resources Act (NHRA), which was implemented in 2000. Though significant challenges have stymied the full functionality of the NHRA in the decade since its implementation, the law's goal to provide avenues for reconciliation and reparations in the country is fundamentally, albeit slowly, transforming the heritage preservation sector. Drawing on compelling examples of South Africa's heritage management transformation after the end of apartheid, this thesis considers the use of heritage resources in nation building and its potential for supporting the transition to democracy in places with difficult and painful pasts.

The use of heritage and memory in nation building is not a new concept, either globally or in South Africa itself; however, it continues to be a highly contested concept, particularly in traumatized cultures with a history of violence and extreme prejudice. In South Africa, where pre-democracy policies excluded the cultural contributions of the

majority, new democratic practices and the new policy have permitted the development of new narratives of the nation's history and challenged the earlier understanding of what is significant and to whom. This thesis demonstrates, through research and analysis of three South African heritage sites (Constitution Hill in Johannesburg, Prestwich Place in Cape Town, and the Voortrekker Monument in Pretoria), several ways in which the transformation has occurred. Specifically, transformation has occurred through the use of sites as platforms to engage South Africans in the ongoing revision of the nation's history, the involvement of the community in identification and management of heritage, and the inclusion of all of the country's cultural heritage, even that associated with the former oppressors. I conclude with observations and recommendations for applying the lessons that can be learned from the three heritage sites to South Africa and the world.

### Historical Background

The transition to a democratic government in South Africa began in 1990 when President F. W. de Klerk rescinded the ban on the liberation movements that had fought against apartheid, a system of governmental racial segregation that had severely limited the rights of non-white South Africans. The country held democratic elections in 1994, the first in the nation's history to grant universal suffrage. The new government that emerged out of the elections was comprised of many black South Africans who had been denied participation in the previous government based on their ethnicity. There were many challenges for the new government to address, including urgent social ills such as poor education, high unemployment, and lack of housing. Nevertheless, during those early years, policy makers took some time to develop a heritage policy that had the potential for incorporating the nation's exceptional cultural, ethnic, language, and racial

diversity yet could also deal effectively with the difficult histories of European colonialism and apartheid.

South Africa's long history as a colony of the Dutch and then the British, followed by nearly a half century of apartheid, had severely limited the rights of the black majority and other people of color in South Africa. Minority white rule was stringently maintained even though, by the eighteenth century, the nation's population was incredibly diverse, not only based on the country of origin of its many inhabitants, but also in the languages spoken, religions practiced, and cultural norms and traditions maintained. In addition to the native Khoikhoi, San, and numerous other tribes such as the Zulu and Xhosa, there were European immigrants (British, Dutch, French, Flemish, and Germanic people) and imported slaves from Indonesia, Madagascar, and India. White-dominated rule through the years resulted in centuries of racial segregation, unjust laws that favored the minority white population over people of color, and a systematic disregard of the contributions of the non-white people to the nation's cultural heritage.

In a country whose people were scarred from the trauma of centuries of violence, oppression, exploitation, and tragedy, the South African cultural heritage policy discussion that began in the 1990s proposed heritage as a way to help citizens to “emphathise with experiences of others” in the post-apartheid era.<sup>1</sup> The NHRA, passed in 1999 and implemented in 2000, was one of the outcomes of this process. The preamble of the NHRA states the spirit of the act, which is the responsible management of the national estate (heritage resources) in a way that “facilitates healing and material and

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<sup>1</sup> “National Heritage Resources Act” (NHRA). *Republic of South Africa Government Gazette*, No. 19974, Vol. 406, Government Notice No. 506 (Cape Town: Government Printer, 28 April 1999), introduction.

symbolic restitution and...promotes new and previously neglected research into our rich oral traditions and customs.”<sup>2</sup> The law is sufficiently broad to identify and protect the types of resources that have traditionally been recognized as valuable by the white community in South Africa, such as archaeological sites and architecture; however, its real innovation lies on the law’s goal, as stated in the preamble, to protect resources that provide an avenue for nation building and redress. These are the types of resources that are foremost in South Africans’ minds and for many represent a recent traumatic and conflict-ridden past that is still raw and painful.

### Research Methods

In preparation for writing this thesis, I conducted a research trip to South Africa in September and October 2010. Although I had lived in South Africa from 1995 to 2000, a key period of transition from apartheid to a non-racial democracy, and had visited often since, I felt it was important to see the country anew, with the specific intention of considering South Africa’s heritage sector since the end of apartheid in 1994. To that end, I conducted twenty-six interviews with key stakeholders in the South African heritage sector, including academics at the University of Cape Town and the University of the Western Cape who have studied the topic, bureaucrats in the Department of Arts and Culture and the South African Heritage Resources Agency, staff of the National Heritage Council, heritage practitioners, and several of the original drafters of the NHRA (Appendix I). I also attended, and had the opportunity to present my topic at, the Heritage SA annual symposium. The group of individuals with whom I interacted, while not a

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<sup>2</sup> Ibid.

perfect cross-section of the South African population, represented many of the major South African population groups, both male and female, ranging from young professionals to retirees, and included various types of heritage workers such as architectural historians, archaeologists, museumologists, academics, historical society directors and staff, politicians, and bureaucrats.

I spoke with these individuals about their opinions of the general role of heritage in nation building and redress, and, more specifically, their views on the effectiveness of the NHRA in the recognition of heritage resources, weaknesses in the current system, and examples of actions that have transformed the heritage sector. While the results of these interviews are not cited within this text as often as I had originally intended, they were key to my early development of the topic and helped me understand the many intricacies of the situation that would otherwise have been difficult to fully grasp from the other side of the world. Through the interviews, I was able to identify commonly raised themes that guided my organization of the thesis.

While in South Africa I also visited twenty-seven historic sites and museums located throughout the country in Johannesburg, Pretoria, Cape Town, Kimberley, and Graaff-Reinet, specifically (Appendix II). I visited these sites to better understand the sites' and museums' stated goals and the manners in which they interpreted the history of the resources and engaged with visitors. From those sites and the information I gathered during interviews, I chose the three case studies to which I devote most of my thesis: Constitution Hill, Prestwich Place, and the Voortrekker Monument.

In addition to the research trip to South Africa, I consulted numerous academic journal articles, essays, theses, dissertations, and books that relate to the treatment of

heritage in post-apartheid South Africa and to the political use of heritage throughout the world, the latter so that I could more adequately consider the South African situation with the broader intellectual debate over the role of cultural heritage in nation building and the interpretation of places with traumatic and difficult histories. For the specific case studies, I referenced the above sources as well as my notes and photos from my visits, official websites, promotional materials, technical reports (when available), newspaper articles, guidebooks, and the South African Heritage Resource Agency's working list of potential and declared heritage resources and resource files.

### Organization

I have chosen to look closely at a very short period in South Africa's history and only three examples of the many heritage management cases in the nation since the end of apartheid. I make no claim to comprehensiveness, neither of the history of South Africa nor of the heritage resource management over the period. However, I have attempted to be thorough and balanced, providing enough context for readers who may not be familiar with South Africa and its complex past, within the constraints of a master's level thesis.

Chapter II provides the foundational knowledge for the chapters that follow by presenting a summary of the main suppositions on which I frame the use of heritage in nation building in South Africa. I answer questions such as these: Why do we desire to preserve relics of the past? How do nations use heritage to form a national identity? Why is there a growing world interest in preserving sites associated with pain, shame, and

atrocities? And how they are managed? Overall, the chapter examines the complex concept of heritage and the various ways the past is used by individuals and nations.

Chapter III summarizes the history of heritage legislation in South Africa, beginning in 1911, and describes the legislative framework of the post-apartheid NHRA. This chapter includes an analysis of monument declarations before and during apartheid and considers the influences that shaped the current policy, such as the key themes of transparency, reconciliation, and reparations that were important during the transition from apartheid to democracy in the 1990s.

Chapters IV, V, and VI examine three heritage resource case studies, intended to serve as narratives by which I illustrate the subpoints of my thesis. Specifically, Chapter IV is devoted to Constitution Hill in Johannesburg, the location of “Number Four,” a notorious prison that housed icons of the struggle against colonial racist laws and apartheid during the twentieth century, and now the site of South Africa’s Constitutional Court. I use this study to demonstrate how South Africans are rewriting the nation’s history in a way that demonstrates the government’s goals of a democratic nation.

Chapter V describes the history and controversy surrounding the discovery of approximately 2,000 pre-1830 burials at Prestwich Place in Cape Town. I assess the contentious debate that arose around the burial ground and how it has been a useful exercise for South Africans to openly debate difficult histories and memorialization in the post-apartheid nation.

Chapter VI, the final case study, presents the Voortrekker Monument in Pretoria, a grand symbol of Afrikaner nationalism that is distasteful to many black South Africans. I analyze the contested meaning of the monument and the reasons why it not only

remains standing fifteen years after the end of apartheid, but that it has also been openly supported by the South African government. I consider the importance of its continued presence not only to illustrate the government's transformation goals of accommodating those who were deposed, but also to demonstrate how its continued presence can provide an avenue for sustained debate about democracy.

Chapter VII, the thesis conclusion, proposes some lessons that may be learned from South Africa's transformation to a democratic heritage policy that could be applied elsewhere in South Africa, where the transformation has not been as dramatic, and in other nations that are struggling to deal with difficult heritage in the transformation to democracy.

## CHAPTER II HERITAGE, NATIONAL MEMORY, AND ATROCITY— A GLOBAL PERSPECTIVE

The term *heritage* can be a frustratingly difficult word to define. Broadly, it is understood to mean *inheritance* or *legacy*; in contemporary use, it is most often employed to describe those traditions, places, and objects of the past that we value, with which we identify, and that we desire to pass on to those who will come after us.<sup>3</sup> Heritage can encompass everything from designed spaces (buildings and parks) and the arts (music, dance, and literature), to languages and crafts. Even natural landscapes can be considered heritage. Concisely, heritage is something that is imbued with significance by an individual, a small group of individuals, a nation, or even a group of nations. What it constitutes often varies from group to group and evolves as time passes and circumstances and ideologies change.<sup>4</sup>

As early as the late nineteenth century in England and by the 1970s in most other nations, cultural heritage laws were passed to preserve heritage and formalize the process

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<sup>3</sup> Merriam-Webster's *Collegiate Dictionary*, 11 ed., 582; Harriet Deacon, Sephai Mngqolo, and Sandra Prosalendis, *Protecting Our Cultural Capital: Research Plan for the Heritage Sector* (Cape Town: Human Sciences Research Council, 2003), 1; United Nations Educational, Scientific and Cultural Organization (UNESCO), "About World Heritage," *World Heritage Convention*, <http://whc.unesco.org/en/about/>; David Lowenthal, "Identity, Heritage and History," in *Commemorations: the Politics of National Identity*, ed. John R. Gillis (Princeton: Princeton University Press, 1994), 41.

<sup>4</sup> Kenneth E. Foote, *Shadowed Ground: America's Landscapes of Violence and Tragedy* (Austin: University of Texas Press, 2003), 28.

for determining what heritage is and how it should be managed. Though many of these laws sit idle or are ineffective, a system of protections has nevertheless been codified in many countries for particular heritage resources, such as architecture, monuments, artifacts, and archaeological sites. Formal protection has thereby raised the visibility of these types of resources. Often, the preservation of music, language, and crafts is not formally protected, although national funding may be available to encourage and promote their continuation. This thesis deals chiefly with the former category of heritage, which is usually comprised of *heritage resources* or *historic resources* that constitute those tangible places and objects protected by law.

Heritage, as defined above and as will be described in more detail below, is largely a concept that arose out of western thought so the scholarship that is presented in this chapter is that of predominantly western authors. In framing this information within the South African context, this is not entirely inappropriate. As I will discuss in the following chapter, even prior to the end of apartheid, South African government heritage policy and practice reflected European examples. Though there has been a movement in South Africa, particularly beginning with Thabo Mbeki's presidency in 1999, to search for African solutions to economic, social, and cultural issues, as it stands now, South African law and policy references western thought, and that is also true for heritage resource policy. During the late 1980s and early 1990s, as South Africa transitioned to democracy, many exiles returned to South Africa from overseas, bringing with them heritage philosophies and practices from the nations that had sheltered them. Thus, heritage practices in South Africa continue to be strongly influenced by exterior concepts of what the past is, how it should be interpreted, and how it should be managed.

How we conceptualize and use the past, and what heritage resources are and do, are foundational concerns when considering the role of heritage and public memory in South African nation building. Subsequent chapters engage with these concepts mainly in relation to South Africa; this chapter, however, explores them from a more general perspective. I attempt to answer the following questions: Why do we desire to preserve relics of the past? How do nations use heritage to form a national identity? The answers to these questions will act as a basis for discussing, briefly, the growing world interest in preserving sites associated with pain, shame, and atrocity, and how they are managed.

It is not my intention here to provide a fully nuanced discussion of our complex use of the past, the multifaceted formation of national heritage, or the challenging management of sites of atrocity. I present a summary of the main suppositions on which I will frame the use of heritage in nation building globally and, in the chapters that follow, in South Africa.

### Understanding the Past

No one can discount how powerfully our knowledge of the past influences our present. We refer to it, usually subconsciously, to interpret our experiences every day. Our understanding of the past is fundamental to how we define ourselves, justify our actions, and, often, frame our patriotism and nationality. Without it, every interaction, sound, or sight would be a jarring and an uncertain event. With it, we have a context in which to interpret our experiences.

The historian and geographer David Lowenthal, in his seminal text *The Past is a Foreign Country*, identifies three ways in which we, as individuals and communities,

*know the past*: memory, history, and relics. He argues that the three, together, form the most complete account of the past we can manage. And yet, even that can be miserably inadequate for creating a full and unbiased account of what actually happened. In reality, our understanding of the past is a combination of the real, the invented, and the revised.

Memory, the first of Lowenthal's trilogy of knowing the past, is a notoriously fickle instrument for understanding the past. Although, as Lowenthal writes, it is "through recollection we recover consciousness of former events, distinguish yesterday from today, and confirm that we have experienced a past," it is a dubious method at best.<sup>5</sup> It can be tempting to operate as if our memories are infallible—after all, we were there!—but, surely, every person has had an occasion when reminiscing or recalling an event, only to find that her memories of the event are quite different than others' memories who had also been there.<sup>6</sup> This is because we are constantly in the process of *negotiating the past*, a term historians Sarah Nuttall and Carli Coetzee use,<sup>7</sup> which includes reorganizing, rearranging, forgetting, and revising our memories to suit our current situation, mostly subconsciously and usually without that intent.<sup>8</sup> In the process, we create "order out of chaos" and identify significant points from which to base our

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<sup>5</sup> David Lowenthal, *The Past is a Foreign Country* (New York: Cambridge University Press, 1985), 193.

<sup>6</sup> Bernard Lewis, *History: Remembered, Recovered, Invented* (Princeton, NJ: Princeton University Press, 1976), 71.

<sup>7</sup> Sarah Nuttall and Carli Coetzee, eds., *Negotiating the Past: The Making of Memory in South Africa* (Cape Town: Oxford University Press, 1998).

<sup>8</sup> Lowenthal, *The Past is a Foreign Country*, 204.

identities and our actions.<sup>9</sup> With every subsequent experience, we revise to accommodate our new memories.<sup>10</sup> Writes Lowenthal, “We remould the past to conform its remnants, like our recollections, to our needs and expectations.”<sup>11</sup>

Our identity with certain groups also affects how we filter our memories and vice versa. Experiences we have in our lives may lead us to identify ourselves as members of particular groups by ethnicity (genetically and/or culturally), religion, language, social class, gender, sexual orientation, political allegiances, or geographical location (rural/urban—national/regional). In turn, these many complex identities all contribute toward our understanding of who we are and how the past is relevant to us.<sup>12</sup>

Lest we malign memory as fabricated, it is important to remember that, while it is subjective by nature, it is rarely entirely fictitious.<sup>13</sup> Memories are such that “no one else can wholly validate our own unique experience of the past.”<sup>14</sup> Because of that, memory is one of the most powerful tools we have in understanding the past, simply because it is ours. It is at least a partial reflection of the past, even if it is a skewed or distorted one.

Fortunately, memory is not the only tool we have at our disposal to understand the past: history is standing by. Historians J.E. Tunbridge and G.J. Ashworth define history

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<sup>9</sup> Ibid., 205.

<sup>10</sup> Ibid., 208.

<sup>11</sup> Ibid., xxiii.

<sup>12</sup> J. E. Tunbridge and G. J. Ashworth, *Dissonant Heritage: The Management of the Past as a Resource in Conflict* (Chichester: Wiley, 1996), 71-92.

<sup>13</sup> Lowenthal, *The Past is a Foreign Country*, 200.

<sup>14</sup> Ibid.

as the “selective attempts to describe...what has happened.”<sup>15</sup> Unlike memories, which are fundamentally personal and multilayered in their complexity, history is intended to be an intellectual account, based on the “study of empirical reality.”<sup>16</sup> Most modern historians see the role of their research as filling in the gaps of the record and correcting errors in the memories of the past; so, unsurprisingly, historians’ works can sometimes have a destructive influence, revealing inconsistencies and errors in memories important to individuals or to a community. Writes French historian Pierre Nora, “Memory is always suspect in the eyes of history, whose true mission is to demolish it, to repress it.”<sup>17</sup>

However, even historians with a fervent desire to provide a fact-based account and to remedy earlier deficiencies in history must know, as historian Bernard Lewis writes, “no human being is free from human failings, among them loyalties and prejudices which may color his perception and presentation of history.”<sup>18</sup> It was not until the last half century, for instance, that the memories of women and minorities were considered worthy of being incorporated into historic narrative. They simply had not registered in the worldview of mostly white, male historians.<sup>19</sup> As historiography has

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<sup>15</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 20.

<sup>16</sup> Lawrence D. Kritzman, foreword to *Realms of Memory: Rethinking the French Past, Vol. 1 – Conflicts and Divisions* by Pierre Nora, translated by Arthur Goldhammer, revised and abridged by Lawrence D. Kritzman (New York: Columbia University Press, 1996), ix.

<sup>17</sup> Nora, *Realms of Memory*, 3.

<sup>18</sup> Lewis, *History: Remembered, Recovered, Invented*, 54.

<sup>19</sup> Nora, *Realms of Memory*, 3.

revealed these biases and gaps, the result has been a shift in historic practice toward *history from below*, where, rather than risk leaving someone's memories out, every groups' memories are included as important to the narrative, whether that may be the case or not.

We have relics at our disposal that can satisfy some of our doubts over memory and history and can also contribute toward our more intricate understanding of the past.<sup>20</sup> *Relics*, as Lowenthal describes them, are the objects and places that were left behind. Nora proposes a more nuanced term to describe those tangible remnants and their importance to our understanding of the past: *lieux de mémoire* (memory places).<sup>21</sup> Nora's *lieux de mémoire* include physical places such as archaeological sites, objects (cemeteries, museums, and commemorations), and structures, but also history books, historical events, memoirs, and spectacles. Tangible relics have the benefit of simultaneously existing in the present and the past in a way that memory and history do not.

Unfortunately, relics wear away, are destroyed by neglect and war and nature, and are often replaced by the new in greater speed than memories and history are replaced; however, as long as they stand or are available, they can be powerful storytellers of the past.<sup>22</sup> To many there is a convincing appeal about relics because, unlike memory or

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<sup>20</sup> Lowenthal, *The Past is a Foreign Country*, 247.

<sup>21</sup> Nora, *Realms of Memory*, xv.

<sup>22</sup> Lowenthal, *The Past is a Foreign Country*, 239.

history, relics are not usually believed to have an intentional bias.<sup>23</sup> Relics such as buildings and landscapes are generally easily accessible to the passerby, allowing for uninterpreted impressions and for memories to be triggered.<sup>24</sup> It is also much more difficult to create a fraudulent relic (though possible) than it is to fabricate a memory or a written account because a relic cannot be significant without an attached memory or history. Relics are relatively meaningless without the assistance of memories and history.<sup>25</sup> They have the potential of enhancing recollections and accounts. In fact, as Lowenthal writes, “In resurrecting the way of life of the millions who have left no archival trace, artifacts partly redress the bias of written sources, and hence make historical knowledge more populist, pluralistic, and public.”<sup>26</sup>

As demonstrated above, our understanding of the past is, therefore, formed from a complex interaction of our memories, what we are taught as history, and the physical remnants and tangible traditions that are around us. It is out of these foundational tools for understanding the past that the heritage conservation movement (or historic preservation movement, as it is known in the United States) has arisen.

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<sup>23</sup> Ibid., 244.

<sup>24</sup> Ibid., 249, 245.

<sup>25</sup> Ibid., 249, 243.

<sup>26</sup> Ibid., 244.

## The Rise of Heritage Conservation

The intense global movement to commemorate and protect visual reminders of the past has led Andreas Huyssen to declare: “the world is being musealized.”<sup>27</sup> Writes Nora:

“...our present is being enslaved to memory, that is to the fetishism of signs, an obsession with history, an accumulation of the material remains of the national past, and to the infinite ways of expressing national life—not only its history, but also its landscapes, its traditions, its ways of eating, and its long-gone methods of production. Everything is historical, everything is worth remembering, and everything belongs to our memory.”<sup>28</sup>

Indeed, there seems to be little that cannot be preserved for one reason or another, which has resulted in a veritable “glut” of heritage.<sup>29</sup> Yet, the current situation has not always the case.

*Preservation or conservation* is a modern concept. It was not something that many people were aware of before the eighteenth century because it simply was not necessary—the past was an active part of the present.<sup>30</sup> Writes John Gillis, “people felt the past to be so much a part of their present that they perceived no urgent need to record, objectify, and preserve it.”<sup>31</sup> Notably, this was not the case for the elites (monarchs and

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<sup>27</sup> Andreas Huyssen, *Present Pasts: Urban Palimpsests and the Politics of Memory* (Stanford: Stanford University Press, 2003), 15-16.

<sup>28</sup> Nora, *Realms of Memory*, xviii.

<sup>29</sup> David Lowenthal, “The Heritage Crusade and Its Contradictions,” in *Giving Preservation a History*, eds. Max Page and Randall Mason (New York: Routledge, 2004), 37.

<sup>30</sup> Pierre Nora, as quoted in *Commemorations: The Politics of National Identity*, John R. Gillis, ed. (Princeton: Princeton University Press, 1994), 6.

<sup>31</sup> Gillis, *Commemorations*, 6.

the church) in western societies, who have diligently laid out their history in a linear fashion, attempting to fill in all the unknowns by storing in archives, writing biographies, and recording genealogies and family histories. For the elite, having a past justified their role in the present in a way ordinary people did not need.<sup>32</sup>

The origins for the western modern understanding of the past can be traced to the Renaissance, which spanned the fourteenth to the seventeenth centuries. John Stubbs writes that it was during that era that “the process of critically evaluating the past arose...”<sup>33</sup> The period was characterized by a perspective that the past (particularly, Ancient Greece and Rome) was to be valued and admired, yet that it was distinct from the present.<sup>34</sup> For many people, the break they felt from the past became even more pronounced during the Baroque period and the Enlightenment that followed the Renaissance, as they began to feel the past rapidly slipping away from them as a result of major technological improvements, world exploration and colonization, and massive industrialization.<sup>35</sup> Indeed, the past became so different from the present that there was a distinguishable boundary between the two at a scale previously unknown. The shift in understanding of the past led Lowenthal to declare that the “past is a foreign country” and Nora to state, “the past is a world from which we are fundamentally cut off.”<sup>36</sup>

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<sup>32</sup> Ibid.

<sup>33</sup> John Stubbs, *Time Honored: A Global View of Architectural Conservation* (Hoboken, NJ: John Wiley & Sons, Inc., 2009), 191.

<sup>34</sup> Lowenthal, *The Past is a Foreign Country*, 75.

<sup>35</sup> Gillis, *Commemorations*, 10.

<sup>36</sup> Lowenthal, *The Past is a Foreign Country*, xvi; Nora, *Realms of Memory*, 12.

The shift in understanding the past provided the impetus for commemoration on a large scale. As progress continued, people began to turn to commemoration to save what they sensed disappearing so rapidly.<sup>37</sup> Nora suggests that the reason why we have protected our lieux de mémoire is because society has abandoned the rituals—ceremony, oral memory, storytelling—that kept the past in the present. Having lost our inner ability to remember, we have to turn to “external props and tangible reminders of that which no longer exists.”<sup>38</sup> Hence, the *memory mania* that attempts to preserve all the past and even much of the present.<sup>39</sup>

Interestingly, in 1903 Austrian art historian Alois Riegl argued in his essay, “The Modern Cult of Monuments: Its Form and Origins,” that monuments (nearly every physical remnant of the past, as he defined them, including statues, coins, plaques, objects, buildings, and cityscapes) were not just appealing for their aesthetic or historic value, but also because they demonstrated western societies’ desire for ceaseless change and progress.<sup>40</sup> Monuments served as markers for how much better society was today than it had been in the past.

One hundred years later, Huyssen argues the opposite. He describes our obsession with preserving the past as founded not only in our fears of forgetting, but in a general discomfort with the disappointments of twentieth century modern thought, which had

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<sup>37</sup> Gillis, *Commemorations*, 10.

<sup>38</sup> Nora, *Realms of Memory*, 8.

<sup>39</sup> *Ibid.*

<sup>40</sup> Rudy J. Koshar, “On Cults and Cultists: German Historic Preservation in the Twentieth Century,” in *Giving Preservation a History*, 45.

promised progress but had actually answered with a bloody century of widespread tragedy.<sup>41</sup> He writes, “the faster we are pushed into a global future that does not inspire confidence, the stronger we feel the desire to slow down, the more we turn to memory for comfort.”<sup>42</sup> Many ordinary people have been disappointed by the architecture of the twentieth century, which has, in many cases, failed to create a comfortable and humane environment (“The house is a machine for living in”—Corbusier). Certainly, preservation has been justified for a myriad of reasons beyond those above, including national interest (patriotism and reconciliation), economic growth (job creation and tourism), land use planning (aesthetics), and recently sustainability (“The greenest building is the one already built”—National Trust for Historic Preservation slogan).<sup>43</sup>

The process of filtering memories, writing histories, and identifying the associated relics is a long process and so it often takes some time for the past to be commemorated as heritage. Geographer Kenneth Foote writes, “The basic point seems to be that commemoration cannot occur until there is a past worthy of commemorating.”<sup>44</sup> In the first years of the heritage conservation movement, only sites associated with key important people or architectural or archaeologically significant sites were identified as important. However, as history turned toward a more bottom up approach, as discussed

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<sup>41</sup> Huyssen, *Present Pasts*, 18.

<sup>42</sup> *Ibid.*, 25.

<sup>43</sup> Page and Mason, *Giving Preservation a History*, 15-16.

<sup>44</sup> Foote, 29.

above, memorials and objects of the ordinary person were more commonly identified as important.

Once heritage places are identified, the act of ongoing interpretation and conservation adds another layer to our complex understanding of the past. Interventions and innovations are necessary to the act of preservation so that merely identifying something as heritage “entails marking, protecting, and enhancing relics to make them more accessible, secure, or attractive.”<sup>45</sup> Lowenthal describes this revision by explaining that “even if we aim to preserve things just as they were or as we found them, protective and restorative devices mantle the past in the machinery of the present.”<sup>46</sup> Further, preservation adds yet another layer to our understanding of the past beyond the revised memories, orderly history, and raw relics.<sup>47</sup>

As mentioned earlier, what constitutes heritage differs between individuals and groups depending on their understandings of the past, which can lead to conflict in the heritage identification and interpretation stages. Tunbridge and Ashworth write that heritage, at its core, is dissonant and that dissonance is unavoidable because heritage “is

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<sup>45</sup> Martin J. Murray, “Building the ‘new South Africa’: Urban space, architectural design, and the disruption of historical memory,” in *History Making and Present Day Politics: The Meaning of Collective Memory in South Africa*, ed. Hans Eric Stolten (Stockholm: Nordiska Afrikainstitutet, 2007), 237; Lowenthal, *The Past is a Foreign Country*, xxiii.

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

<sup>47</sup> Albert Grundlingh, “Reframing remembrance: The politics of the centenary commemoration of the South African War of 1899-1902,” in *History Making and Present Day Politics*, 215.

someone's heritage and therefore logically not someone else's."<sup>48</sup> They continue, "the shaping of any heritage product is by definition prone to disinherit non-participating social, ethnic or regional groups, as their distinctive historical experiences may be discounted, marginalised, distorted, or ignored."<sup>49</sup> A recent example of an attempt to avoid the disinheriting of certain groups is the President's House in Philadelphia, an archaeological site near the Liberty Bell recently opened to the public by the United States' National Parks Service. The National Park Service first intended to include only the story of George Washington and John Adams, the first two presidents to live there, and the story of the founding of the nation. But when word got out that the Washingtons had also lived at the site with their slaves, and groups protested the exclusion of that part of the story, the National Park Service agreed, after much conflict, to also interpret the story of slavery. Unfortunately, the result has been mediocre at best, telling neither story coherently.<sup>50</sup> Notably, just because heritage does not belong to us directly does not consequently mean that we cannot be engaged by it; however, when compromise cannot be met or will not be met, some groups have turned to "identity museums," museums devoted to the history of one ethnic group, to address "outsiders'" concerns about exclusion.<sup>51</sup>

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<sup>48</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 21.

<sup>49</sup> *Ibid.*, 29.

<sup>50</sup> Edward Rothstein, "Reopening a House That's Still Divided," *New York Times*, Dec. 14, 2010, [http://www.nytimes.com/2010/12/15/arts/design/15museum.html?\\_r=1&emc=eta1](http://www.nytimes.com/2010/12/15/arts/design/15museum.html?_r=1&emc=eta1).

<sup>51</sup> *Ibid.*

The rise of heritage conservation laws globally has led to codified processes for identifying “important” themes, types of resources, and management strategies. Preservation has become a veritable industry, complete with a “heritage priesthood” of specialists who identify the “who, what, where, and when” of heritage.<sup>52</sup> There is a growing market for trained members of this heritage profession in industries as dissimilar as universities, government, private consulting, and tourism. Those involved in heritage identification and management today usually comprise a multidisciplinary team of historians, architects, geographers, tourism specialists, active community members, and public policy specialists. At one end are the historians who usually see their task as telling the whole story and at the other end are the tourism specialists and developers who shape the sites and objects for common consumption. There is an obvious conflict between the various players and their goals for the use of heritage.<sup>53</sup> Undeniably, heritage conservation has become a booming business that has expanded far past the first attempts in the nineteenth century to save the past for the past’s sake. Along the way, certain pasts are given precedence over others. Foote sums it up in this way: “Close study reveals that what is accepted as historical truth is often a narrative shaped and reshaped through time to fit the demands of contemporary society.”<sup>54</sup>

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<sup>52</sup> Frits Pannekoek, “The Rise of the Heritage Priesthood,” in *Preservation: Of What, For Whom?*, ed. Michael A. Tomlan (Ithaca, NY: The National Council for Preservation Education, 1998), 29.

<sup>53</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 11.

<sup>54</sup> Kenneth E. Foote, *Shadowed Ground: America’s Landscapes of Violence and Tragedy* (Austin: University of Texas Press, 2003), 29.

The widespread acceptance of heritage has led Gary Baines, a South African historian, to state: "...there can be little doubt that history produced in the realm of public culture rather than the academy largely determines how the past is remembered by society at large."<sup>55</sup> Heritage, as far as most of people are concerned, *is* history.

### National Heritage

Of the many uses for heritage, the one that is particularly relevant to this thesis is the use of heritage as a political resource.<sup>56</sup> My goal is not to argue for or against the role of politics in heritage; I believe the relationship between the two simply exists, and it is a strong and intimate one.<sup>57</sup> For in the same ways that individuals deconstruct their interpretations of what happened in the past, revising them, reconsidering them, and sharpening them as their lives progress and as the distance lengthens, so nations revise their stories of origin and their lists of heroes and heroines, and their themes of significance to more closely resemble the world in which they are placed and their needs and desires as a government and a citizenry.

There are many benefits to a nation whose individuals subscribe to a national heritage of certain key events, important leaders, and habits and characteristics that appear to be unique to the people of the nation.<sup>58</sup> In times of hardship, change, or war, a

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<sup>55</sup> Gary Baines, "The politics of public history in post-apartheid South Africa," in *History Making and Present Day Politics*, 173.

<sup>56</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 34.

<sup>57</sup> *Ibid.*, 46.

<sup>58</sup> *Ibid.*, 46.

nation's leaders can call upon the patriotism or nationalism of its citizens to support government initiatives. Eric Hobsbawm and Terence Ranger describe the filtering and revising of the past at the national level as the *invention of tradition*: “essentially a process of formalization and ritualization, characterized by reference to a past, if only by imposing repetition.”<sup>59</sup> As long as there have been nations, there has been the invention of tradition, for it provides justification for the nation's existence and promotes the awareness of a particular group.<sup>60</sup> The ideology of a nation is not often what has been preserved in popular memory, writes Hobsbawm and Ranger, “but what has been selected, written, pictured, popularized and institutionalized by those whose function it is to do so.”<sup>61</sup>

One of the most common and ambiguous methods nations have used for creating a national heritage is by tying the nation's past into an earlier one, whether there is a valid connection between the two or not (totalitarian governments of the twentieth century such as Nazi Germany and Tsarist Russia used this method unscrupulously.)<sup>62</sup> In some cases, it is simply a matter of embellishing the past that is already accepted in order “to correct or remove what is distasteful in the past, and replace it with something more acceptable, more encouraging, and more conducive to the purpose in hand.”<sup>63</sup> Bernard Lewis breaks

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<sup>59</sup> Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition*. (New York: Cambridge University Press, 2010), 4.

<sup>60</sup> Ibid.; Tunbridge and Ashworth, *Dissonant Heritage*, 133.

<sup>61</sup> Hobsbawm and Ranger, *The Invention of Tradition*, 13.

<sup>62</sup> Lewis, *History: Remembered, Recovered*, 66.

<sup>63</sup> Ibid., 56.

down this process of embellishment into three steps: remembered history, that which is the collective memory of the community or nation that is chosen to be remembered as significant; recovered history, that which is rejected communal memory that after a short or long interval is recovered; and invented history, that which is “devised and interpreted from remembered history” if available, and if not, fabricated.<sup>64</sup> These histories are then taught in schools and incorporated into national sites and monuments.

Foundation myths are one such example of the creation of national traditions. Following a change in government, often a new past is ready in the wings having been cultivated as an alternate history or recorded by foreign scholars, but other times the new past—*new antiquity*—needs to “exhumed, deciphered, or if need be, invented.”<sup>65</sup> Lewis describes one example of the creation of a foundation myth in which Hebrew poet Yitzhak Lamdan, hoping for success for the new state of Israel after World War II, developed a myth around Masada, a previously unacknowledged but actual event in which the Jews revolted (unsuccessfully) against the Romans in Masada in A.D. 66. Lamdan’s “recovery” of the lost event was motivated by “a new form of self-awareness, a new attempt at defining identity and aspiration, and hence the need to go beyond or beneath the inherited, traditional, and familiar past associated with the discredited self-image which leaders and rulers were seeking to abandon and replace.”<sup>66</sup>

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<sup>64</sup> Ibid., 11-12.

<sup>65</sup> Ibid., 11.

<sup>66</sup> Ibid., 10.

An even more recent example of this can also be found in the rewriting of the national history after the reunification of East and West Germany in 1989. It has been exceedingly challenging to identify a singular narrative for the nation, which since World War II had actually been two nations—the East in which history had been unashamedly written to support the rightness of Communism and the democratic West that had paid so heavily for its Nazi past. Central Europe after the fall of the U.S.S.R. has also struggled to identify coherent pasts. For people who in their lifetimes have been labeled as various groups or nationalities and fed various nationalistic narratives depending on where the borderlines were drawn that year, a cohesive past is nearly impossible.<sup>67</sup>

Of course, national histories need not ignore the sub-histories of the nation, which are often considered highly valuable and important to retain, but they must at least identify an overarching history that embraces all of the micro-histories within the macro-history.<sup>68</sup> Tunbridge and Ashworth have argued that Canada and the United States have done this particularly well. Both countries have embraced the concept of multiculturalism by retaining the stories of the white, male founders, but layering the stories associated with previously ignored groups over top with the goal of “tolerance and mutual respect for a wide range of heritages,” the overarching national message.<sup>69</sup>

The creation of national holidays is another common invention of tradition. France and the United States were the first modern nations to establish a commemorative

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<sup>67</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 143.

<sup>68</sup> *Ibid.*, 47.

<sup>69</sup> *Ibid.*, 190.

national day (Bastille Day and Independence Day, respectively), and most other nations have followed since. The day is intended to promote group cohesion and provide an opportunity for the foundational stories to be transmitted. Even the nations which have never undergone a revolution or a major break in their past like France and the United States have since chosen some arbitrary day on which to celebrate a National Day.<sup>70</sup> These traditions are not often as old as they seem. Sometimes they are quite recent in origin.<sup>71</sup>

How the creation of a national history and traditions translates into heritage places and objects is not consistent or predictable. The use of heritage in politics is usually less crude than it is assumed. Certainly, some nations, such as the Soviet communist countries before 1989, have applied a dominant ideology method, in which the government denies the historical record outright and makes a direct statement of legitimacy, destroying any heritage that contradicts the dominant ideology and creating new heritage to support the new ideology.<sup>72</sup> However, the more common use of heritage in politics is found in nations which subscribe to the progress ideology, in which the government presents the nation's past as a steady progression from inferior to advanced, leading to an implied conclusion that the current regime is justified and, more importantly, inevitable.<sup>73</sup> In this latter case, the national ideology is actually national ideologies, which are fragmented

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<sup>70</sup> Lewis, *History: Remembered, Recovered, Invented*, 51.

<sup>71</sup> Hobsbawm and Ranger, *The Invention of Tradition*, 1.

<sup>72</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 48.

<sup>73</sup> *Ibid.*

between different agencies and political actors. The result is rarely clear and concise. Further, the past is often deliberately portrayed as ambiguous so as to allow the largest number of people to be able to attach themselves to it.<sup>74</sup>

In the case in which a new government comes to power populated by those who had previously been denied full citizenship rights, as has occurred in post-colonial nations in Latin America and Africa, the question of what to do with the heritage that promoted the previous regime's ideology is a contentious one.<sup>75</sup> Opposition movements which had previously used the past as tool to promote the overthrow of the previous regime have to quickly adjust to use the past to legitimize their new authority.<sup>76</sup> Tunbridge and Ashworth have observed that "the empowerment of a former subservient group may thus lead to the destruction, decay or marginalization of the heritage from which they were hitherto excluded; it may also lead, however, to its valued retention and reinterpretation along radically different lines, scripting quite different parts for the previously subservient and dominant groups."<sup>77</sup> In these cases, economic relief is often a major issue, and national heritage may also serve a double purpose: first, to support national ideologies; and, second, to provide job creation through tourism and heritage management.<sup>78</sup>

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<sup>74</sup> Baines, *History Making and Present Day Politics*, 169.

<sup>75</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 30.

<sup>76</sup> Lewis, *History: Remembered, Recovered, Invented*, 69.

<sup>77</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 32.

<sup>78</sup> *Ibid.*, 142.

As a final note on national heritage, it is useful to remember that when a state sanctions a public act of remembrance, approves a history text, or provides the funding for a particular historic site, it does not always follow that there is a consensus on its interpretation. The dominant ideologies may not be reaching the masses, and even those who are experiencing it may be interpreting it differently than it was intended.<sup>79</sup> As disappointing as it is to museum and historic site operators, only a small minority of people regularly visit heritage sites (and many of those who do are predisposed or trained in the field) so it is reasonable to question just how much influence a site could have with such a small audience. Also, the diversity of the audiences, which are often a combination of tourists (some international), investors, and local residents, raises many challenges for the practical interpretation of the site. Visitors may receive one message but interpret it in many different ways based on their individual pasts and their reasons for being there.<sup>80</sup>

Thus, the use of heritage in politics is undeniable but not nearly as clear-cut as it is usually assumed to be. There is no doubt that national history is invented in many cases, though sometimes from legitimate pasts, and new traditions are created to serve the purposes of the government in power, affecting how heritage sites are identified and interpreted.<sup>81</sup>

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<sup>79</sup> Ibid., 49-50.

<sup>80</sup> Ibid., 50.

<sup>81</sup> Murray, *History Making and Present Day Politics*, 244.

## Difficult Heritage

How does this understanding of the past and heritage apply to places that are associated with hurt and pain? Tunbridge and Ashworth argue that all heritage is dissonant, simply by its nature, but sites associated with atrocity are even more so. The meanings of difficult heritage are debated and negotiated on a daily basis as people try to come to some sort of palpable understanding of traumatic and atrocious events.

The *culture of memory* that has grown so spectacularly in popular culture since the late twentieth century has been particularly virulent in the political arena. The global discussion of human rights since the end of World War II and since the 1980s principally, has led many governments to formally recognize their responsibility for past horrors and injustices.<sup>82</sup> In the United States in 1988, President Ronald Reagan issued an apology to the Japanese-Americans who had been detained in camps during World War II on the basis of their ethnicity. Throughout the 1990s, which coincided with many World War II fiftieth anniversaries, there was a flurry of apologies from one nation to another for their complicity in the war, their part in deporting Jews and others to concentration camps, and their operation of the horrifying prisoner-of-war camps. In 2008, Australia's Prime Minister issued an apology to the Aborigines for centuries of mistreatment. Giving national attention to suffering has the potential of causing conflict by reminding people of past wrongs that could lead to subsequent demands for justice. Yet it also has the

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<sup>82</sup> Huyssen, *Present Pasts*, 15.

potential to ease rebellion and violence that may arise if victims feel resentment at their pasts being ignored.<sup>83</sup>

In correlation with the public acknowledgement of the terrible past, there has been a rise in the commemoration of tragic events and places associated with them. Like other heritage sites, the passage of some time is usually necessary before a difficult heritage site is commemorated. Interestingly, however, the time between the event and its commemoration seems to be shrinking. Between the time geographer Kenneth Foote wrote his book on American landscapes of violence and tragedy in 1997 and when he issued a revision in 2003, he identified a marked decrease in the amount of time between an event and its commemoration, which led him to conclude that we are more quickly identifying these types of sites and attempting to interpret them.<sup>84</sup>

A perusal of recent news stories supports Foote's observation. In Cambodia, for instance, there is currently a rush to commemorate sites that are associated with the bloody massacres under the Khmer Rouge in the 1970s.<sup>85</sup> Only two and one-half years after the May 12, 2008, earthquake that devastated the town Beichuan in the Sichuan Province of China, killing 8,600 people (half the population) and destroying the majority of the town's building stock and infrastructure, the Sichuan government announced that the ruins, rather than be demolished, will become a museum and memorial to the

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<sup>83</sup> Sharon MacDonald, *Difficult Heritage: Negotiating the Nazi Past in Nuremberg and Beyond* (New York: Routledge, 2009), 7.

<sup>84</sup> Foote, *Shadowed Ground*, 337.

<sup>85</sup> MacDonald, *Difficult Heritage*, 5.

victims.<sup>86</sup> Meanwhile, at Ground Zero in New York, the plans for a permanent memorial to the victims of the terrorist attacks on September 11, 2001, at the World Trade Center towers began almost immediately after the event. A temporary memorial, the “Tribute in Light,” which consists of forty-four banks of searchlights that recreate the form of the fallen towers, is lit every September 11<sup>th</sup>. A section of one of the tower’s stairs has already been determined eligible for listing in the National Register of Historic Places.<sup>87</sup>

The expansion of heritage identification from aesthetically pleasing buildings and key individuals to more common heritage has naturally led to inclusion of difficult heritage, which is often associated with the ordinary person.<sup>88</sup> Huyssen suggests that it is even more than that. He believes that the rise in recognition of difficult heritage is a direct response to the legacies of the twentieth century, which unfortunately were fraught with tragedies such as the Holocaust, two world wars, fascism, revolutions in Latin America and the Middle East, genocide in central Europe and Africa, and terrorism. Like it or not, says Huyssen, these tragic events *are* the modern world’s heritage, and if we are going to save something, this is what we have at our disposal.

Several scholars have attempted to categorize the various types of difficult heritage that are being preserved today. Tunbridge and Ashworth identify several types of sites that commemorate “deliberately inflicted extreme human suffering”—natural or

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<sup>86</sup> Liang Jun, “China Earthquake Beichuan Ruins to Become Museum and Memorial,” *People’s Daily Online*, December 27, 2010, <http://www.telegraph.co.uk/news/worldnews/asia/china/2012351/China-earthquake-Beichuan-ruins-to-become-museum-and-memorial.html>.

<sup>87</sup> Huyssen, *Present Pasts*, 158.

<sup>88</sup> MacDonald, *Difficult Heritage*, 10.

accidental disasters made worse by human neglect or action; group atrocity in which one entire group of people is interpreted as having perpetrated a wrong against another group of people; war and the context of war; injustice within former judicial systems; persecution of racial, ethnic, or social groups; large-scale killing or massacre; and genocide.<sup>89</sup> William Logan and Keir Reeves also identify the range of places that represent “pain and shame,” including massacre and genocide sites, places related to prisoners of war, civil and political prisons, and places of “benevolent” internment (leper colonies and asylums).<sup>90</sup> Foote also adds the sites associated with notorious serial murders or assassinations.<sup>91</sup>

Not all atrocities are usable for heritage.<sup>92</sup> Depending on the type of event, a place may not even be marked, or in some cases, it may be destroyed completely. Foote categorizes the treatment of landscapes of “violence and tragedy” into four types: sanctification, designation, rectification, and obliteration.<sup>93</sup> The first, sanctification, occurs when an event can offer a positive lesson, such as heroism or sacrifice. In these cases, the sites are usually marked with a memorial or a monument clearly detailing the site’s lesson. Designation is a less direct treatment, though it usually marks the site as a location where something deemed important happened. Rectification, in which the signs

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<sup>89</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 94, 96.

<sup>90</sup> William Logan and Keir Reeves, eds. *Places of Pain and Shame: Dealing with ‘Difficult Heritage’* (New York: Routledge, 2009), 1.

<sup>91</sup> Foote, *Shadowed Ground*, 25.

<sup>92</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 104-105.

<sup>93</sup> Foote, *Shadowed Ground*, 7.

of the tragedy are erased and the site returned to use, and obliteration, where the site is completely destroyed, often occur where the events were so shameful and terrible that people wish to forget them entirely.<sup>94</sup> The sites that received the latter two types of treatment may later be designated or sanctified if interpretations of the tragic events change.

At atrocity sites that have not been rectified or obliterated, interpretation of the tragic events at the site can be challenging. Tunbridge and Ashworth suggest some strategies that have had varying levels of effectiveness. The first strategy commonly used at difficult heritage sites is personalization. This strategy is based on the assumption that people identify best with specific individuals' stories or a small group of individuals' stories. Another tactic is to create a victim group, people who form a strong identity from sharing a past atrocity. A third approach is to promote acceptance of blame by the victim. This is rarer, but found, for instance, in post-World War II Germany where victims became accomplices in their own victimization.<sup>95</sup> Conversely, the perpetrators of these tragic events also must deal with the recognition of the place. Most commonly, perpetrators deal with the past by collective amnesia, but when that fails, they may use "labelled relativism" (spreading the blame widely) or "other demonisation" (limiting blame to a small portion of the society: the Nazis, the Communists, etc.).<sup>96</sup>

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<sup>94</sup> Ibid., 7-8.

<sup>95</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 106-108.

<sup>96</sup> Ibid., 109-110.

In nations where regime change has been drastic, sites that were not considered difficult heritage previously may suddenly be re-categorized as such. What to do now, for instance, with Lenin's tomb? Before the fall of U.S.S.R., it had been highly valued as a symbol of the success of communism and its continued maintenance was paid for by the state. Yet, now its association with Lenin's regime of mass terror, torture, and assassination and the nation's ultimate transition to democracy sullies it. Further, what to do with the Nazi party rally grounds at Nuremburg, which were once a place of pride for a nation and now are associated with the brutality of Nazism?<sup>97</sup> Certainly, sites that were once felt to be a national achievement may represent a horrifying memory for others. In many post-colonial nations, in particular, the recognition of difficult heritages and re-categorization of the old regime's heritage is used as a powerful tool by which the new regime may mark their distinct difference over the former.<sup>98</sup>

There is undoubtedly a growing interest in difficult heritage. Not only are these sites being identified and marked quickly, but they are also seeing incredible increases in visitation. At the former Nazi concentration camps of Auschwitz-Birkenau in Poland, attendance has increased from just over 400,000 in 2000 to a record 1.3 million in 2009, and this is true for difficult heritage sites all over the globe.<sup>99</sup> Tunbridge and Ashworth argue that the "heritage of atrocity" is one of the most marketable of heritages because it

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<sup>97</sup> MacDonald, *Difficult Heritage*, 1.

<sup>98</sup> *Ibid.*, 5.

<sup>99</sup> Memorial and Museum Auschwitz-Birkenau, "The attendance record — 1,3 million visitors at Auschwitz Memorial in 2009," [http://en.auschwitz.org.pl/m/index.php?option=com\\_content&task=view&id=728&Itemid=7](http://en.auschwitz.org.pl/m/index.php?option=com_content&task=view&id=728&Itemid=7).

retains a widespread acceptance of its altruistic intentions—that is, what happened there is not to be repeated again.<sup>100</sup> There has also been some concern that these sites of atrocity have become a crass form of entertainment, an afternoon’s outing while on vacation before heading back to the shops or having a traditional meal at a local restaurant. Authors such as Tunbridge and Ashworth question whether the visitors are actually learning the lessons the presenters intended.<sup>101</sup> It is possible to consider, however, that the use of these sites for their spectacle value may mean that we have emerged healthy and whole from barbarity of the past, although I imagine that as long as there is living memory, true detachment is not entirely possible.<sup>102</sup>

The following chapter will probe into the South African heritage context. Heritage dissonance in South Africa is undeniable. A population descended from various founding fathers (Dutch vs. English), forcibly transferred Muslim slaves, Indian indentured workers, and various African tribes provides an environment that can hardly be considered homogenous even at the best of times. In a nation where pre-democracy policies excluded the cultural contributions of the majority, and whose people were scarred from the trauma of centuries of violence, oppression, exploitation, and tragedy, I will consider how the transition to democracy in 1994 allowed for the development of new narratives of the nation’s history and challenged the earlier understanding of what is significant and to whom.

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<sup>100</sup> Tunbridge and Ashworth, *Difficult Heritage*, 94.

<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*, 115.

### CHAPTER III

## SOUTH AFRICAN CULTURAL HERITAGE POLICY

South African's current cultural heritage policy, which was legislated in 1999 with the passage of the NHRA, is the most recent in a long history of heritage laws in South Africa, the first of which was passed a century ago. Before the passage of the 1999 legislation, the white population, comprised primarily of descendants of British and Dutch colonists (the latter known as Afrikaners), dominated policy formation. Overall, the laws regarding cultural heritage pre-1999 were based around the declaration of monuments that were chiefly associated with the cultural heritage of whites who represented less than twenty percent of South Africa's population.<sup>103</sup> The 1999 legislation aimed to broaden the criteria for heritage, which was reconceptualized, as Nick Shepherd of the Centre for African Studies at the University of Cape Town writes, "around notions of redress, and the explicit recognition of previously marginalised narratives and categories of heritage (like tangible and living heritage)."<sup>104</sup> In addition to the declaration of heritage sites, the 1999 law enables the integration of

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<sup>103</sup> Andrew Hall, "Initiating a Review of National Heritage Legislation in the South African Experience," in *Legal Frameworks for the Protection of Immovable Cultural Heritage in Africa*, eds. Webber Ndoro and Gilbert Pwiti (ICCRUM/Africa, 2009).

<sup>104</sup> Nick Shepherd, "Heritage," in *New South African Keywords*, eds. Nick Shepherd and Steven Robins (Athens, OH: Ohio University Press, 2008), 121.

heritage resource management into planning and provides for a comprehensive system of resource management. Through this chapter I probe into South Africa's relationship with heritage, particularly the various pieces of legislation that have shaped what has been preserved as heritage and how it is conceived. I trace the path from the first heritage law in 1911 to the passage of the NHRA in 1999 by first describing the pre-1999 laws, the various influences that molded them, and the types and distribution of monuments that were declared during that period. I then consider the development of the set of principles that shape the current policy and the process of drafting and the promulgation of the NHRA in 1999, the heritage resources law in place today.

#### Early Cultural Heritage Laws

On the whole, cultural heritage policy in the first half of the twentieth century focused on the colonial heritage of the Afrikaans and British settlers.<sup>105</sup> The first heritage law, the Bushman Relics Protection Act, was passed in 1911, one year after the creation of the Union of South Africa (Table 1). The Union was a self-governing British colony formed from two British colonies and two Afrikaner republics following the bitter South African War of 1899 to 1901. Over the preceding decade, to many South Africans' dismay, many European museums, who were eager to obtain a set of human remains that represented the most "primitive" human beings (believed at the time to be the San "Bushman" people of South Africa), had been exporting rock art, artifacts of the San and

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<sup>105</sup> Andrew Hall, "Rethinking Heritage Conservation in South Africa in the Post-Apartheid Era: Innovation in Policies and Legislation Since 1994," *La Dimensión Social del Patrimonio*, vol. 1 (Buenos Aires: Centro Internacional para la Conservación del Patrimonio Argentina, 2006); Shepherd, *New South African Key Words*, 119.

other aboriginals, and human remains.<sup>106</sup> The Bushman Relics Protection Act was passed in an attempt to stop this trafficking of artifacts and remains from South Africa to Europe, retaining these symbols of South Africa’s past to support the legitimacy of the new Union. The law required a permit from the Department of the Interior to destroy, remove, or export resources; however, no mechanisms were laid out for administration.<sup>107</sup>

<b>Year</b>	<b>Legislation</b>	<b>Administrating Body</b>
1911	Bushman-Relics Protection Act	Department of the Interior (permit issue) and South African National Society (surveys)
1923	Natural and Historical Monuments Act	Commission for the Preservation of Natural and Historical Monuments of the Union
1934	Natural and Historical Monuments, Relics and Antiques Act	Historical Monuments Commission (HMC)
1969	National Monuments Act	National Monuments Council (NMC)
1999	National Heritage Resources Act and National Heritage Council Act	South African Heritage Resources Agency (SAHRA) and provincial heritage resources authorities (PHRA)

Table 1: Summary of South African Cultural Heritage Legislation<sup>108</sup>

Because the law did not provide for management or training, or even attempt to foster expertise in the Department of the Interior to deal with heritage resources, it was largely left to the private South African National Society (SANS) and others to survey and identify important sites that would require a permit before exportation.<sup>109</sup> SANS was

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<sup>106</sup> Shepherd, *New South African Key Words*, 119; Janette Deacon, “Heritage Resource Management in South Africa” in *Cultural Heritage Management: A Global Perspective*, eds. Phyllis Mauch Messenger and George S. Smith (Gainesville, FL: University Press of Florida, 2010), 163.

<sup>107</sup> *Ibid.*, 162-164.

<sup>108</sup> This table adapted from Deacon, *Cultural Heritage Management*, 163.

<sup>109</sup> Hall, *Legal Frameworks*; Department of Arts and Culture, heritageAgencyCC, Cheadle Thompson and Hayson, Inc. (DAC), *Department of Arts and Culture, Review of Heritage Legislation, Final Report (Volume 1)* (2007), <http://www.dac.gov.za/>, 35.2.2.

founded in 1904 with the aim to preserve natural beauty (such as trees and flowers), “ancient monuments and specimens of old Colonial architecture,” furniture, and archives.<sup>110</sup> SANS’ primary goal was “to promote in every legitimate manner...a conservative spirit towards the remains and traditions of old Colonial life,” which placed emphasis on the early white history in South Africa.<sup>111</sup> Unfortunately, because of the sentiment of the time that the “only way to preserve the paintings would be to cut them off and place them in museums,” much of the rock art the act intended to save was removed from its context and was inaccessible to the majority of the population.<sup>112</sup>

Inspired by the establishment of the Historic Monuments Board in Britain, the South African government passed the Natural and Historical Monuments Act in 1923 (Table 1).<sup>113</sup> It was the first piece of legislation granting the government some real clout to identify and conserve heritage resources, though its implementation was weak. The act extended protection to monuments, built structures, and natural land of “aesthetic, historical or scientific value.”<sup>114</sup> It made provision for the establishment of the Commission for the Preservation of Natural and Historical Monuments of the Union, which had the task of compiling a register of monuments.<sup>115</sup> The Commission could also

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<sup>110</sup> DAC, *Review of Heritage Legislation*, 35.2.2.

<sup>111</sup> Ibid.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

<sup>114</sup> Shepherd, *New South African Key Words*, 119.

<sup>115</sup> DAC, *Review of Heritage Legislation*, 35.2.4.

pass by-laws to protect monuments on the register and was involved in the restoration of several historical buildings and sites.<sup>116</sup>

The government repealed the Natural and Historical Monuments Act eleven years later with the passage of the more comprehensive Natural and Historical Monuments, Relics and Antiques Act of 1934 (Table 1). The 1934 act made provision for the Minister of the Interior to declare historical monuments and for the creation of the Historical Monuments Commission (HMC). It also made it illegal to destroy or export historical items without written consent of the HMC. Archaeologists held key roles in the HMC up until the late 1940s (the secretary of the HMC also served as the director of the Bureau of Archaeology), so the HMC had a classificatory approach, claiming to be scientific, and focused on identifying and evaluating resources for their information value rather than their cultural heritage and meaning.<sup>117</sup> For the first time in South African heritage law, an act allowed penalties for violations. In addition, the Minister of the Interior was given power to raise funds to promote cultural heritage projects. The act was amended in 1937 with a provision for rescinding monument status and determining monument boundaries. In 1967 it was amended again to regulate the procedures of the HMC, extend its powers, recommend granting of subsidies for purchase or restoration of monuments, and give additional powers to the Minister.<sup>118</sup>

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<sup>116</sup> Shepherd, *New South African Key Words*, 119.

<sup>117</sup> Deacon, *Cultural Heritage Management*, 163; Shepherd, *New South African Key Words*, 121.

<sup>118</sup> DAC, *Review of Heritage Legislation*, 35.2.5.

## Apartheid Cultural Heritage Policy

In 1948 the National Party, first formed by Afrikaner nationalists in 1914, came to power. Soon after, it instituted the policy of apartheid, the system of legal racial segregation that stayed in place for nearly fifty years. The apartheid policy was based on complete separation of the races within the country. Interracial personal relations were outlawed, which extended from marriage to every aspect of cultural, social, and political life. It should be noted that the National Party was not the first South African government to promote an ideology of the separation of the races, though during apartheid, separation set aside the indirect efforts of its predecessors by directly limiting the rights and movements of people of color.<sup>119</sup> Remarkably, the apartheid regime established its totalitarian order using democratic legislative processes, calling on legal antecedents from the colonial past to support some decisions and creating others when needed.<sup>120</sup>

The government passed the Group Areas Act during 1950, which declared certain areas such as Sophiatown in Johannesburg, District Six in Cape Town, Cato Manor in Durban, and South End in Port Elizabeth as white areas. Beginning in the mid-1950s through the 1960s, the government forcibly removed black, coloured (a term that refers to South Africans with mixed European, Asian, and black ethnicity), Indian/Asian, and other non-white people out of these areas to clear the way for white settlement.<sup>121</sup> The

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<sup>119</sup> Truth and Reconciliation Commission (TRC), *Truth and Reconciliation Commission of South Africa Report*, vol. 1, (South African Government, 2003), <http://www.info.gov.za/otherdocs/2003/trc/>, 29.

<sup>120</sup> TRC, *TRC Report*, vol. 1, 30.

<sup>121</sup> Shepherd, *New South African Key Words*, 121.

Promotion of Bantu Self-Government Act in 1959 abolished indirect black representation in Parliament and launched the creation of the Bantustans, homogenous “homelands” for each African ethnic group. The Black Homelands Citizenship Act of 1970 completed the process, making black South Africans citizens of the Bantustans (theoretically not South Africa) and reclassifying them as “guest workers” while in the white areas.

It was in this context that the National Monuments Act of 1969 was passed, which served as the main heritage law until 1999 (Table 1). This 1969 act repealed all earlier monument legislation, though it “remained essentially the same,” only with increased powers, writes South African archaeologist Janette Deacon.<sup>122</sup> The 1969 act made provision for the preservation of certain properties as monuments, as the previous act had, though it replaced the HMC with the National Monuments Council (NMC) as a statutory body under the Minister of National Education.<sup>123</sup>

Shepherd notes the new law signaled the transition from archaeological- and science-based heritage to “a predominantly architectural notion of heritage focused on the built environment.”<sup>124</sup> The act had a stronger emphasis on the protection of colonial heritage than any earlier act and enabled funding to be made available (though apparently never used) for protection of urban landscapes, perhaps as a reaction at the time against the growing urbanization and development that threatened older buildings.<sup>125</sup> The irony

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<sup>122</sup> Deacon, *Cultural Heritage Management*, 164.

<sup>123</sup> Ibid.

<sup>124</sup> Shepherd, *New South African Key Words*, 121.

<sup>125</sup> Deacon, *Cultural Heritage Management*, 164.

of this is not lost on Shepherd (this was, after all, the period of forced removals and widespread destruction of cityscapes for new development), who notes that the architectural notion of heritage was selective. It generally only applied to grand architecture and the buildings that supported a “nostalgic reading of settler history and the material record of its various events and institutions...and on the other hand by a pragmatic assessment of the desirability of apartheid rule.”<sup>126</sup> The act also allowed for the provisional declaration of sites to enable short-term and urgent protection action.

Over the following years, the government amended the 1969 act several times. In 1970 it was amended to provide for expropriation of land declared or about to be declared a national monument and to extend the mandate to include certain shipwrecks as monuments. A 1981 amendment regulated declaration of certain burial grounds as national monuments. Most importantly, in 1986 the War Graves and National Monuments Amendment Act defined the NMC’s mandate to allow for the declaration of conservation areas and a blanket protection of all buildings older than fifty years.<sup>127</sup> The final revision occurred in 1991, which granted the NMC greater autonomy with regard to its operations.<sup>128</sup>

The NMC’s bureaucracy quadrupled in size in the twenty years after the passage of the 1969 act, from a staff of four in 1970 to a staff of twenty-two in 1990.<sup>129</sup> The

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<sup>126</sup> Shepherd, *New South African Key Words*, 121.

<sup>127</sup> Deacon, *Cultural Heritage Management*, 164.

<sup>128</sup> DAC, *Review of Heritage Legislation*, 35.2.6.

<sup>129</sup> Deacon, *Cultural Heritage Management*, 164.

number of declared monuments doubled during that time, from less than 1,000 to about 2,000.<sup>130</sup> By the 1980s, the NMC had become a powerful body that could protect and regulate monuments and environments. Nevertheless, the law still made no provision for the integration of heritage conservation into the planning process, so the systematic identification and conservation of heritage resources was limited. Unlike other areas of the developed world, management of heritage was not integrated into the planning system as it had been elsewhere, such as in the United States with the passage of the 1966 National Historic Preservation Act and in England with the passage of the 1971 Town and Country Planning Act. Furthermore, there were no guidelines or a regular system for treatment of the national monuments, so intervention was sporadic and inconsistent, usually negotiated between the owner and other parties without the benefit of an accepted policy and procedure.<sup>131</sup>

Overall, the various South African heritage laws of the twentieth century were rooted in European precedent, which traditionally has emphasized grand architecture and places associated with the dominant leaders and groups. Nevertheless, South African policy lagged behind the European practices and methodologies by several decades, particularly in its failure to ever integrate cultural heritage conservation into planning, which had become commonplace in Europe and North America by the mid-twentieth

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<sup>130</sup> Ibid.

<sup>131</sup> DAC, *Review of Heritage Legislation*, 35.2.6; Hall, *La Dimensión Social del Patrimonio*.

century.<sup>132</sup> South African heritage specialist Andrew Hall speculates that the lag in South Africa's policies may be the result of the isolationist policies of the apartheid regime, and it was exacerbated by the cultural boycotts of South Africa as early as the 1960s that disconnected South African heritage workers from international heritage discussions.<sup>133</sup>

#### Distribution of Monuments by Apartheid's End

As described above, it was not until the passage of the 1934 act that heritage resources were consistently and regularly added to a list of monuments. The declaration of monuments was administered by the HMC beginning in 1934 and by the NMC after the passage of the 1969 act. The staff of these commissions was uniformly white and, particularly after the National Party came to power in 1948 and instituted apartheid, increasingly Afrikaans-speaking.<sup>134</sup>

In 1990 University of Port Elizabeth architecture lecturer Franco Frescura analyzed the declaration of national monuments between 1934 and 1988, a period of fifty-four years that spanned from the establishment of the HMC to the last few years of apartheid. Frescura's findings reveal an undeniable bias in South Africa's monument designation that exposes the exclusion of the cultural heritage of the majority of the nation's population. He writes, "HMC/NMC policy since 1936 has been concerned

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<sup>132</sup> DAC, *Review of Heritage Legislation*, 35.2.2; Hall, *La Dimensión Social del Patrimonio*.

<sup>133</sup> Andrew Hall, personal communication, Aug. 25, 2010.

<sup>134</sup> Harriet Deacon, Sephai Mngqolo, and Sandra Prosalendis, *Protecting Our Cultural Capital: Research Plan for the Heritage Sector* (Cape Town: Human Sciences Research Council, 2003), 9.

predominately with white, Dutch and Afrikaner domestic structures mostly located in the Cape Province.”<sup>135</sup>

Frescura identified numerous types of resources that were declared monuments during the period. He separates them into the following categories: archaeological sites, domestic rural, other rural, domestic urban, governmental, civic building, civic space, health, educational, entertainment, religious, funerary, military, industrial buildings, monumental, artistic artifacts, cultural artifacts, industrial artifacts, bridges and walls, natural and ephemeral, historical and personal association, and miscellaneous.<sup>136</sup> The declared monuments during the period were overwhelmingly urban (sixty-six percent), with the next largest grouping being religious (eleven percent).<sup>137</sup> They were primarily located in the Cape Province (now the Western, Eastern, and Northern Cape provinces, and a portion of the Northwest province).

Frescura also analyzed the monuments by their association with language and culture groups, finding that ninety-seven percent of the monuments were associated with whites, while only three percent included artifacts or art representing the black population (defined by Frescura to include indigenous, Indian, ‘Malay,’ slave and Griqua people). More specifically, he categorized the monuments as follows: Dutch (including Voortrekker, Boer, and Huguenot), 33 percent; Afrikaner (twentieth century), 17 percent;

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<sup>135</sup> Franco Frescura, "National or Nationalist? A Critique of the Monuments Council, 1936-1989," in *Proceedings of the National Urban Conservation Symposium, Johannesburg*, eds. by Derek and Vivienne Japha (Cape Town: Oakville Press, 1990), 19.

<sup>136</sup> *Ibid.*, 20.

<sup>137</sup> *Ibid.*, 18.

English (including 1820 settler, colonial, and Empire), 37 percent; other white settler, 10 percent; and black, 3 percent.<sup>138</sup> Notably, the three percent representing the black population, who were eighty-four percent of the population the year Frescura completed his study, were usually San rock art or archaeological sites. As Frescura writes, these types of sites perpetuated “white supremacist stereotypes of indigenous South Africans as a group of rural and poorly educated peasants possessing little material culture of any note.”<sup>139</sup>

In the fifty-four years studied, Frescura counted 2,183 buildings, sites and objects that were formally declared monuments by the HMC/NMC.<sup>140</sup> The number of declarations each year “increased at an exponential curve,” writes Frescura, some of which he credits to an increasing public (white) interest in the built environment during the period. However, he argues that there have been distinct periods of intensive monument activity that have coincided with crises in the government that “played a strong contributory role.” He explains that the “policy of monumentalising our built environment has been used, consciously or unconsciously, to reinforce white political strategies and to create the myth of white legitimacy in the region at the time that this has been most challenged by indigenous groups wishing to cast off the burden of political and economic repression.”<sup>141</sup>

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<sup>138</sup> Ibid.

<sup>139</sup> Ibid., 16.

<sup>140</sup> Ibid., 14.

<sup>141</sup> Ibid., 19.

Frescura identified several stages of monument activity during the period he analyzed: 1936 to 1939; 1950, 1960 to 1969; and 1969 to 1983.<sup>142</sup> The first surge of declarations occurred between 1936 and 1939, soon after the passage of the 1934 Act. It slowed after 1940 with the onset of World War II and the post-war economic downturn. The two events, combined, made monuments a low priority in the government budget.

The next modest rise in declarations occurred two years after the National Party came to power on a platform of apartheid with a modest spike in 1950. It was followed by two decades of gradual increases in declarations, particularly from 1960 to 1969. The period, as Frescura describes it, was characterized by a government that “sought to give racism a veneer of political legitimacy by formalising colonial policies of land segregation and labour exploitation into an ideology of providing the various racial groups with separate-but-equal facilities.”<sup>143</sup> The spike in 1960 coincides with the year after the Sharpeville Massacre, which occurred when police opened fire on crowd of blacks peacefully protesting the pass laws on March 21, 1960, killing sixty-nine protesters. It was an event that political scientist Adrian Guelke describes as “a turning point in the country’s relations to the outside world.”<sup>144</sup> The event marked a point after which the international community strongly questioned the legitimacy of apartheid and there was a trend toward steadily increasing declarations over the following years.<sup>145</sup>

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<sup>142</sup> Ibid., 14.

<sup>143</sup> Ibid., 14-15.

<sup>144</sup> Adrian Guelke, *South Africa in Transition: The Misunderstood Miracle* (London: I. B. Tauris, 1999), 136.

<sup>145</sup> Ibid., 136.

It was the third period, from 1969 to 1983, that resulted in the most monument declarations since the founding of the HMC in 1934. The first year of the period, the NMC replaced the HMC, issuing in high-activity years that coincided with increased guerilla activity from anti-apartheid groups, mass protests against government initiatives, and increasingly brutal government crackdowns.<sup>146</sup> The Soweto Uprising in 1976, which was a mass action led by high school students in the black township of Soweto (outside Johannesburg) against the government's requirement that Afrikaans be the mandatory language of instruction, caused nationwide chaos and increased international attention toward the plight of black South Africans. The next year, Steve Biko, the high-profile leader of the Black Consciousness movement in the political resistance to apartheid, was murdered while in police custody and eighteen community organizations and *The World* newspaper were banned.<sup>147</sup> Overall, the 1970s and 1980s were fraught with crises and unrest. Not coincidentally, argues Frescura, seventy-six percent of the monuments in place by 1988 were declared after 1974, during the years when the government had a critical need to legitimize its program of apartheid.<sup>148</sup>

Frescura's analysis of the HMC/NMC actions between 1934 and 1988 supports the supposition that the majority of the population's culture was not recognized formally by the government. Most of the monuments were associated with whites, and many of those memorialized the Afrikaner history of domination over the native communities and

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<sup>146</sup> Frescura, *Proceedings of the NUCS*, 16-17.

<sup>147</sup> Allister Sparks, *Beyond the Miracle: Inside the New South Africa* (Chicago, University of Chicago Press, 2003), 148.

<sup>148</sup> Frescura, *Proceedings of the NUCS*, 18.

the Afrikaner struggle and suffering at the hands of the British.<sup>149</sup> Since the cultures of the majority of the black populations have a historic building tradition of temporary and vernacular structures and cultural norms that value grave sites and oral traditions, the exclusion of those types of resources from the types recognized by the colonial and apartheid laws and eventually listed as monuments reveals the extreme bias of the policies.<sup>150</sup> South African heritage experts Harriet Deacon, Sephai Mngqolo, and Sandra Prosalendis, write that heritage “performed an important didactic function in supporting Afrikaner nationalism, separate development and white supremacy under the apartheid government.”<sup>151</sup>

During the years the government failed to recognize the cultural contributions of non-white people, a counter archive was being maintained. The *Nasionale Afrikaanse Letterkundige Museum en Navorsingsentrum* and the National English Literary Museum continued to collect works and artifacts regardless of the race of the source.<sup>152</sup> In the 1980s, there was a rigorous effort within the anti-apartheid struggle to document the battle against apartheid and to record oral history and stories that had been ignored by the government.<sup>153</sup> Nonetheless, those efforts were well outside the official national heritage policies.

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<sup>149</sup> Hall, *La Dimensión Social del Patrimonio*.

<sup>150</sup> Ibid.

<sup>151</sup> Deacon, Mngqolo, and Prosalendis, *Protecting Our Cultural Capital*, 8.

<sup>152</sup> Ibid., 9.

<sup>153</sup> Ibid., 9.

### Opposition and Non-Governmental Cultural Heritage Discussions

During apartheid the suppression of culture contributed toward the overall oppression of the majority of South Africa's population. The apartheid opposition felt strongly enough about the importance of a fair and balanced cultural policy that the 1955 Freedom Charter, a visionary document composed by the South African Congress Alliance (African National Congress [ANC], South African Indian Congress, South African Congress of Democrats, and the Coloured People's Congress) demanding a non-racial South Africa, identified equality in cultural rights as one of the requirements for true democracy. The Freedom Charter stated that "The government shall discover, develop and encourage national talent for the enhancement of our cultural life; All the cultural treasures of mankind shall be open to all, by free exchange of books, ideas and contact with other lands."<sup>154</sup> Though the South African government deemed the congress from which the Freedom Charter emerged as traitorous and banned the ANC, the Freedom Charter remained an important document in the underground struggle against apartheid. Later, many of the Freedom Charter's demands were directly addressed in the new South African constitution adopted in 1996, including its demands for an inclusive cultural policy.

By the 1980s, there were widespread calls for reform from within South Africa and from the international community as the South African government struggled under economic sanctions imposed on the nation because of apartheid and increasing violence

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<sup>154</sup> African National Congress (ANC), *Report of the ANC Monuments, Museums, Archives and National Symbols Commission to the Culture and Development Conference* (ANC, 1993).

and unrest within. During the 1980s, there were a series of conferences held overseas—Culture and Resistance in Gaborone in July 1982, Cultural Voice of Resistance in December 1982, and Culture in Another South Africa in Amsterdam in December 1987—that assembled anti-apartheid cultural workers, both exiles and those still living in South Africa, to discuss reform.<sup>155</sup> Similar events occurred in many different fields during those years.<sup>156</sup> The attendees of the cultural conferences invariably discussed the control of culture that had impeded the development of an authentic “people’s culture” in South Africa. In January 1985 Barbara Masekela of the ANC (later South Africa’s first ambassador to UNESCO) stated in her keynote address at the Culture in Another South Africa conference, “Let the arts be one of the many means by which we cultivate the spirit of revolt among the broader masses, enhance the striking power of our movement and inspire the millions of our people to fight to the South Africa we envisage.”<sup>157</sup>

A conference specifically related to heritage conservation, Conservation of Culture: Changing Context and Challenges, was convened in Cape Town in 1988 to recommend new approaches to cultural heritage conservation based on the changing political climate. The attendees were comprised of heritage conservation specialists from the Human Sciences Research Council, NMC, South African Society for Cultural History, Southern African Museum Association, the Department of Environmental

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<sup>155</sup> Barbara Masekela, “Keynote Address on Behalf of the Department of Arts and Culture of the ANC,” in *Culture in Another South Africa*, eds. Campscreur, Willem and Joost Divendal (New York: Olive Branch Press, 1989), 250.

<sup>156</sup> Hall, personal communication, Aug. 25, 2010.

<sup>157</sup> *Ibid.*, 253.

Affairs, and many academics. The attendees met to form a manifesto regarding the future path of conservation in the nation.<sup>158</sup>

The statement that emerged at the end of the conference acknowledged the fragmentation of the heritage conservation system, the lack of consistent and regular funding and governmental support, and the missing diversity in the system. The statement noted that cultural heritage could be a unifying force in South Africa, that “each community must be given the opportunity to conserve and develop its culture without the dominance of one cultural group over another,” and that heritage could be used “to enhance mutual understanding between cultural groups and to facilitate cultural interaction.” Additionally, the statement declared that the State and the public should share the responsibility of conservation, and that everyone “should be vigilant against cultures being used for political purposes.”<sup>159</sup> Though none of the colonial and apartheid-era laws actually stated that the purpose of its laws was to support the regimes it operated under, in application, it was the unspoken practice (as Frescura’s analysis has illustrated), so the conference’s statement against using heritage for political purposes was, at the very least, a signal from those within the existing system that they were reconsidering the unspoken policy of the previous years.

The conference statement did not stray far from the apartheid status quo in its definition of what constituted cultural heritage (buildings, museum holdings,

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<sup>158</sup> Ingrid Coetzee and Gerhard-Mark Van Der Waal, eds., *The Conservation of Culture: Changing Context and Challenges, Proceedings of the South African Conference on the Conservation of Culture, Cape Town, 6-10 June 1988* (Pretoria: Conference Organisers, 1988), 4.

<sup>159</sup> *Ibid.*, 499-500.

archaeological sites) or in its emphasis on separateness. One paper presented at the conference, written by Keyan Tomaselli and Mewa Ramgobin, declared that the conference organizers had approached the subject from the wrong direction entirely. The organizers, stated the authors, defined cultural conservation in a way that retained the “discourse of separatism.” They continued by declaring that the organizers may support a more balanced heritage conservation process, but they only wished it to occur within the defined groups (homelands, tribes, national, etc.), rather than accepting that all heritage belonged to all. Furthermore, the authors noted, the organizers had ignored the idea that culture—and subsequently cultural heritage conservation—was a process that could bring true reform to the nation by providing a way to cope and make sense of the very significant changes the country was facing.<sup>160</sup>

#### Toward a New Cultural Heritage Policy

On February 2, 1990, South African President F.W. de Klerk announced the unbanning of the anti-apartheid groups. Soon after, the government released one of the nation’s most renowned political prisoners, Nelson Mandela, and other political prisoners. President de Klerk’s decision to begin formal talks with the opposition commenced an intense period of transition from apartheid to a non-racial democracy that, political scientist Adrian Guelke writes, was anything but a miracle, however it may have

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<sup>160</sup> Keyan Tomaselli and Mewa Ramgobin, “Culture and Conservation: Whose Interests,” *The Conservation of Culture: Changing Context and Challenges, Proceedings of the South African Conference on the Conservation of Culture, Cape Town, 6-10 June 1998*, Ingrid Coetzee and Gerhard-Mark Van Der Waal, eds., (Pretoria: Conference Organisers, 1988), 105-106.

been conceived at the time.<sup>161</sup> Rather, the next few years of passionate negotiations were characterized by uncertainty and conflict over the role of the apartheid leaders (conflicted within themselves) and the place of the opposition groups (who themselves were often in conflict with each other) in a new government. The outcome of a non-racial democracy was far from inevitable.

In 1993, the National Party negotiated an interim constitution that paved the way for the first democratic elections. The elections occurred April 26 through 29, 1994, the first in the nation's history to grant universal suffrage. The turnout was immense, with an estimated ninety-two percent of eligible voters casting their ballot in the Western, Northern, and Eastern Capes, and eighty to eighty-nine percent of eligible voters casting their ballots in the other six provinces.<sup>162</sup> The ANC, which had been banned only four years earlier, won a resounding majority, with 65.65 percent of the allocation of seats in the Constitutional Assembly. The other opposition parties, the influential Inkatha Freedom Party (IFP) (a wildcard during the past years of transition that only agreed to join at the very last moment) captured 10.54 percent, the Freedom Front received 2.17 percent, the Pan African Congress of Azania won 1.25 percent, and the African Christian Democratic Party received 0.45 percent. The National Party, which had been in power since 1948 and instituted apartheid, won only 20.39 percent of the vote, and its main rival

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<sup>161</sup> Guelke, *South Africa in Transition*, 2.

<sup>162</sup> *Ibid.*, 119.

during apartheid, the Democratic Party, captured only 1.73 percent of the seats. In one broad sweep, the old order became the minority.<sup>163</sup>

Nelson Mandela, the leader of the ANC, was inaugurated as President of South Africa on May 10, 1994. An interim government of national unity was established in which any party with more than twenty seats in the National Assembly could claim a seat in the cabinet and share the leadership of the government. Only the National Party and the IFP chose to accept. Though the interim constitution allowed for the government of unity to be maintained until 1999, once the Constitution of the Republic of South Africa came into force in 1996, the National Party departed.<sup>164</sup>

The ANC in its majority position lost no time plunging into a major restructuring program after the 1994 elections; however, what the new leaders found when they arrived at their government offices in May 1994 dealt an unpleasant shock. They “found the coffers near empty, with gross exchange reserves down to less than three weeks of imports, and budget deficit that had reached a record 8,6% of gross domestic product.”<sup>165</sup> South African journalist Allister Sparks argues that the new government was facing a triple revolution that involved uprooting the remaining vestiges of the institutionalized racialism left behind by apartheid, transforming South Africa’s “isolationist siege economy” into a modern player in the international economy, and transforming the economy from one heavy on mining (gold and other precious metals) and agriculture

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<sup>163</sup> Ibid., 120.

<sup>164</sup> François Du Boise and Antjie Du Bois-Pedain, eds., *Justice and Reconciliation in Post Apartheid South Africa* (New York: Cambridge University Press, 2008), 2.

<sup>165</sup> Sparks, *Beyond the Miracle*, 16.

(subsistence for the country's citizens) to one based on exports.<sup>166</sup> The ANC, which had made grand plans for social reform that had been based somewhat on the myth that the old regime had retained South Africa as monetarily stable and efficient, had to readjust to the reality of South Africa's situation.

The government structure and bureaucracies of the old regime were not immediately displaced after the new government was established. Transition to a new set of laws and constitution occurred gradually. The laws, courts, government agencies, and other structures of the old regime remained at first, slowly replaced or transformed to serve the new goals of the democratic government as the months and years proceeded. This was also true for heritage. The 1969 law and the NHC remained while a new policy was considered and a new law was passed in 1999 to replace it.

At this point, I think it would be useful to momentarily pause before delving into the heritage policy debates of the period to consider an event that was taking place concurrently that illustrates the spirit of the 1990s transition in South Africa. The transition from apartheid to democracy had a distinctly moral impetus and two major themes of the transition period were justice and reconciliation.<sup>167</sup> Nothing illustrates this more strongly than the creation and proceedings of the Truth and Reconciliation Commission (TRC) at the end of 1995, which was formed to address the grave human rights violations during apartheid. The TRC was led by Bishop Desmond Tutu who, along with President Mandela, subscribed to a vision for South Africa as "The Rainbow

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<sup>166</sup> Ibid., 16-19.

<sup>167</sup> Du Bois and Du Bois-Pedain, *Justice and Reconciliation*, 2.

Nation,” which was to be comprised of individuals with many differences but who were in harmony with each other as South Africans above all other distinctions of ethnicity, class, or gender.<sup>168</sup> Law professors François Du Bois and Antjie Du Bois-Pedain, in their study of the TRC, write: “South Africa’s attempt to mediate this tension, trying to put it to creative use, became one of the hallmarks of the transitional period.” The TRC was founded on the assumption that knowing the truth, as painful as it could be, could lead the way to reconciliation as a nation.

The TRC invited victims of political crime between 1960 and 1994 (from the Sharpeville Massacre to the establishment of the new government) to testify about the violations of their human rights and requested that perpetrators of the crimes testify, in return, receiving the possibility of amnesty. The *Truth and Reconciliation Commission of South Africa Report* explains that the “the Commission was conceived as part of the bridge-building process designed to help lead the nation away from a deeply divided past to a future founded on the recognition of human rights and democracy.”<sup>169</sup> It was a trying process, televised, placed on the front pages of the newspaper for the duration (April 1996 to June 1998), and then published in the *TRC Report*. The outcome of the TRC seemed too lenient to some South Africans and overly harsh to others, but its perceived success internationally has led to numerous commissions of this type elsewhere in the years since.

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<sup>168</sup> Ibid.

<sup>169</sup> TRC, *TRC Report*, vol. 1, 48.

The *TRC Report* concluded with a series of recommendations for reparations and rehabilitation that included several key heritage recommendations. The TRC recommended that the government facilitate the renaming of streets and community facilities in order to remember and honor individuals or significant events, facilitate the building of monuments and memorials and the development of museums to commemorate events of the past, and declare a national day of remembrance.<sup>170</sup>

Though the TRC was one of the most publicized and well-documented examples of the themes of the transition period, the concepts of truth, reconciliation, redress, and the more current term *social cohesion* (a term that has come to mean something along the lines of ‘a commitment to being South African’ in which the people are united in their acceptance of the legitimacy of the state<sup>171</sup>) have continued to be key aims of the South African government, shaping new policies and guiding the decisions of lawmakers. As culture and heritage policy discussions proceeded, these themes were constantly in the foreground.

Initially, cultural heritage policy planning took place within the context of a broader arts and culture policy discussion. A series of reports—the report of the 1993 ANC Monuments, Museums, Archives and National Symbols Commission, the 1995 Arts and Culture Task Group (ACTAG) report, and the 1996 White Paper on Arts and Culture—identified the objectives and principles behind a new cultural heritage policy,

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<sup>170</sup> TRC, *TRC Report*, vol. 5, 313.

<sup>171</sup> Helene Vollgraaff, personal communication, Oct. 4, 2010.

defined what would be considered cultural heritage, and the proposed frameworks for effective management.

#### 1993 Report of the ANC Monuments, Museums, Archives

In 1993, the ANC submitted the *Report of the ANC Monuments, Museums, Archives and National Symbols Commission to the Culture and Development Conference*. The fundamental concern stated in the report was that “the current statutes legislating heritage are overtly racist, narrow and incapable of upholding democratic principles and values.” Furthermore, there was “the need for a holistic strategy for the conservation of heritage resources and the need for conservation mechanisms to reflect the concerns of urban and rural communities.” The report noted that the memorials mostly celebrate colonial conquest and apartheid, and that they should “be reassessed to ensure that they foster reconstruction and reconciliation.” As a start, it was recommended that a memorial be erected to those who were suppressed during apartheid.<sup>172</sup>

The ANC report identified the State as having the ultimate responsibility for cultural heritage conservation in order to ensure that “monumentalism [formal listing of heritage resources] is integrated into overall conservation policies; social planning policies are integrated with environmental and conservation programmes; local communities are involved in monumentalisation and conservation programmes; [and] monumentalism redresses historical imbalances.”<sup>173</sup> To reach those ends, the report proposed the establishment of a National Heritage Council with regional councils and a

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<sup>172</sup> DAC, *Review of Heritage Legislation*, 118-119 and 137-138.

<sup>173</sup> *Ibid.*, 137-138.

National Heritage Trust Fund. It was recommended that the Council be comprised of representatives of museums, monuments, memorials, war graves, national archives, heraldry and national symbols subcommittees.

#### 1995 Arts and Cultural Task Group Report

In November 1994 the new Minister of Arts, Culture, Science and Technology appointed the Arts and Culture Task Group (ACTAG), which was charged with the task of identifying the state of arts and cultural in the nation and the areas where the ministry had responsibility. The ACTAG group produced a report in 1995. It was a broad and sweeping document that envisioned the ideal situation for culture and arts in the new democratic South Africa.<sup>174</sup>

The drafters of the ACTAG report were acutely aware of the dangerous manner in which heritage could be used as propaganda and as a tool of suppression. Fearful that a new government, even one hailed as democratic, would emulate the authoritarian models of the previous governments, the report established a set of twenty principles on which a new arts and cultural policy should be based, including autonomy, arm's length control, transparency, accountability, redress, participation, and equity, among others. The principles of autonomy and arm's length were based on the concern that the government not interfere in the work of institutions, organizations, and practitioners in the arts and culture beyond its role of funding and formation of beneficial policy. The principles of transparency and accountability were introduced to ensure that all decisions, information, and funding for arts and culture were open to public scrutiny. It was also important that

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<sup>174</sup> Hall, *Legal Frameworks*, 37.

those who were part of the new policy reflected the diversity of the fields of arts and culture and that funding was fairly distributed amongst them. A system of consulting bodies was proposed for the various areas of arts and culture that would be representative of the population as a whole, both ethnically and gender-wise. Overall, the entire system of appointments was to be absolutely transparent and everyone in the nation would be permitted to be involved.<sup>175</sup>

The ACTAG report contained a chapter devoted to cultural heritage. In addition to the principles mentioned above, the heritage chapter also placed emphasis on the role of cultural heritage in the attainment of human rights; nation building; affirmative action; governance, administration and funding; education and training; and economic advancement. The ACTAG report introduced a mission statement for the future heritage policy, stating “the rich heritage of South Africa must be managed, interpreted and made accessible and understandable to all people, and particularly those who have been marginalised in the past. These tasks must be carried out in an informed manner by trained personnel to make a lasting contribution to nation-building, integrated environmental management and physical planning, and in so doing to preserve our natural and cultural assets for the future.”<sup>176</sup>

The ACTAG report defined heritage as “that which we inherit,” and cultural heritage, more specifically, as “the objects, buildings, landscapes, oral histories and other

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<sup>175</sup> Arts and Cultural Task Group for the Ministry of Arts, Culture, Science and Technology (ACTAG), *ACTAG Second Draft Report* (South Africa: Ministry of Arts, Culture, Science and Technology, 1995), 8-9.

<sup>176</sup> *Ibid.*, 62-63.

products of culture that are preserved.”<sup>177</sup> The report focused on four major disciplines of cultural heritage: living culture, archives, museums, and heritage resources. It also identified place names as an area of concern.<sup>178</sup>

The ACTAG report detailed a series of problems within the apartheid system that needed to be specifically addressed in order to meet the mission statement for a new heritage policy. For instance, the task group noted that the current policy was too fragmented and disorganized and that heritage management was antiquated by not being integrated into strategic planning. The system was not transparent or accountable because it did not allow for much public participation (and that, only to the minority). Additionally, the heritage institutions were identified as biased and imbalanced so that “heritage sites relating to the history of European settlement have received priority for national monument status, funding, research, and tourism,” and rural people, a large portion of the population, could not access them. The lack of living history recognition was also raised, and it was noted that financing continued to be a low priority, made worse by the fact that tax concessions for donations to heritage conservation were not allowed.<sup>179</sup>

To address the fact that “the majority of our population has not only been neglected” but also suppressed, the report called for redress, the fair involvement of those who had been neglected in the identification of heritage that had previously been

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<sup>177</sup> Ibid., 55-56.

<sup>178</sup> Ibid., 56.

<sup>179</sup> Ibid., 66-67.

ignored.<sup>180</sup> Yet, redress was only undertaken within the context of arm's length control to “ensure that the State and Political Parties are not directly involved in the selection and evaluation of arts and culture activities.”<sup>181</sup> Furthermore, the report stated: “While it is the duty of the State to provide resources and create an environment in which the arts and culture can be freely practiced, it scrupulously avoids direct involvement in the selection and evaluation of art and cultural matters.”<sup>182</sup>

The task group recommended the establishment of interlinked local, provincial, and national heritage councils, a National Heritage Development Unit, and a National Heritage Trust. The National Heritage Council was to be comprised of the National Archives Commission (archives), the National Amasiko Commission (living history, now commonly referred to as *intangible cultural heritage*, a term not yet current at the time), the National Museums Commission (museums), and the National Heritage Sites Commission (historic resources).

#### 1996 White Paper on Arts, Culture and Heritage

Continuing on the path laid out in the ACTAG report, the Department of Arts, Culture, Science and Technology released the *White Paper on Arts, Culture and Heritage* on June 4, 1996. In essence, it was a condensed and summarized version of the ACTAG report of the previous year and retained the emphasis on autonomy, arm's length control, transparency, accountability, redress, participation, and equity, among others. The paper

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<sup>180</sup> Ibid., 94.

<sup>181</sup> Ibid., 8.

<sup>182</sup> Ibid., 14.

also stressed the role of arts, culture, and heritage in the transformation toward a democratic state as they “are premised on freedom of expression and critical thought.”<sup>183</sup>

The White Paper defined the specific role for government as the developer of policies that ensure survival and development of all art forms and genre and as a funding arm. The paper recommended the institution of a system of statutory bodies to maintain arm’s length control between the government and practitioners. A proposed heritage council was to include representatives of the National Monuments Council, the War Graves Division, and the National Place Names Committee.

#### Cultural Heritage Policy is Legislated

During the late 1990s, areas of heritage addressed in the various preliminary reports were split into different pieces of legislation. For instance, cultural institutions (museums) were addressed in the 1998 Cultural Institutions Act, which provides for establishment of national museums and a National Museums Division (never created). The 1998 South African Geographical Names Council Act provided for establishment of the South African Geographical Names Council to advise the Minister of Arts and Culture on transformation and standardization of geographical names. The 1998 National Library of South Africa Act, the 2001 National Council for Library and Information Services Act, the 1998 South African Library for the Blind Act, and the 1996 National

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<sup>183</sup> Department of Arts, Culture, Science and Technology (DACST), *White Paper on Arts, Culture and Heritage: All Our Legacies, Our Common Future* (Pretoria, 1996), [http://www.dac.gov.za/white\\_paper.htm](http://www.dac.gov.za/white_paper.htm), introduction.

Archives and Record Service of South Africa Act were all passed to address their specific policy issues.<sup>184</sup>

The debate over heritage resources and their management continued into late 1996 and 1997, when a forum comprised of several hundred heritage practitioners and stakeholders met at three meetings in different centers over several months to develop a draft heritage resources bill. A six-member drafting committee was appointed that reviewed the preliminary reports, researched various cultural heritage laws from around the world, and reviewed regional examples, identifying elements of those policies that could be included in the bill.<sup>185</sup> The drafting committee also referred to the province of KwaZulu Natal's example. The province, an IFP stronghold and powerful opposition to the ANC, had the benefit of a well-functioning monuments authority from the KwaZulu homeland administration and had drafted a cultural heritage bill by 1995. The drafting committee's decision to use the KwaZulu Natal act as a template, particularly its administration structure, likely helped gain IFP support in its eventual passage since the Minister of Arts and Culture at the time, Baldwin Siphon Ngubane, was from KwaZulu Natal and an IFP member.<sup>186</sup>

The bill was introduced to the National Assembly in October 1998. By February 1999 and before passage and additional revisions, it was split into two separate pieces of

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<sup>184</sup> Ibid., part V.

<sup>185</sup> Hall, *Legal Frameworks*, 38.

<sup>186</sup> Hall, personal communication, Aug. 25, 2010.

legislation: the National Heritage Resources Act (NHRA) and the National Heritage Council Act (NHCA).<sup>187</sup>

### National Heritage Resources Act (NHRA) of 1999

The NHRA passed in April 1999 after nearly a decade of serious debate about the principles and components of a functioning heritage resources management policy. The preamble to the act summarizes its intent:

This legislation aims to promote good management of the national estate, and to enable and encourage communities to nurture and conserve their legacy so that it may be bequeathed to future generations. Our heritage is unique and precious and it cannot be renewed. It helps us to define our cultural identity and therefore lies at the heart of our spiritual well-being and has the power to build our nation. It has the potential to affirm our diverse cultures, and in so doing shape our national character. Our heritage celebrates our achievements and contributes to redressing past inequities. It educates, it deepens our understanding of society and encourages us to empathise with the experience of others. It facilitates healing and material and symbolic restitution and it promotes new and previously neglected research into our rich oral traditions and customs.<sup>188</sup>

Because heritage resources are “valuable, finite, non-renewable and irreplaceable,” the act declares that the State has the obligation to manage these resources and every generation has the “moral responsibility to act as trustee of the national estate.”<sup>189</sup> The NHRA defined the categories of heritage resources and the criteria for their inclusion in

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<sup>187</sup> DAC, *Review of Heritage Legislation*, 35.2.10.

<sup>188</sup> “National Heritage Resources Act” (NHRA). *Republic of South Africa Government Gazette*, No. 19974, Vol. 406, Government Notice No. 506 (Cape Town: Government Printer, 28 April 1999), introduction.

<sup>189</sup> NHRA, Section 5.

the national estate, established the South African Heritage Resources Agency (SAHRA), and created the system for management of heritage resources.

Though very little in the act is entirely unique to South Africa, the NHRA is a far departure from the policies of the “old” South Africa. The principles on which the act was based were informed by the earlier recommendations of the various reports and meetings during the previous years.<sup>190</sup> The major concern that had been raised repeatedly in the previous decade was the danger of politicization of heritage, so the act included a warning that “heritage resources management must guard against the use of heritage for sectarian purposes of political gain.” Moreover, the act declared, heritage resources must be managed in a transparent and inclusive way that “acknowledges the right of affected communities to be consulted and to participate in their management.” The heritage authorities in the individual regions are required by their mandate to assist communities toward conserving heritage that the communities deem valuable. Throughout the heritage resources management process, any person may appeal a decision regarding a heritage resource, not just the owner. Additionally, any person may put forward a resource for listing.<sup>191</sup>

The NHRA defines heritage resources as resources that have “cultural significance or other special value for the present community and for future generations.”<sup>192</sup> Because of their significance and value, they are considered components

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<sup>190</sup> Hall, *Legal Frameworks*, 38.

<sup>191</sup> NHRA, Section 27.

<sup>192</sup> *Ibid.*, Section 3.

of the national estate and within the sphere of the operations of heritage resources authorities. The types of resources important to many black communities, such as burial places and intangible heritage, which had been absent from previous legislation, were included in the NHRA. The NHRA protects the built environment as was done in the past, but it also places equal or greater importance on categories of heritage resources that have particular relevance to the majority of South Africans, such as conservation areas, places associated with living history, and burial grounds.<sup>193</sup> The types of resources that may be considered part of the national estate include places, buildings, structures and equipment of cultural significance; places to which oral traditions are attached or which are associated with living heritage; historical settlements and townscapes; landscape and natural features of cultural significance; geological sites of scientific or cultural importance; archaeological and paleontological sites; graves and burial grounds; sites of significance related to the history of slavery in South Africa; and movable objects, such as archaeological and paleontological objects, meteorites, geological specimens, objects attached to oral traditions or living heritage, ethnographic art and objects, military objects, objects of decorative or fine art, objects of scientific or technological interest, and books, records, documents, photographs, film, sound recordings, etc.<sup>194</sup>

The NHRA defined the criteria for determining if a resource may be considered culturally significant or have special value as a part of the national estate. The criteria allows for the inclusion of a resource that illustrates:

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<sup>193</sup> Hall, *Legal Frameworks*, 39.

<sup>194</sup> NHRA, Section 3.

- its importance in community or pattern of South Africa's history;
- its possession of uncommon, rare, or endangered aspects of South Africa's natural or cultural heritage;
- its potential to yield information that will contribute to an understanding of South Africa's natural or cultural heritage;
- its importance in demonstrating the principal characteristics of a particular class of South Africa's natural or cultural places or objects;
- its importance in exhibiting particular aesthetic characteristics valued by the community of cultural group;
- its importance in demonstrating a high degree of creative or technical achievement at a particular period;
- its strong or special association with a particular community or cultural group for social, cultural, or spiritual reasons;
- its strong or special association with the life or work of a person, group, or organization of importance in the history of South Africa; and/or
- sites of significance related to the history of slavery in South Africa.<sup>195</sup>

The NHRA aimed to include everyone's heritage without, as Deacon writes, “negating what had gone before.”<sup>196</sup> So monuments declared under the previous legislation were retained, though they were all temporarily reclassified as provincial monuments (rather than national) with the requirement that they would be regraded under the new criteria within the next five years.

In addition to defining the national estate, the NHRA established a three-tier system with SAHRA, which has the role of coordinating and managing the national estate, and the provincial heritage resource authorities (PHRA) and municipal authorities that may undertake SAHRA's responsibilities at the provincial and municipal level, respectively.<sup>197</sup> SAHRA's general functions are to:

- establish national principles, standards and policy for the identification, recording

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<sup>195</sup> Ibid.

<sup>196</sup> Deacon, *Cultural Heritage Management*, 164.

<sup>197</sup> NHRA, Section 12.

and management of the national estate in terms of which heritage resources authorities and other relevant bodies must function with respect to South African heritage resources;

- co-ordinate the management of the national estate by all agencies of the State and other bodies and monitor their activities to ensure that they comply with national principles, standards, and policy for heritage resources management;
- identify, record, and manage nationally significant heritage resources and keep permanent records of such work;
- advise, assist, and provide professional expertise to any authority responsible for the management of the national estate at provincial or local level, and assist any other body concerned with heritage resources management;
- promote and encourage public understanding and enjoyment of the national estate and public interest and involvement in the identification, assessment, recording, and management of heritage resources;
- promote education and training in fields related to the management of the national estate; and
- perform any other functions assigned to it by this Act or as directed by the Minister.<sup>198</sup>

SAHRA is governed by a council comprised of at least nine and not more than fifteen members appointed by the Minister for Arts and Culture (nine of these members must represent each province) and the chief executive officer of SAHRA.<sup>199</sup>

In contrast to the pre-1999 cultural heritage laws, which had no allowance for regular and consistent management, the NHRA created a management framework for heritage resources. A series of formal management categories was established that includes national, provincial, and municipal heritage sites, protected areas, heritage registers, heritage areas, and heritage objects.<sup>200</sup> Resources are to be graded as national, provincial, or municipal, and then managed by the appropriate agency, whether that is SAHRA (national), a PHRA (provincial), or a municipal authority.

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<sup>198</sup> Ibid.

<sup>199</sup> Ibid., Section 14.

<sup>200</sup> Ibid., Sections 27-32.

The act provides for the protection of all graves older than sixty years, not just the graves of victims of conflict, as under the previous law. The act also requires developers who may impact graves to consult with the descendents and form an agreement in which the graves are left undisturbed or they are exhumed and re-interred at the cost of the developer.<sup>201</sup>

The act enables integration of cultural resource management into the planning processes in a limited range of circumstances, requiring that the environmental review process incorporate heritage resources into impact assessment reports.<sup>202</sup> The requirement for heritage resources impact assessment is one of the major provisions of the act that aids in the continued identification and conservation of resources. Significantly, the act provides for the temporary protection of all buildings more than sixty years old when development that may affect them is proposed. The PHRAs must assess all such applications for significance, and if the authority finds that the building is significant enough to be formally protected, it may place limitations on development that may affect it.<sup>203</sup> Environmental review for development and mining projects was gradually being established through the Department of Environmental Affairs by 1999. For those heritage resources that may not be identified under the environmental management system already in place, the NHRA is to establish a system for their review (has not occurred).<sup>204</sup>

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<sup>201</sup> Hall, *Legal Frameworks* 39; NHRA, Section 36.

<sup>202</sup> NHRA, Sections 38 and 51.

<sup>203</sup> NHRA, Section 36.

<sup>204</sup> Hall, *Legal Frameworks*, 39.

A number of tools are provided in the act to assist in the effective management of heritage resources, both rewards and punishments. The NHRA provides for grants and incentives such as reduction in property taxes to owners for upkeep of the resources. The heritage authority may also issue a compulsory repair order to an owner to stabilize a declared national or provincial heritage site if it is in danger of being compromised. The act allows for fines and jail time for those who violate the heritage regulations, as well as the confiscation of equipment that has contributed to an offence.<sup>205</sup>

#### National Heritage Council Act of 1999

The National Heritage Council Act of 1999, the contents of which were separated from the NHRA during the draft stages, was passed in April of 1999 to establish an advisory body, the National Heritage Council.<sup>206</sup> The objectives of the Council as identified in the act are broad and include the overall goal to “develop, promote and protect the national heritage for present and future generations.” The Council is to complete that task by:

- coordinating heritage management;
- protecting, preserving, and promoting the content and heritage which reside in orature in order to make it accessible and dynamic;
- integrating living heritage with the Council functions and other authorities and institutions;
- promoting and protecting indigenous knowledge systems; and,

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<sup>205</sup> Ibid., 40; NHRA, Sections 40, 43, 45, and 46.

<sup>206</sup> “National Heritage Council Act” (NHCA), *Republic of South Africa Government Gazette*, 19961, vol. 406, Government Notice no. 493 (Cape Town: Government Printer, 23 April 1999).

- intensifying support for the promotion of history and cultural of all the nation's peoples and particularly to support research and publication on enslavement in South Africa.<sup>207</sup>

Though the National Heritage Council Act was passed in 1999, the National Heritage Council was not established until 2004.

In summary, the policies prior to 1999 were biased, ignoring the majority population's heritage, and generally acting only to legitimize (unjust) colonial and, later, apartheid regimes. The plans for an inclusive cultural heritage policy began as early as the 1950s, when members of the anti-apartheid resistance recognized the injustice of the regime's policy in the 1955 Freedom Charter. Nevertheless, it was not until the liberation movements were unbanned in 1990 that a sophisticated discussion could begin during which the principles and objectives of a new policy for a new South Africa were articulated. The long process toward formulation of the policy culminated in the passage of the NHRA, the current heritage resources law.

It has now been a decade since the new policy was made law and there have been undeniable challenges to its full implementation. The heritage management system that was envisaged in the NHRA is broad and almost all-encompassing; however, the actual administration of the act has been incomplete. Stephen Townsend, director of the University of Cape Town's Conservation of the Built Environment Master of Philosophy program and former CEO of Heritage Western Cape, concludes that due to the high costs of implementation of the act and a crisis of leadership, "the intentions of the 1999 National Heritage Resources Act have not been realized: put simply, the failure to

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<sup>207</sup> NHCA, Section 4.

establish a system with adequately capacitated authorities, the incompleteness of the identification and grading process to date, and the sheer volume of the applications made under the general protections all conspire to make heritage management in South Africa inefficient and, in large part, ineffective.”<sup>208</sup>

Yet there have also been some notable successes. The following three chapters will consider case studies—Constitutional Hill in Johannesburg, Prestwich Place in Cape Town, and the Voortrekker Monument in Pretoria—that will provide for a closer examination of how the grand vision of the new policy has actually been applied in these three cases and how that vision has resulted in several instances of heritage sector transformation in South Africa.

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<sup>208</sup> Stephen Townsend, “Managing the Built Environment and the Urban Landscape in South Africa,” *Heritage Management in Principle and Practice: The African Experience*, Editors: Webber Ndoro and Shadreck Chirikure, Feb. 3, 2011 draft.

## CHAPTER IV CONSTITUTION HILL: REWRITING THE NATION'S HISTORY

On a hilltop in the heart of Johannesburg, South Africa's business center and largest municipality, is a compound of late nineteenth- and early twentieth-century buildings: a glaringly white fort, surrounded by massive earth ramparts; a brick Victorian-style fortress with a large lawn to the fort's west; and a grouping of utilitarian block buildings, their plaster and paint flaking, to the fort's north. The buildings positively ache of age and neglect, an impression that is only enhanced by the presence of a recently constructed building that rises out of the center of the compound. The newer building is a gleaming block of glass, wood, and light-colored stone that seems to radiate color and light in contrast to the surrounding buildings. Near the entrance to the compound is a vertical flag that declares "Building With the Past to Create the Future."

Constitution Hill, as the compound is now known, spreads across 95,000 square meters. Within its limits are three notorious former prisons, known collectively as Number Four: one for white men, one for men of color, and one for both women of color and white women (Figure 1). The buildings within the prison complex were constructed between 1893 and 1928, and during their long history they housed icons of the struggle against the racist colonial laws and apartheid policies. All but abandoned in 1983, the judges of the Constitutional Court reclaimed the site in 1996 as the location for their new

Court. Number Four re-opened in 2004 as Constitution Hill, with the Constitutional Court at its center and the historic prison buildings surrounding it as a museum.

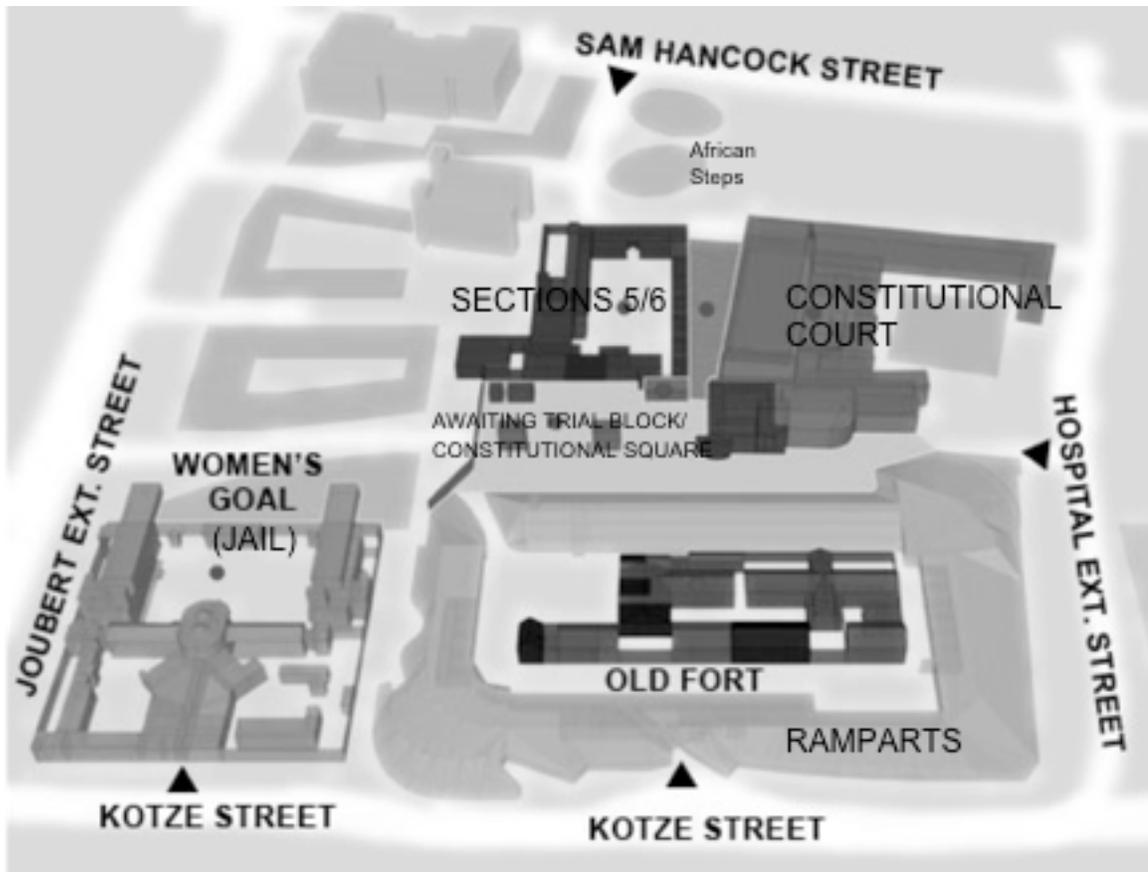


Figure 1: Constitution Hill Site Plan<sup>209</sup>

Constitution Hill is one of South Africa's highest profile heritage sites, a Department of Arts and Culture Legacy Project, and a symbol of the new democratic South Africa. The interpretation of the site was undertaken with great care and conscious intent. Before it opened, the Heritage, Education and Tourism (HET) team, a subgroup of the Johannesburg Development Agency charged with the redevelopment of the site,

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<sup>209</sup> "Constitutional Hill Maps and Directions," FACE Fe(male) Activation Through Creative Empowerment Website, <http://face.org.za/images/ansisters/venue/conHillMap.jpg>, with additional labeling by Melanie Lytle.

undertook an in-depth study in order to develop interpretations of the heritage buildings within the context of the new Constitutional Court. The effort included interviews with hundreds of individuals, directly shaping the manner in which the site is interpreted. Today, interpretation is still evolving based on the reactions of visitors to Constitution Hill, who are still asked to provide their own stories and impressions, and the continued efforts to open up additional sections of the site. Number Four, which was once a place of pain and trauma for many, has been transformed into Constitution Hill, a place that promotes human rights and democracy.

The site is a striking example of how the South African government is applying the new concept of heritage, which requires the rewriting of the nation's history to accommodate all South Africans and to help build the nation. This chapter will discuss Constitution Hill in more detail by providing a brief history of the prisons at Number Four, the redevelopment methods and results, and the experience of the visitor to the site now that it has opened. I have relied heavily on the personal reminiscences of the ex-prisoners, redevelopment team, and the Constitutional Court judges from the early 2000s that were recorded in the 2006 book *Number Four: the Making of Constitution Hill* as well as my own experiences of visiting the site in October 2010.<sup>210</sup>

#### The Notorious Prisons of Number Four

The first of the prisons to be constructed on the site was the Old Fort in the early days of Johannesburg, a city founded in the mid-1880s as a rowdy mining town in the

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<sup>210</sup> Segal, Lauren. *Number Four: The Making of Constitution Hill*. Johannesburg: Penguin, 2006.

Zuid-Afrikaansche Republiek (ZAR), one of the independent Afrikaans countries before unification in 1910. The Witwatersrand Gold Rush had begun in 1886, and gold seekers came from all over the world to try their luck at the mines. The president of ZAR, President Paul Kruger, arranged for the Old Fort to be constructed on the site as a jail in 1892 with the intention to “intimidate and keep control of the *uitlanders* (foreigners).”<sup>211</sup> It was a handsome collection of buildings articulated with gabled roofs and quoins (Figure 2). After the Jameson Raid in 1896, which was an attack by mostly English-speaking immigrants who had conspired with the British to overthrow the Boer republic of ZAR, Kruger had massive earthen ramparts constructed around the buildings, hiding them from view. He also converted the prison to a military fort, using the rooms within the earthen ramparts to store ammunition and artillery. In May 1901, during the South African War, the British captured Johannesburg and the Old Fort with it, imprisoning the Boer soldiers within their former stronghold, a humiliating event for the ZAR during the tumultuous war. At the end of the war, the Old Fort reverted to a prison, which served as the main jail in Johannesburg for white men for the next eighty years.<sup>212</sup>

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<sup>211</sup> Segal, *Number Four*, 11.

<sup>212</sup> SAHRA Database, “Old Fort Hospital Hill Johannesburg,” <http://196.35.231.29/sahra/HeritageSitesDetail.aspx?id=29982>.; Segal, *Number Four*, 11, 17.



Figure 2: Soldiers on parade at the Old Fort after the ramparts were built, early 1900s.<sup>213</sup>

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<sup>213</sup> Segal, *Number Four*, 12.



Figure 3: Image of Number Four taken from adjacent building, no date.<sup>214</sup>

Outside the Old Fort's ramparts, directly to the north, are Sections Four and Five (Section 4/5), a jail for black, coloured, and Indian/Asian male inmates, which was constructed in 1902 (Figure 3). Section 4/5 served as the main jail in Johannesburg for non-white men during the following eighty years. While conditions were harsh in the

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<sup>214</sup> Segal, *Number Four*, 20.

nearby Old Fort for the white men, it was far worse for the men held in Section 4/5. From the beginning, the prison was notorious for its crowded conditions and horrible sanitation. It was a brutal place where violent and non-violent inmates were housed together in communal cells. Cell bosses operated a harsh gang system within the prison and served as dictators within the cells, often deciding a prisoner's fate.<sup>215</sup> It was common for the wardens to torture the inmates, and the men were subjected to a humiliating exercise called the *Tausa*, in which they were ordered to strip off their clothes and perform a "dance" that involved leaping into the air, spinning around while clapping hands overhead and spreading their legs, clicking with their mouths, and then landing facing forward, exposing themselves to a rectal search.<sup>216</sup> The food was grim, the menu of which was determined by an inmate's racial category, with less meat and sugar for the blacks than for the coloured and Indian inmates. The outdoor toilets were open to view, located right next to the dining area. The inmates could rarely shower and then only with cold water. Many were held in the prison for months without trial, often for small infractions such as forgetting their pass, and they struggled to survive in the brutal environment, knowing that once they arrived in court, they were unlikely to receive a fair hearing from the racist courts.<sup>217</sup>

The Women's Jail was constructed to the west of the Old Fort in 1910 and was used for the next seventy-three years to imprison women, both black and white, who had

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<sup>215</sup> Segal, *Number Four*, 19.

<sup>216</sup> Segal, *Number Four*, 21.

<sup>217</sup> Author's notes from a tour of Constitution Hill on October 18, 2010.

committed crimes such as shoplifting, prostitution, murder, and political crimes such as marching against the government, refusing (or forgetting) to carry a pass, or mistakenly being in the wrong place at the wrong time. The women were separated black from white. Like Section 4/5, the Women's Jail was notoriously overcrowded and the women were subjected to intrusive searches and abuse. The conditions were extremely harsh, with poor food and lack of good sanitation facilities, which was made all the more difficult for the many women who kept their babies and small children with them in the prison.<sup>218</sup>

The Awaiting Trial Block, which was situated between Section 4/5 and the Old Fort, was built in 1928. As its name suggests, it was a short-term holding facility for those who were awaiting trial. Like the other buildings in the prisons, it contained large communal cells. In this building, the political prisoners were generally kept separate from the violent criminals; however, the treatment of prisoners by warders was equally harsh and inhumane. For many in the various prisons, the Awaiting Trial Block was the place that contained the one visitor's room in which inmates could visit with their families and friends through a wire mesh barrier.<sup>219</sup>

After eighty years of brutality, Number Four was closed down in 1983, and the Johannesburg City Council transferred the inmates to a new prison, Diepkloof, just outside Soweto. In the years during Number Four's operation, it had held many high-profile political prisoners in both the white and black sections, including Mahatma Gandhi in 1908, leader of the Passive Resistance Movement against the Pass Laws for

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<sup>218</sup> Segal, *Number Four*, 23.

<sup>219</sup> Segal, *Number Four*, 28.

Asians; the 156 treason trialists in 1958 (including Nelson Mandela, Albert Luthuli, and Walter Sisulu); Robert Sobukwe, leader of the Pan African Congress, in 1960; student protesters during the Soweto Uprising of 1976; and thousands of everyday pass law breakers and ordinary criminals.<sup>220</sup>

### National Monument Status Shapes Plans for Redevelopment

Once Number Four was closed, there were many different ideas for its continued use. An important consideration that shaped the plans for the site during the 1980s was the fact that the Old Fort and its ramparts had been declared a National Monument in 1964.<sup>221</sup> Section 4/5, the Awaiting Trial Block, and the Women's Jail were not included in the nomination.<sup>222</sup> The 1964 monument declaration included a brief and vague description of the importance of the Old Fort: "In 1896 the Government of the South African Republic decided to build a fort round the existing prison. The prison was built already in 1892 and enlarged in 1894. The fort was completed in 1899 and handed over to the State Artillery."<sup>223</sup> Notably, the dates listed in the declaration (1892, 1894, and 1899) all refer to the pre-Union of South Africa period, when the fort was part of the ZAR.

What is *not* stated in the 1964 national monument declaration has equal importance to understanding the reasons behind its declaration. For instance, the declaration does not mention the capture of the Old Fort by the British during the South

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<sup>220</sup> Segal, *Number Four*, 5-8.

<sup>221</sup> Segal, *Number Four*, 6, 73.

<sup>222</sup> SAHRA Database

<sup>223</sup> *Ibid.*

African War or its long history of use as a prison. It seems apparent that the site was declared as a national monument based on its association with Afrikaner history, which correlates with the history of monument declaration during the period discussed in the previous chapter. As Frescura found, most of the monuments during the pre-1990 period were associated with Afrikaner history. Further, he argued, the period between 1960 and 1969 when the Old Fort was declared a monument represented a phase of gradual increase in declarations when the government sought to legitimize its apartheid policies.<sup>224</sup> It is not surprising then that a fort associated with the glory of the ZAR prior to the humiliations of the South African War would be seen as an important monument for legitimizing the 1960s Afrikaner-dominated government.

Nevertheless, the declaration was not universally accepted; it was somewhat controversial at the time. Not everyone was willing to ignore the Old Fort's long history as a prison (for criminals, of course, as there was no distinction between political prisoners and ordinary criminals at the time). The City Council opposed the declaration on the basis that the history of the Old Fort was "slender and unimportant and after that its real history is that of notorious criminals and jail-breakers." Conspicuously, the City Council had an interest in opening up the land on which the complex was situated for development, which may explain its reluctance to concur with the declaration decision. In the end, the Old Fort was declared a monument nonetheless.<sup>225</sup>

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<sup>224</sup> Frescura, *Proceedings of the NUCS*, 14-15.

<sup>225</sup> Segal, *Number Four*, 36.

The Old Fort's national monument status became especially important in shaping the site's redevelopment once Number Four was closed in 1983. The City Council leased the Old Fort portion of the compound to the Prisons Department for a Prison Services Museum, which was deemed an appropriate use of the historic site; however, the plans for a prison museum never came to fruition and the site was abandoned. It was not long before vegetation began to take over and vandals took off with locks and fittings.<sup>226</sup>

In 1990, a year marked by the unbanning of the anti-apartheid groups and the start of formal negotiations for the transition to a non-racial democracy, the City Council called for proposals for new uses of the Old Fort. In its notice for redevelopment proposals, the City Council acknowledged a broader historic significance of the site than the monument declaration had less than two decades earlier by including the early history as a fort (not specifying which dates) and its long-term use as a prison: "The Council's view is that the Fort should remain open to the public as a place of interest and a tourist attraction, part of Johannesburg's turbulent early history... The Council is anxious that the historical character of the building should be maintained, much in the same way as the Castle in Cape Town has been developed as museum to the country's military and penal history."<sup>227</sup> The Council did not acknowledge the role of the site as a political prison nor did the NMC, which was involved with the review of any potential developments at the Old Fort. Flo Bird, a member of the NMC at the time, remembers

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<sup>226</sup> Ibid., 35

<sup>227</sup> "The Old Fort, Hillbrow: Submission of Proposals," document provided in Segal, *Number Four*, 38.

that the site's association with the liberation struggle was still taboo, saying "We couldn't refer to the political significance of the place, not even to our own committee."<sup>228</sup>

The City Council chose to lease the site to the Transvaal Scottish Regiment, which established a foundation to acquire the site and recommended the demolition of some of the hospital sections of the Old Fort and some major internal renovations. The NMC agreed to the demolitions, though with some hesitation, appeased by the fact that the Old Fort would continue to be used in some manner similar to its historic use. The Scottish Regiment launched its restoration program in July 1991 with the commandant of the Scottish Regiment declaring that he "dream[ed] of processions, military tattoos and the enjoyment of the public in historic events."<sup>229</sup> Within a year, however, the project was halted and the Scottish Regiment never moved into the site.<sup>230</sup> The Rand Light Infantry, a senior infantry regiment of the South African army (similar to the United States Army National Guard and the British Territorial Army), moved into the grounds in April 1993, minimally maintaining the site until 2004.<sup>231</sup>

Meanwhile, Section 4/5, the Women's Jail, and the Awaiting Trial Block were "going to rack and ruin."<sup>232</sup> The Security Department of the City Council had taken occupation of the Women's Jail, portions of the Awaiting Trial Block, and Section 4/5

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<sup>228</sup> Flo Bird as quoted in Segal, *Number Four*, 37. All quotations extracted from Segal date from the early 2000s.

<sup>229</sup> Spike Becker as quoted in Segal, *Number Four*, 41.

<sup>230</sup> Herbert Prins as quoted in Segal, *Number Four*, 41.

<sup>231</sup> Lt. Col. Selwyn Vos MMM as quoted in Segal, *Number Four*, 43.

<sup>232</sup> Brian Orlin as quoted in Segal, *Number Four*, 44.

after the prisons closed in 1983. Segal, in *Number Four: The Making of Constitution Hill*, writes: “Some members of the Security Department were also members of the infamous Civil Co-operation Bureau, a military intelligence structure involved in dirty tricks against anti-apartheid activists. The CCB was also responsible for several high-profile assassinations. They had an arsenal of weapons stored in the isolation cells of the Women’s Jail.”<sup>233</sup> There was even a ‘chop shop’ for stolen cars operated by traffic cops in the middle the complex.<sup>234</sup> Overall, Number Four was underused and minimally maintained in the immediate years after its closure in 1983.

#### Redevelopment of Number Four as Constitution Hill

The new democratic government was established in May 1994, and President Mandela inaugurated South Africa’s new Constitutional Court the next February. The Court was founded with the mission to “defend the democratic principles and values of the new constitutional order.”<sup>235</sup> It was a completely new type of court for South Africa, one with the distinct purpose of protecting the constitution and the twenty-seven human rights declared in the nation’s Bill of Rights. The Department of Public Works was responsible for finding or building a suitable facility for the new Court, and the Court judges participated in the search with enthusiasm.<sup>236</sup> They visited various potential sites,

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<sup>233</sup> Segal, *Number Four*, 45.

<sup>234</sup> Neil Fraser, as quoted in Segal, *Number Four*, 45.

<sup>235</sup> Yvonne Mokgoro, as quoted in Segal, *Number Four*, 49.

<sup>236</sup> Segal, *Number Four*, 63.

but it was the dilapidated Number Four, which they toured as a group, that they eventually chose.

The judges cited various reasons for their choice of Number Four for the new Court site. Judge Johann Kriegler noted the location in the center of the city: “We were particularly concerned about not having a remote, alien place. To place the Constitutional Court where it was accessible was a non-negotiable.”<sup>237</sup> Judge Kate O’Regan said: “The other wonderful thing was that it both looked upon and commands a view, which seemed appropriate for a court like this.”<sup>238</sup> But equally important to the judges, if not more so, was the site’s historic significance as a brutal prison that had held political prisoners and those who had been jailed for breaking unjust laws. Deputy Chief Justice Pius Langa said, “We felt excited by the symbolism of the old prisons, whose function had once been so oppressive, becoming, under the Constitution, a place representing freedom and human rights.”<sup>239</sup> Judge Yvonne Mokgoro agreed: “The site would urge us not to forget what happened in the past. The bricks would be there as reminders that this is the route that we never, never want to take again.”<sup>240</sup>

Once the Court site was chosen, there were many stakeholders besides the judges and Department of Public Works, including the Department of Arts and Culture and the Johannesburg Development Agency (the ultimate administrators of the redevelopment),

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<sup>237</sup> Johann Kriegler in Segal, *Number Four*, 56.

<sup>238</sup> Kate O’Regan in Segal, *Number Four*, 56.

<sup>239</sup> Pius Langa in Segal, *Number Four*, 56.

<sup>240</sup> Yvonne Mokgoro in Segal, *Number Four*, 56.

who had various visions for what the site would become. This led to a broad mandate for the complex. It was decided that the vision for the site was that it would become “a global beacon for human rights, democracy, and reconciliation; a dynamo for empowerment and inner-city development; a gateway from which to explore the rich history of Johannesburg; a *lekgotla* [meeting place] where we talk to each other and the world; a vantage point which gives us an understanding of our society in transition; and an *inquaba* [asylum/shelter] where our diversity is celebrated and our rights protected.”<sup>241</sup>

Clearly, the site was intended to be much more than just a museum and a court building. It was to include a commercial zone, a public gathering place, conference facilities, and learning spaces.<sup>242</sup> There was undoubtedly a strong economic motive for redevelopment of the site, which supports Tunbridge and Ashworth’s observation, summarized in Chapter II, that when a new government comes to power populated by the previously subjugated, economic relief is often a major issue, and national heritage may serve a double purpose: first, to support national ideologies, and second, to provide job creation through tourism and heritage management.<sup>243</sup>

The subgroup charged with linking the heritage components of the site to the overall vision for the redevelopment was the HET group. The HET Advisory Board included representatives from the Constitutional Court, the University of Witwatersrand,

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<sup>241</sup> Johannesburg Development Agency (JDA), *Constitution Hill: The History of our Future, Prospectus, HET Feasibility Study Report* (2002), <http://www.jda.org.za/developments/constitution-hill/overview>, 7.

<sup>242</sup> JDA, *Constitution Hill*, 21.

<sup>243</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 142.

and the University of Northumbria, the Centre for the Study of Violence and Reconciliation, the Gauteng Tourism Authority, South African Tourism, the City of Johannesburg's Tourism and Marketing Department, and the Commonwealth Institute.<sup>244</sup> A feasibility study and report with key recommendations was released in 2002.<sup>245</sup> The mission of the subgroup, as stated in the 2002 study, was “to root the values of the Constitution and the issues they raise at Constitution Hill and thus render them physical—living, vibrant and interactive.”<sup>246</sup>

The redevelopment was named Constitution Hill. Judge Albie Sachs remembers that “we had a meeting of the judges and I proposed that the whole area be called ‘Freedom Hill’ and that it be dedicated to freedom. Chief Justice Arthur Chaskalson responded with ‘Constitution Hill’...The word freedom is everywhere. We have ‘Freedom Square’ and ‘Freedom Park’, freedom this and freedom that. ‘Constitution Hill’ is much more specific and gives it a very distinctive character. From then on we referred to the development as ‘Constitution Hill’.”<sup>247</sup>

In partnership with the Department of Public Works, the judges held a design competition to choose an architect for the new Court building.<sup>248</sup> It was to be the first

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<sup>244</sup> JDA, *Constitution Hill*, 5.

<sup>245</sup> *Ibid.*, 6.

<sup>246</sup> *Ibid.*, 7.

<sup>247</sup> Albie Sachs as quoted in Segal, *Number Four*, 74.

<sup>248</sup> Segal, *Number Four*, 63.

official government building constructed by the post-apartheid government.<sup>249</sup> The judges prepared a brief for the building's design competition that described to potential architects the spirit of the building they desired: "The building must be rooted in the South African landscape, both physically and culturally. It should not overemphasise the symbols or vernacular expressions of any section of the population, nor be a pastiche of them all. It should weather gracefully and be made of material which is enduring. It must be restrained, simple and elegant rather than opulent, garish or ornate. It should have a distinctive presence, as befits its unique role and should convey an atmosphere of balance, rationality, security, tranquility and humanity. It should be dignified and serious, but it should have a welcoming, open and attractive character and make everyone feel free to enter and safe and protected once inside."<sup>250</sup> The competition was open to South Africans and non-South Africans alike, and to the judges' relief, the winning design was by a South African team of architects.<sup>251</sup>

Just before the competition brief for the design of the new Court was released, the NMC declared the entire Number Four site, including Section 4/5, Women's Jail, and the Awaiting Trial Block, as part of the Old Fort national monument.<sup>252</sup> The NMC manager of the northern region, J.J. Bruwer, stated in September 1998: "The NMC commits itself...to better understand the precinct's heritage dynamic, both tangible and

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<sup>249</sup> Ibid., 51.

<sup>250</sup> Ibid., 70.

<sup>251</sup> Memory and Justice, "Design of Constitution Hill," <http://memoryandjustice.org/article/deisgn-of-constitution-hill/> (sic).

<sup>252</sup> Segal, *Number Four*, 73.

intangible.”<sup>253</sup> The move was a drastic departure from only seven years earlier when Flo Bird had remembered that members of the NMC could not even acknowledge the political significance of the prison. Yet, many things in the nation had changed between 1990 and 1997. South Africa had held its first election granting full suffrage, created a new constitution, and witnessed the traumatic Truth and Reconciliation Commission hearings. The NMC seems to have recognized the changing times and acted to accommodate the evolving concepts of historic significance. Nevertheless, it appears that the NMC was not yet ready to articulate the exact reasons why the black prisons had political significance, choosing only to state that the NMC was committed to a “comprehensive conservation survey” of the buildings.<sup>254</sup>

The NMC’s involvement added another level of complexity to the redevelopment as then all the buildings on the redevelopment site, not just the Old Fort and ramparts, were within their prevue. The highest point on the site, on which the architects deemed most appropriate for the Court, was the site of the Awaiting Trial Block; however, the NMC was adamant that nothing on the site should be demolished.<sup>255</sup> In the end, stronger forces seemed to be afoot and the NMC finally agreed to allow the Awaiting Trial Block to be demolished though only under the condition that it be commemorated as part of the new development.<sup>256</sup> Notably, the NMC was not the only one concerned about the

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<sup>253</sup> J.J. Bruwer as quoted in Segal, *Number Four*, 73.

<sup>254</sup> Ibid.

<sup>255</sup> Herbert Prins, as quoted in Segal, *Number Four*, 60.

<sup>256</sup> Segal, *Number Four*, 60.

demolition, says heritage consultant Herbert Prins: “This decision has been very seriously criticised by many people, particularly ex-prisoners, who feel that particular building had a very important place.”<sup>257</sup>

By the time the project development began in earnest, it was SAHRA, which had replaced NMC with the implementation of the NHRA, that was the heritage agency responsible for reviewing the redevelopment of the heritage site. The Department of Arts and Culture, of which SAHRA is a component, chose the Constitution Hill redevelopment as one of the Department’s fourteen Legacy Projects, a government initiative created to identify and support “monuments, museums, plaques, outdoor art, heritage trails and other symbolic representations [that] create visible reminders of, and commemorate, the many aspects of South Africa’s past.”<sup>258</sup>

#### Searching for the History of Number Four

In order to implement the vision described in the 2002 HET feasibility study, the HET team launched the “We the People Campaign.”<sup>259</sup> It had two elements: “Taking the Hill to the People” and “Bringing the People to the Hill.” The former referred to the HET teams’ effort to interact with the residents of the surrounding communities of Hillbrow and Braamfontein and the nation as a whole. It was important to the HET team that “South Africans will become an integral part of the rebuilding of the site and the

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<sup>257</sup> Herbert Prins as quoted in Segal, *Number Four*, 60.

<sup>258</sup> Department of Arts and Culture (DAC), “Legacy Projects,” [http://www.dac.gov.za/projects/legacy\\_projects.html](http://www.dac.gov.za/projects/legacy_projects.html); Interview by author with Alicia Monis, director of Legacy Projects at the DAC, Oct. 1, 2010.

<sup>259</sup> JDA, *Constitution Hill*, 13.

establishment of its exhibitions...[so that] they will have ownership of it,” said HET team member Mark Gevisser.<sup>260</sup> The responses from the nearby communities were mixed. Some of the residents saw the site as an eyesore and would have preferred to see it developed for much-needed commercial facilities, offices for assistance with job and accommodation searches, or a safe gathering place.<sup>261</sup> However, others, such as an unnamed youth organization leader, agreed with the HET team: “Constitutional Hill should be a forum for debate and for participatory democracy.”<sup>262</sup> The HET team sent a group on a road trip throughout South Africa with questions to ask citizens such as these: “Is it easier to love in the new South Africa? Is it easier to own a home? It is easier to dream? Is it easier to be together? Is it easier to live?”<sup>263</sup> The team returned with a group of photographs meant to represent South Africa’s diversity, which were exhibited at the opening of Constitution Hill.<sup>264</sup>

The “Bringing People to the Hill” initiative involved inviting those associated with the prison to return to the site to share their memories.<sup>265</sup> Ex-prisoners, warders, and others with historical associations with Number Four were invited to the site in groups, depending on the period in which they were incarcerated and the prison where they were

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<sup>260</sup> Mark Gevisser as quoted in Segal, *Number Four*, 136.

<sup>261</sup> Segal, *Number Four*, 140, 142.

<sup>262</sup> Unnamed Youth Organisation Leader as quoted in Segal, *Number Four*, 142.

<sup>263</sup> Karima Effendi, HET Team, Road trip co-ordinator, as quoted in Segal, *Number Four*, 143.

<sup>264</sup> Segal, *Number Four*, 143.

<sup>265</sup> Segal, *Number Four*, 136.

held. By speaking with these individuals, the HET team “was hoping to understand the layout of the prison, its rhythm, its culture and the changes that were implemented over time.”<sup>266</sup> The various workshops included the Pan African Congress (PAC) political prisoners of the 1960s, who had organized an anti-pass campaign by leaving their pass books at home and surrendering at the nearest police station; the ANC political prisoners of the 1980s; the black women political prisoners held in 1976 following the Soweto Uprising; the black women political prisoners of the 1980s; and the white women political prisoners of the 1960s and 1980s. The white and black warders were interviewed in separate groups, as discrimination was still quite strong among them.<sup>267</sup> On November 22, 2003, the HET team invited all ex-prisoners, included ordinary ex-prisoners who were held there for small and serious offences, to an open day at the site.<sup>268</sup>

For some, the workshops were a healing event that allowed them to attain some closure on traumatic memories. HET team member Audrey Brown remembered that “It was a fearful privilege to walk with them, hear them scream with anguish and to finally listen to their memories. To stand in the doorway of a cell and coax a wailing woman to walk across the floor, quietly reminding her that she is free now, is a fearful privilege.”<sup>269</sup> Ex-prisoner Yvonne Ntonto Mhlauli noted: “After telling my story with the other ex-

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<sup>266</sup> Ibid., 145.

<sup>267</sup> Ibid., 166.

<sup>268</sup> Audrey Brown, as quoted in Segal, *Number Four*, 160.

<sup>269</sup> Audrey Brown, as quoted in Segal, *Number Four*, 167.

prisoners, I started to come and hang out here.”<sup>270</sup> Another ex-political prisoner, Juby Mayet, said that “Number Four was changed...the big change was that it was no longer a place of fear, but a place of hope for the future.”<sup>271</sup> Barbara Hogan, a white ex-prisoner, said that returning to the prison and hearing the stories of the other women incarcerated there “was sort of like feeling that there were people around you who understood, because just knowing that you were following in a political tradition was a remarkable thing.”<sup>272</sup>

Nevertheless, many could not be convinced to come to the workshops or arrived reluctantly. The warders, particularly those still working in the prison system, were often guarded and defensive, though the HET team saw their contributions as important to attaining a more complete image of the different spaces of the jail.<sup>273</sup> The ordinary ex-prisoners often found the visit difficult too, though for different reasons than the warders. Audrey Brown was surprised by the reactions of the ordinary ex-prisoners in comparison to the political ex-prisoners: “The distress of the women who came back that day was very disturbing and cast a strange new light on the jail. It forced us to reconsider our representation of the spaces. It became clear that the jail was not just a space where strong, politically motivated women forged unbreakable bonds with each other and unshakeable political convictions. These ordinary women were traumatised and harassed,

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<sup>270</sup> Yvonne Ntonto Mhlauli, as quoted in Segal, *Number Four*, 168.

<sup>271</sup> Juby Mayet, as quoted in Segal, *Number Four*, 152.

<sup>272</sup> Barbara Hogan, as quoted in Segal, *Number Four*, 156.

<sup>273</sup> Segal, *Number Four*, 166.

beaten and, in some cases, broken by the experience.”<sup>274</sup> The biggest difference between the political prisoners and ordinary ex-prisoners, remembered Steve Kwena Mokwena, HET team curator, was that “You got a sense from the political prisoners that they were used to telling these prison stories, they came here as part of their duty because they understood the political importance of these stories being recorded. The ordinary criminals were far more tentative to start off with. They did not have a sense of the process. But they were more emotional.”<sup>275</sup>

Mandela, perhaps the prison’s most famous inmate next to Mahatma Gandhi, visited the site during the period of workshops. He had been held at Number Four three times: in 1956 (during the treason trial), 1958, and 1962. Mark Gevisser remembered that Mandela was a challenging interviewee: “He no longer wished to dwell on his *own* past.” While at Number Four, Mandela articulated his vision for the site: “You must know your past and the cruelty that was committed to your people. But don’t keep this too much in mind because we are here to build a new South Africa. That is what you must commit yourselves to. You must remember what has happened in the past so that, in future, you can avoid it.”<sup>276</sup>

The results of the workshops illustrated the complex history of Number Four, which was a place of pain and shame that held different values for the different sets of people involved, depending on whether they were political ex-prisoners, ordinary ex-

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<sup>274</sup> Audrey Brown, as quoted in Segal, *Number Four*, 160.

<sup>275</sup> Steve Kwena Mokwena, as quoted in Segal, *Number Four*, 161.

<sup>276</sup> Nelson Mandela, as quoted in Segal, *Number Four*, 158.

prisoners, or warders. Development manager Brian Orlin noted: “The hardest thing has been dealing with the passions that everyone has for the project. Every single person who has worked here is touched by the place and has become passionate in some way... But it has also created conflicts along the way—everyone wants it to be something because it means so much.”<sup>277</sup> Overall, the workshops were considered a success, providing the material with which the HET team developed the exhibits at the site.

### Experiencing Constitution Hill

The Constitution Hill opening ceremony was held in 2004 with grand fanfare. The Court building had just been completed. It was an exceedingly accessible building, contrasted by the surrounding prison buildings that had been built to serve the exact opposite purpose. President Thabo Mbeki was on hand at the 2004 opening to endorse the vision, declaring: “The Court represents the conversion of the negative, hateful energy of colonialism, subjugation and oppression into a positive, hopeful energy for the present and the future; a celebration of the creative potential of our people that has given us an architectural jewel.”<sup>278</sup>

The tours of the site are guided, though there is plenty of time for reflection. Most who take the tour will spend the majority of their time in Section 4 (Section 5 is currently being renovated and will be opened to the public in the next year),<sup>279</sup> which also contains

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<sup>277</sup> Brian Orlin, as quoted in Segal, *Number Four*, 241.

<sup>278</sup> Thabo Mbeki as quoted in Segal, *Number Four*, 199.

<sup>279</sup> Azwihangwisi Mufamadi, “Facelift for Constitution Hill,” *City of Johannesburg*, January 31, 2011, [http://www.joburg.org.za/index.php?option=com\\_content&view=article&id=6110&catid=88&Itemid=266](http://www.joburg.org.za/index.php?option=com_content&view=article&id=6110&catid=88&Itemid=266).

a permanent Gandhi exhibit. Visitors are also given the opportunity to tour the Women's Jail and/or the Old Fort, where there is a permanent Mandela exhibit. The tour of Section 4 includes several communal cells where visitors watch an introductory video of ex-prisoners explaining the various reasons they had been brought there and the experiences they had. They also see the rough gray blankets (often only washed once a year when the prison was in use) that have been shaped into human figures and laid in a way to illustrate the crowded conditions for the "underlings" and the relative comfort of the cell bosses. They then are asked to consider a panorama of ex-prisoner photographs (criminal and political), with the words above that ask, "Who is a criminal?" In the courtyard of Section 4, the visitors are guided past the dining area and the outdoor toilets and showers. Numerous information boards are posted with small photos and brief quotes from ex-prisoners. At the rear of the courtyard are two more cells, one containing torture instruments and the other containing examples of blanket sculptures, which prisoners used to make in order to win extra food or privileges. Just beyond those cells are the foreboding isolation cells and images of the graffitied doors, covered with inscriptions by desperate prisoners. After seeing Section 4, visitors are guided to the new Court, and some visitors may then choose to visit the Old Fort, to understand the conditions of white male inmates, and the Women's Jail, where artifacts such as a shopping bag and a wedding dress illustrate the circumstances in which some women were arrested.

Every tour of the prisons includes some time in the foyer and chambers of the new Court. Before entering the building, the tour guide explains the open courtyard in front of it (between Section 4/5 and the ramparts), Constitutional Square, where stairwells from the Awaiting Trial Block have been retained and its bricks have been re-laid as the

courtyard pavement. The architects had designed the Court and surroundings so that the building could be reached from one of two pedestrian paths. From the north, access is by way of broad and shallow brick steps (the African Steps), which were constructed from bricks of the demolished Awaiting Trial Block and that are flanked by Number Four on the west and the new Court on the east. The other access to the Court is through the Constitutional Square.

The primary (east) façade of the Court building is emblazoned with the words “Constitutional Court” in every official language and the colors of the South African flag (Figure 4). Two tall, sculpted wooden doors, carved with the twenty-seven rights protected in the Bill of Rights, provide entry into the Court’s reception area (Figure 5). Jonathan Noble of the University of Witwatersrand School of Architecture and Planning describes the impression of the interior of the Court: “By entering via large sculpted doors one arrives in the prismatic reception where dappled light falls onto slanted columns as though filtered through trees”<sup>280</sup> (Figure 6). Original art created for the building is prominently displayed, and tree sculptures are mounted on the ceiling that were “designed to emulate ‘tradition under a tree,’ which in many black traditional communities, is a place for gathering and where the elders would resolve quarrels and arguments.”<sup>281</sup> The Court’s logo is prominently displayed, with its tree of eleven branches, each representing the eleven official languages and the eleven judges on the

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<sup>280</sup> Jonathan Noble, “Constitution Court (2004),” in *10 Years + 100 Buildings: Architecture in Democratic South Africa*, ed. Ora Joubert (Cape Town: Bell-Roberts Publishing, 2009), 22.

<sup>281</sup> Segal, *Number Four*, 204.

Court, with eleven people, black and white, standing below it.<sup>282</sup> The Court chamber is directly off the reception area where Noble notes, “one can wander off into the gallery filled with public art which, unobtrusively, connects to a library and judges’ quarters. The plan is structured by a subtle privacy gradient which allows the public to circulate parallel to the secluded chambers of the judges, clustered around delectable courtyards. Slotted openings in a dividing wall establish a dialogue between the public and private areas, just as the incorporation of fragments of the demolished Awaiting Trial Block contrasts the historic and the new.” The Court chamber, which is glass-sided to demonstrate the Court’s openness to scrutiny, is open to everyone to come and go during sessions. Overall, the interior of the Court building feels surprisingly relaxed and accessible for such an important building, and it seems unhindered by any formality, allowing the public to wander within the building at will once they have passed through a metal detector just inside the entrance.

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<sup>282</sup> Carolyn Parton, as quoted in Segal, *Number Four*, 50.



Figure 4: View to the northeast of the new Constitutional Court from the Old Fort Ramparts, with Number Four in the background [Melanie Lytle, October 2010].



Figure 5: Sculpted wooden doors at entrance to Constitutional Court [Lytle, October 2010].



Figure 6: Reception of Constitutional Court [Lytle, October 2010].

Throughout the entire tour, visitors are invited to take their time in the exhibits, choosing which areas of the site to explore or focus their time. They are also asked to respond to the exhibits. For instance, in the central courtyard of Section 4, there is a large board with small metal nails and spare pieces of paper, on top of which asks “What other topics do you think should be discussed here?” At the time of my visit, no responses were hanging there, though apparently it is used most often with school groups. There is room set aside during the tour called the Response Room that Segal writes is “an invitation to visitors and ex-prisoners to leave their responses [and] to add another layer to the story of

Constitution Hill.”<sup>283</sup> The room contains a roster where ex-prisoners may record their names for posterity and share their stories. It also contains a space for visitors to reflect on their experience and comment on the various aspects of the tour and the site. Several thick books of comments have already been filled. The opportunities given to visitors to respond to the site reflects the hopes of Tshepo Nkosi, marketing director of the Johannesburg Development Agency, that “just like South African society itself, it will never be completed, for every generation of visitors will add its own experiences and memories to the site.”<sup>284</sup>

No visitor can possibly leave without understanding very clearly what the message of the site is intended to be. As Judge Albie Sachs stated: “People who come to the Court will not be left wondering why we need a constitution.”<sup>285</sup> A visitor to the site is guided through the various prisons where she is told of the terrible torture and abuse that occurred there. She witnesses the crowded cells, the inferior sanitation facilities, and the cruel torture instruments. She is told the stories of the brave political prisoners and the lowly ordinary criminals. And then, after the brutality of the situation has truly set in, the visitor is guided into the light and air-filled, colorful and transparent Constitutional Court building. The effect of entering that space, with its well-stated high aspirations of justice reflected in the twenty-seven human rights, is truly a relief. Chief Justice Pius Langa observed: “We see in it a symbol of the openness and accessibility we aim to ensure at

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<sup>283</sup> Segal, *Number Four*, 195.

<sup>284</sup> Tshepo Nkosi, as quoted in Segal, *Number Four*, 219.

<sup>285</sup> Albie Sachs, as quoted in Segal, *Number Four*, 205.

the Court. This is in stark contrast with the past, when people went to court only under duress.”<sup>286</sup> Most visitors cannot leave without an enhanced or newfound respect for the Court and, by extension, the South African government that was founded on the opposite of the horrors that the prisons represent.

Seven years after the opening of the site, the interpretation of Constitution Hill is still evolving as more sections are opened to the public. Commercial development has been slow to occur, though there are community rooms and a café to support those who visit. At least half of the visitors in the first few months were local residents, and over the next few years, it has become a key stop on international tourist itineraries. Numerous events are held on the site to bring South Africans to the venue, including debates, art exhibits, lectures, and children’s activities. Many local schools now bring their learners to the site for field trips. Overall, it continues to be an important community gathering place, serving as the for art exhibits, fashion shows, conferences, and meetings.

### Heritage for Democracy

South Africa is more scarred than most nations as the result of centuries of colonial rule and apartheid, and there are, unfortunately, many places that bear witness to past episodes of pain and injustice. Constitution Hill serves as a powerful manifestation of ideologies underlying national identity and nation building in South Africa. Graeme Reid, former CEO of the Johannesburg Development Agency, notes that the site is “about an idealisation of what we might be. It’s aspirational.”<sup>287</sup> Ereshnee Naidu of the Centre

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<sup>286</sup> Pius Langa, as quoted in Segal, *Number Four*, 217.

<sup>287</sup> Graeme Reid, as quoted in Segal, *Number Four*, 242.

for the Study of Violence and Reconciliation agrees, theorizing that Constitution Hill has the most potential, out of all of the various government-initiated Legacy Projects, for “true reconciliation” because of its association with a wide range of South Africans, including the Afrikaners, British, and prisoners (both black and white).<sup>288</sup>

The interpretation of Constitution Hill reveals a transformation in the manner in which South Africa’s government approaches heritage. Certainly, former South African governments used heritage to support their aims and ideologies, but the differences at Constitution Hill are that the ideologies being promoted are based on the government’s aspirations for freedom and democracy, not for racism and injustice, and there is no attempt to try to hide the difficult heritage. Further, unlike the white-dominated HMC and NMC of the past, this project called for the intensive involvement of the public in presenting the history and determining its significance. How to integrate a new use into a historic site is a common concern in South Africa and throughout the world, and the Constitution Hill project has turned out to be a very successful example of the collaboration. It will be interesting to see if the resonance of the prison will fade once those who were held there are gone; however, I believe that the presence of the Court has imbued the site with new significance that may keep it vital. The Constitution Hill project did more than preserve a heritage of violence and pain; it also laid the groundwork for the creation of a heritage of freedom for the future.

The following chapter will consider another aspect of South Africa’s heritage sector transformation by evaluating Prestwich Place, a burial ground in Cape Town, and

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<sup>288</sup> Ereshnee Naidu, “A Case Study of Constitution Hill,” *Centre for the Study of Violence and Reconciliation* (2003), <http://www.csvr.org.za/wits/papers/papnaid1.htm>.

the intense public debate that its discovery and treatment has sparked. The interpretation of the site was not government-led like that at Constitution Hill, with its motivations for economic growth and promotion of democratic ideals, but was, instead, led by concerned citizens who tested SAHRA's ability to fulfill its mandate to include associated communities in its management of resources.

## CHAPTER V

### PRESTWICH PLACE: COMMUNITY INVOLVEMENT IN IDENTIFICATION AND MANAGEMENT OF HERITAGE

“Stop robbing graves! Stop robbing graves!” shouted Zenzile Khoisan. Then he stormed out of the first public consultation meeting held by SAHRA regarding the discovery of hundreds (eventually nearly 2,000) human remains on a development site in Cape Town.<sup>289</sup> It was mid-2003, and over the following months, many more voices would join with Khoisan, challenging the public consultation process initiated by SAHRA and the treatment of the remains by the archaeologists charged with exhuming them. The massive informal burial ground became known as Prestwich Place after the street that runs adjacent to it.

The entire public consultation effort was fraught with conflict and revealed the challenges for SAHRA in consulting with “concerned public,” in reaching consensus on the significance of the site, and how its disturbance for new development should be mitigated under the new South African heritage policy. The contentious debate surrounding Prestwich Place has served as a testing ground for the NHRA’s stipulation of community involvement in the identification and management of heritage and has also been a useful exercise in which the community could openly debate difficult histories and

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<sup>289</sup> Nick Shepherd, “Archaeology dreaming: post-apartheid urban imaginaries and the bones of the Prestwich Street dead,” *Journal of Social Archaeology* 7, no. 3 (2007): 8.

the meanings and purposes of memorialization in the nation-building process taking place in South Africa.

#### Discovery of Human Burials on Prestwich Street

In mid-May 2003 excavations for a proposed luxury condominium building had begun in an area of Cape Town abutting Green Point, a rapidly gentrifying neighborhood with exceptional views of the harbor and downtown. The neighborhood contains some of the most expensive and sought-after property in South Africa's "Mother City," a cosmopolitan metropolis often considered a little piece of Europe at the base of Africa. The property on the northwest corner of Prestwich Street and Alfred Street was to be the home of The Rockwell, a complex comprised of luxury apartments, an indoor pool, a spa, a gym, and a high-end restaurant. Its design was inspired by turn-of-the-twentieth century New York City, which, according to the promotional information for The Rockwell, was an era of "music, the freedom of spirit and...romanticism."<sup>290</sup>

Once workers began to excavate the 1,000 square meter parcel, which had first been built on in the 1830s, they began to uncover human bones. As required by the NHRA, the developers halted work and notified SAHRA. Established just three years previously when the NHRA was implemented, SAHRA was a new agency whose national headquarters was conveniently located nearby in downtown Cape Town. The developer also appointed the Archaeological Contracts Office (affiliated with the University of Cape Town) to complete an archaeological investigation to clear the site, and SAHRA issued the Archaeological Contract Office a permit for a "rescue

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<sup>290</sup> The Rockwell, "Rock and Soul," <http://www.therockwell.co.za/rocknsoul.htm>.

exhumation” of the remains.<sup>291</sup> The Archaeological Contract Office in turn contracted with the Cultural Sites and Resources Forum, led by Antonia Malan, a historical archaeologist, to oversee the sixty-day notification period and the public consultation process provided for in the NHRA.<sup>292</sup> On June 11, archaeologists began to exhume the human remains (Figure 7).<sup>293</sup>



Figure 7: Prestwich Place excavation in progress in 2003.<sup>294</sup>

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<sup>291</sup> Shepherd, “Archaeology dreaming,” 7.

<sup>292</sup> Ibid.

<sup>293</sup> Ibid.

<sup>294</sup> LLGA&UP PowerPoint presentation prepared for Prestwich Street Committee, 2005. [www.sahra.org.za/PRESTWICH\\_05-02-14.pdf](http://www.sahra.org.za/PRESTWICH_05-02-14.pdf).

Early accounts of the discovery at Prestwich Place were enthusiastic and emphasized the archaeological interest of the discovery. On July 21, 2003, the University of Cape Town's *Monday Paper* featured a glowing article about the archaeological work taking place at the site, complete with photographs of archaeologists clearing away debris from the skeleton of an infant, the partially uncovered full skeletons of adults, and piles of disturbed human bones. Based on this article, it is clear that the archaeological team knew they were dealing with an important site from the very beginning. The team was fairly certain that the site's potential for international importance would be related to slavery at the Cape, an area of study that had significant gaps, and they looked forward to submitting the skeletons to scientific study to prove it.<sup>295</sup> The July 21 article focused on the technical aspects of the work, noting that it "has to be carried out professionally, carefully and as quickly as possible, with the team noting the position of bodies, the direction in which they are buried, and what grave goods accompany them. All this has to be carefully documented using digital cameras and surveying equipment."<sup>296</sup>

The archaeological team was under pressure to complete the work quickly and efficiently because the developer, per the NHRA, was responsible for covering the cost of lost work and the archaeological effort on site. According to the July 21 article, the archaeologists had to "derive maximum cultural heritage potential out of the area while keeping delays to a minimum." When the team began exhumations on June 11, they

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<sup>295</sup> "Burial Site Holds International Significance," *University of Cape Town Monday Paper*, July 21, 2003, <http://www.uct.ac.za/print/mondaypaper/archives/?id=3874>.

<sup>296</sup> Ibid.

estimated that the work would take approximately six weeks, but “they quickly discovered that they were dealing with an unprecedented number of bodies.” Thousands of bodies were, in fact, piled deep into the ground, haphazardly, some showing evidence of having been buried in coffins, others not.<sup>297</sup>

From the beginning, SAHRA supported the archaeological approach for mitigating the find, as the granting of the emergency permit for exhumation attests. Nick Shepherd, lecturer at the Centre for African Studies at University of Cape Town and who has written a more complete account of the events surrounding the discovery, writes that the use of archaeological methods at the site was not surprising considering it was “Janette Deacon, a trained archaeologist and chair of the relevant permitting committee, and Mary Leslie, the head of archaeology at SAHRA, [who] were responsible for orienting SAHRA’s institutional response in the crucial period leading up to the first public meeting.”<sup>298</sup> SAHRA eagerly acknowledged that the find was an important one and that public engagement would certainly be needed. Malan, who was charged with coordinating consultation, was quoted as saying in July 2003: “This is bigger than us. For example, we need additional funding to manage the project and the public must be engaged. It is highly unlikely that there are any direct descendants of the slaves buried

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<sup>297</sup> Ibid.

<sup>298</sup> Shepherd, “Archaeology dreaming,” 15.

here, so [we] contend that this should be a city claim since these are the ancestors of the entire city.”<sup>299</sup>

In those early weeks after the discovery, there did not appear to be any thought within the agency of leaving the bodies undisturbed and halting development altogether, an oversight that would come back to haunt the new heritage agency in the months that followed. A July 23, 2003, *Voice of the Cape* article details the challenges the project leaders anticipated at that point in the process, which were primarily related to how and where they would store all the remains: “This is the largest number of skeletons ever recovered from a single burial ground in South Africa, and it poses considerable challenges in terms of curation and storage...neither the University of Cape Town, Iziko Museums nor any other repository in the Western Cape can accommodate this number of individuals...Whether the skeletons are reburied or kept in a crypt will depend on the outcome of the public participation process...”<sup>300</sup>

As it turned out, SAHRA had underestimated the sensitivity of the situation, which would come to light at the first public meeting on July 29.<sup>301</sup> The meeting was held seven weeks into the eight-week consultation period and seven weeks after exhumations had begun, which, if they had stayed on schedule, would have been completed by that time. By the day of the meeting, word of the discovery of the bodies and the emergency

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<sup>299</sup> “Input called for on slave grave,” *Voice of the Cape*, July 24, 2003, <http://www.vocfm.co.za/index.php?&section=news&category=&vocnews=&article=4217>.

<sup>300</sup> Ibid.

<sup>301</sup> Shepherd, “Archaeology dreaming,” 7.

exhumations had spread. Shepherd writes that opposition “came from several quarters: community leaders, many of whom had been active in the struggle against apartheid; Christian and Muslim spiritual leaders; academics from the historically black University of the Western Cape; heritage-sector NGOs; and Khoisan representatives.”<sup>302</sup> Those who opposed the archaeological work had their first opportunity to raise their concerns at the July 29 meeting, and the exchange turned out to be anything but civil, as Zenzile Khoisan’s “Stop robbing our graves!” reproach illustrates. Others also spoke at the meeting, including Zuleiga Worth, who questioned SAHRA’s apparent ignorance as to the presence of human burials in the area (and, perhaps, a disregard of informal knowledge in preference to archaeological record): “I went to school at Prestwich Street Primary School. We grew up with haunted places; we lived on haunted ground. We knew there were burial grounds there. My question to the City is, how did this happen?” Another attendee, Joe Max said, “these bones are not unknown, they’re known. These people were descendants of people in the Cape.”<sup>303</sup> Generally, the attendees demanded to know why SAHRA delayed meeting with the public until seven weeks into the eight-week consultation period and why they had allowed the archaeological work to proceed in the meantime, considering the sanctity of human remains, which the protesters perceived the archaeologists as desecrating.

SAHRA was unsettled, even a bit bewildered, to find that there was considerable anger over the way the discovery had been handled thus far, and so they called for a

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<sup>302</sup> Ibid., 8.

<sup>303</sup> Ibid.

temporary halt of archaeological work to reassess the situation.<sup>304</sup> During the temporary stop-work, the Cape Town diocese of the Anglican Church passed a resolution condemning the exhumations, calling for all involved organizations “to maintain the integrity of the site as that of a cemetery.”<sup>305</sup> Later in the month, SAHRA held several small group workshops with “interested and affected groups.”<sup>306</sup> The opposition was united: stop the exhumations and preserve the property as a graveyard.

On August 28, SAHRA published a media release announcing a final public meeting.<sup>307</sup> At that point, SAHRA had identified some more information about the remains, stating that the bones were “likely to be associated with people who were not part of the Dutch Reformed congregation, or part of the military establishment. It is probable that they are generally associated with the poorer classes of the time, and are the remains of people with differing cultural beliefs, including slaves.”<sup>308</sup> SAHRA also noted the previous disturbance of the burials because of construction on the site and residential occupation beginning in the 1830s.<sup>309</sup> The media release reiterated SAHRA’s respect for the remains: “SAHRA firmly believes that the remains should be treated with compassion and dignity and invites the public to contribute towards a sustainable way forward

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<sup>304</sup> Ibid., 9.

<sup>305</sup> Ibid., 10.

<sup>306</sup> Ibid.

<sup>307</sup> South African Heritage Resources Agency (SAHRA) media release, Aug. 28, 2003, <http://www.sahra.org.za/media270803.htm>.

<sup>308</sup> Ibid.

<sup>309</sup> Ibid.

premised on these principles.”<sup>310</sup> However, SAHRA also felt it also necessary to state, in bold and caps at the base of the release, “OUR COMMENTS AND SUGGESTIONS SHOULD FOCUS ON HOW BEST TO SHOW COMPASSION AND DIGNITY TO THE DECEASED AS WELL AS OURSELF AS THE SOUTH AFRICAN NATION.”<sup>311</sup> The advice was to no avail, and the August public meeting was much like those that had come before. Anger at SAHRA for failing to seriously consider the claims of the community regarding the importance of the remains and a general distrust of the archaeological method remained paramount.

During the consultation process, one particular phrase in the NHRA, found in Section 36(6)(b), complicated matters for the opposition. Section 36 provides for those who are direct descendants to provide input about the treatment of graves. As Malan had noted before the first public meeting, it was going to be difficult to identify direct descendants. It was not entirely clear, since the remains had just recently been uncovered, who had the rightful legitimate claim. Further, the remains were at least 170 years old (probably more than 200 years old), and only limited research had been undertaken to identify who may have been buried there, such as general categories of people like slaves, blacks, Khoi, and other “outsiders.” SAHRA and Malan assumed that there could be no claims to direct descendance considering the circumstances, and since those who objected were not willing to permit the scientific study of the remains, SAHRA did not feel obligated to do more than consult with concerned communities—take their opinions

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<sup>310</sup> Ibid.

<sup>311</sup> Ibid.

into consideration—leaving the ultimate decision as to how the remains should be handled in the hands of the agency.

Following the August meeting, on September 1, SAHRA published a media release acknowledging that a “range of people, including religious leaders, contributed their opinions in three public meetings and numerous smaller meetings, at the site in conversation with the excavators, and through e-mail and the post.”<sup>312</sup> However, the release did not describe the content of those comments; instead, SAHRA announced its final decision that the excavation would continue and that the remains would be re-interred at a location not yet determined. Citing the fact that the remains had never been properly buried to begin with, the release stated, “Establishment of a formal burial site will certainly provide a memorial and a place of remembrance to allow them to rest in lasting peace.”<sup>313</sup>

On September 4 the Hands Off Prestwich Street Ad Hoc Committee formed to appeal the SAHRA decision. Shepherd observes: “At this point opposition to the exhumations shifted outside the officially mandated process of public consultation, to civil society and the politics of mass action.”<sup>314</sup> The date set for a tribunal hearing to consider the appeal was October 23. In the meantime, the committee erected a billboard nearby with the words “Stop the exhumations! Stop the desecration!” led candle light

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<sup>312</sup> SAHRA, Media Release, Sept. 1, 2003, <http://www.sahra.org.za/media010903.htm>.

<sup>313</sup> Ibid.

<sup>314</sup> Shepherd, “Archaeology dreaming,” 12.

vigils, and sponsored lunchtime pickets.<sup>315</sup> These community protests and the appeal failed to convince the SAHRA appeals committee to stop the work and preserve the site undisturbed. Instead, the committee ruled that the emergency excavation permit had been valid and that the developer, who also had rights under the law as owner of the property, was permitted to continue once again.

After the appeal failed, the committee reformed as the Prestwich Place Project Committee to take its concerns to SAHRA's overseeing government department, the Department of Arts and Culture. The committee lodged an appeal with the Minister of Arts and Culture on January 12, 2004, and the tribunal to decide the case was held in May. This second appeal also failed to convince the Department of Arts and Culture to stop development and to preserve the site as a national heritage site.<sup>316</sup> Though the opposition had been unable to stop the exhumations or the development of the site, they were able to convince SAHRA to at least keep the archaeologists from further desecrating the remains through scientific testing. SAHRA also denied an application by human biologists to conduct research on the remains.<sup>317</sup>

In the midst of the second appeal process, SAHRA moved forward with its plans to move the “remains of people who were not afforded respect and dignity, in life and in death” from their holding place near the project site to another temporary location at the

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<sup>315</sup> Ibid.

<sup>316</sup> Ibid.

<sup>317</sup> Ciraj Rassool, “Bone Memory: Human Remains, Heritage and Transitional Justice in South Africa, Abstract,” *University of Zurich: Phylogenetic Memory*, <http://www.phylogenetic-memory.uzh.ch/conference2010/rassool.html>.

“more appropriate and dignified” Woodstock Day Hospital.<sup>318</sup> On April 21, 2004, eleven boxes of remains (one to represent each official South African language grouping), draped in South African flags, were ceremoniously carried through the city. Religious leaders representing the Christian, Muslim, and Jewish religions were on hand to bless the remains.<sup>319</sup>

Throughout the debates, the owners of the development had fulfilled their requirements as SAHRA dictated, paying for the archaeological work, securing temporary storing facilities for the remains, and participating in the public debate about the site. On October 5, 2004, they stated: “We could walk away now, because our part is done. But we've learnt a lot since we started the development project in May 2003, a lot about history, about public participation. We were also the guinea pigs of the new legislation which dealt with human remains.”<sup>320</sup> The development had taken longer than planned but, in the end, they had still managed to build The Rockwell they had desired, and they were satisfied with the outcome.

The Prestwich Memorial, built as the permanent resting place for the Prestwich Place remains, was unveiled in April 2008 on a parcel of city-owned land near the then-complete Rockwell development (Figure 8). On May 2, 2008, a final procession was held, similar to the one held in 2004, and the remains were carried from their temporary

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<sup>318</sup> SAHRA, Media Release, Apr. 19, 2004, <http://www.sahra.org.za/media190404.htm>.

<sup>319</sup> Shepherd, “Archaeology dreaming,” 13.

<sup>320</sup> Melanie Gosling, “Prestwich skeletons: memorial for Green Point,” *Independent Online (ION)* October 4, 2004, <http://www.iol.co.za/news/south-africa/prestwich-skeletons-memorial-for-green-point-1.223298>.

holding place at the hospital to the new memorial. The Prestwich Memorial includes a building that houses an interpretive center on one side and an ossuary on the other. The remains are locked away in the ossuary, hidden behind a thick grille. There is a memorial garden around the building with historical plaques and the remains of city trolley tracks uncovered during excavation for the memorial.<sup>321</sup> Inside the interpretive center are sixteen information panels. Even in 2008 when the memorial was complete, the meaning of the site was still being debated, and the vagueness of the information panels seems to reflect that contestation. Julian Jonker of the Department of Law at the University of Cape Town and Karen Till of the Department of Geography at the University of Minnesota have described the panels as having “made an unsuccessful attempt to find middle ground between the perspectives of groups involved.... Much of the commentary read as a site museum for Green Point, rather than as a tribute to the people buried at Prestwich Place.”<sup>322</sup> The lack of a clear consistency between the panels or a clear narrative at the memorial, write Jonker and Till, are “remnants of the bitter disputes that raged between activists, archaeologists, heritage practitioners and city authorities.”<sup>323</sup>

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<sup>321</sup> Julian Jonker and Karen E. Till, “Mapping and excavating spectral traces in post-apartheid South Africa,” *Memory Studies* 2, no. 3: 324.

<sup>322</sup> Ibid. 325.

<sup>323</sup> Ibid.



Figure 8. Prestwich Memorial<sup>324</sup>

### Cape Town's "Outsider" Burial Grounds and District One

So what was this place and why did it evoke in the protesters such a passionate response against the disinterment of the bones? To begin to answer these questions, it is useful to consider the longer history of the site. Before the Dutch East Indian Company arrived in 1652 to establish a victualling station at the Cape, the Khoi, an indigenous people of Southern Africa, used the sandy land in and around Signal Hill both for living

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<sup>324</sup> Jo-anne Duggan, Photographer, in Xolelwa Kashe-Katiya, "Prestwich Place Memorial: Human remains, development and truth," *Archival Platform*, July 27, 2010, [http://www.archivalplatform.org/blog/entry/prestwich\\_place/](http://www.archivalplatform.org/blog/entry/prestwich_place/).

and burying.<sup>325</sup> The deep sand was easy to push aside, even with bare hands, and so it served as a convenient burial place. The Khoi were banned from inhabiting the area by 1676.<sup>326</sup> During the colonial period of the seventeenth and early eighteenth centuries, the area was exploited for a number of formal graveyards, including the official cemeteries of the Dutch Reformed Church and the military (Figures 9 and 10).<sup>327</sup> Other nearby graveyards included “the Paupers’ Cemetery, the Malay Cemetery, the South African Missionary Cemetery for Heathens and Slaves, the Ebenezer Howard Cemetery, the Chinese Cemetery and the Tana Baru Cemetery.”<sup>328</sup> There were also numerous informal graveyards outside the walls of the formal graveyards, which were for the burial of the “outsiders” of colonial Cape Town, people such as the “slaves, free-blacks, artisans, fishermen, sailors, maids, washerwomen and their children, as well as executed criminals, suicide deaths, paupers, and unidentified victims of shipwrecks.”<sup>329</sup> The disorder of the burials that have been uncovered seem to support the conclusion that many bodies in the area were buried quickly, probably during a smallpox epidemic.<sup>330</sup> Michael Weeder, an active member of the Hands Off Prestwich Place Committee and author of a District Six

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<sup>325</sup> Michael Weeder, “Topographies of the forgotten: Prestwich and Cape Town’s nineteenth century cemeteries,” in *City, Site, Museum: Reviewing Memory Practices at the District Six Museum*, Bonita Bennett, Chrischené Julius, and Crain Soudien, eds. (Cape Town: District Six Museum, 2008), 33.

<sup>326</sup> *Ibid.*, 35.

<sup>327</sup> Shepherd, “Archaeology dreaming,” 6-7.

<sup>328</sup> Jonker and Till, “Mapping and excavating,” 310.

<sup>329</sup> Shepherd, “Archaeology dreaming,” 6-7.

<sup>330</sup> Jonker and Till, “Mapping and excavating,” 310.

Museum account of the Prestwich Place controversy, writes of the importance of those burial grounds: “Burials outside the walls of the denominational burial grounds were a feature of the lives of the social underclass of the town.”<sup>331</sup>

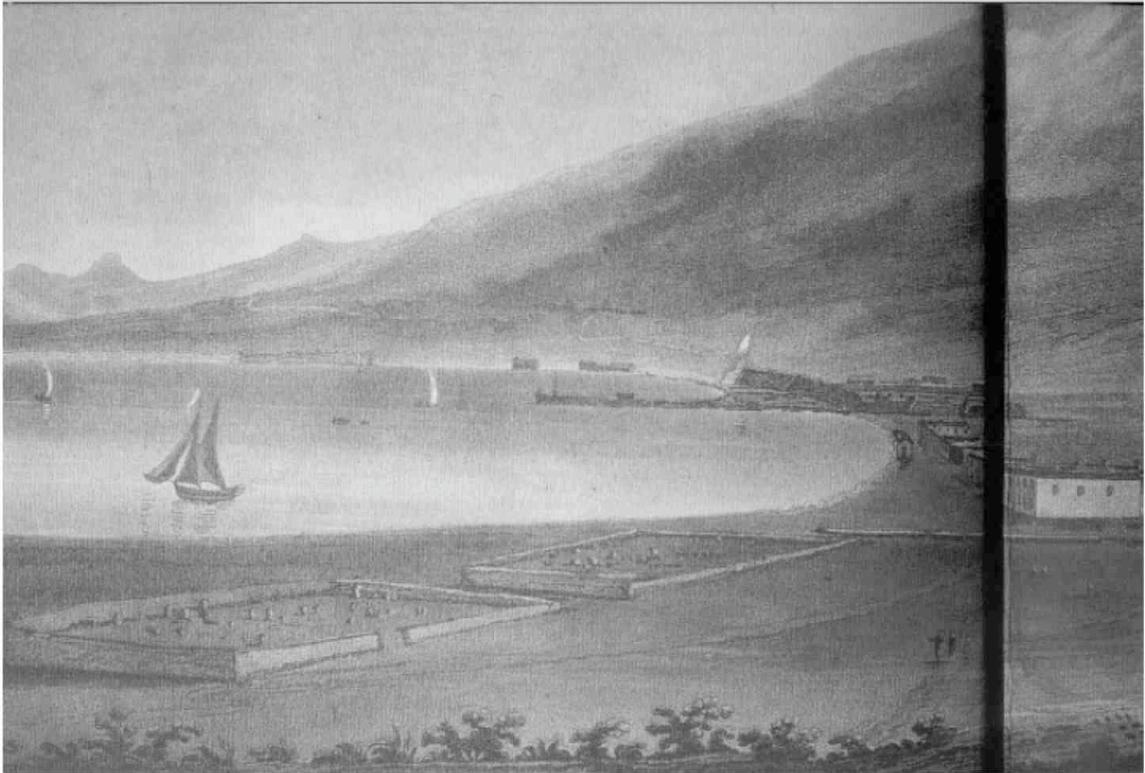


Figure 9: Historical painting (unknown date) showing Prestwich Place area in foreground<sup>332</sup>

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<sup>331</sup> Weeder, *City, Site, Museum*, 36.

<sup>332</sup> LLGA&UP, Prestwich Street Committee.

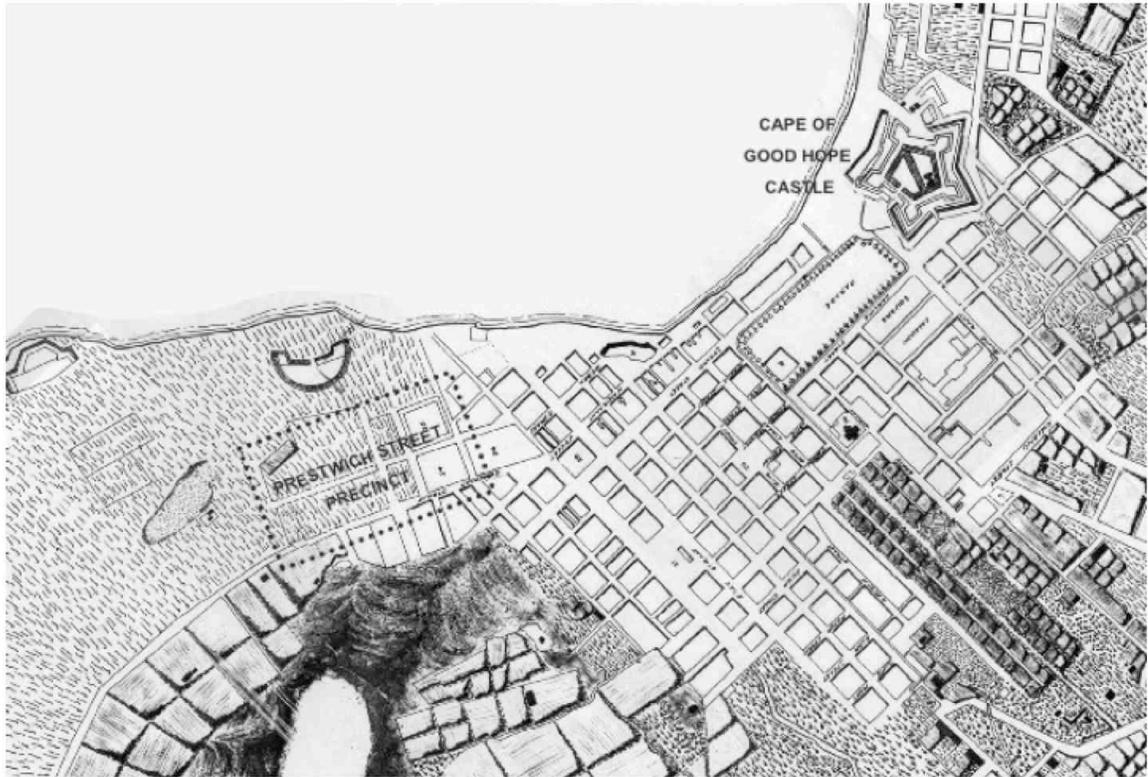


Figure 10: Historical Map of Cape Town with Prestwich Place area delineated (c. 1818)<sup>333</sup>

By the 1820s, the graveyards were gradually sold for development, and the Prestwich Place site was covered with a building by 1833. During apartheid, District One (the name of the municipal electoral ward for the Prestwich Place area, and another common reference for the area) was one of the parts of the city from which coloured and other non-white residents were forcibly removed during the 1950 Group Areas Act enforcement of the 1960s and 1970s.<sup>334</sup> The land became a “Whites Only” area of town, abutting the suburb of Green Point, and most of the non-whites were resettled in the far-

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<sup>333</sup> LLGA&UP, Prestwich Street Committee.

<sup>334</sup> Shepherd, “Archaeology dreaming,” 6-7.

flung Cape Flats.<sup>335</sup> As the non-white residents were removed, a part of the area above the Main Road went through a period of intense development reflective of the wealthier whites who took their place, and the area directly around Prestwich Place became increasingly light industrial. After the end of apartheid, which was accompanied by an influx of investment in South Africa (particularly at the nearby waterfront), the area became a desirable neighborhood for new construction and a developer for the luxury development The Rockwell purchased the Prestwich property.<sup>336</sup>

The history of the forced removals of the 1960s and 1970s in Cape Town and other areas of South Africa resurfaced in the mid-1990s, as part the land reparations project instituted by the new government. In Cape Town the highest profile area of forced relocations was District Six, which had long been a rallying point for community activists who formed a campaign called Hands Off District Six to stop District Six land from being developed into a wealthy white area and to promote the use of the land for restitution.<sup>337</sup> The District Six Museum was created to archive the memories of former residents and served as a gathering place to debate the issues of apartheid injustices and land reparations. The legend that had long grown around District Six, and which was promoted by the museum, emphasized its vibrant cultural and multicultural spirit, which before the relocations had contained a diverse mix of occupants including white, Asian, European, coloured, and freed slaves. According to Shepherd, the District Six narrative

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<sup>335</sup> Ibid.

<sup>336</sup> Ibid.

<sup>337</sup> Jonker and Till, "Mapping and excavating," 312.

emphasized “the city’s history as a locus of creolization...[and] novel, hybrid Capetonian identities.”<sup>338</sup> The District Six narrative fit easily into the construction of Mandela and Tutu’s vision of a rainbow nation during the 1990s.

By the time apartheid ended, District One, unlike nearby District Six that was left largely undeveloped once cleared of its non-white residents, had been increasingly occupied by light industry and retained few physical remnants of its former life as a mixed area with a large coloured population.<sup>339</sup> Nonetheless, by 2003, the political and mythological capital of District Six was well known and easily recognized as a precedent for those who protested against the disinterments at Prestwich Place. In fact, the District Six Museum and its associated activist community were very involved in the opposition to the removal of the remains at Prestwich Place. Not coincidentally, the first committee formed to protest the SAHRA decision at Prestwich was called Hands Off Prestwich Place just as the District Six activists had called their campaign Hands Off District Six. As became more apparent during the debates regarding Prestwich Place, the longer history of the site—the one that extended to the present day and that spoke to apartheid injustices and gentrification—was just as important to the responses to the site as the early urban/colonial history SAHRA had initially assumed.

#### Contested Meanings: Archaeology versus Public Memory

Though SAHRA acknowledged from the start that the burials had cultural significance for illustrating a period of Cape Town’s history and that of people who had

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<sup>338</sup> Ibid., 311

<sup>339</sup> Shepherd, “Archaeology dreaming,” 6-7.

previously not been honored “in life or in death,” they were surprised and unprepared for the demands from concerned community members that the remains be left undisturbed. Overall, there were two main arguments that dominated the debate: first, the archaeologists and SAHRA’s argument that promoted the information potential of the remains and the rights of the developer and, second, the community activists’ argument that the remains be left undisturbed because they were sacred.<sup>340</sup> Over the months following the discovery, both groups’ arguments evolved, becoming more clearly articulated and sophisticated.

Right after the discovery in mid-2003, the archaeologists emphasized the information potential of the site for learning about the lives of ordinary people in colonial Cape Town. An article in *Voice of the Cape* on July 24, 2003, quoted one of the archaeologists as saying: “These are the first artefacts ever recovered that we can confidently associate with slaves at the Cape. They are significant for the information they convey about the incorporation of slaves into Cape society.”<sup>341</sup> The remains were primarily considered archival resources: “We can determine how old people were when they died, their degree of physical health and we can establish a certain amount about their ethnic origin. We can determine diseases and pick up if people died of smallpox, TB and some cancers. We can see nutritional diseases, nutritional stress, and from muscle attachments, whether people were doing hard labour when they died.”<sup>342</sup>

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<sup>340</sup> Jonker and Till, “Mapping and excavating,” 305.

<sup>341</sup> “Input called for on slave grave.”

<sup>342</sup> Weeder, *City, Site, Museum*, 39.

After the first public meeting when community activists demanded that the archaeologists stop work and accused them of desecrating the remains, the archaeological team began to reframe its argument from one based on gathering academic knowledge to one emphasizing how archaeology could give these unnamed people a story, truly give them a voice, and also provide them with the honor they were denied when they were originally buried. At one of the public meetings, archaeologist Belinda Mutti argued in favor of exhumation “to give history back to the people,” and archaeologist Liesbet Schiettecatte contended that leaving “bones leaves information unknown. Studying them brings them back to life.”<sup>343</sup> Archaeologist Tim Hart, who led the exhumations, defended the team’s methods and the reason for exhumation: “I want to visibly demonstrate... the despicable way in which people have been buried and allow them to see whether this is a place of rest or a place of uncomfortable disarray. My personal opinion is that the site as it is [is] undignified, and the remains are deserving [of] greater dignity and [I] would like to demonstrate this.”<sup>344</sup>

The decision to approach the interpretation of the site from an archaeological standpoint, writes Shepherd (an academic archaeologist), led “to the exclusion of other methodologies and forms of investigation, notably social history and oral history. It was archaeologists who led the response of the SFRG, and who sat on the platform at the first public meeting in a representative capacity as scientists and holders of expert

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<sup>343</sup> Shepherd, “Archaeology dreaming,” 19.

<sup>344</sup> Tim Hart as quoted in Shepherd, “Archaeology dreaming,” 9.

knowledge.”<sup>345</sup> The archaeological field in South Africa at the time, describes Shepherd, was relatively isolated from the broader discussions of cultural heritage, having fashioned itself as a science: “Rather than social commentary or critique, the essential business of archaeology is interpreted as the gathering of information (or facts) related to the archaeological past.”<sup>346</sup> Unsurprisingly, in Shepherd’s view, the archaeological approach failed to recognize the broader and more emotional significance that the site held for the community, leaving SAHRA unprepared to deal with the backlash from a community that was particularly sensitive to the social issues affecting the nation. Jonker and Till note the very real issues that were in the front of everyone’s minds at the time: “Like a premonition, the dead at Prestwich began to speak to the living shortly prior to and during the sometimes violent confrontations over housing, land restitution and reparations amongst displaced communities in Cape Town that took place a mere 10 years after the 1994 transition to democracy.”<sup>347</sup>

From SAHRA’s point of view, the archaeological approach may have seemed the more straightforward option. The agency was faced with intense pressure to promote economic development, which was desperately needed in the country and the number one priority for all South African government departments. SAHRA was anxious to avoid any legal action on the part of the developer.<sup>348</sup> This was acknowledged from the very

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<sup>345</sup> Shepherd, “Archaeology dreaming,” 15.

<sup>346</sup> Ibid., 18-19.

<sup>347</sup> Jonker and Till, “Mapping and excavating,” 315.

<sup>348</sup> Shepherd, “Archaeology dreaming,” 11.

beginning, as an early article illustrates: “The city managers are faced with the difficult task of balancing the long-term value of heritage with the impetus for property development for immediate economic gain.”<sup>349</sup> SAHRA viewed the archaeological method, which was academically respected, as a solution for the management of the site that could still allow economic development to proceed.

The community activists’ opposition strategy to the disinterment of the bodies also evolved over the first few months of the discourse. Jonker notes that while the activists originally argued based on the sanctity of bones, “it became clear that activism and claims to descendancy were also manifestations of a desire to resurrect the memory of inhabiting this inner city space, even to re-inhabit the city, in accordance with this memory of historical displacement.”<sup>350</sup> Central in the campaign was a general distrust of the archaeological method and an assumption that the archaeological exploration of the site would sterilize the site of any meaning whatsoever. Archaeologists had been active promoters of racism in the country’s pasts, often providing the scientific rationale for colonial segregation and apartheid, and the field still suffered from the stigma of that association.<sup>351</sup>

Even more important to the campaign, however, were the activists’ claims to similarities between the forced removals of the 1960s and 1970s with which the protesters associated themselves and the removals of the “outsider” human remains of

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<sup>349</sup> “Input called for on slave grave.”

<sup>350</sup> Jonker, “Mapping and excavating,” 311.

<sup>351</sup> *Ibid.*, 320.

people who had even been denied ownership of a place to be buried. Jonker and Till argue that “The informal burial ground of Prestwich Place was where these lower strata of society buried their dead, the denial of access to the Dutch Reformed Church’s formal graveyards a final marker of their lack of citizenship.”<sup>352</sup> The Prestwich Place Project Committee’s September 12, 2003, appeal to SAHRA noted that for “a large section of Cape Town’s community, whose existence and dignity has for so long been denied, the discovery and continued preservation of the Prestwich Street burial ground can symbolically restore their memory and identity... Such a removal echoes, albeit unintentionally, the apartheid regime’s forced removals from the same area.”<sup>353</sup> Weeder stated: “Many of us of slave descendants cannot say ‘here’s my birth certificate’. We are part of the great unwashed of Cape Town.... The black people, we rush into town on the taxis and we need to rush out of town. At a time many decades ago we lived and loved and laboured here. Nothing [reminds us of that history]... and so leave [the site] as a memorial to Mr. Gonzalez that lived there, Mrs. de Smidt that lived there. The poor of the area—the fishermen, the domestic workers, the people that swept the streets here. Memorialise that. Leave the bones there.... That is a site they have owned for the first time in their lives *het hulle stukkie grond* [they have a little piece of ground]. Leave them in that ground. Why find now in the gentility of this new dispensation a place which they have no connection with?”<sup>354</sup> The activists’ association with the remains through similar

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<sup>352</sup> Ibid., 308

<sup>353</sup> Shepherd, “Archaeology dreaming,” 12.

<sup>354</sup> Ibid., 11.

experiences rather than genetics was a powerful argument, but not one that had much weight against a more literal interpretation of the NHRA.

By the 2004 appeal to the Department of Arts and Culture, the opposition campaign had created a document that proposed a broad significance for the site and made five recommendations, including: (1) the re-internment of the bones of the dead exhumed at Prestwich Place burial ground; (2) the declaration of the burial ground as a National Heritage Site; (3) the consecration and memorialization of the burial ground as a site of conscience and reflection, acknowledging the pain embedded in the history of Cape Town's development; (4) the provision of legislation that recognizes that Cape Town is built on extensive burial grounds and that future developments needed to take this into account; and (5) the promotion of property development in the area that would benefit the descendants of those who have been removed and renamed and that would aim to redress the continued socioeconomic exclusion of the majority in the name of development that continued to benefit the historically advantaged.<sup>355</sup>

When the campaign failed, the Prestwich Place Project Committee turned its energy toward developing a more complete history of District One. The District Six Museum, exploiting its decade of experience conducting a similar effort for District Six, assisted the effort by recording oral histories and leading walks through the area ("reminiscence

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<sup>355</sup> Weeder, *City, Site, Museum*, 32.

work”) for former residents and their descendants.<sup>356</sup> It also developed an educational program for local schools to teach the history of slavery in South Africa.<sup>357</sup>

#### Finding a Place for Prestwich Place in the Nation-Building Narrative

It was not just the archaeological method that failed SAHRA when it came to anticipating challenges to managing the Prestwich Place site. Indeed, the limited scope of the official nation-building narrative nearly a decade into the democracy only extended back to the beginning of apartheid (there was plenty there to deal with). For instance, the Truth and Reconciliation Commission only considered “gross” human rights violations and only violations that occurred between the Sharpeville Massacre in 1960 and the first democratic election in 1994, leaving out the daily violence of colonial and apartheid life.<sup>358</sup> Jonker and Till have argued that the Prestwich Place finding did not fit comfortably into that rainbow nation nation-building narrative because the remains “embodied a past that exceeded national narrations of public memory” and “disrupted the official amnesia of ‘nation-building-as-reconciliation.’”<sup>359</sup> However, the evidence does not seem to support Jonker and Till’s argument that the discoveries at Prestwich Place could not serve as a reconciling event, says Shepherd. He cites “the creolized nature of identity politics at the Cape” demonstrated at Prestwich Place, which does, in fact, fit well into the rainbow nation narrative promoted in the early democracy that welcomed all

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<sup>356</sup> Jonker and Till, “Mapping and excavating,” 326.

<sup>357</sup> Ibid.

<sup>358</sup> Ibid., 316.

<sup>359</sup> Ibid., 305, 315.

South Africans regardless of their ethnicity. However, the Prestwich Place discovery could be considered “in tension with national heritage priorities articulated in terms of ‘Africanization’, and accounts of essentialized (black) African cultural histories,” that have become more popular since President Mbeki’s time as president and which have tended to downplay the stories of non-black South Africans in comparison to those who have tribal roots.<sup>360</sup>

Given the economic pressures SAHRA was facing and the archaeological experts that guided SAHRA’s decision, it is not entirely surprising that SAHRA’s decision to remove the remains was taken despite the fact that the NHRA allows, in the case of contested sites, to deny exhumation.<sup>361</sup> Since there were no direct descendants, and those who opposed the exhumations were unwilling that the skeletons be studied to determine whether there may be descendants, SARHA could see no better resolution than to exhume the remains.<sup>362</sup> The agency, writes Shepherd, “acted with a concerted, at times bewildering, disregard for broader discourses of restitution and reconciliation, as though archaeology takes place outside of history, or as though the unrequited yearnings and energies of the past are an inconvenience to heritage managers that must be neutralized, instead of being the very stuff and substance of the making of the new nation.”<sup>363</sup>

Nevertheless, SAHRA likely would have had little success acting in the interest of a

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<sup>360</sup> Shepherd, “Archaeology dreaming,” 16.

<sup>361</sup> Ibid., 15.

<sup>362</sup> Jonker and Till, “Mapping and excavating,” 318.

<sup>363</sup> Shepherd, “Archaeology dreaming,” 4-5

group that declined to have its claims proved against a property owner who had demonstrable rights.

Regardless of any apparent ineptitude of SAHRA during the Prestwich Place controversy and the ultimate outcome of the public consultation that was decided in favor of SAHRA, the archaeologists, and the developer, the process was a transformative event for South African heritage practice post-apartheid. It provided an environment “through which citizens can access voices, inheritances and resources that provide for them a language of belonging,” write Jonker and Till.<sup>364</sup> The activists who fought against the disinterment of the remains at Prestwich Place, even though they had no information about the specific people buried there and the circumstances of their lives, nevertheless realized the possibility to reclaim a period of history that had been repressed during apartheid and before.<sup>365</sup> Every voice raised in debate contributing toward the nation-building debate “around notions of truth, reconciliation and restitution.”<sup>366</sup>

The controversy at Prestwich Place is not resolved. There are more burials in the vicinity yet to be unearthed and the issues raised during this process are likely to resurface once another discovery is made. As other burials are found, the current assumption is that the remains are to be interred at the memorial. The memorial, which was planned with public input, has provided at least a physical place to which the activists may pay their regards and where the debate may continue, since the actual

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<sup>364</sup> Jonker and Till, “Mapping and excavating,” 307.

<sup>365</sup> Ibid.

<sup>366</sup> Shepherd, “Archaeology dreaming,” 20.

graveyard itself has been erased. Gerald Ralphs of the Centre for African Studies at University of Cape Town, writes: “The democratic transition has opened up spaces for forms of activism, historical reflection, and memorialisation that are giving shape to post-apartheid identities of self, place, community, city and nation in radically new ways. It is within these spaces that new citizenships and modes of belonging are formed and contested.”<sup>367</sup> Indeed, it is the public disputes around places such Prestwich Place and the government’s mandate for a more open and accessible decision-making process that are at the very heart of the use of heritage in nation building.

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<sup>367</sup> Gerald Ralphs, “Green Point, Globalisation and the Remains of the Prestwich Street Dead,” *Archaeologies: Journal of the World Archaeological Congress* 4, no. 2 (August 2008), 350.

## CHAPTER VI THE VOORTREKKER MONUMENT: INCLUSION OF APARTHEID'S HERITAGE

On December 16, 1949, the Voortrekker Monument was inaugurated atop a hill overlooking Pretoria in northeast South Africa. Built to commemorate the Dutch and Huguenot settlers' (Voortrekkers, as they became known) exodus from the British Cape Colony to the interior of South Africa between 1835 and 1852, it was reported that a crowd of 250,000 people, the majority Afrikaans-speakers, were on site for the inauguration of the imposing granite monument.<sup>368</sup> Many attendees donned mid-nineteenth century garb in the purported style of the Voortrekkers, and some even arrived in ox-driven wagons like the trekkers of yore. The days of celebration leading up to the inauguration were filled with feasts, performances, speeches, and religious services. Architect and teacher Aletta Steenkamp has noted, "Entertainment included exhibitions, movies, *volkspele*,<sup>369</sup> singing, choir performances, tableaux and *jukskei*<sup>370</sup>—a celebration

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<sup>368</sup> M.C. Botha, "The Inauguration," in *The Voortrekker Monument, Pretoria: Official Guide*, 7<sup>th</sup> ed. (Pretoria: Board of Control of the Voortrekker Monument, 1970), 75; Aletta Catharina Steenkamp, "Space, power and the body—the civil and uncivil as represented in the Voortrekker Monument and the Native Township Model," (dissertation, Delft University of Technology, 2008), 92.

<sup>369</sup> A style of folk dancing revived at the festival, according to Steenkamp, "Space, power and the body," 134.

<sup>370</sup> Yoke-pin, originally played with the actual pin from an ox-yoke, game revised in 1938, according to Steenkamp, "Space, power and body," 134.

of the culture and traditions of the Afrikaner, as inherited from the Voortrekkers.”<sup>371</sup> It was also accompanied by a grand military show as the South African Air Force gave an aerial display over the tent city.

Adding to the pomp of the festivities was the arrival of dispatch riders on horseback who had traveled from various points throughout the country to arrive at the site in time for the inauguration. They carried with them 598 messages from the towns and cities where they had stopped on the way, messages that stressed the themes of “religion, white civilization, the desire to be free, the safeguarding of language and other cultural matters, social progress, national unity and economic progress.”<sup>372</sup> University students carried the flags of the various Voortrekker leaders, and the boys of the Voortrekker Youth Movement, the Afrikaans equivalent of the Boy Scouts, marched through the site at night carrying an impressive 3,000 flaming torches.<sup>373</sup> The Prime Minister of the Union of South Africa, D.F. Malan, the leader of the Afrikaans-dominated National Party, which had come to power the year before, gave a speech.<sup>374</sup> Then, at precisely the right moment on December 16, “Six boys and girls, the anonymous representatives of the country’s youth,” reported the 1970 official guide to the monument,

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<sup>371</sup> Steenkamp, “Space, power and body,” 94.

<sup>372</sup> Botha, “The Inauguration,” 69-70.

<sup>373</sup> *Ibid.*, 74.

<sup>374</sup> *Ibid.*

“then opened the main door of the monument and went in, while the spectators, 250,000 strong, spontaneously began singing ‘Prys die Heer’ (Praise the Lord).”<sup>375</sup>

The inauguration of the Voortrekker Monument, argues geographer Andrew Crampton, “was primarily an occasion through which an Afrikaner identity was produced on the basis of a heroic Voortrekker past, but was also a site for redefining South Africanism.... it articulated a new conception of nationalism based on *ethnicity*.”<sup>376</sup> The monument continued to be a rallying point for Afrikaner nationalism during the apartheid years.

Yet forty-five years after its inauguration, in 1994, the grand image of the Voortrekkers and the rise of Afrikaners that the monument represented had been destroyed. Indeed, whites no longer controlled the political fate of the nation, and the system of apartheid that the National Party had instituted soon after the construction of the monument had been exposed as a human rights violator of enormous proportions. Nevertheless, following the democratic elections of 1994, there were no violent reactions against the former ruling party, no land was seized from whites and transferred to blacks, and the museums and monuments to the former colonial and apartheid leaders continued to stand. The most ostentatious symbol of them all, the Voortrekker Monument, was not torn down. Though the South African government no longer owns the monument (it is now owned by an Afrikaans cultural organization), it has continued to support it in the

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<sup>375</sup> Ibid., 75.

<sup>376</sup> Andrew Crampton, “The Voortrekker Monument, the birth of apartheid, and beyond,” *Political Geography* 20 (2001), 241.

years since, retaining its status as an official heritage site, and now actively promotes a plan to connect the monument to a nearby monument to freedom.

How is it possible that such a symbol of the distasteful past continues to stand? And not only to stand, but to be protected as an official heritage site? To begin to answer these questions, I will briefly summarize the history of the Voortrekker's Great Trek, the monument's erection, the many symbolisms and messages that were built into its design, and the adjustments that the monument's management has made to its narrative and message since the transition to democracy in 1994. I will then consider how the government has chosen to deal with the difficult site, in order to illustrate how the monument's continued presence demonstrates yet another powerful example of the use of heritage in nation building.

### The Great Trek

The inauguration of the Voortrekker Monument in 1949 occurred 111 years after the Voortrekkers' decisive defeat of the Zulu at Blood River in present-day KwaZulu Natal province, a battle that occurred during the Voortrekkers' trek into inland South Africa. The decision by the Dutch colonists to leave the British Cape Colony in the mid-1830s appears to have been motivated by several grievances, including the British language proclamations that outlawed the use of Dutch for official business, the liberation of the slaves (presumed to be a financial hardship), and an apparent British

indifference to the attacks by native tribes on the settlers in outlying areas.<sup>377</sup> In 1837, one of the Trek leaders, Piet Retief offered an explanation for the exodus:

...we are obliged to place on record the following brief exposition of the causes that have induced us to take such a step, and of our intentions with regard to our conduct in respect of the native tribes with whom we may come into contact beyond the frontier.... We complain of the systematic and incessant plundering that we have had to endure here on the part of the Kaffirs and other Coloureds, and particularly as a result of the latest invasion of the colony which destroyed the border districts and ruined most of the inhabitants.<sup>378</sup>

By the 1850s, the Trek then complete, several of the key Trek leaders claimed that, above all other reasons, the urge for freedom had been the most important motivation for the Trek.<sup>379</sup>

Scouts were sent inland in 1834, returning with stories of the favorable climate of the Northern Transvaal (present-day Limpopo, Mpumalanga, and Gauteng provinces) for farming and game hunting and of Natal's (now KwaZulu Natal province) abundant wood, rain, and pastureland.<sup>380</sup> By 1836 and 1837, trekkers had gathered at temporary destinations in present-day Eastern Province to form larger groups before heading northeast into present-day Free State, Northwest, Gauteng, Limpopo, and KwaZulu Natal provinces. There were six main groups led by Piet Retief, Gerrit Martitz, Hendrik Potgeiter, Louis Trichard, Johannes Van Rensburg, and Jacobus Uys. The trekkers

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<sup>377</sup> A. N. Pelzer, "The Historical Background to the Voortrekker Monument" in *The Voortrekker Monument, Pretoria: Official Guide*, 15.

<sup>378</sup> B.D.T. Boshoff, M.P.C., "To the Visitor," in *The Voortrekker Monument, Pretoria: Official Guide*, 10.

<sup>379</sup> Pelzer, "The Historical Background," 13-14.

<sup>380</sup> *Ibid.*, 17.

numbered approximately 15,000 people, including women, children, and servants. By early in 1837, the trekkers had all congregated in the vicinity of Vet River (present-day Winburg).<sup>381</sup> From there, Retief, Uys, and Maritz split off to the east to head into Natal, and the other groups continued northeast.<sup>382</sup>

Along the way, the trekkers met with native tribes, and with some they entered into treaties, but there were also several violent skirmishes and battles, including the Battle of Vegkop in October 1836 with the Matabele, and the Battle of Blood River with the Zulu near Dundee in present-day KwaZulu Natal in December 1838.<sup>383</sup> The Voortrekkers' decisive defeat of the Zulus at the Battle of Blood River cleared the way for the trekkers to enter Natal and establish a republic, which they named Natalia. Unfortunately for the settlers, just as they had defeated the Zulus at the Battle of Blood River, the British sailed into Natal and planted the British flag, claiming the territory for England. The trekkers retreated north to join the other groups.<sup>384</sup> Over the following years, the Voortrekkers actively pursued sovereignty from the British government for their Afrikaner republics. Finally, in 1852 the signing of the San River Convention granted sovereignty to the Transvaal; the Bloemfontein Convention in 1854 granted sovereignty to the Orange Free State.<sup>385</sup>

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<sup>381</sup> Ibid., 18.

<sup>382</sup> Ibid., 19

<sup>383</sup> Ibid.

<sup>384</sup> Ibid.

<sup>385</sup> Arend Posthuma, "History of the Voortrekker Monument," *Voortrekker Monument*, <http://www.youtube.com/watch?v=hjWHDumFTcg>.

## Creating the Voortrekker Founding Myth

The Voortrekker Monument, though perhaps the grandest monument to the Voortrekkers, was not the first attempt to glorify the Great Trek. In the 1860s the Natal Synod declared Dingaan's Day, a religious festival to commemorate the Battle of Blood River on December 16, 1838, in which the trekkers routed Zulu forces led by Zulu chief Dingaan.<sup>386</sup> The battle took place after the Zulu murdered the Trek leader Peter Retief and his seventy companions following peace negotiations. Dingaan's Day was later renamed the Day of the Vow, in recognition of the oath the trekkers took before the battle, the English translation of which reads:

My brethren and fellow countrymen, at this moment we stand before the holy God of heaven and earth, to make a promise, if He will be with us and protect us, and deliver the enemy into our hands so that we may triumph over him, that we shall observe the day and the date as an anniversary in each year and a day of thanksgiving like the Sabbath, in His honour; and that we shall enjoin our children that they must take part with us in this, for a remembrance even for our posterity; and if anyone sees a difficulty in this, let him return from this place. For the honour of His name shall be joyfully exalted, and to Him the fame and the honour of the victory must be given.<sup>387</sup>

The first monument to the trekkers was erected at Bloukrans (in present-day Ladysmith, KwaZulu Natal) on December 16, 1895, in memory of the trekkers who died at the Battle of Blood River.<sup>388</sup> It was during that event that the first idea for a monument to *all* the Voortrekkers was raised; however, the committee that was formed did not raise

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<sup>386</sup> E. G. Jansen, "The Growth of an Idea," in *The Voortrekker Monument, Pretoria: Official Guide*, 22.

<sup>387</sup> Sarel Tilliers, "The Vow," in *The Voortrekker Monument, Pretoria: Official Guide*, 5.

<sup>388</sup> E.G. Jansen, "The Growth of an Idea," 22.

many funds and interest tapered off. In 1909 another committee was formed to purchase the Voortrekker Church in Pietermaritzburg in present-day KwaZulu Natal, which had been constructed by the trekkers to honor their vow made before the Battle of Blood River. The intention was to attach plaques listing all the Voortrekkers' names to the walls of the church, but funding was once again not forthcoming.<sup>389</sup> In the end, the committee gave the church to the government during the Day of the Vow celebrations of 1912.<sup>390</sup>

Finally, in the 1930s the plans for a monument gained momentum, spurred on by a growing Afrikaner nationalism movement and supported by various Afrikaner cultural organizations. By the 1930s many Afrikaners were struggling, and the Depression made things even worse. Some families had never fully recovered from the economic damage the South African War had induced on their rural farming practices. Many families had lost women and children who had died in British concentration camps during the war. The English-speaking whites dominated the unified government established in 1910, making it even more difficult to protect the use of the Afrikaans language. Further, Afrikaner men were increasingly moving to the urban areas to find work, where they competed against black workers at the mines and in the transportation industry. The official 1970 guide to the monument states, in the same way that the Voortrekkers took possession of the inland in 1838, their descendents “are engaged in a hard struggle to gain a footing for Afrikaans-speaking South Africans in trade and industry.”<sup>391</sup> Feeling

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<sup>389</sup> Ibid., 22, 24.

<sup>390</sup> Ibid.

<sup>391</sup> E. G. Jansen, “The Centenary and Laying of the Foundation Stone,” in *The Voortrekker Monument, Pretoria: Official Guide*, 64.

threatened, it was in this context that the movement to unite the Afrikaans-speaking people under a united concept of Afrikanerdom arose, and subsequently, a renewed interest in constructing a monument to glorify their ancestors, the Voortrekkers.

In 1931 the Federasie van Afrikaans Kultuurvereniginge (Federation of Afrikaans Cultural Associations) formed a Central National Monuments Committee to coordinate any efforts to build monuments to the Voortrekkers with the hope of having a major monument completed by the centenary celebrations of the Battle of Blood River on December 16, 1938.<sup>392</sup> The government also became involved because it was decided that “the erection of a monument in honour of the Voortrekkers [w]as an undertaking of such great national importance.”<sup>393</sup> The government provided much of the needed funding, promising to match pound for pound and also issued postage stamps to raise more funds.<sup>394</sup>

The Committee considered many different locations for the monument but in the end chose to construct it at Pretoria because it was there, according to the early monument guide, that “the Voortrekkers temporarily achieved their aims after years of wandering and the train of events known as the ‘Great Trek,’ reached its culmination.”<sup>395</sup> The town was also associated with Paul Kruger, who lived in Pretoria as the first

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<sup>392</sup> Jansen, “The Growth of an Idea,” 24.

<sup>393</sup> Ibid.

<sup>394</sup> Ibid.

<sup>395</sup> I. M. Lombard, “The Choice of a Site for the Voortrekker Monument,” in *The Voortrekker Monument, Pretoria: Official Guide*, 27.

president of the ZAR and who participated in the Great Trek as a child.<sup>396</sup> Pretoria's namesake was Andries Pretorius, one of the leaders of the Trek and who was "closely associated with Blood River and other historic events in Natal, the Orange Free State and the Transvaal."<sup>397</sup>

As the designs for the monument went forward, it became apparent that the monument would not be completed by the 1938 centenary, and so the Committee decided that there would be a national celebration in 1938 that would conclude with the setting of the monument's corner foundation stone. The opening of the monument was to take place five years later, in 1943. World War II interfered with the plans to open in 1943, bringing most work to a standstill, so the Voortrekker Monument was not consecrated until 1949.<sup>398</sup>

The 1938 celebrations were overseen by a committee appointed by the government, which also assisted with the construction of a tent city, catering, and security for the many people who came to the Pretoria site for the celebrations.<sup>399</sup> A torch, "symbolic of the spread of the light of civilization from the Cape to the far north," was carried across the country from Cape Town, and another was sent from Dingaanstat, where Piet Retief and his entourage were killed preceding the Battle of Blood River.<sup>400</sup> A

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<sup>396</sup> Ibid.

<sup>397</sup> Ibid.

<sup>398</sup> E.G. Jansen, "The Growth of an Idea," 25.

<sup>399</sup> E.G. Jansen, "The Centenary," 65.

<sup>400</sup> Ibid., 68.

symbolic trek of ox-wagons, organized by the Afrikaanse Taal-en Kultuurvereniging, an Afrikaans Language and Cultural Society of the South African Railways and Harbours, journeyed from the southwest of the country to Pretoria.<sup>401</sup> Eight wagons arrived in Pretoria and four to Blood River, having traveled for four months, and stopping in towns along the way to participate in local centenary celebrations.<sup>402</sup> The re-creation of the Great Trek increased excitement and interest in the monument, and, as the 1970 official guide later declared, “The Afrikaans-speaking public regarded these ox-wagons as symbols of all that they hold dear in the history of their own people...”<sup>403</sup> It was estimated that 100,000 attended the celebration in Pretoria to see the foundation stone laid for the Voortrekker Monument, and another 40,000 were in attendance at Blood River, where a foundation stone was laid for a Battle of Blood River monument.<sup>404</sup>

Meanwhile, the design of the monument proceeded. The committee charged Afrikaans architect Dr. Gerald Moerdijk with designing a monument that was to show “To the nations of the world...what Afrikaanedom has sprung from, what its sufferings were, and what its ideals have been. It serves to remind the people of South Africa of their calling as propagators of civilisation and Christendom on the African continent. It serves to honour God who, through the miracles wrought by Him, has led and protected

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<sup>401</sup> Ibid., 62.

<sup>402</sup> Ibid., 63-64.

<sup>403</sup> Ibid., 64.

<sup>404</sup> Ibid., 68.

them and, through His grace, will make the future safe for them.”<sup>405</sup> The introduction to the 1970 official guide gives an idea of the type of response the monument was meant to induce: “For the members of a nation it can become a utilitarian institution in the truest sense of the word. Within them the Monument will arouse the pride of belonging to a nation of heroes who saw the Great Trek through; it will arouse and strengthen a love for the country for whose sake so much was sacrificed; and it will strengthen a faith in God in whom the people trust.”<sup>406</sup> The narrative of the monument was to illustrate that the Trek had been “the climax of a gradual development towards national independence spread over a period of more than a century.”<sup>407</sup>

Moerdijk and the Committee desired that the monument display certain values that they identified as embodied in the Voortrekkers and that would “strengthen a love of country,” including religious devotion, family loyalty, and desire for freedom. It was also important to them that the monument “serve as a tangible tribute to a group of people who through their stupendous efforts had laid the foundation for a white civilisation to be built in the interior of Southern Africa,” wrote Moerdijk.<sup>408</sup> The architect compared the Voortrekkers’ success “in taming the interior of Africa” to the accomplishments of the major civilizations of the past such as the Egyptians, Romans, and Portuguese. He wrote,

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<sup>405</sup> W. Nicol, “Epilogue,” in *The Voortrekker Monument, Pretoria: Official Guide*, 82.

<sup>406</sup> S. G. J. van Niekerk, “Foreword,” in *The Voortrekker Monument, Pretoria: Official Guide*, 12.

<sup>407</sup> Pelzer, “The Historical Background,” 14.

<sup>408</sup> Gerard Moerdijk, “Design and Symbolism of the Voortrekker Monument,” in *The Voortrekker Monument, Pretoria: Official Guide*, 29.

“All of them found the interior of Africa too vast, the forces of nature too strong for them. It was left to the Voortrekkers—the descendents of the Dutch colonists and Huguenots—to force, at a great price, an entry into the interior and establish a white civilisation.”<sup>409</sup>

The architect looked to the theme of religious fervor to inspire his design. Challenged to design a monumental building in a form reflecting the Voortrekkers’ style, a people who never built permanent structures on this scale, he wrote that he began by asking himself, “Assuming, however, that the Voortrekker wished to erect a monument, where would he have sought his inspiration?”<sup>410</sup> He concluded that the Voortrekker would have turned to the Bible for inspiration, and so Moerdijk decided that the appropriate monument to the Voortrekkers should resemble an altar (“i.e. the symbol of sacrifice”), in the same way that Abraham had constructed an altar when he left Ur of the Chaldees to found a new “state.”<sup>411</sup> Thus, Abraham’s altar served as the inspiration for the centerpiece of the monument, a cenotaph, which was to be the symbolic resting place of Retief and his murdered companions.<sup>412</sup>

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<sup>409</sup> Ibid., 30-31.

<sup>410</sup> Ibid., 32.

<sup>411</sup> Ibid.

<sup>412</sup> Ibid.

## The Voortrekker Monument During Apartheid

Responses by whites to the monument appeared to have been overwhelmingly positive at the time of its construction, although its intended audience was primarily Afrikaners. According to the 1970 official guide to the monument,

The general impression, not only of the members of all racial groups who had witnessed the ceremony but also of the Afrikaans and English Press, was that the inauguration had in all respects been a great and worthy occasion. It was indeed a striking revelation of the inborn power and the ability of a young and growing nation to maintain the traditions that were dear to it and to build further upon them so that it might strive to reach the destiny which had been ordained by God.<sup>413</sup>

Unsurprisingly, the response of blacks and others people of color was not elicited, although the 1970 official guide mentions, “As in a church, everybody unwittingly lowers his voice on approaching.... This applies not only to Whites, but also to the non-Whites....”<sup>414</sup> That account is hard to take at face-value considering the outright racist treatment of blacks in the construction of the monument, the limited access blacks had to the site, and the inaugural speech by Prime Minister Malan, who made it clear the message the monument was intended to portray about blacks’ place in South Africa:

Exclusively and bound by their own blood ties, they [Voortrekkers] had to be children of South Africa. Further, there was the realisation that as bearers and propagators of Christian civilisation, they had a national calling which had set them and their descendants the inexorable demand on the one hand to act as guardians over the non-European races, but on the other hand to see the maintenance of their own white paramountcy and of their white race purity.<sup>415</sup>

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<sup>413</sup> Botha, “The Inauguration,” 75.

<sup>414</sup> Nicol, “Epilogue,” 78.

<sup>415</sup> Malan, as quoted in Coombes, *History after Apartheid: Visual Culture and Public Memory in a Democratic South Africa* (Durham: Duke University Press, 2003), 26.

During construction of the monument, blacks were not allowed on the property but for one exception during World War II when white laborers were not available:

The Central Voortrekker Committee felt that no prisoners should work on the Monument and had beforehand approached the Government to request that only white labour be used at the Monument—regardless of the 10% increase in cost. Mr. Du Plessis, the contractor, unfortunately found it difficult to find white labourers, as the best class labourers already had other work due to the war. Nonetheless, it was decided not to allow Bantu labourers on the site. Due to an increasing shortage of white labourers, the contractor was compelled to, from 20 October 1942, appoint twelve Bantu labourers to mix concrete and keep the site clean. The Central Voortrekker Committee deplored this, but realised that under the circumstances there was no other option, and allowed the contractor to, in the meantime, proceed with the work.<sup>416</sup>

Non-whites were only allowed to visit the monuments on Tuesday mornings, when it was completely closed to whites, limiting their exposure to the site.<sup>417</sup> With the exception of that once-a-week access to the monument, blacks were banned entirely from the property.

The Voortrekker Monument continued to be a rallying point for Afrikaner nationalism in the years that followed. It played a key role in the national celebration in 1952 to commemorate the 300<sup>th</sup> anniversary of the landing of Jan Van Riebeeck, the commander of the Dutch East India Company's revictualing station at the Cape from 1652 to 1662, and who was recast for the occasion as the Founder of South Africa.<sup>418</sup> The story of the Great Trek told at the monument was codified into the curriculum of the schools during the apartheid years. Coombes writes:

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<sup>416</sup> Translated from the Afrikaans by Steenkamp, "Space, power and the body," 133.

<sup>417</sup> *The Voortrekker Monument, Pretoria: Official Guide*, 87.

<sup>418</sup> Leslie Witz, *Apartheid's Festival: Contesting South Africa's National Pasts* (Bloomington, IL: Indiana University Press, 2003), vii.

To the extent that the narrative of the Great Trek was the imposed foundational narrative of the nation-state—the only legitimate history available at any level of education—and to the extent that Afrikaans was the imposed language at all levels of public (and often private) intercourse, the Voortrekker Monument attained a certain monstrous legibility—inescapable even to those who never visited the site.<sup>419</sup>

In 1983 the constitution was revised to permit a certain amount of power sharing, creating an Indian and a coloured congress to represent some South Africans of color. The National Party naturally had to undertake a certain amount of revisions to its policies and the underlying Great Trek narrative to accommodate the changes. Interpretation of the monument by 1988 had steered away from the outright racist and divine right interpretation of the Great Trek of 1949 to one that emphasized “the importance of learning the spirit of self-sacrifice and compromise from these heroic predecessors in order to promote the concept of ‘power sharing.’”<sup>420</sup> Of course, not all Afrikaners agreed with this transition, and there were counter-actions by the Afrikaans far right against the perceived liberalism of the new constitutional arrangements and revisions to the Great Trek narrative.<sup>421</sup>

### The Monument Post-Apartheid

In early 1990s South Africa, there was considerable uncertainty about the future of the nation, and no group of South Africans felt it more strongly than the Afrikaners. They faced a future where they would almost certainly lose their place as the ruling party

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<sup>419</sup> Coombes, *History after Apartheid*, 25.

<sup>420</sup> *Ibid.*, 31.

<sup>421</sup> *Ibid.*

and also the very real possibility that the Great Trek narrative, which by that time was an integral part of the Afrikaner culture, would be discredited. The Federation of Afrikaans Cultural Associations particularly feared that the new government, or even the National Party itself, which had already proven itself to be open to drastic change by accepting negotiations to end apartheid, would threaten the monument, perhaps by changing its message or even demolishing it entirely. Jonathan Jansen, a black educator that led the post-apartheid transformation of the education department at the University of Pretoria (a distinctly Afrikaner institution), writes in his book *Knowledge of the Blood*, that not only did Afrikaners lose the battle for the use of the Afrikaans language in the public domain, but suddenly the narrative of the Great Trek, the “treasured knowledge of the past is shattered; this received knowledge, handed down faithfully from one generation to the next, is officially negated with the stroke of a negotiator’s pen.”<sup>422</sup>

The Federation formed a private, nonprofit company in 1993 that purchased the monument from the transitional government.<sup>423</sup> As historian Albert Grundlingh has observed, “From a monument for an Afrikaner nation at large, which could bank on unconditional Afrikaner government support, it has become a monument dependent on its own resources and on the largesse of a black government.”<sup>424</sup> During the uncertain 1990s, the monument continued to be a rallying point for Afrikaner nationalism. Coombes

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<sup>422</sup> Jonathan Jansen, *Knowledge in the Blood: Confronting Race and the Apartheid Past* (Stanford: Stanford University Press, 2009), 35, 46.

<sup>423</sup> Coombes, *History after Apartheid*, 33.

<sup>424</sup> Albert Grundlingh, “A Cultural Conundrum? Old Monuments and New Regimes: The Voortrekker Monument as Symbol of Afrikaner Power in a Postapartheid South Africa,” *Radical History Review* 81 (Fall 2001), 100-101.

writes: “the monument had a historical status as the centerpiece of an orchestrated mass spectacle of Afrikaner unity and power—a legacy that has by no means receded and that provided a rallying point for various factions on the right up to and beyond the eve of the democratic elections in April 1994.”<sup>425</sup> Even after the elections, the guardians of the monument were hesitant to revise its message. In 1996 the guardian of the monument stated that beyond changing the cover of the guidebook to include the new flag, he saw “no reason to change anything else—since history [was] history after all and nothing could alter the facts.”<sup>426</sup>

To some Afrikaners, the monument became a symbol of shame and embarrassment once the effects of apartheid instituted in the name of Afrikanerdom were exposed during events such as the Truth and Reconciliation Commission.<sup>427</sup> They were faced for the first time with a counter-narrative to the one they had been taught, a “racial ideology [that] went unchallenged because we never heard dissenting voices.”<sup>428</sup> Indeed as Grundlingh writes, “There are fewer and fewer Afrikaners who are prepared to defend the apartheid past; it is no longer a history of which they are proud. As the distortions of the past are uncovered, the Voortrekker Monument is also categorized as an episode of nationalist deception.”<sup>429</sup>

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<sup>425</sup> Coombes, *History after Apartheid*, 25-26.

<sup>426</sup> As quoted in Coombes, *History after Apartheid*, 53.

<sup>427</sup> Grundlingh, “A Cultural Conundrum?” 102.

<sup>428</sup> Jansen, *Knowledge in the Blood*, 85.

<sup>429</sup> Grundlingh, “A Cultural Conundrum?” 102.

The black response to the monument since 1994 has been mixed. To some it continues to be an offensive symbol of racism, while others ignore it completely.<sup>430</sup> After all, as Grundlingh notes, “The shift in power relations has...bestowed on them the freedom to ignore or display indifference to that which they might have found offensive in the past.”<sup>431</sup> As Steenkamp has concluded, black anger directed toward the monument is understandable considering that the banning of blacks in construction and access “easily inferred...the underlying [Afrikaans] belief that the presence of black hands and bodies would contaminate the shrine for Afrikanerdom.”<sup>432</sup> Still other blacks have simply revised the narrative, as one black guide at the monument has done: “To me the monument tells the history of the Voortrekkers and how they got the land in the interior. Nothing else.”<sup>433</sup>

With the monument in private hands, it was protected from demolition or major changes if the government wanted to take action. But the government did not desire such a thing. Even though the monument was privately owned, Mandela’s government generously funded it. Rufer argues that “...a state pedagogy is involved here, a will for reconciliation with the ‘rainbow’ nation assuming *other* identities and *communitarian*

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<sup>430</sup> Ibid., 103.

<sup>431</sup> Ibid.

<sup>432</sup> Steenkamp, “Space, power and the body,” 133.

<sup>433</sup> Grundlingh, “A Cultural Conundrum?” 103.

histories; but there is also an attempt to keep alive the danger and spoils of history.”<sup>434</sup> In order to better understand this astonishing circumstance, it is helpful to keep in mind the spirit of 1990s South Africa, when Mandela and Tutu called for a Rainbow Nation where *all* South Africans, regardless of color or political stance, constituted a valid part of the rainbow. This spirit, as was discussed in Chapter III, influenced the inclusion of former regime’s National Monuments as heritage sites under the NHRA. As with all National Monuments declared before 2000, the Voortrekker Monument was simply reassigned as a provincial heritage site once the NHRA became active. In 2007 the SAHRA board considered regarding the monument as a National Heritage Site, though that seems to have been stalled. However, the new government *did* rename the Day of the Vow, December 16, as the Day of Reconciliation in 1994, a holiday for all South Africans to celebrate national unity. Speeches at the monument on the Day of Reconciliation in 1994 and since have steered toward emphasizing the “Afrikaners’ bond with God also calling on them to live in peace with their neighbors.”<sup>435</sup>

Regardless, it was still an important symbol to many, so there continued to be calls by blacks in the 1990s to counter it with a new monument nearby. One of the most newsworthy was a Mandela monument to be designed in the form of a Greek temple with a giant forearm and open fist (reportedly modeled after Mandela’s) extending upward from it. It appeared to have Mandela’s approval, as images of him with the model

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<sup>434</sup> Mario Rufer, “Monuments, Museums and the Re-articulation of Nation: Pedagogies, Performances and Subaltern Apprehensions of Memory,” *Intercultural Communication Studies* XVI 2 (2007), 165.

<sup>435</sup> Grundlingh, “A Cultural Conundrum?” 101.

appeared in the press, but it never moved past the planning stages. Rufer identified numerous obstacles to its completion, including “its high costs, its fascist reminiscences, the same symbolic language used by Afrikaners monuments, and, not least important, because the designer was a questioned sculptor of apartheid’s icons, G. De Jager, and the sponsors were two businessmen, owners of whitening skin lotions factories.”<sup>436</sup>

Though the Mandela monument never went forward, one of the government’s high profile Legacy Projects, Freedom Park, did. It is now in its final stages of construction on nearby hilltop that has a clear view to the Voortrekker Monument. Freedom Park, as its name reflects, is dedicated to all who have fought for freedom and democracy, although it has a distinctly Africanist leaning that presents a history of South Africa that begins with the earliest native people and provides areas for animal sacrifice and spaces to bring the “spirits” of freedom heroes. Overlooking the Voortrekker Monument, Freedom Park’s location “is significant,” writes Grundlingh, “symbolizing ultimate victory over Afrikanerdom.”<sup>437</sup> The response by the Afrikaner community to Freedom Park has been ambivalent, with the Afrikaner press noting that it is “not the symbols on the hills, but how the country was governed from the city behind the hills.”<sup>438</sup>

In addition to employing black guides at the monument, the managers of the Voortrekker Monument have introduced some internal changes to demonstrate their commitment to transformation. In 1999 General Gert Opperman, a retired general in the

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<sup>436</sup> Rufer, “Monuments,” 166.

<sup>437</sup> Grundlingh, “A Cultural Conundrum?” 106.

<sup>438</sup> *Ibid.*, 107.

apartheid military, was appointed as Chief Executive Officer to manage the monument, which he identified as the Afrikaner's most important heritage site, "their emotional home."<sup>439</sup> He remembers that at the time "Many Afrikaners did not want to associate with the monument," he said, "They were not proud of it."<sup>440</sup> Opperman noted that "There are many Afrikaners who feel marginalized, who feel their heritage and culture is being neglected, vandalized, and stolen. And there is an outcry that something must be done about it. But we don't have a choice."<sup>441</sup> Like it or not, the Afrikaners and the story told at the Voortrekker Monument had turned out to be on the "wrong side of history." Opperman introduced new marketing programs, updated the exhibits, hired professionals to assist with the management, and began reaching out to schools.

The director of Freedom Park, Dr. Mongane Wally Serote, and Opperman, have joined forces to find ways to collaborate between the two monuments, demonstrating a spirit of reconciliation in the new South Africa. They have devised a plan to build a road between the two monuments and set up a system so that visitors may purchase a ticket to see both monuments in one visit. In that way, visitors will be presented with examples of both accounts of South African history, and both monuments' messages (which could be argued to be similarly nationalist leaning) will be tempered by the other.<sup>442</sup>

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<sup>439</sup> Kenneth Walker, "The History in South Africa: a Twice-told Tale," *Carnegie Reporter* 2, no. 4 (Spring 2004): 5.

<sup>440</sup> Walker, "A Twice-told Tale," 5.

<sup>441</sup> Opperman as quoted in Walker, "A Twice-told Tale," 6.

<sup>442</sup> Walker, "A Twice-told Tale," 6.

### Experiencing the Monument Post-Apartheid

Since its completion in 1949, the monument's design has remained unaltered, and it has been meticulously maintained so that visitors to the monument today see much the same physical site that those who visited in the mid-twentieth century saw (Figures 11 and 12). As I will discuss later, though, the interpretation of some of its symbolism has changed or has been downplayed under new management in the 2000s.

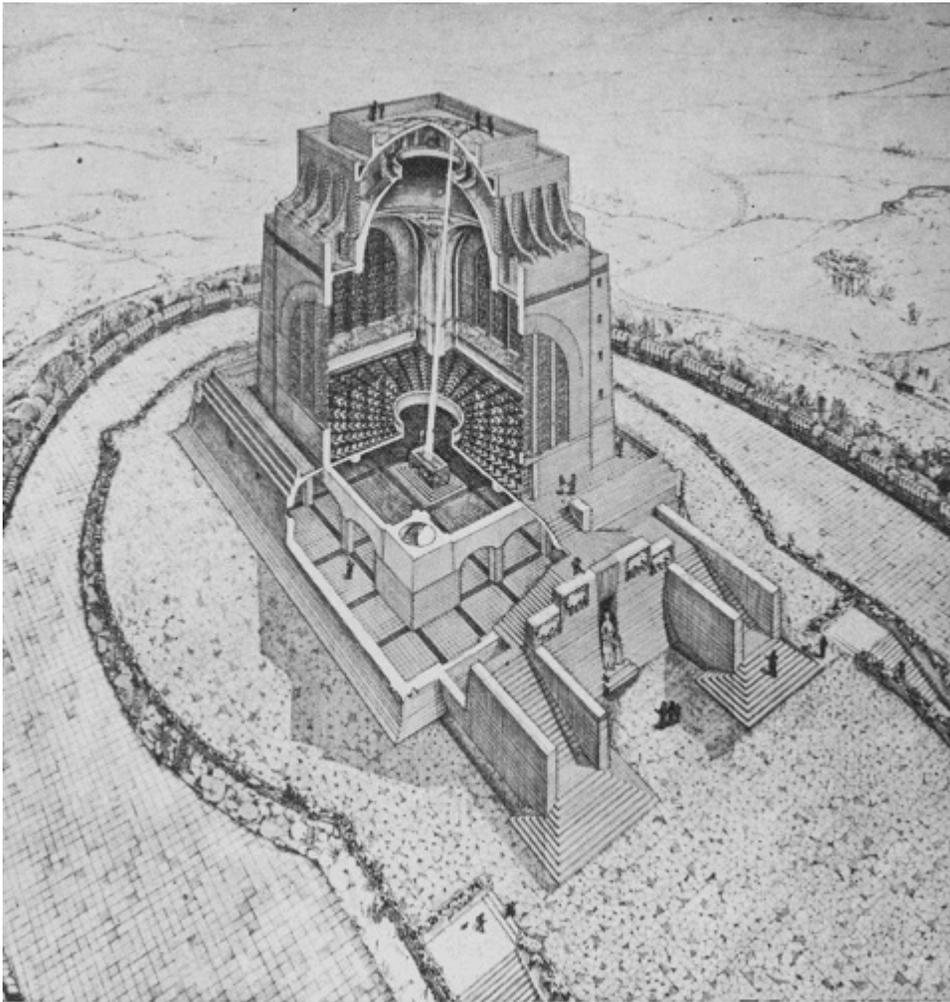


Figure 11: Architectural sketch of Voortrekker Monument.<sup>443</sup>

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<sup>443</sup> Moerdijk, "Design and Symbolism," 30.



Figure 12: School children visit the Voortrekker Monument with a black guide [Melanie Lytle]

On arriving at the monument, a visitor faces a broad, steep set of granite steps, with the monument, a 40 meters square and 40 meters tall granite monolith, at its top. To reach the monument, visitors must ascend the steps and then cross through a gate in the circular stone wall that surrounds the monument. The wall is engraved with images of ox-wagons in the shape of a laager (wagon circle) that was used by the trekkers for defense in the same way it was used in the American West during the period.<sup>444</sup> Straight ahead is the primary façade of the monument, which features a large statue of a Voortrekker mother and her children, and on either side of the statue, carved wildebeest panels. On

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<sup>444</sup> Ibid., 37.

each of the four corners of the monument is a statue representing a leader of the Great Trek: Piet Retief, Andries Pretorius, Andries Hendrick Potgieter, and the Unknown Leader (to represent all others).<sup>445</sup> Each of the four elevations features a large arched window filled with yellow glass and intricately carved granite mullions. Above the large windows is a zigzag line. The statue of the Voortrekker mother is flanked by steps leading up to the entrance to the monument, which is filled with two tall, heavy wooden doors.

The interior of the monument has two main halls, the Hall of Heroes and the Lower Hall. The Hall of Heroes features the Historical Frieze around all four walls, which is comprised of twenty-seven marble panels depicting various events associated with the Great Trek.<sup>446</sup> The frieze's twenty-seven scenes begin with the commencement of the Trek from the Cape Colony in 1836 and end with the signing of the Sand River Convention in 1852. In between, there are panels depicting the Battles of Vegkop, Mosega, Kapain, and Blood River; the peace treaty between Retief and Dangaan and Retief's subsequent murder; the Vow; and the building of the Church of the Vow in Pietermaritzburg.

Above the frieze and the large arched windows is a dome with a large circular opening, and above that a second dome, large enough to cover the whole monument if its

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<sup>445</sup> Gerard Moerdijk, "The Sculpture and Architecture of the Voortrekker Monument," in *The Voortrekker Monument, Pretoria: Official Guide*, 53.

<sup>446</sup> Gerard Moerdijk, "The Historical Frieze," in *The Voortrekker Monument, Pretoria: Official Guide*, 38.

edges were extended to the ground.<sup>447</sup> The floor of the Hall of Heroes is laid out in concentric circles of chevrons from the focal point, a large aperture through which the visitor can view the cenotaph in the Lower Hall below, to the edges of the monument.

The cenotaph is centered in the Lower Hall, and the words “Ons Vir Jou Suid-Afrika” (“We for thee, South Africa”) are engraved in gold on its lid.<sup>448</sup> There is a small aperture in the dome far above, which at noon on December 16<sup>th</sup> each year allows a single stream of light to shine into the monument directly on the words engraved on the cenotaph. The torch, which had been carried to the site as part of the 1938 centennial celebrations, rests in a niche in the Lower Hall. The Lower Hall also contains a small museum with Trek artifacts and information panels and the flags of the various independent Afrikaner republics established in the mid-nineteenth century.

Casual visitors to the monument today are unlikely to catch all of the symbolism built into the design by Moerdijk, mostly because it is no longer directly communicated through the official monument guide (there was not even a guide available for sale when I visited the site in October 2010). They may not realize that Moerdijk chose to construct the monument of granite block because it was “the most lasting material that was available for this purpose”<sup>449</sup> or that he designed the blocks to be larger at the base, progressively becoming smaller toward the top, to give “an impression of grandeur, reflecting the nature of Africa and is intended as a symbolic representation of the ‘heroic

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<sup>447</sup> Moerdijk, “Design and Symbolism,” 34.

<sup>448</sup> *Ibid.*, 32-33.

<sup>449</sup> *Ibid.*, 34-35.

deed', the greatest deed in South African history."<sup>450</sup> The wildebeest panels near the statue of the Voortrekker mother, according to Moerdijk, were to symbolize "the ever threatening dangers of Africa."<sup>451</sup> The determined and confident face of the Voortrekker mother toward the retreating wildebeest, were to "suggest that the dangers are receding and that the victory of civilisation is an accomplished fact."<sup>452</sup> Most visitors will also not realize that the zigzag line around the top of the monument was to express "the idea that the Voortrekkers, like Abraham, had to remember the command: 'Be fruitful and multiply'—an essential if the Voortrekker wished his State to continue"<sup>453</sup> nor that the concentric circles in the floor of the Hall of Heroes were intended to illustrate how the "sacrifice of the Voortrekkers in like manner eventually permeated throughout the whole of South Africa."<sup>454</sup> The second dome was to represent "the globe with South Africa on top."<sup>455</sup> The aperture that directs a beam of light onto the cenotaph on December 16<sup>th</sup> each year, according to Moerdijk, was to symbolize "the blessings which rests on the work and efforts of the Trekkers...."<sup>456</sup> and the torch in the Lower Hall was to

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<sup>450</sup> Ibid.

<sup>451</sup> Ibid., 36.

<sup>452</sup> Ibid., 36.

<sup>453</sup> Ibid., 36.

<sup>454</sup> Ibid., 33.

<sup>455</sup> Moerdijk, "Design and Symbolism," 34.

<sup>456</sup> Ibid., 34.

“symbolise European civilisation which was carried into the dark and dangerous interior by the Voortrekkers.”<sup>457</sup>

The church-like ambience of the monument, however, is still very present, and there is certainly a hush in the Hall of Heroes as visitors enter and circle the room to follow the narrative illustrated in the frieze (Figure 13). The one-sided account illustrated in the frieze is less easy for a present-day visitor to miss than the other symbolic parts of the monument’s design, even to those with only a basic understanding of the events of the previous years. According to the 1970 official guide, Moerdijk, who designed not only the building itself but also the frieze, was particularly sensitive to any criticism over the fairness of his treatment of the “Natives” at the monument. In his account of the design, he felt it necessary to fervently defend himself, writing that “It is noteworthy that throughout the frieze natives are never depicted as inferior beings – they are always represented as worthy opponents, very well developed as far as their physical characteristics are concerned.”<sup>458</sup> However, while Moerdijk may have depicted blacks as physically strong, with the exception of the panel depicting Moroka (who had provided oxen to the trekkers after theirs had been stolen), my personal impression of the blacks shown in the frieze is that they are illustrated as disorganized, brutal, and in a manic frenzy.

Visitors can hardly miss seeing the one-sided account of the events in the frieze, which even Moerdijk stated “is not only a representation of historical events. It also

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<sup>457</sup> Moerdijk, “Sculpture and Architecture,” 55.

<sup>458</sup> Moerdijk, “Historical Frieze,” 51.

serves as a symbolic document showing the Afrikaner's proprietary right to South Africa. Here are portrayed the Trekker's ways of life, his work, his battles, his political activities—in short, evidence of the right to call South Africa his fatherland. A people that have sacrificed so much blood and tears, have left their mark on such a country, and therefore spiritually and physically that country belongs to them and their descendents.”<sup>459</sup> The decision by Moerdijk and the committee to unify the various treks into “a story with a beginning, a climax and a conclusion” may still be misleading to visitors who are less familiar with the story.<sup>460</sup>

The frieze in the Hall of Heroes may still feature explanatory text below each of the panels in only Afrikaans and English, but the museum in the Lower Hall now contains panels in three languages: Afrikaans, English, and Xhosa. In those panels, the Great Trek is described as “One of Many Migrations” that “was not a unique occurrence in South African or world history. The colonization of certain regions by the Voortrekkers (Pioneers) correlates to a large extent with other migrations that occurred before, during and after the Great Trek and still continue....”<sup>461</sup> A fairly recently affixed marble panel near the entrance to the monument describes the monument as commemorating “those pioneers who participated in the migration between 1835 and 1854 called the Great Trek. During the period approximately 15 000 pioneers moved northward across the Orange River and Drakensburg into the interior of South Africa.

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<sup>459</sup> Moerdijk, “Design and Symbolism,” 34.

<sup>460</sup> Moerdijk, “Historical Frieze,” 38.

<sup>461</sup> Text from a panel recorded by the author while visiting the site in October 2010.

The founding of the Boer Republics Transvaal (1852) and the Orange Free State (1854) was a direct result of the Great Trek.”<sup>462</sup> There is no mention of the Voortrekker’s divine right to the interior of South Africa or their rise to power in the late 1940s.



Figure 13: Historical frieze in the Hall of Heroes [Melanie Lytle]

Ironically, the majority of visitors to the monument by the mid-2000s were black school children.<sup>463</sup> It also continues to be one of the top international tourist destinations in northeast South Africa.<sup>464</sup> Grundlingh argues that to both Afrikaners and blacks, the

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<sup>462</sup> Ibid.

<sup>463</sup> Opperman, as quoted in Walker, “A Twice-told Tale,” 6.

<sup>464</sup> Grundlingh, “A Cultural Conundrum?” 106.

monument “reflects a bygone era for both groups.”<sup>465</sup> He argues that it has lost much of its relevance: “With the Voortrekker Monument’s message no longer appropriate for Afrikaners living under a changed set of socioeconomic, cultural, and political conditions, and with a concomitant loss of capacity to insult black people who have ascended to and are secure in power, the monument has been free to follow a new career, relatively unencumbered by the past.”<sup>466</sup> Gone are the legends of the grand founders of modern South Africa, as are the calls for racial purity, which are unwelcome in the new South Africa.

The continued physical presence of the monument may prove Grundlingh wrong, however. Though there are now counter-narratives to the Voortrekker Monument, including Freedom Park, the Apartheid Museum in Johannesburg, and District Six Museum in Cape Town, that tell stories that promote a more black-centric history of the nation, and the monument’s messages have been tempered, they are far from forgotten either by the Afrikaners who valued them or by the people of color who despised them. Certainly, in comparison to its past glory, the Voortrekker Monument’s message has been diminished, even sanitized, by being retold as a simple migration tale, so that it may have lost some of the lessons that its reinterpretation could teach about racism and conquest, important themes in South Africa’s nation building effort. Though the information panels and interpretation may have been revised, the symbolism of the actual physical building is unlikely to be destroyed any time in the near future, leaving the historic frieze, the

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<sup>465</sup> Ibid., 109.

<sup>466</sup> Ibid.

statues, and the other sculptures to encourage continued debate about the place of difficult history in the nation-building effort.

## CHAPTER VII CONCLUSIONS

In post-apartheid South Africa, Constitution Hill, Prestwich Place, and the Voortrekker Monument have become important sites of conscience, illustrating the inevitable heritage dissonance that is present in a country that is not only very diverse but also dealing with an extremely painful past. The three cases illustrate the manner in which South Africans are using heritage places to deal with their difficult pasts, shape concepts of what the new nation represents, and define what it means to be a South African in the present.

Of the many South African heritage sites that I could have chosen to prove my thesis, I have found that the trilogy of sites presented here best epitomizes South Africa's lieux de mémoire. They are places that represent the ideals of South African culture and its citizens' definition of their nation's purpose. What makes a South African a South African, such as an intense desire for truth and transparency, a commitment to fair democracy that engages all who wish to be involved, and a dedication to ongoing reconciliation, are embodied in these sites.

Since the implementation of the NHRA in 2000, South Africans have discovered firsthand that, unlike in an authoritarian regime where heritage debate centers only on how it can promote the entrenched regime, the use of heritage in *democratic* nation building raises many thorny issues and challenges. Frustration with the speed at which

transformation takes place, conflict that arises from the involvement of so many in determining what is heritage, and the presence of many pasts that can contradict one another are very real concerns in the heritage climate in South Africa. Yet the examples of the three case studies discussed in the previous chapters can certainly offer some valuable lessons for other sites in South Africa and for other nations undertaking their own transformation to a democratic heritage policy in the present. Future research that expands to include more types of sites and allows more time to pass will doubtless reveal other useful lessons that could be learned from the South Africa's heritage policy transformation.

#### Transformation Takes Time

The expectations for the role of heritage in the nation-building effort have been high and with it significant disappointment from the South Africans I interviewed as part of my research (Appendix I). As an outsider looking in, I could not help but be impressed by the great strides in the heritage sector since the onset of democracy, yet those who are operating in the system every day are uniformly discouraged, which I think demonstrates an unnecessary pessimism considering the examples presented in the previous chapters. Granted, this thesis only considered in detail three relatively high-profile heritage sites (monumental sites) that have been covered in the South African press and analyzed by academics in international journals. Lest you be misled, it is important that I state that much of the South African heritage landscape has not yet seen the transformation that these projects demonstrate. Large areas of the country have ineffective heritage management and the NHRA is hardly known, let alone routinely enforced, outside of the

Western Cape, Eastern Cape, and KwaZulu Natal provinces. Those who make heritage decisions are oftentimes left over from the previous regime, trained in the past practices of recognizing and managing heritage, and they may not support the transformative goals of the policy. Further, there is conflict between SAHRA and the National Heritage Council regarding who is responsible for guiding heritage management into the future. SAHRA itself is underfunded and limited with staff. Tight budgets and lack of consistent policy support from the government are constant concerns.<sup>467</sup>

Naturally, given those limitations and challenges, the results of the new heritage policy a decade after its implementation have not been particularly predictable or consistent, and its success in promoting reconciliation has been hard to quantify. Time will tell if and how these three sites will retain their place as prominent symbols of the new South Africa. Nevertheless, they hold great promise for addressing the country's wider heritage agenda that must eventually include—on a much larger scale than it is doing so at the moment—the conservation of less high profile, non-monumental heritage, such as the indigenous, the vernacular, the intangible, and representative historic building enclaves. True transformation takes time, and the fact that the NHRA has not yet lived up to its potential, does not follow that it never will.

#### Inherent Conflict

The democratic ideals of South Africa's post-apartheid heritage policy have provided fertile ground for contention, conflict, and dissonance. The debate that arose around Prestwich Place and over the continued survival of the Voortrekker Monument is

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<sup>467</sup> Townsend, *Heritage Management in Principle and Practice*.

not over. At Prestwich Place, while the developers were awarded the right to continue development and the remains were interred nearby, the issues raised in the debates surrounding the site will have long-reaching consequences. They are likely to be renewed when the more human remains throughout the entire area are disturbed as new developments proceed.

The Voortrekker Monument remains in the national consciousness. Recently, two amateur videos, both in Afrikaans, have been released on the internet showing the destruction of the monument. In the most recent video, which was released in mid-March 2011 by Afrikaans singer Jakkie Louw, a tornado descends on the granite block, pulverizing the structure into dust. In the other undated video, a comedy sketch shows the monument collapsing from within.<sup>468</sup> The monument continues to be a rallying point for extreme right Afrikaner nationalists and a contention point for those who cannot get past its blatant symbolism.

Nevertheless, the inherent conflict in the continued presence of these heritage places should be considered positively, as an important contribution to the debate that is necessary to build a truly democratic nation. I agree with South African historian Gary Baines, who admonishes: “we should accept and even welcome conflicting and competing memories as an inevitable part of the transition to democracy.”<sup>469</sup>

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<sup>468</sup> “Giant Tornado Destroys Voortrekker Monument,” <http://www.youtube.com/watch?v=RwRf5vWm-6E>; “The End of the Afrikaner Monument,” <http://www.youtube.com/watch?v=IqQn7Mx-mO8>.

<sup>469</sup> Bains, “The Politics of Public History,” 182.

### Incoherency of Many Pasts

Slightly more than decade after the implementation of the NHRA it is reasonable to ask, whose truth is now being told in South Africa? As I hope is evident from the three sites I presented, one common narrative has not been championed above another in South Africa. That is not to say that the current South African government has not tried to promote a national foundation myth that revolves around the apartheid resistance. It has been relatively hard-handed in imposing widespread name changes to streets, municipalities, airports, schools, public hospitals, and other civic buildings from the names of British and Afrikaner heroes to those of apartheid resistance heroes. The Department of Arts and Culture's Legacy Projects are predominantly related to apartheid-era resistance. Constitution Hill is also part of this effort, with its less-than-subtle messages about democracy and the "rightness" of the new nation's constitution. These actions, as Tunbridge and Ashworth would have predicted, can "create dissonance among previous victims, their descendents or those who fear they might be future victims."<sup>470</sup>

Just the same, other pasts are still present, as the examples at the Voortrekker Monument and Prestwich Place illustrate, adding a layer of complexity to South Africa's nation-building project. Though the Voortrekker Monument's message has been diminished (both from outward reconstructions of its meaning and by internal revisions) from a founding myth of a nation to a relatively benign story of a migration, the remains of that former narrative are still very present in the symbolism of the monument itself. The recasting and sanitizing of the narrative can only go so far because the monument

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<sup>470</sup> Tunbridge and Ashworth, *Dissonant Heritage*, 29.

still retains its integrity of materials, design, and workmanship that cannot hide the deeper messages of the place that are boldly proclaimed in the frieze and other sculptures.

At Prestwich Place some South Africans have embraced the early history of outsiders in the Cape Colony as their own, promoting an alternative narrative to the Africanist one that has become more popular since the Mbeki's presidency that began in 1999, by presenting the history of a people group and a history that was not prominent during the Truth and Reconciliation Commission hearings and the official government programs to create a foundation myth. Certainly, this has resulted in some incoherencies in the history of the nation, but, as Tunbridge and Ashworth have observed, "heritage identification as such need not constitute an inconvenience or a threat to excluded groups, less still create an awareness of disinheritance among them."<sup>471</sup>

The very existence of difficult heritage in South Africa permits dialogue and debate about what it means to be South African in the new nation. As historian Brian Ladd has stated, "Monuments are nothing if not selective aids to memory: they encourage us to remember some things and to forget others. The process of creating monuments...especially where it is openly contested...shapes public memory and collective identity."<sup>472</sup> Jansen has also recognized the importance of keeping those difficult heritages around based on his own experience helping transform the University of Pretoria in the first decade of this century: "I was insistent that by removing... symbolism we would also lose the opportunity for dialogue and critique of what went

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<sup>471</sup> Ibid., 31.

<sup>472</sup> Brian Ladd as quoted in Witz, *Apartheid's Festival*, 254.

before; by taking everything away, we remove the chance to challenge received knowledge and negotiate new meanings....”<sup>473</sup> South Africa has been wise to retain its old monuments such as the Voortrekker Monument, to open up the identification and management process to the public as it did at Prestwich Place, and to provide places such as Constitution Hill as venues for continued debate and writing of the nation’s history.

### Lessons for Elsewhere

Heritage practitioners around the world are increasingly looking internationally for examples of what is being done elsewhere and applying it to their situations despite variations in practices between nations and between types of sites.<sup>474</sup> A prominent example of this is the International Coalition of Sites of Conscience (of which Constitution Hill is a member) that was founded to encourage collaboration and provide resources for the management of difficult sites regardless of their location. I propose that the use of heritage in nation building in South Africa has relevance for heritage management throughout the world, for which nation does not have something shameful in its past? Who has not dealt with racism or xenophobia? And who does not have difficult heritage in their possession?

As I finish writing this thesis, the Middle East is caught up in a new nation-building effort of huge proportions. In only a matter of weeks in early 2011, the regimes of Egypt and Tunisia were toppled by peaceful protests. Pro-democracy protesters have gathered in Libya, Yemen, Syria, Bahrain, and other Middle East nations to protest unjust

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<sup>473</sup> Jansen, *Knowledge in the Blood*, 218.

<sup>474</sup> MacDonald, *Difficult Heritage*, 7.

and authoritarian regimes. What will arise out of these protests and regime changes is still unknown, but it is likely that heritage will play a role as new governments are now struggling to form national identities free from the authoritarian examples of their predecessors and as the authoritarian regimes that survive reaffirm their authority. Already, the month-long protests in Bahrain have been brutally repressed by the government there, which has dramatically demolished the Pearl Monument situated at the center of Pearl Square where the anti-government protesters had gathered. Bahrain's foreign minister, when asked why the monument had been destroyed, said: "We did it to remove a bad memory... The whole thing caused our society to be polarized. We don't want a monument to a bad memory."<sup>475</sup> In Iraq, the government has recently ordered that the Victory Arch, a symbol of the Hussein era comprised of a double set of crossed swords clutched in hands modeled after Sadaam Hussein's himself, be reassembled. It was partially dismantled in 2007, halted by protests against its destruction. It is being reconstructed as an act of reconciliation for a country that still remains deeply divided after the end of Hussein's rule in 2003.<sup>476</sup>

Even in the more politically stable European and North American countries, management of difficult heritage is a relevant concern. In the United States, the significance of heritage resources for the day-to-day functioning of the nation is far less

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<sup>475</sup> Ethan Bronner, "Bahrain Tears Down Monument as Protesters Seethe," *New York Times*, March 18, 2011, [http://www.nytimes.com/2011/03/19/world/middleeast/19bahrain.html?\\_r=1&scp=1&sq=monument%20in%20pearl%20square&st=cse](http://www.nytimes.com/2011/03/19/world/middleeast/19bahrain.html?_r=1&scp=1&sq=monument%20in%20pearl%20square&st=cse).

<sup>476</sup> Steven Lee Myers, "Iraq Restores Monument Symbolizing Hussein Era," *New York Times*, February 6, 2011, <http://www.nytimes.com/2011/02/06/world/middleeast/06iraq.html?scp=1&sq=monumental%20arch%20baghdad&st=cse>.

in comparison to the relevance of heritage to the nation-building process in South Africa, and I would presume that European countries are in a similar situation. Nevertheless, while these western nations' traumatic histories (American slavery, British workhouses, and the Holocaust internment camps, for instance) are admittedly further in the past and less in the nations' consciousness, these nations may still benefit from the South African example. If nothing else, in the United States where the heritage conservation system has been operating relatively unchanged for nearly a half-century, South Africa's new system, which has taken the best of the heritage debates and legislation of the past several decades to create one of the most progressive heritage policies in the world, can serve as an inspiration to reconsider the transparency and inclusiveness of the American heritage practices.

I do not dare presume that the situations for regime change in the Middle East and South Africa are more than marginally similar or that Middle East nations will even emerge out of the transition as true democracies, but I do assert that every democratic nation, whether newly formed or well-established, must deal with its difficult history. South Africa's transformation from the biased and unjust policy of the past to a democratic heritage policy today can serve as a compelling example for how it can be done. At the sites presented in this thesis, South Africa's commitment to democratic heritage transformation has permitted a rewriting of the nation's history, has exposed the challenges and rewards from the involvement of everyone in the identification and management of heritage, and has resulted in the atypical decision to leave some of the more difficult pasts in place to provide places where debate may persist, all lessons that

are equally important to the continued relevance of difficult heritage management in nation building elsewhere in the world.

**APPENDIX I  
RECORD OF INTERVIEWS CONDUCTED**

<b>Interviewee</b>	<b>Organization</b>	<b>Date</b>
Irwin Langeveld	Department of Arts and Culture, Heritage Institutional Development	Oct. 1, 2010
Alicia Monis	Department of Arts and Culture, Planning and Evaluation, Legacy Projects	Oct. 1, 2010
Helene Vollgraaff	National Heritage Council, Policy Research	Oct. 4, 2010
Babalo Mdikane	National Heritage Council, Liberation Heritage Route	Oct. 4, 2010
Thabo Manetsi	National Heritage Council, Heritage Manager	Oct. 4, 2010
Pascall Taruvinga	National Heritage Council, World Heritage	Oct. 4, 2010
Andrew Hall	Department of Sport, Recreation, Arts and Culture, Eastern Cape Province, Museums and Heritage	Oct. 6-8, 2010
Shane Christians	Department of Arts, Culture and Sports, Eastern Cape Province, Heritage Resources Unit	Oct. 6, 2010
Leon (Jakes) Jacobson	McGregor Museum	Oct. 6, 2010
Sunet Swanepoel	McGregor Museum	Oct. 6, 2010
Sephai Mngqolo	McGregor Museum	Oct. 6, 2010
David Morris	McGregor Museum	Oct. 6, 2010
Yolanda Baptista	McGregor Museum	Oct. 6, 2010
Roy Stauth	Graaff-Reinet Heritage Society	Oct. 8, 2010
Len Raymond	HeritageSA	Oct. 8, 2010
Jock McConnachie	Property and Environmental Law Lawyer/Advocate	Oct. 8, 2010
Francois Coetzee	UNISA Archaeology Student	Oct. 9, 2010
Mary Leslie	SAHRA, Archaeology	Oct. 9, 2010
Stephen Townsend	University of Cape Town	Oct. 11, 2010
Jonathan Jansen	University of the Free State	Oct. 11, 2010
Dumisani Sibayi	SAHRA	Oct. 13, 2010
Ceciline Muller	SAHRA	Oct. 13, 2010
Janette Deacon	Retired	Oct. 13, 2010
Ciraj Rasool	University of the Western Cape	Oct. 14, 2010
Leslie Witz	University of the Western Cape	Oct. 14, 2010
Noeleen Murray	University of the Western Cape	Oct. 14, 2010

APPENDIX II  
RECORD OF HERITAGE SITES/MUSEUMS VISITED

Heritage Site/Museum	Location	Date
Apartheid Museum	Johannesburg	Sept. 30, 2010
Hector Pieterse Museum	Johannesburg	Oct. 3, 2010
Mandela House	Johannesburg	Oct. 3, 2010
Freedom Park	Pretoria	Oct. 5, 2010
Voortrekker Monument	Pretoria	Oct. 5, 2010
Parliament Buildings	Pretoria	Oct. 5, 2010
McGregor Museum	Kimberley	Oct. 6, 2010
Sol Plaatje Museum and Library	Kimberley	Oct. 6, 2010
Frances G. Baard Statue	Kimberley	Oct. 6, 2010
J. G. Zuma Statue	Kimberley	Oct. 6, 2010
Solomon Tshekisho Plaatje Monument	Kimberley	Oct. 6, 2010
Malay Camp Memorial	Kimberley	Oct. 6, 2010
Ernest Oppenheimer Memorial Gardens and Diggers Fountain	Kimberley	Oct. 6, 2010
The Kimberly Mine or “Big Hole”	Kimberley	Oct. 6, 2010
Galeshewe Township Heritage Area	Kimberley	Oct. 6, 2010
Duggan-Cronin Gallery	Kimberley	Oct. 7, 2010
Wildebeest Kuil	Kimberley	Oct. 7, 2010
Phillipstown Heritage Area	Phillipstown	Oct. 8, 2010
Umasizakhe Township	Graaff-Reinet	Oct. 8, 2010
Graaff-Reinet Historic District	Graaff-Reinet	Oct. 8-9, 2010
Valley of Desolation National Monument	Graaff-Reinet	Oct. 9, 2010
Graaff-Reinet Museum	Graaff-Reinet	Oct. 9, 2010
District Six Museum	Cape Town	Oct. 12, 2010
V & A Waterfront District	Cape Town	Oct. 12, 2010
Robben Island	Cape Town	Oct. 12, 2010
Lwandle Migrant Labor Museum	near Cape Town	Oct. 13, 2010
Constitution Hill	Johannesburg	Oct. 18, 2010

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