

## REPORT ON THE REPATRIATION OF DAVID STUURMAN MULTI-STAKEHOLDER DRIVEN PROJECT FACILITATED BY THE NATIONAL HERITAGE COUNCIL OF SOUTH AFRICA

### 1. INTRODUCTION

The National Heritage Council (NHC), a Schedule 3A public entity that being an implementing agency under the Department of Arts and Culture (DAC) established in terms of the National Heritage Council Act, 1999 (Act No. 11 of 1999) had been approached by one of the Khoi-San Constituencies with a request to address the Council on the planned repatriation of Chief David Stuurman from Australia. The NHC Council did hold a meeting held on 16 March 2013 at Steve Biko Centre in Ginsberg, King William's Town in the Eastern Cape Province. Prior thereto, the NHC had funded a research project on Chief David Stuurman which has three components namely: (1) a workshop with the relevant stakeholders participating drawn from the following schools: Solomon Mahlangu, Chatty, Cowan, Newell, St Thomas, Douglas Mbopa, Gelvandale, Uitenhage, and Kwamaqxaki. Affected communities in the Nelson Mandela Bay Municipality involved are: The Inqua, Damasqua, and Gonaqua; (2) Research on David Stuurman around the Khoi-San Heritage; and a Mobile Exhibition which is to be moved to the Red Location Museum and District Six.

The research culminated in the production of a book which aims to bring the untold histories of South African minorities and more particularly focusing on David Stuurman. The book covers several engagement of Chief David Stuurman – a Khoi-Khoi Leader who was jailed at Robben Island three times. He was among the first political prisoners to be incarcerated at Robben Island and one of the few to escape twice from the island. His last escape was with the fellow Khoi Captain Hans Trompetter and the Xhosa prophet and general Makana after whom the island was named. Makana unfortunately drowned when their whaling boat capsized in rough seas off Blaauwberg Strand. Chief David Stuurman and two compatriots swam ashore. He was recaptured and returned to Robben Island cell, chained to the wall and ultimately transported to the penal colony of New South Wales in Australia in 1823 aboard the Brampton together with another Khoi Jantie Piet.

Chief David Stuurman worked at the military barracks for six years before he would be granted a ticket to leave. Numerous attempts by his family with the assistance of Thomas Pringle and Saxe Bannister to have him returned to his homeland failed. Sadly, he died without ever making use of the labour freedom and without returning to the Cape. As a result Chief David Stuurman's name became a symbol of the Khoi fight for liberation. Coincidentally, he lived during the same era as Sarah Baartman – another symbol of the oppression the Khoi suffered early in the history of modern South Africa.

Chief David Stuurman, his older brother Klass, and other brothers were leaders of the Zuurveld Khoi. They resisted colonial oppression, indentured labour, the dispossession of their land and livestock and the loss of their way of life. They led numerous Khoi raids and resisted subjugation.

## **2. CONSTITUTION OF A STEERING COMMITTEE ON THE REPATRIATION OF DAVID STUURMAN**

### **2.1 Background and purpose**

Following the presentation by one of the Khoi-San constituencies at the NHC Council meeting aforementioned, it was agreed that a Steering Committee on the repatriation of Chief David Stuurman from Australia be constituted. Subsequent thereto, a meeting was convened on 2 April 2013 at Opera House (Barn Hall) in Port Elizabeth with Traditional Leaders and other Stakeholders. The purpose of the meeting was to meet the Khoi-San Leadership and formulate a plan of action. In terms of attendance, the meeting was attended by the following:

#### **Attendants:**

- a) NHC: Adv. Mancotywa, Mr. Mkiva and Dr Ndletyana,
- b) Stuurman & Piet Repatriation Political Task Team: Mr. Martins, Mr. Jordans, Ms. Baartman and Mrs. Malgas and Rev Bobby?
- c) South End Museum: Four Representatives, including executive director,
- d) Khoi-San Traditional Leadership: Approx. 12 Representatives,
- e) Mandela Metro Officials: Municipal Manager – Dr. Lindiwe Msengana-Ndlela, Ms. Nonceba Shoba and another official,
- f) English Heritage Institute: 2 Representatives.

#### **Agenda:**

The meeting focused on the following which had been prioritised on the agenda:

- a) Information sharing from the Chief Executive Officer of the NHC, Advocate Sonwabile Mancotywa;
- b) Importance of unity and successful delivery of Chief Dawid Stuurman Project;
- c) Role of the Khoisan Political Task Team as one of the Constituencies and Stakeholder;
- d) Nomination of Representatives from the Traditional Houses (Leaders); and
- e) Response from Stakeholders.

## 2.2 Discussions and Clarification of Roles and Mandates

The NHC facilitated the discussions in the meeting through its Chief Executive Officer, Adv Sonwabile Mancotywa. An expression of gratitude was extended to all stakeholders for the identification and inclusion of the NHC as one of the critical stakeholders in the planning towards the repatriation of Chief David Stuurman from Australia. Equally so, the Traditional Leaders who attended were acknowledged and thanked for their involvement. The role of the South African Heritage Resources Agency (SAHRA) charged with the mandate to effect physical repatriation of heritage resources especially in the form of human remains as is the case with Chief David Stuurman. The complimentary mandate of the NHC as distinguished from SAHRA's particularly on the policy advisory role by investigating ways and means of effecting heritage resources by way of making policy recommendations to the Minister in that regard was made.

The importance of the Government as represented by the Department of Arts and Culture and the mandate of the NHC as well as SAHRA both being implementing agencies thereof was cleared to all present. Highlighted was the importance of unity, respect, support and cooperation by all the stakeholders and leaders in the Chief Dawid Stuurman Repatriation Project to ensure that the planned processes leading to the actual repatriation as planned are realised.

The role and mandate towards the citizens of the country was spelt out. The NHC's role was emphasised as being the following:

- a) Funding of Heritage projects of all the population groupings especially those with research outputs to enhance its knowledge production strategic pursuits;
- b) Policy advise in relation to the repatriation of Human Remains especially from neighbouring states, foreign governments, institutions or private individuals in other countries outside out borders;
- c) Heritage sites focusing on the intangible aspects thereof;
- d) National Libraries as represented in the Council of the NHC;
- e) Legacy Museums especially from liberation heritage point of view;
- f) Education of the South African society on heritage and its promotion; and
- g) Rewriting of History—what should be there and not what is there.

Highlighted by the NHC was the importance of the upcoming commemoration of the Centenary of the Native Land Act of 1913 from the point of view of land dispossession which the Ministry of Rural Development and Land Reform is spearheading. Remarkable with this is that this Act was a result of the onslaught by the British and Dutch forces on the local inhabitants.

### **2.3 Stakeholders**

The meeting underscored the importance and need for cooperation on the Repatriation project by the relevant Role-players, Stakeholders, Traditional Houses' Councils all of whom should be invited as critical to the success of the Chief Dawid Stuurman Repatriation Project.

- a) Department of Defence and Military Veterans (DoD & MV);
- b) Office of the Premier of the Eastern Cape Province;
- c) South African Navy (within (DoD & MV);
- d) Department of Arts and Culture (DAC);
- e) Department of Cooperative Governance and Traditional Affairs (COGTA);
- f) Department of Arts Sports and Recreation in the Eastern Cape Province;
- g) SAHRA;
- h) NHC;
- i) Nelson Mandela Bay Metro Municipality; and
- j) Robben Island Museum Council.

### **2.4 Inclusivity and Participation**

Traditional Leaders expressed their concerns regarding their representation but were assured by the meeting that the process towards the repatriation of the mortal remains of Chief David Stuurman will be inclusive and consultation done with all critical stakeholders. The relationship with Khoi-San Political Task Team as one of the constituencies with whom the NHC Council had a meeting was explained by Messrs Christian Martin and Andrew Jordaan (MPL). The explanations given were accepted and they respectfully apologised to the traditional leaders for any confusion that may have been created. It was agreed that the traditional leaders will nominate their representatives after consultation with their membership.

All the issues having been thrashed out, the meeting arrived at the following conclusions, that:

- a) Participants were unanimous that the NHC is sincere and can be entrusted with co-ordinating the process;
- b) The meeting achieved its intended aim of drawing the Khoi-San Leadership into the process;
- c) The bona fides of all involved, especially the NHC and the Political Task Team were acknowledged; and

## **2.5 Facilitation of membership nomination**

The meeting agreed that South End Museum be asked to facilitate a meeting to ensure that the stakeholders meet and nominate their representatives of their choice. South End Museum would coordinate the meetings and present the names to the Committee endorsed by the NHC as the facilitator. It was further agreed that this should be done within 7 days from the date of the meeting. Further that the next meeting would have to endorse the nominees.

## **2.6 Resolutions**

The meeting agreed on the following resolutions:

- a) Letterhead on the Chief Dawid Stuurman Repatriation Project to be created (designed);
- b) Website to be established or possible integration into current Liberation Heritage Route Project;
- c) Preparation of meeting calendar for the year;
- d) Support from NHC for budget to support the Dawid Stuurman Repatriation Project, accommodation, travelling, transport (local and International);
- e) Briefing of the Cape Town Municipality Leadership about the Chief Dawid Stuurman Repatriation Project as he was on Robben Island in the Western Cape. Spiritual rituals and offerings / ceremonies will be conducted by Traditional Leaders of the Khoi-San;
- f) Research on the places where Chief Dawid Stuurman was captured be done and the trail where he was staying with the Khoi-San community be traced;
- g) Preparation to determine an appropriate place for burial and monument to be erected; and
- h) Soliciting of inputs from the Traditional Leaders.

## **3. BRIEFING OF THE NATIONAL KHOI-SAN COUNCIL ON THE REPATRIATION OF CHIEF DAWID STUURMAN PROJECT**

### **3.1 Context to the briefing to the National Khoi-San Council (NKC)**

Informed by the resolution taken at the previous Steering Committee meeting held in PE on 02 April 2013 aforementioned to engage critical stakeholders, a follow up meeting was held in Cape Town at on 16 April 2013. The main purpose of the meeting was to debrief the NKC on the repatriation of Chief Dawid Stuurman Project and adopt a common position on which to brief the Parliamentary Portfolio Committee on Arts and Culture for presentation on 17 April 2013 in Parliament, Cape Town. The meeting underscored the importance of fostering unity of purpose and ensuring that all the voices representative of all critical stakeholders and more particularly the Khoi-San groups are heard and an opportunity afforded for their expression in the process towards repatriation and reburial of the remains of Chief Dawid Stuurman.

It was agreed that priority would be given to the Repatriation of Chief Dawid Stuurman Project and briefing to the Portfolio Committee on Arts and Culture and all other issues and concerns that may need to be addressed in the process would then be dealt with in the next meetings of the Steering Committee to be held in the first week of May 2013. Accordingly, the focus would be on lessons drawn from the previous repatriation processes that South Africa had undertaken to inform planning on the Repatriation of Chief Dawid Stuurman Project and the risks associated therewith so that a mitigation strategy could be developed.

### **3.2 Experiences of Previous Repatriations- Sarah Baartman; Klaas and Trooi Pienaar**

#### **3.2.1 International Relations**

- a) With Sarah Baartman - Initially the French institution that held remains of Sarah Baartman and the French government did not take representations from Griqua National Council seriously;
- b) Behind the scenes negotiations are necessary to ensure that buy in by all critical stakeholders who have interest on the repatriation of Chief Dawid Stuurman be secured;
- c) Absence of bilateral framework between SA and France to deal with issue proved limiting;
- d) French government enacted specific enabling legislation to enable repatriation. Established good relations with France (who covered some of the costs of repatriation);
- e) With Klaas and Trooi Pienaar repatriation, the South African Government negotiated with Austrian government hence it is important to ensure good government to government relations and at embassies level with DIRCO being a key facilitator of engagements;

#### **3.2.2 Political interventions**

- a) Only after repatriation became a national issue and taken up at highest level was way opened for repatriation.
- b) Embassies, (then) Department of Foreign Affairs (DIRCO) now, was important.
- c) The process gives us an opportunity for political leadership to facilitate broad national discussion on key issues affecting the Khoi-San with fellow South Africans today.

### **3.2.3 Stakeholder Involvement**

- a) The need for effective consultation, inclusivity and representivity in planning and implementation of project is paramount;
- b) For Khoi-San/Khoi-khoi community this project presents an opportunity to address issues of unity, identity (names) and social cohesion.
- c) With Sarah Baartman, at all various stages respect for religious, cultural beliefs and rituals (re-humanisation) was paramount;
- d) With the experience on the Klaas and Trooi Pienaar repatriation the importance of re-humanising rituals was emphasised.

### **3.2.4 Administrative and Technical Issues around Exhumation and Repatriation**

- a) In the case of the remains of Sarah Baartman, location and identification was not a challenge.
- b) In the case of Chief Dawid Stuurman, however, a lot of work has already been done and much as this much be acknowledged, there will still be challenges that may need to be overcome.
  - i) Location of remains;
  - ii) Exhumation;
  - iii) Identification;
  - iv) Repatriation according to the relevant legal prescripts;
- c) With Klaas and Trooi Pienaar finding family proved difficult;
- d) Consensus on appropriate site for dignified burial is key to the success of the project;
- e) The project must be arranged, organized and pitched as a national event;
- f) All spheres of government worked very well in the reburial of Sarah Baartman – cooperative governance in action hence COGTA must be engaged; and
- g) Follow up with more permanent memorial /living memorial that will promote social and economic development beyond the repatriation project be considered.

### **3.2.5. Conclusion**

The meeting agreed in the briefing on the following points of convergence, that:

- a) Chief Dawid Stuurman was a true national hero and a great revolutionary;
- b) Reburial of Chief Dawid Stuurman provides an opportunity to really promote social cohesion and nation building;

- c) The project needs government, political leadership and Khoi and San communities to join hands and work together toward it success;
- d) The successful implementation of this project will hopefully in later years to see the legacy that our descendants will look back at and say this was indeed a landmark event in the history of SA.

For consideration and counsel by the Portfolio Committee on Art and Culture.

**Advocate Sonwabile Mancotywa**

**Chief Executive Officer - National Heritage Council**